

# UNIVERSITY OF TWENTE.

**Faculty of Behavioural, Management and  
Social Sciences**

## **Joining the War on Terror – the EU and its Role in Global Counterterrorism**

**Luisa Kiwit  
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**Supervisors:**

prof. dr. Ramses A. Wessel.  
dr. Shawn Donnelly  
dr. Luisa Marin

European Public Administration  
Faculty of Behavioural, Management and  
Social Sciences  
University of Twente  
P.O. Box 217  
7500 AE Enschede  
The Netherlands

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### *Abstract*

The following thesis studies the role of the European Union as a security actor in the fight against global terrorism. The main research question this paper aims to answer is:

*To what extent is the EU able and willing to take on more responsibility as a counter-terrorism actor in the wake of global terrorism?*

In order to answer this question, secondary and primary sources will be studied. The data needed for this can be found in scientific journals, the official website of the EU and the EEAS, the legal documents conferring competences upon the European Union (TEU and TFEU), information collected by the non-governmental organisation 'VoteWatch', official reports on the CSDP missions that have been conducted in the past and independent assessments of these missions conducted by think tanks and other independent institutions. The current diffusion of terrorist groups and the persisting continuous threat of a terrorist attack all around the world and the failure of individual states to provide security in a sufficient manner make this study scientifically relevant and topical.

# Chapter 1

## 1.1 Introduction/Background of the problem

The year 2015 has seen a peak of terrorist attacks all around the world. The terrorist attack in Paris on November 13<sup>th</sup>, 2015, or the attack on the Brussels airport on the 22<sup>nd</sup> of March 2016 by members of ISIS make terrorism an omnipresent topic in world media, almost daily we receive news of a new bombing or a new violent attack. Almost all of these terrorist attacks are carried out by jihadist extremist groups. The Arabic countries and Northern African states have seen a significant radicalization towards extreme Islamism in recent years, fuelling the efforts of organizations like ISIS and Al-Qaeda to spread fear throughout the Western civilization.

Terrorism has become global and more complex throughout the years and has developed into the main security threat of our time. The formation of new jihadist groups like ISIS and the process of globalisation have changed terrorism itself and subsequently the fight against it. During the 1970s and 1980s, terrorism was mostly a national phenomenon, with national terrorist groups violently protesting against national policies and governments. Examples for this are the 'Rote Armee Fraktion' in 1970 in Germany<sup>1</sup> or the 'Euskadi Ta Askatasuna' in Northern Spain since 1959.<sup>2</sup> The turning point came in 2001, when Al-Qaeda attacked the World Trade Centre in New York City. This large-scale terrorist attack is considered the beginning of terrorism turning into a global phenomenon instead of a national one.<sup>3</sup>

With the rise of the internet and social media, the internationalization of terrorism gained further momentum. This new development allowed members of the same terrorist group who are spread out throughout the world to communicate with each other instantly. The result is a new, globalized form of terrorism, with wings of a terrorist organization in various states. Al-Qaeda for example, is no longer confined to Afghanistan, where it was founded, but has opened branches in India, Iraq, Syria and many other regions, making it an internationalist terrorist organization. The possibility of any person in the world to connect with a group like Al-Qaeda via the internet and social media like Facebook, makes terrorism a global threat. Furthermore, any state can at any time be the target of terrorist organizations, especially those considered to be

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<sup>1</sup> 'Die Geschichte der RAF', *Bundeszentrale für politische Bildung* (n.d.), available at <<http://www.bpb.de/geschichte/deutsche-geschichte/geschichte-der-raf/>>.

<sup>2</sup> R. Pauli, 'Kein Frieden für die Eta', *Die Zeit* (26 February 2014), available at <<http://www.zeit.de/politik/ausland/2014-02/Spanien-Eta-Entwaffnung>>.

<sup>3</sup> J. Monar, 'The EU as an International Counter-terrorism actor: Progress and Constraints' 30(2-3) *Intelligence and National Security* 2015, 333-356

part of the so-called ‘Western World’.<sup>4</sup> The globalization of terrorism made the prediction and hence also the prevention of planned terrorist attacks much more difficult.

Terrorism’s evolution into a global phenomenon changes the way the world responds to it. A global problem requires a global solution. Individual nation-states are no longer able to deal with terrorist attacks threatening their security by themselves. An effective joint approach to counterterrorism is needed. In the European Union, an increased role of the EU as a security actor, representing its Member States, could be the solution. But is the EU really capable of channelling the forces of the Member States into one large centralized force against global terrorism? Does Europe have the necessary means and the necessary power to effectively combat terror as a union? The aim of this bachelor thesis is to answer these questions.

## 1.2 Research Questions & Conceptualization

### *Research Questions*

The main research question of this thesis is: To what extent is the EU able and willing to take on more responsibility as a counter-terrorism actor in the wake of global terrorism? In order to answer this rather complex question, it is divided into three sub-questions. The findings of these sub-questions will provide an informed answer to the overall question. The first sub-question this paper will answer is:

Sub-question 1: *What legal competences does the EU have to act as a security actor?*

This question investigates to what extent the EU may represent its Member States in security matters. Due to the principle of conferral, the competences of the EU are determined in a very specific manner. This question will determine what exactly the EU competences in security issues are and what this means for possible counterterrorism actions by the EU.

The second sub-question is:

Sub-question 2: *Have security missions in the past reached their goal effectively?*

To answer this question, European CSDP missions of the past will be looked into, to determine how successful the EU has been in the past to achieve its military goals and to draw valuable lessons from these experiences for counterterrorism operations.

The third sub-question is:

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<sup>4</sup> J. Monar, *supra* note 3, at 3.

Sub-question 3: *To what extent do the Member States support a common European approach to combating global terrorism?*

This question investigates the political feasibility of an increased role of the EU in the global fight against terrorism. After having tested whether taking on more responsibility in counterterrorism is possible from a legal perspective and getting an impression of the effectiveness of previous military missions, it is essential to take the commitment of the Member States into consideration as well. Without the support of the Member States, the EU would encounter great difficulties in becoming a global actor in the field of counterterrorism. Therefore, this third sub-question investigates the extent to which the Member States support such a development.

### 1.3 Conceptualization

In the following, I will elaborate on the wording of my research questions and define what exactly is meant by the included concepts. As a reminder, my main research question is: To what extent is the EU able and willing to take on more responsibility as a counter-terrorism actor in the wake of global terrorism?

In this context, the words ‘able and willing’ refer to the EU’s ability to become more involved and possibly assume a leadership position in the global war against terror and its willingness to follow this path. What is needed for the EU to assume such a role is the legal capacity to act against terrorism on behalf of the EU Member States, which is mostly determined by the Treaty of the European Union and the Treaty of the Functioning of the European Union. What is more, the EU’s ability to assume a leading position in counterterrorism efforts also depends on the EU’s experience and skills in conducting military operations. Finally, the support of the Member States is a further prerequisite for the EU to assume the role of global security actor.

The second concept I want to further explain is ‘taking on more responsibility’. As of right now, the EU has participated in various global counterterrorism efforts. However, this thesis aims to investigate whether the EU could assume a leading position in the fight against terror, joining the USA in its leadership role. Furthermore, the Member States of the EU are currently independently taking action against terrorism as well. An example for this is the recent involvement of the German ‘Bundeswehr’ in the civil war in Syria, aiming to fight the jihadist terrorist organization ISIS. The EU ‘taking on more responsibility’ could mean that the Member States no longer use their resources individually, but combine them in order to jointly combat terrorism under the leadership of the European Union.

Another concept that requires further explanation can be found in the second sub-question, which is: Have security missions in the past reached their goal effectively? This sub-question requires clarification of what is meant by ‘effectively’. A security mission conducted by the EU is considered to have reached its goal ‘effectively’ if the goal that was set before the mission began

has been achieved to a certain extent. For each CSDP mission conducted by EU forces, some concrete and measurable objectives have been determined. After each mission, the achievement of these objectives has been thoroughly assessed. Based on this evaluation, I will be able to determine to what extent the respective security mission has reached its goal 'effectively'. Security missions refer to Common Defence and Security missions, of which the EEAS has launched 30 since 2003 into various regions, aiming at providing stability and security in Europe and beyond.<sup>5</sup>

## 1.4 Theory section

In order to discuss and assess the Counterterrorism competences and resources of the European Union, it is important to consider the development of the EU counterterrorism policy that led up to today's status quo and the constraints that are still faced today. The EU's development as a counterterrorism actor has its origins in the 1970s, when the intergovernmental counterterrorism cooperation TREVI ('Terrorisme, Radicalisme, Extremisme et Violence Internationale') was first created. However, it was not until the attacks of 9/11 that the EU developed into an international security in its own right, according to Monar.<sup>6</sup> The attack on the twin towers led the EU to assume a more active role in the fight against terror, standing by its ally USA in solidarity. However, Monar stresses that the EU has not yet replaced its Member States in combating terrorism. Instead, the EU functions as a subsidiary force to the counterterrorism efforts of its own Member States as well as the global community of states. The main reason for this is the limitation of legal competences conferred upon the EU by the Member States, which has led to the EU getting a reputation as a 'paper tiger' meaning that it is merely a security actor on paper but lacks the necessary power to take real action in the field.<sup>7</sup> The attacks of 9/11 created an unprecedented sensation of fear throughout the western hemisphere and the USA and Europe were both quick to respond to the attacks by developing new counterterrorism strategies. An important difference between the European and the American approach to fighting terrorism is the question of what causes terrorism. While the USA, at least under the Bush administration, has abandoned a rational approach to finding the causes of terrorism in socio-economic and political conditions and considers mere 'evilness' to be the cause of terror, the EU focuses more on determining what exactly it is that fosters religious radicalization and terrorism.<sup>8</sup> The Amsterdam Treaty reforms of 1999 provided the EU with the explicit competence to become active externally in matters of justice and home affairs. Concretely, Article 38 and 24 in the Treaty of

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<sup>5</sup> 'Security and Defense – CSDP', *European External Action Service* (n.d), available at <<http://www.eeas.europa.eu/csdp/>>.

<sup>6</sup> J. Monar, *supra* note 3, at 3.

<sup>7</sup> J. Monar, *supra* note 3, at 3.

<sup>8</sup> R. Coolsaet, 'EU counterterrorism strategy: value added or chimera?', 86(4) *International Affairs* 2010, 857-873.

the European Union enabled the Union to react immediately to the events of September 11<sup>th</sup> 2001 as an international security actor due to the EU's approach to terrorism as a criminal law matter.<sup>9</sup> Article 38 TEU allows the EU to conclude and negotiate international agreements in the field of police and judicial cooperation in criminal. By considering terrorism a criminal matter instead of an independent category, the EU found a way to provide itself with the necessary competences to take action. A terrorist act is therefore considered a cross-border crime, to be persecuted by the Union as a cross-border security actor.<sup>10</sup> In 2009, however, the Lisbon Treaty lacked a provision that would explicitly enable the EU to act externally on counterterrorism matters. Therefore, the issue of the EU's legal competence concerning counterterrorism remains ambiguous.

In his article on the EU Counterterrorism strategy, Coolsaet describes the EU's approach to fighting terrorism as a development in shockwaves: whenever a large-scale terrorist attack occurred, the motivation to find and enforce an effective counterterrorism strategy was there among all Member States. The initial panic gave way to headless actionism in the global community, leading to unstructured decision-making and inefficient reforms. After a while, this sense of urgency faded away, as the attack in question was no longer as present in people's minds and security reforms were no longer a priority. When a new attack occurred that shocked the world, the cycle began anew.<sup>11</sup>

In our present day, terrorist attacks occur much more frequently than ten years ago, therefore the 'shockwave development' of EU counterterrorism efforts can no longer be accepted. This cycle of attention towards counterterrorism must be broken, instead, a feasible, implementable and effective counterterrorism strategy must be developed. In addition, a monitoring mechanism could ensure that all Member States stick to their agreements concerning security reforms, even if they don't consider themselves in immediate danger anymore. The fact that terrorist attacks have risen significantly in their frequency compared to previous years could be a possible justification for an increased centralization in EU counterterrorism measures.

Only in 2002 has the EU determined a common definition of terrorist offences, an important prerequisite for intra-European cooperation in matters of justice and police.<sup>12</sup> According to the 'Framework decision on Combating Terrorism', the definition of terrorist offences reads: Terrorist offences are 'offences under national law, which, given their nature and context, may seriously damage a country or an international organization where committed with the aim of: (1) seriously intimidating a population, or (2) unduly compelling a Government or international organization to perform or abstain from performing any act, or (3) seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or international organization.'<sup>13</sup> According to Coolsaet, the EU takes a criminalist approach to terrorism, treating a terrorist offence as a criminal act that is to be punished via criminal law. That

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<sup>9</sup> J. Monar, *supra* note 3, at 3.

<sup>10</sup> R. Coolsaet, *supra* note 8, at 6.

<sup>11</sup> R. Coolsaet, *supra* note 8, at 6.

<sup>12</sup> R. Coolsaet, *supra* note 8, at 6.

<sup>13</sup> D. Casale, 'EU Institutional and Legal Counterterrorism Framework', *1(1) Defense Against Terrorism Review* 2008, 49-78.



way, the EU has, to some extent, the competence to take action, as the Treaty of Lisbon grants the EU some competences in criminal legislation.<sup>14</sup> Two important bodies of intra-European cooperation on justice and police issues are Europol and Eurojust. Since terrorism is considered a criminal offence, these two EU bodies have played an increasingly significant role in European counterterrorism efforts.<sup>15</sup> What is more, the EU has created the office of the 'EU Counterterrorism Coordinator', shortly after the bomb attack on Madrid in 2005, in order to overcome implementation problems with the Member States. These developments show that the EU is recognizing its role as a counterterrorism actor more and more throughout the years, making the necessary changes to steer the European Union towards a common, coherent strategy to fight terrorism. Since the attacks on Madrid in 2005, Europe has approached counterterrorism from a preventative angle, aiming to determine the root causes of terrorism in order to prevent future attacks.<sup>16</sup> Under the EU presidency of the UK after the 2005 attacks, the EU counterterrorism strategy was organized around four strategic objectives. The first objective, to prevent, targeted the origins of religious radicalization processes and the recruitment of terrorist organizations. The second objective, to protect, aimed to provide effective protection for EU citizens and important infrastructure from terrorist attacks. Third, the objective to pursue, intended to investigate terrorist cells and networks cooperatively across EU borders. Last, the objective to respond entailed the enforcement of the solidarity clause<sup>17</sup> among Member States and the enhancement of consequence management mechanisms in the event that a Member State falls victim to a terrorist attack.<sup>18</sup>

However, all the abovementioned efforts and strategies are merely internal efforts of the EU to solve a problem that cannot solely be solved through the internal dimension of European counterterrorism alone. Terrorism is a global issue and therefore requires a global response. While the internal dimension of the European approach to counterterrorism mainly consists of cooperation between the Member States and the supranational EU institutions, the external dimension of counterterrorism entails cooperation with the international community and international organisations. The globalisation of terrorism has increased to such an extent, that about a third of the EU's response measures include cooperation with international actors.<sup>19</sup> This development shows how the external dimension of counterterrorism is gaining more and more momentum, due to the development of terrorism into a global phenomenon. According to Commissioner Franco Frattini, the EU's counterterrorism strategy is composed of an internal and

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<sup>14</sup> 'Criminal Law Policy', *European Commission* (n.d.), available at <[http://ec.europa.eu/justice/criminal/criminal-law-policy/index\\_en.htm](http://ec.europa.eu/justice/criminal/criminal-law-policy/index_en.htm)>.

<sup>15</sup> R. Coolsaet, *supra* note 8, at 6.

<sup>16</sup> R. Coolsaet, *supra* note 8, at 6.

<sup>17</sup> The solidarity clause is described in Art. 222 of the Treaty on the Functioning of the European Union.

<sup>18</sup> R. Coolsaet, *supra* note 8, at 6.

<sup>19</sup> J. Argomaniz, 'A rhetorical spill-over? Exploring the link between the European Common Security and Defence Policy (CSDP) and the External Dimension in EU Counterterrorism', 17 *European Affairs Review* 2012, 35-52, available at <[https://www.academia.edu/3045547/A\\_rhetorical\\_spill-over\\_Exploring\\_the\\_link\\_between\\_the\\_European\\_Union\\_Common\\_Security\\_and\\_Defence\\_Policy\\_CSDP\\_and\\_the\\_External\\_Dimension\\_in\\_EU\\_Counter-terrorism](https://www.academia.edu/3045547/A_rhetorical_spill-over_Exploring_the_link_between_the_European_Union_Common_Security_and_Defence_Policy_CSDP_and_the_External_Dimension_in_EU_Counter-terrorism)>.

an external dimension.<sup>20</sup> The internal dimension of counterterrorism refers to the cooperation of the Member States with the supranational EU institutions. The question of legal competence, which plays a central role in answering the main research question of this paper, strongly influences the extent to which EU and Member States cooperate and coordinate on counterterrorism. However, the external dimension of the European approach to fighting terror is also essential for the success of counterterrorism policies. The external dimension of counterterrorism includes cooperation with third states and international organisations, like the United Nations. As Mr Frattini explains in his speech at the 4<sup>th</sup> congress on European defence in 2005, an effective counterterrorism strategy requires the EU to strengthen the UN framework of conventions, resolutions and other instruments against terrorism, since the UN sets the norms for counterterrorism efforts throughout the entire global community. Furthermore, close cooperation with third countries is needed, especially with the USA, since the EU and the US have many core values in common and work towards the same interest. In order to contribute to a safer world and combat terrorism effectively, the EU should engage in assistance programs for third states that are unable to defend themselves against terrorism. Assisting such nations implies mechanisms like institution building, police and law enforcement training and enabling the effective implementation of international agreements.

According to Kaunert, the external dimension of the EU counterterrorism has a promising future, thanks to the amendments made by the Lisbon Treaty to the previous versions of the TEU and the TFEU. Kaunert argues that, by lifting the ‘Area of Freedom, Security and Justice’ to be an EU objective, the policy area of counterterrorism gains more and more importance in the EU’s agenda.<sup>21</sup>

In a different article, Kaunert also argues that the current external dimension of the European counterterrorism strategy has its main starting point in the attack of 9/11, when the EU openly stood with the US and an international agreement between the European Union and the United States of America was concluded for the very first time.<sup>22</sup> According to Kaunert, this marked the beginning of the EU becoming a global actor in the fight against terror and set the tone for all further missions and efforts to come.

For this paper, it is essential to discuss both the internal and the external dimension to EU counterterrorism because many of the competences exercised by the EU in this field are not explicitly mentioned in the TEU or TFEU. Through the doctrine of implied competences, the EU has to have the capacity to defend measures taken internally on an international level as well. Therefore, it is very important to discuss the internal dimension of EU competences concerning

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<sup>20</sup> F. Frattini, ‘Internal and external dimension of fighting terrorism’, Speech/05/735, available at <[http://europa.eu/rapid/press-release\\_SPEECH-05-735\\_en.htm](http://europa.eu/rapid/press-release_SPEECH-05-735_en.htm)>.

<sup>21</sup> C. Kaunert, ‘Conclusion: assessing the external dimension of EU counter-terrorism – ten years on’, 21(4) *European Security* 2012, 578-587.

<sup>22</sup> C. Kaunert, ‘The External Dimension of EU Counter-Terrorism Relations: Competences, Interests, and Institutions’, 22(1) *Terrorism and Political Violence* 2009, 41-61.

the fight against terror, as some of these competences have implications for the EU's external dimension of counterterrorism. This is also confirmed by Kaunert, who states in his article that creating internal EU legal competences serves as precondition to engage in external action.<sup>23</sup> The two dimensions cannot be separated, as only a combination of the two can allow the EU to become a successful actor against terror, both within Europe and globally.

What is more, due to the globalization of terrorism, the internal and external dimensions of counterterrorism are blending together more and more. The phenomenon of foreign fighters has introduced a new significant source of danger, as radical Islamists from Europe go to Syria or Iraq to join ISIS and return to their home state with a mission to kill. Therefore, global terrorism is no longer merely a threat to be fought externally, but also requires extensive response from the internal dimension. The internal and external dimensions have become very much intertwined. Subsequently, one cannot be discussed without the other.

### 1.5 Scientific and Societal relevance/Academic State of the Art

The scientific community has studied terrorism and its causes on various accounts, since terrorism has been a threat to security for decades, but ever since the attack on New York in 2001, the attention to terrorism has increased substantially. However, a number of factors have changed since then and make a study about terrorism and how to react to it all the more prevailing. First of all, the process of globalization has not only changed inter-state relations, it has also affected the way terrorist groups organize themselves and function. Secondly, the process of digitalisation and the age of social media are still new phenomena and their effect on terrorism has not been sufficiently studied. Furthermore, the formation of the terror organization ISIS is a rather new phenomenon and its rise to power in Syria and Iraq is recent and ever changing. The current unstable political situation in Syria, Libya, Somalia, Afghanistan, Egypt and other Arabic countries also has a significant impact on the global fight against terror and has also created a humanitarian crisis of exorbitant magnitude. Finally, the year 2015 has significantly changed the perception on terrorism in Europe. Almost weekly were new attacks reported, often in areas where many EU citizens were on vacation, but also many attacks on the civil population of Arabic and North-African countries. An overall feeling of insecurity and fear has spread, leading to a political development towards the right-wing parties in many European countries. Many consider refugees from Arabic and North-African countries as a possible source of danger and domestic governments in all Member States are incapable to deal with this fear and provide security effectively. Due to these circumstances and new factors changing terrorism, the European Union could grow in its importance as a security actor. Studying this possibility while taking all the factors listed above into account is an updated approach to the issue and can therefore be considered scientifically relevant.

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<sup>23</sup> C. Kaunert, *supra* note 22, at 9.

## 1.6 Methodology

In order to answer the main research question, a thorough study of secondary sources will be conducted.

The first sub-question on the legal competences of the EU will be answered using legal documents, mainly the Treaty of the European Union and the Treaty of the Functioning of the European Union. Furthermore.

The second sub-question, concerning the effectiveness of past EU security missions, will be answered using the reports on these security missions published by the Council of Europe. In order to get an objective perspective on the CSDP missions, I will collect information from the 'CSDP Map', a website run by the International Security Information Service Europe, that provides analyses and evaluations of CSDP missions not only from EU organizations, but also from NGOs, think tanks, research institutes and other external independent sources (ISIS Europe, n.d.). I expect that combining internal and external assessments of CSDP missions will provide me with an informed, objective impression of the respective mission's level of effectiveness. Using these different sources of information, I will conduct case studies on two CSDP missions and conclude from these reports whether the EU has been successful assuming a security actor role in the past. This successfulness will be measured by comparing the goals of the respective mission determined previously to the degree to which these goals were actually achieved in the field.

In order to answer the third sub-question, that is testing to what extent the Member States are willing to support the European Union in assuming an increased role in global counterterrorism efforts, it will be investigated how the Member States have voted on several security policy resolutions in the European Parliament. The website 'VoteWatch' provides an overview of the Member States' voting behaviour on different resolutions presented to the European Parliament.<sup>24</sup> Analysing the voting behaviour of the various Member States should provide an informed impression of the Member States' attitude towards delegating their power to the EU institutions in matters of security policy, and more specifically, counterterrorism. Five cases that are directly linked to terrorism issues will be selected for this analysis. In order to assess whether the commitment of the Member States to support the EU in becoming a global actor in counterterrorism is high or not, I will compare the voting behaviour in these five selected cases with the voting behaviour in cases belonging to the policy field of the EU's monetary policy. Since monetary policy is traditionally a policy field where the EU Member States support common action, this should serve as appropriate reference point for comparison. Based on this analysis of Member State support towards European action in these two policy fields, I will draw a conclusion on the Member States' overall approval for the EU becoming a global security actor, specifically in the field of counterterrorism. The extent to which Member States support the EU in taking on more responsibility in counterterrorism matters has a significant impact on the answer to the main research question.

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<sup>24</sup> The full web address is <[www.votewatch.eu](http://www.votewatch.eu)>.

## **Chapter 2**

### **2.1 Intro**

This first chapter of the thesis aims to answer the sub-question ‘*What legal competences does the EU have to act as a security actor?*’ by analysing and discussing the treaty provisions of the Treaty on European Union and the Treaty on the Functioning of the European Union that are relevant to the EU’s role as a security actor.

Whenever the European Union aims to act representatively of all Member States, as a joint action, it is necessary to base this envisioned action on a legal basis that allows the European Union to do so. This requirement is based on the principle of conferral, which states that any competence exercised by the EU must be previously conferred to the Union by its Member States. Having been originally founded as a merely economic union tasked with joint action in economic matters, the EU has come a long way with respect to the diversity of competences that Member States have conferred upon the EU. A common approach on security policy is one of the more recent developments towards a broad field of EU competences. This section of the thesis is aimed at investigating what exactly the European Union’s competences are in the field of security policy, particularly in the field of counterterrorism. The answer to the first sub-question will be based on those competences that are explicitly mentioned in the European Union Treaties, leaving the interpretation of implied competences the EU might have aside. The following analysis of the EU’s legal basis for its ‘actorness’ in counterterrorism takes into consideration the Treaty of the European Union and the Treaty of the Functioning of the European Union in their most updated versions, as amended by the Treaty of Lisbon, which strengthened the role of the EU as a security actor, for example by allocating more power to the High Representative than before. In the next section, the treaty provisions that are relevant for determining the EU’s competences as a security actor will be discussed and the outcome of this analysis will eventually be linked to the specific field of counterterrorism in order to explain what exactly it is that the EU is capable of doing in this respect.

### **2.2 Focus on CFSP & Question of competence**

In this thesis, a focus on the CFSP is chosen, because it is the external dimension of the EU’s counterterrorism that is to be assessed. If the focus were on the European fight against terrorism within the European borders, the focus would shift on the EU’s competences concerning the Area of Freedom, Security and Justice.

The common foreign and security policy is a policy field for which the question of who is competent to act is yet to be answered. The existence of this competence is clearly stated in

Article 2(4) of the TFEU<sup>25</sup>, as will be elaborated on in the next paragraph, but the provision fails to categorize the nature of this competence. As the competence for the CFSP is neither exclusively European, nor shared or supplementary, it remains uncategorized and has been labelled a *sui generis* in the realm of EU law.<sup>26</sup> As a consequence, the EU's competences in the field of counterterrorism are also unusual and subject to continuous development. In the following, the Treaty provisions concerning the CFSP will be analysed, in order to gain a better impression of what exactly it is that the EU is and is not competent to do in terms of counterterrorism.

#### *Article 2(4) TFEU: Establishing an explicit competence for framing a CFSP and CSDP*

The first relevant legal provision allocating the matter of counterterrorism to the European Union can be found in the Treaty of the Functioning of the European Union. Article 2 (4) TFEU provides the EU with the explicit competence to 'define and implement a common foreign security policy, including the progressive framing of a common defence policy'. The competence to define and implement a common foreign and security policy for the Union is a prerequisite for any further action as a security actor, since the EU has traditionally been focused on other policy fields. An explicit introduction of an EU competence in security issues is therefore necessary to undertake any EU-level counterterrorism measures. What is more, the second part of the provision allows the EU to frame a common defence policy based on the previously defined common foreign security policy. This is essential, because the common security and defence policy is an important cornerstone of the common foreign security policy and contains the possibility of using a CSDP mission in order to achieve a CFSP goal, like fighting terrorism. Further attention will be paid to CSDP missions and their relevance for the EU's counterterrorism efforts in the next sub-question.

#### *Title V TEU: Scope and Content of the CFSP*

The main provisions determining the content and scope of the European Common Foreign and Security Policy can be found in the Treaty of the European Union under Title V.<sup>27</sup> Article 22 introduces the role of the European Council into the EU's CFSP by allocating it the role of identifying the strategic interests and objectives of the Union concerning its foreign policy. The Member States, represented by their heads of state in the European Council, decide on the principal direction of the Union's foreign policy, which also has significant implications on the CFSP. Relating to the counterterrorism context of this thesis, this means that the European Council can directly steer the CFSP into a direction of fighting terrorism by making counterterrorism one of the security priorities of the EU.

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<sup>25</sup> The full text of the TFEU is available at <[http://eur-lex.europa.eu/resource.html?uri=cellar:c382f65d-618a-4c72-9135-1e68087499fa.0006.02/DOC\\_3&format=PDF](http://eur-lex.europa.eu/resource.html?uri=cellar:c382f65d-618a-4c72-9135-1e68087499fa.0006.02/DOC_3&format=PDF)>.

<sup>26</sup> R. Wessel and L. den Hertog, 'EU Foreign Security and Defence Policy: A Competence-Responsibility Gap?', in M. Evans and P. Koutrakos (Eds.), *International Responsibility of the European Union: European and International Perspectives*, (Oxford: Hart Publishing 2012), 339-358.

<sup>27</sup> The full text of the TEU is available at <<http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=OJ%3AC%3A2012%3A326%3ATOC>>.

#### *Article 24 TEU: Competence Coverage of Security and Foreign Policy Matters*

Chapter II of Title V TEU introduces the ‘Specific Provisions on the Common Foreign and Security Policy’, in which the EU competences as a security actor are discussed in a more detailed manner. Article 24 is the main legal basis for the EU as a security actor and subsequently also as a counterterrorism actor as it provides the Union with the competence to act within the CFSP covering all matters of security and foreign policy. This competence includes the possibility of establishing a common defence for the matters falling into this category. In the context of this thesis, this provision is especially important, since counterterrorism can surely be regarded as a security matter and is therefore perceived as a potential trigger for EU action in the field of CFSP and CSDP.

#### *Article 25 TEU: Designing and Implementing the CFSP*

The next logical step is designing and planning an actual common foreign and security policy and executing it. These processes are governed by article 25 TEU, which defines the concrete tasks of the European Union concerning the CFSP, namely to ‘define the general guidelines’, to adopt decisions concerning the exact ‘actions’ and ‘positions to be undertaken by the Union’ and to make the arrangements that are necessary for the implementation of these decisions. Linking this procedure to counterterrorism implies that, once the decision has been made to frame a common counterterrorism approach, the EU is granted significant discretion in determining the exact direction of this joint action. This provision highlights the power the EU enjoys in framing a counterterrorism policy for its Member States, once they approved the drafting of a joint effort against terrorism.

#### *Article 26 TEU: Implementation of CFSP guidelines and actions*

While it is the European Council and the Council of Ministers who are responsible for identifying guidelines and a common strategy and adopting the decisions necessary to achieve these strategies, the implementation of these decisions is clearly assigned to the Member States and the High Representative of the Union for Foreign Affairs and Security Policy in article 26 (3) of the TEU. The implementation of the CFSP is therefore conducted in cooperation of the Member States and the High Representative, who, at this point in time, is Mrs Federica Mogherini. Article 26 (3) also points out that the necessary resources required for the successful implementation of the Union’s CFSP will be contributed by both the Member States and the Union, thereby reinforcing the cooperative nature of this policy field. For the case of counterterrorism, this means that the EU, with the Member States’ approval, establishes guidelines for joint anti-terror measures and suggests a specific counterterrorism strategy, while the implementation of these plans is conducted by the Member States, in cooperation with the High Representative.

*Article 28 TEU: Analysis of the international situation – Is a CSDP mission necessary?*

Up to this point, the treaties have defined how security objectives are set, how the achievement of these objectives is planned and how the implementation of these actions will take place. However, determining when such actions are necessary is also essential to develop an efficient and effective CFSP and also to be successful in the fight against global terrorism. This question receives attention in article 28 of the TEU, where the Council is given the competence to decide whether or not the international situation requires operational action by the Union. In the case of counterterrorism, this implies that enough Heads of State, representing the EU Member States in the Council, must perceive global terrorism as a sufficiently large threat to consider joint action in the form of a CSDP mission necessary, before EU-level counterterrorism measures can be taken.

*Article 31 TEU : The nature of the cooperation between the European Council and the Council*

Article 31 of the TEU provides further information on the process of how exactly a CFSP is shaped by the two main bodies, the European Council and the Council: The two bodies must act unanimously in deciding on a common objective and subsequent joint action by the EU. The requirement of a unanimous decision-making procedure between the European Council and the Council on security objectives and subsequent action highlights the high-politics nature of security issues like counterterrorism. Only unanimous Member States' agreement on a common objective to be achieved by a counterterrorism measure in both the European Council and the Council of Ministers enables the EU to take action.

*Article 37 TEU: International agreements in CFSP matters*

However, not only the internal cooperation of the Union is subject to the rules provided by the treaties, but the external cooperation also. When it comes to international cooperation with third states or international organisations in the field of security matters, the EU fulfils the criteria to be regarded as a global security actor. Article 47 of the TEU recognizes the EU's legal personality, which is a prerequisite in order to conclude any agreement with another party. Based on the EU's ability to conclude international agreements in general, article 37 of the TEU explicitly confers the competence to conclude international agreements with one or more States or international organisations to the EU, provided that such an agreement concerns the matter of the CFSP. This competence is essential for a global approach to fighting terrorism, as the EU as a legal body is now able to form alliances with third countries (e.g. the USA) or international organisations (e.g. the UN), which has taken place in the recent past and is still occurring at this point in time. An important example of the EU concluding an international agreement with a third state concerning counter-terrorism on behalf of its Member States is the EU-US Terrorist Finance Tracking programme, an agreement between the EU and the USA on the exchange of financial information concerning terrorist attacks.<sup>28</sup> As this example shows, the ability of the EU to conclude

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<sup>28</sup> More information on the Terrorist Finance Tracking programme is available at <[http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/crisis-and-terrorism/tftp/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/crisis-and-terrorism/tftp/index_en.htm)>.



international agreements with other international actors is of extreme value for the EU's role in combating global terrorism.

### 2.3 A closer look at CSDP: What can be done and how?

In the following, the treaty provisions on the CSDP will be studied, in order to determine which possibilities for operational action are available to the EU within the CFSP.

#### *Art. 42 TEU: Introducing the Common Security and Defence Policy*

According to article 42 (1) of the TEU, the CSDP is an instrument of the EU within the CFSP to be used for the objectives of peacekeeping, conflict prevention and strengthening international security. Fighting terrorism is certainly included in these objectives, as global terrorism might be one of the largest international security threats of our time. Therefore, article 42 (1) is a sound basis for deploying a CSDP mission for counterterrorism purposes.

#### *Art. 43 TEU: CSDP objectives and task division*

The concrete tasks of the CSDP are listed in article 43(1) of the TEU and read as follows: 'joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peacekeeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation'. In this provision, an explicit link is established between these tasks and the fight against terrorism in general, as well as the support of third countries threatened by terrorism. The explicit connection between the EU's CSDP and the threat of terrorism, both within and outside EU borders, makes the provision most relevant for the context of this thesis. What is more, all specific tasks listed in the provision can serve directly or indirectly as counterterrorism instruments, since for example conflict prevention can serve as an effective tool to avert the development of new terrorist cells in a region altogether. Therefore, CSDP missions that are not specifically targeted at fighting terrorism might still have a powerful indirect counterterrorism effect by supporting law and order in a region. This point will also be revisited and further elaborated on in the analysis of civilian and military CSDP missions.

Article 43(2) goes on to specify the roles of the relevant EU bodies in fulfilling the tasks listed in Article 43(1). While it is the Council that is responsible for determining the objective, scope and general implementation conditions for such a task, it is the High Representative of the Union for Foreign Affairs and Security Policy, who coordinates the military and civil aspects of such CSDP tasks. The actual execution of such CSDP tasks can be assigned to one or to a group of capable Member States that have the necessary capacities and are willing to take on the task. In relation to achieving a counterterrorism task, the task division described in article 43(2) shows that fighting terrorism is a responsibility shared by both EU institutions, like the Council and the High Representative, and EU Member States willing to partake in the execution of anti-terror measures.

## 2.5 Conclusion: What do the Treaties allow the EU to do in terms of counterterrorism?

From the analysis above it has become clear that, in general, the CFSP, and subsequently also counterterrorism, remains mostly in the hands of the Member States. The competences that the EU does have are subject to very specific rules and restrictions and a common foreign and security policy can only be successfully implemented when all Member States agree on the action to be taken to achieve a common goal. Once a unanimous decision is made on the objectives and the detailed action of a potential counterterrorism mission, the Member States and the High Representative take over to exercise such a mission, supported by Member State and Union resources. Whether or not the international situation requires a counterterrorism mission by the EU is determined by the Council, who is responsible for analysing the global political situation on a regular basis. Counterterrorism missions are oftentimes conducted by various international actors, which is why it is essential for a successful EU counterterrorism approach to cooperate with third states or international organisations. The competence to conclude such international agreements is explicitly conferred to the Union, allowing it to coordinate its efforts with the UN, for example. To put the security objectives into practice, the EU is also able to frame a common security and defence policy, which is coordinated by the High Representative and then carried out by willing (groups of) Member States. The competences and procedures described in this section of the thesis make it clear that the EU's power to become active as a security actor and specifically a counterterrorism actor heavily depends on the willingness of the Member States to engage in a common approach to the threat of global terrorism. However, if this willingness exists, the EU has substantial possibilities to shape and implement its counterterrorism strategy, always based on the current international political situation. Once the Member States agree to a common European approach, the EU enjoys some discretion in shaping and steering the common counterterrorism efforts.

## **Chapter 3**

### 3.1 Introduction

In the following chapter, I will connect the theory of a European approach to counterterrorism with the practice of deploying an actual mission for this purpose. In order to assess whether or not the EU is willing and able to take on more responsibility as a global security actor in the fight against terrorism, close attention must be paid to the EU's operational capability of conducting a defence mission. Setting counterterrorism as a common goal is ineffective if the EU is not able to properly implement its objectives in the field. Therefore, I will conduct a thorough analysis of two of the EU's past civilian and military CSDP missions that were deployed to achieve a specific security goal, in order to answer the second sub-question, 'Have security missions in the

past reached their goal effectively?'. At this point it must be mentioned that the missions I analyse do not follow the primary objective of fighting terrorism. Until now, CSDP missions have not been deployed for purposes specifically and primarily aimed at counterterrorism. The rationale of my analysis is that the potentially effective achievement of a CSDP mission's security goals allows me to draw a positive conclusion on the EU's overall abilities as a security actor, and therefore also as a counterterrorism actor. Furthermore, even though counterterrorism might not be included in the CSDP missions' list of mandates, the fulfilment of other security goals can serve as significant contribution to counterterrorism. Civilian missions aiming at stabilizing a country by raising the effectiveness level of its police body, for example, indirectly fight terrorism, as a country with an effective police force is less likely to produce terrorist organizations. Due to this indirect effect, it is difficult to determine whether military or civilian missions are most effective in fighting terrorism. Instead, they should be perceived as two different dimensions of counterterrorism, approaching the issue from different perspectives. Both civilian and military operations can make an equally significant contribution to the goal of fighting terrorism. There are also cases of hybrid missions, which are composed of both military and civilian elements simultaneously.

I will conduct a case study of a military and a civilian CSDP mission and evaluate to what extent they effectively reached their respective security goals. I chose to evaluate a civilian and a military mission because I was interested in how the difference in the respective approaches would affect the outcomes of the missions. The process of deciding which missions to study was heavily influenced by the scarcity of information provided by the EU on CSDP missions. Since I was looking for assessment reports that highlighted flaws and successes of the missions, much of the available information was classified and therefore not accessible to the public. This was the case for the mission EUPOL Afghanistan, which would have been the ideal mission to study, since its mandate was directly linked to anti-terrorism objectives. Unfortunately, however, EUPOL Afghanistan is still currently running, making essential military reports inaccessible to the public. Furthermore, evaluating the success of an unfinished mission is rather unreasonable, since some progress might still be made in the future. Several requests for access to documents that were categorized as classified to the European External Action Service (among others) remained unanswered. Therefore, my choice of missions to analyse was reduced to those that were completed years ago and whose data had been declassified to an extent that allowed me to conduct my study. These criteria led me to choose EUFOR Tchad/RCA and EUPOL Proxima FYROM. A further asset of choosing these missions is the geographical difference, which I expect to have an effect on the challenges and circumstances of the missions. Chad and Macedonia are very different environments with different political circumstances. Including these two missions in my analysis aims at providing the reader with two very different perspectives on CSDP missions. Also, the difference in nature of the missions adds to their value as objects of my analysis. The fact that the missions aimed for very different outcomes increases the validity of the study.

Due to the already mentioned scarcity of literature on the successfulness of CSDP missions and the classified nature of some of the EU documents needed for such an analysis, this part of my study is limited. The accessible information provided by the EU mainly consists of summaries of the actual reports and ‘lessons learned’ documents, that are both rather vague and lack specific data and figures on the extent to which mission objectives were reached. As for independent evaluations of these CSDP operations, there is a consensus in the academic community that a thorough, independent scrutiny mechanism for these CSDP missions is urgently needed.<sup>29</sup> However, I was able to encounter some publications that entailed detailed assessments of those CSDP missions that were completed long enough ago, to allow independent assessments based on official reports that had been declassified. For my analysis, I have chosen several independent evaluations as well as the documents provided by the EU, in order to minimize a potential bias deriving from the European Union assessing its own actions. The other sources I used were mostly think tanks or research institutes.

In the following section, I will conduct case studies on the military mission EUFOR Tchad/RCA and the civilian mission Proxima FYROM. Both cases will be analysed on the background of these missions, the goals and objectives to be achieved, the approach followed in order to fulfil these objectives, the contributions the missions made and the challenges and problems they encountered. Throughout the two case studies, I will draw lessons from the successes and problems encountered by both missions on missions targeted directly at counterterrorism objectives. Finally, a conclusion on the overall effectiveness of each respective mission will be drawn, based on the factors discussed in the main analysis section. Following these case studies, I will draw a link between the outcomes of this analysis and the European role in global counterterrorism.

## 3.2 Military mission: EUFOR Tchad/RCA

### 3.2.1 Background

The CSDP mission EUFOR Chad/RCA was a military CSDP mission aimed at mitigating the violent consequences of the war between the Chadian government and rebel groups, the spill-over of the Darfur crisis and the violence in the Northeast of the Central African Republic. These issues created a humanitarian crisis of enormous magnitude. The mission began in January 2008 and was intended to be a short-term bridging mission until the UN mission MINURCAT could take over in the spring of 2009. 23 EU Member States and three third states contributed to the

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<sup>29</sup> F. Arteaga, ‘The Need for an Open System to Evaluate European Union CSDP Missions (ARI)’, *Real Instituto Elcano*, ARI 104/2011, 10 June 2011, available at [http://www.realinstitutoelcano.org/wps/wcm/connect/fb9e8c00472ced67bdb9bf00526b8882/ARI104-2011\\_Arteaga\\_Open\\_System\\_EU\\_CSDP\\_Missions.pdf?MOD=AJPERES&CACHEID=fb9e8c00472ced67bdb9bf00526b8882](http://www.realinstitutoelcano.org/wps/wcm/connect/fb9e8c00472ced67bdb9bf00526b8882/ARI104-2011_Arteaga_Open_System_EU_CSDP_Missions.pdf?MOD=AJPERES&CACHEID=fb9e8c00472ced67bdb9bf00526b8882).

mission, deploying 3700 men to the area. The majority of the troops, more than 1500 men, were sent by France, which used to be the colonial power ruling Chad in the 20th century.<sup>30</sup> The nature of this mission was military and the mandate provided by UN Security Council Resolution 1778 allowed the use of force if necessary. EUFOR Chad is considered one of the most difficult CSDP missions, due to the challenges in the theatre of operations, like the lack of any infrastructure that led to significant logistical difficulties.<sup>31</sup>

### 3.2.2 *Mandate goals*

The mandate to conduct the mission EUFOR Tchad/RCA<sup>32</sup>, provided by UNSC resolution 1778<sup>33</sup>, assigned the CSDP troops mainly to relieve the civilians from the violent consequences of the crises around them. This included the protection of civilians, refugees and (internally) displaced persons from any danger, but also the protection of UN personnel, premises, installations and equipment as well as ensuring the security and free movement of the mission's own personnel. Furthermore, the EUFOR Tchad/RCA troops were to support and facilitate the delivery of humanitarian aid to the local population by international organisations such as the Red Cross. In general, the aim of the mission was to improve the overall security in the area.<sup>34</sup>

### 3.2.3 *Approach*

In order to improve the situation in Chad and the Northeast Central African Republic in the long run, the troops of the EUFOR mission supported the African Union and the United Nations in their attempts to create a political dialogue aimed at solving the regional conflicts that caused the humanitarian crisis at hand. In order to improve the security level in Chad and the Northeastern Central African Republic, EUFOR troops went on frequent patrols to deter any further violence and conducted large-scale operations like air missions with the help of Russia as a contributing country. Furthermore, the mission used satellite imagery, special operation forces and human intelligence to establish security and control in the area.<sup>35</sup> Although not listed as explicit task of the mission, the troops also provided much needed medical attention to the civilians, thereby

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<sup>30</sup> A detailed overview over the Member States' contributions to the EUFOR Tchad/RCA mission is provided in the Annex.

<sup>31</sup> Council of the European Union, 'EUFOR Tchad/RCA Factsheet' (March 2009), available at <[http://www.eeas.europa.eu/archives/csdp/missions-and-operations/eufor-tchad-rca/pdf/01032009\\_factsheet\\_eufor-tchad-rca\\_en.pdf](http://www.eeas.europa.eu/archives/csdp/missions-and-operations/eufor-tchad-rca/pdf/01032009_factsheet_eufor-tchad-rca_en.pdf)>.

<sup>32</sup> The CSDP mission was established by Council Joint Action 2007/677/CFSP. The full text of this joint action can be found under <<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32007E0677>>.

<sup>33</sup> United Nations Security Council, 'Security Council Authorizes Establishment of "Multidimensional Presence" in Chad, Central African Republic, Unanimously Adopting Resolution 1778 (2007)', United Nations (2007), available at <<http://www.un.org/press/en/2007/sc9127.doc.htm>>.

<sup>34</sup> Council of the European Union, *supra* note 31, at 20.

<sup>35</sup> Secretary General/High Representative, 'Secretary General/High Representative's Final report on Operation EUFOR Tchad/RCA', ST 9323 2009 EXT 1, Council of the European Union, 30 April 2009, available at <<http://data.consilium.europa.eu/doc/document/ST-9323-2009-EXT-1/en/pdf>>

assisting the humanitarian aid actors in the field. According to the EUFOR Tchad/RCA factsheet provided by the European External Action Service, the mission fulfilled its task of creating security conditions that allowed the UN mission MINURCAT to successfully take over and be operable right away.<sup>36</sup> After the handover to MINURCAT, 2000 men of the EUFOR troops remained on the ground, supporting the UN mission. Europe claims to provide continuing long-term assistance to Chad, Central African Republic and the Sudan, through ‘political and diplomatic engagement’.<sup>37</sup>

### *3.2.4 Challenges*

The EUFOR Tchad/RCA mission was exposed to some difficult challenges throughout the operation, starting with the lack of infrastructure that complicated the setting up of military bases. Another problem were the climate conditions in the area, as the long rainy season forced operational pauses at times.<sup>38</sup> As a result of the chaotic war situation, criminality was extremely high and widespread throughout the area.<sup>39</sup> Crimes were mostly aimed at the Non-governmental and international organisations working towards improving the humanitarian situation. These criminal attacks often caused organisations to suspend or delay their work, which subsequently resulted in the further downward development of the humanitarian crisis. Further tensions were also caused by the resentment of some of the local population towards the refugees and internally displaced persons that were sheltered in their territory.

### *3.2.5 What was achieved?*

According to the EU, the mission EUFOR Tchad/RCA successfully contributed to raising the overall security level in the area. During the mission, 10 000 refugees were able to return voluntarily to their 22 villages, the EU claims.<sup>40</sup> Also, the operation notably contributed to the effective provision of humanitarian assistance, as healthcare provision, water purification, food aid, emergency shelters and education were made available to more people thanks to the protection of the CSDP troops. In the Central African Republic, more than 250 000 people were reportedly assisted directly in the period from 2007 to 2008.<sup>41</sup>

In the final report on EUFOR Tchad/RCA by the High Representative of the Union for Foreign Affairs and Security Policy, the neutral independent and overall professional manner in which the troops acted is emphasized.

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<sup>36</sup> Council of the European Union, *supra* note 31, at 20.

<sup>37</sup> Council of the European Union, *supra* note 31, at 20.

<sup>38</sup> Secretary General/High Representative, *supra* note 35, at 20.

<sup>39</sup> Council of the European Union, ‘Operation EUFOR Tchad/RCA - 6-monthly Report to the United Nations’, ST 12813 2008 REV 1, 15 September 2008, available at <<http://data.consilium.europa.eu/doc/document/ST-12813-2008-REV-1/en/pdf>>.

<sup>40</sup> Council of the European Union, *supra* note 31, at 20.

<sup>41</sup> Council of the European Union, *supra* note 31, at 20.

According to this report, the troops significantly improved the security by ensuring a high level of visibility in areas with high crime rates, thereby lowering criminality and interethnic clashes.<sup>42</sup> With respect to counterterrorism, lowering crime rates by mere deterrence functions as terrorism prevention. Upkeeping law and order not only fights crime but also reduces the likelihood of terrorist incidents. What is more, the cooperation with NGOs and IOs also present in the field is described as successful, due to frequent dialogue and confidence building between the parties. Humanitarian actors working in Chad and the RCA describe the civilian-military cooperation between themselves and EUFOR troops as ‘exemplary’.<sup>43</sup> The troops of the EUFOR Tchad/RCA mission also established valuable connections with local key actors, which contributed to the success of the UN mission MINURCAT that was to take over after one year. Important liaisons were created with local authorities and CONAFIT, Chad’s coordinating body. Learning to cooperate with other international actors and local authorities is also an important prerequisite for fighting terrorism outside the EU. If the EU aims to help countries that are unintentional hosts of terrorist organizations, learning to work with foreign authorities and other involved actors could be a significant asset.

By conducting small-scale projects for the benefit of the local population, soldiers contributed to increasing the welfare of the civilians they were tasked to protect. Such small projects included for example providing school supplies to children in nearby villages. EUFOR Tchad/RCA also enabled a stable provision of medical support. According to mission reports, over 3000 medical consultations and 65 surgical operations were conducted throughout the duration of the mission by EUFOR personnel. The provision of security did not only entail regular patrolling to prevent or halt further violence. During the mission, EUFOR troops also prevented further incidents by removing over 350 unexploded ordnance devices. Such a multidimensional approach to raising the overall security level is also necessary in combating terrorism. Instead of merely bombing existing terrorist cells, EU forces also engage in non-violent prevention efforts and raise the level of welfare in the region by providing medical care, therefore approaching the issue from more than one direction at once.

The handover to the UN is described as seamless<sup>44</sup>, demonstrating the ability of the mission personnel to engage successfully in a joint and collaborative planning process with the UN. This ability is of great importance for the EU’s role as a security actor and in the common fight against terrorism, since it shows that the EU is capable of meeting the United Nations at eye level in a military operation. EUFOR Tchad/RCA also significantly contributed to the operability of the MINURCAT mission in Chad and the RCA by solving some of the logistical problems it encountered in the beginning of the EUFOR mission. By the time MINURCAT took over the operation, the infrastructure in the area had been greatly transformed and six permanent operation bases had been created, which the MINURCAT mission was able to benefit from. Efforts to support other actors’ missions improve the cooperation skills of EU forces, which can make a

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<sup>42</sup> Secretary General/High Representative, *supra* note 35, at 20.

<sup>43</sup> Secretary General/High Representative, *supra* note 35, at 20.

<sup>44</sup> Secretary General/High Representative, *supra* note 35, at 20.

great difference for the better in counterterrorism missions. A stable and harmonic relationship to other security actors, like in this case the UN, increases the efficiency of EU counterterrorism actions and subsequently also their likelihood for success.

### *3.2.6 Problems/Drawbacks encountered*

While the EUFOR mission certainly improved some aspects of the humanitarian crisis in Chad and the Central African Republic, the mission also suffered from some serious flaws in its planning and implementation that affected its ability to achieve its objectives.

The first difficulties were encountered during the planning phase of the mission, when some EU Member States were unsure whether to participate in this mission or not. This insecurity had grave consequences on the planning of the mission because it complicated the process of generating sufficient forces to make the mission operable.<sup>45</sup> This led to a delay of the mission, which was then deployed in January 2008, instead of November 2007.<sup>46</sup> The difficulties encountered in generating the EUFOR Tchad/RCA forces show the limitations of the European CSDP, according to Dennis Tull.<sup>47</sup> He claims that this insecurity and unwillingness of the Member States is representative of their lack of commitment to the cause. The mission only became operable when France decided to contribute the great majority of the troops.<sup>48</sup> This issue is also relevant for the EU counterterrorism strategy. A strong level of commitment of all Member States is required to move towards defeating terrorism and this means not only theoretical support but also contributing staff and resources, according to one's capacities. If a similar problem appeared in a mission targeted at fighting terrorism, the mission's effectiveness would be severely compromised. The gap between words and deeds found in EU Member States' behaviour requires attention for future anti-terrorism measures.

However, the reason for the Member States' lack of enthusiasm for participating in this CSDP mission might also stem from a more technical issue. According to Aiofe Spengeman, who conducted an independent analysis of this CSDP mission for the magazine 'ISIS Europe', the financing mechanism for CSDP missions, called 'Athena mechanism' is inherently flawed, as it functions as a disincentive for Member States to contribute soldiers to a CSDP operation.<sup>49</sup> The CSDP budget covered, at the time of operation EUFOR Tchad/RCA, only the common costs of such a mission, not the nation-borne costs for staffing.<sup>50</sup> Therefore, contributing soldiers to a

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<sup>45</sup> D. Tull, 'The Chad Crisis and Operation EUFOR Chad/CAR', German Institute for International and Security Affairs 2008, available at <[www.swp-berlin.org/fileadmin/contents/products/.../2008C02\\_tll\\_ks.pdf](http://www.swp-berlin.org/fileadmin/contents/products/.../2008C02_tll_ks.pdf)>.

<sup>46</sup> E. Vucheva, 'EU deployment in Chad delayed', *EU Observer* (Brussels, 29 November 2007), available at <<https://euobserver.com/news/25241>>.

<sup>47</sup> D. Tull, *supra* note 45, at 23.

<sup>48</sup> D. Tull, *supra* note 45, at 23.

<sup>49</sup> A. Spengeman, 'Managing the Chadian Crisis: An Assessment of EU and UN Involvement in the Chadian humanitarian and Political Crisis', 57 *ISIS Europe European Security Review* 2012, at 8, available at <<https://www.yumpu.com/en/document/view/23541072/managing-the-chadian-crisis-isis-europe>>.

<sup>50</sup> For further explanation of the Athena mechanism, see <<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV:l33281>>.



CSDP mission meant having to bear the financial burden of staffing costs. Logically, this does not necessarily inspire Member States to contribute a high number of soldiers, as this would mean corresponding high costs. This mechanism is a systemic problem in the CSDP planning and financing process and is in need of revision, especially for counterterrorism measures that are to be launched in the future. Member States will be more likely to participate in anti-terrorism measures if the financing mechanism is improved and no longer presents a financial risk to participating Member States.

When assessing the main achievement of goals and objectives set in advance, further shortcomings and failures of the mission appear. Even though 10 000 internally displaced persons were able to return to their villages as mentioned above, the final report of the High Representative predicts that a substantial return of ‘Internally Displaced Persons’ (IDPs) cannot be expected in 2009 as insecurity levels are still too high.<sup>51</sup> Tull accuses the mission of being too limited in size and capabilities to make a real difference,<sup>52</sup> instead, the troops are confined to making only superficial progress, as only the consequences of the political conflict are the subject of the mission. Instead, independent assessments demand, EUFOR Tchad/RCA should address the underlying root causes of the violence and work towards a long-term resolution of the conflict at hand. By providing only short-term relief from the symptoms of the disease that here the violent regional conflict, the suffering is only delayed and the illness remains uncured. This, however is an issue intrinsic to peace-making missions like the EUFOR Tchad/RCA mission, since their focus is not the same as that of peacekeeping missions.<sup>53</sup> The main objective is here to solve the conflict at hand, not necessarily address the root causes that led to it. Peacekeeping missions (like EUPOL Proxima) usually function to enforce a peace agreement and prevent the outbreak of conflicts, while peace-making missions (like EUFOR Tchad/RCA) are usually deployed to settle a conflict and mitigate its violent consequences.<sup>54 55</sup> Also, addressing the root causes of a conflict cannot be achieved by a yearlong mission that is primarily set up as a bridging mission for MINURCAT.

The failure of the EUFOR troops to effectively fulfil their task of protecting all civilians and humanitarian aid workers becomes especially visible in the case of the murdered employee of

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<sup>51</sup> Secretary General/High Representative, *supra* note 35, at 20.

<sup>52</sup> D. Tull, *supra* note 45, at 23.

<sup>53</sup> For more information on the distinction between peace-keeping, peace-making, peace-building and peace-enforcement missions, please see <<http://www.insightonconflict.org/2014/04/peacemaking-peacekeeping-peacebuilding-peace-enforcement-21st-century/>>.

<sup>54</sup> According to article 43(1) TEU, any peace-making, peace-keeping, conflict-prevention or post-conflict stabilisation operation conducted by the EU can also be used as an instrument in the fight against global terrorism. This means that missions of this nature can target a terrorist threat directly, as well as supporting third states in fighting terrorism in their respective territories. By addressing the apparent overlap between peace-making, peace-keeping, conflict-prevention and post-conflict stabilisation missions and counterterrorism goals directly in the Treaty on European Union, the EU makes it clear that deploying a mission of such nature for counterterrorism purposes is a possibility. Instead of focusing EU peace missions solely on inter-state or intra-state armed conflicts, which were typically the subjects of peace missions in the past, article 43(1) TEU includes terrorism in the firing line of EU peace missions as well. This significantly broadens the range of security threats covered by EU peace missions.

<sup>55</sup> A detailed overview over the different kinds of peace missions and their respective aims can be found at <<http://www.un.org/en/peacekeeping/operations/peace.shtml>>.

‘Save the Children UK’, who was killed by unidentified masked men in May 2008.<sup>56</sup> It appears that despite all efforts, the EUFOR troops were not capable of efficiently protecting all civilians and aid workers from harm, which could be a result of the limited size of the operation. Protecting the life and safety of civilians and humanitarian aid workers as well as mission staff should be a priority in counterterrorism missions as well, therefore operations fighting terrorism should ensure the presence of sufficient staff and equipment to avoid incidents as the one encountered in EUFOR Tchad/RCA.

Another drawback of the EUFOR mission is the inflexibility of the planning apparatus, Tull claims. During the time period between the planning of the mission and the actual beginning of the operation, the political circumstances changed somewhat, leaving the CSDP mission unable to adapt quickly enough to the new situation.<sup>57</sup> In January of 2008, four thousand rebels marched for Chad’s capital N’Djamena, aiming to overthrow President Déby.<sup>58</sup> This development severely complicated the launch of the mission, as it posed a new security threat that the mission had not prepared for. Lacking flexibility is an issue that must certainly also be addressed in the context of counterterrorism missions, as terrorist cells like ISIS or Al Qaeda are highly organized, using social media and the internet for communication and are unpredictable in their actions. Counterterrorism missions would have to be very flexible in their operations in order to react to any possible situation efficiently. Therefore, EUFOR Tchad/RCA showed that this dimension requires further work by the EU.

A major point of criticism concerning the EUFOR Tchad/RCA mission does not relate to the manner in which it was conducted but rather to its underlying political implications. The fact that France was the main contributor to the mission is viewed critically due to its past as a colonial power over Chad.<sup>59</sup> Also, France had its own national troops on the ground, in a mission called ‘Epervier’. France supported the Chadian President at the time of the operation, Idris Déby, and it was in France’s national interest to have President Déby remain in power. This political conflict of interest further complicates the circumstances of this mission and raises suspicions on a hidden agenda of France. Could France have used EUFOR Tchad/RCA to pursue its national interests? Taking advantage of a CSDP mission, originally aimed at being an instrument for peace, could compromise the entire humanitarian nature of the mission. What is more, the EU’s silence on this potential conflict of interests undermines its credibility and that of the EUFOR Tchad/RCA mission. Standing only at the beginning of its career as a security actor, losing its credibility and neutrality could have significantly detrimental consequences for the European Union and its goal to become a security actor to be taken seriously by the international community. With respect to

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<sup>56</sup> ‘French aid worker killed in Chad’, *BBC News*, 1 May 2008, available at <http://news.bbc.co.uk/2/hi/7378304.stm>.

<sup>57</sup> D. Tull, *supra* note 45, at 23.

<sup>58</sup> J. Giroux, D. Lanz and D. Sguaitamatti, ‘The Tormented Triangle: The Regionalisation of Conflict in Sudan, Chad and the Central African Republic’, *Centre for Security Studies, ETH, and SwissPeace* (April 2009), available at <http://www.css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/The-Tormented-Triangle.pdf>.

<sup>59</sup> D. Tull, *supra* note 45, at 23.

counterterrorism missions, the issue of hidden agendas and national interests is also an important factor in determining the success or failure of a mission. For a potential counterterrorism mission, it is essential that all participating states are fully committed to a common goal, that of defeating global terrorism in unity, instead of pursuing national interests and seeking own benefits. This, of course, is an idealistic view, since every sovereign nation-state has its national interests that affect its behaviour. However, in light of the magnitude of the threat that global terrorism poses, the common goal should be prioritized and national agendas be put on hold.

### *3.2.7 Overall assessment*

An overall evaluation of the mission EUFOR Tchad/RCA is rather complex, as many different factors play a role in the effectiveness of a CSDP mission, some of them being outside the reach of what can be influenced by planning or operating processes. In general, it can be said that EUFOR Tchad/RCA contributed to a higher security level in the area of operation, as thousands of IDPs were able to return to their villages and humanitarian aid was provided to a large number of those in need of help. The mission also positively contributed to the success of the UN mission MINURCAT, by handing over six operation bases and valuable experiences along with the mandate for the mission. However, a thorough ‘lessons learned’ process is in order, in order to learn from past mistakes and develop towards improvement. Some of these issues requiring substantial improvement are the planning procedure, the financing mechanism and the acquisition of troops for a CSDP mission. What is more, future missions should pursue more long-term objectives that provide a positive outlook for the political future of a country suffering from a regional conflict. Superficial relief from violence is certainly needed and appreciated by the local population, but the impact that a short mission like EUFOR Tchad/RCA can have on the lives of those it aims to protect can be limited at best. Considering that the objectives listed in the mandate for this mission, namely the protection of civilians, refugees, IDPs, UN personnel and humanitarian aid workers as well as the facilitation of the delivery of humanitarian aid, have been largely fulfilled,<sup>60</sup> I would consider this mission effective in raising the overall security level in the area. With respect to fighting terrorism, the EUFOR Tchad/RCA missions provided some valuable lessons for future counterterrorism missions. Also, the decrease in crime rate paired with the welfare increase due to the provision of health care and education could have served as indirect terrorism prevention mechanisms. Nevertheless, such achievements must be provided on a more permanent level in order to prevent the development of terrorism in a region.

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<sup>60</sup> At this point, the murder of the ‘Save the Children UK’ employee, which the EUFOR troops were unable to prevent, must not be disregarded.

### 3.3 Civilian Mission: EUPOL PROXIMA FYROM

#### 3.3.1 Background

Proxima FYROM was a civilian CSDP mission, launched in December 2003<sup>61</sup> for one year at first, but was later extended for another year and finally concluded in December 2005. EUPOL Proxima was the second EU police mission and the first mission exclusively planned by EU bodies. The repercussions of the Kosovo war in the 1990s and the insurgency of Albanian minorities in 2003 left the Former Yugoslavian Republic of Macedonia in dire need of policing reforms. At the time, Macedonia was suffering from an ineffective policing sector, with corruption, ineffective law enforcement and lacking trust of the civil society as main problems. The EUPOL mission aimed at improving the quality of the police and to better relations between the police and ethnic minorities. The Proxima mission followed up the Concordia mission, which has supported political stability through military presence. Proxima was perceived as the next step towards a more democratic political structure of the country. Macedonia agreed to the police reform mission and welcomed the EU advisors, hoping that a successful police sector reform could contribute to its efforts to become a candidate for EU membership.

The EU's mandate for the EUPOL mission was derived from the EU's commitment to support FYROM in their attempt to move closer to EU integration.<sup>62</sup> The mission is also meant to assist FYROM in implementing the police reforms demanded by the Ohrid Framework agreement of 2001, which ended the armed conflict between the Republic of Macedonia and the Albanian 'National Liberation Army'.

#### 3.3.2 Mandate goals

The goals for Proxima listed in the mandate approached the reforms to be made from a rule of law perspective. According to the factsheet on the EUPOL Proxima mission, the operation was aimed at reforming the entire ministry of internal affairs, including the police.

Furthermore, the mission set out to consolidate law and order in Macedonia, which included the fight against organized crime, with a special focus on areas that had previously been sensitive to tensions and conflicts between different ethnicities.<sup>63</sup> Another objective was to build up confidence between the police and the Macedonian population, as their relation had been characterised by mistrust and tensions. Finally, an increase in the cooperation with neighbouring countries in matters of law enforcement was envisaged by the EUPOL Proxima mission. The operational objectives necessary to achieve the overall mandate goals were improved leadership

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<sup>61</sup> The EUPOL Proxima FYROM mission was established by Council Joint Action 2003/681/CFSP. It was later extended by Council Joint Action 2004/789/CFSP.

<sup>62</sup> European External Action Service, 'EUPOL PROXIMA FYROM Factsheet', (n.d.), available at <[http://www.eeas.europa.eu/archives/csdp/missions-and-operations/proxima-fyrom/pdf/15122003\\_factsheet\\_proxima-fyrom\\_en.pdf](http://www.eeas.europa.eu/archives/csdp/missions-and-operations/proxima-fyrom/pdf/15122003_factsheet_proxima-fyrom_en.pdf)>.

<sup>63</sup> European External Action Service, *supra* note 62, at 27.

skills of the Macedonian police force, better crime scene management, effective border policing and the possibility to plan and manage operations to counter terrorism and fight organised crime.<sup>64</sup>

### 3.3.3 Approach

The way Proxima went about to fulfil these objectives required the deployment of police officers and advisors from European countries, in order to provide the Macedonian police force with a sort of ‘role model’ of how an effective police force worked. About 200 international personnel were sent to Macedonia, including uniformed international police officers and civilian advisors.<sup>65</sup>

<sup>66</sup> The police officers and advisors were expected to monitor, mentor and advise the Macedonian police in order to raise their performance to European standards of policing. The cooperation between Macedonian police staff and the staff of EUPOL as partners was essential for this process. The implementation of the reform took place through five ‘comprehensive and coordinated management and skill projects’<sup>67</sup> during the first year of the operation. During the one-year extension of the mission, only three of these projects were continued. These projects were focused respectively on a functioning border police, organised and serious crime related issues and establishing public peace and order.<sup>68</sup> The mission included staff from 15 EU Member States, various other countries located in the Western Balkan area and some other contributing countries like Canada and Switzerland.<sup>69</sup>

### 3.3.4 Challenges

One of the main challenges in the Macedonian law enforcement body was corruption and lacking transparency in human resources matters. The effectiveness of the police staff was severely compromised by the constant fear of being reassigned to a different position due to internal politics. Another significant challenge of the Macedonian policing system was over-centralization, which caused delay and inefficiency in the execution of the law by police personnel. A further challenge to the mission was the tense relationships of Macedonia to its neighbouring countries. Due to a common history shaped by many conflicts between these countries, the populations of the concerned states often held on to prejudices and resentment towards the respective other country. These grudges severely hindered an effective cross-border

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<sup>64</sup> G. Grevi, D. Helly and D. Keohane, ‘European Security and Defence Policy – The first 10 years (1999-2009)’ *European Union Institute for Security Studies* 2009, available at <[www.iss.europa.eu/uploads/media/ESDP\\_10-web.pdf](http://www.iss.europa.eu/uploads/media/ESDP_10-web.pdf)>.

<sup>65</sup> European External Action Service, *supra* note 62, at 27.

<sup>66</sup> An exact overview of the mission staff during the second phase of the mission can be found in the Annex.

<sup>67</sup> Council of the European Union, ‘Final report on EUPOL PROXIMA’, ST 6592 2006 EXT 1, 23 February 2006, available at <<http://data.consilium.europa.eu/doc/document/ST-6592-2006-EXT-1/en/pdf>>.

<sup>68</sup> Council of the European Union, *supra* note 67, at 28.

<sup>69</sup> European External Action Service, *supra* note 62, at 27.

cooperation in terms of judicial and policing matters.<sup>70</sup> Finally, and perhaps the most important challenge, the Ministry of Interior (MOI), which had agreed to the EUPOL mission and the reforms that came with it, was very reluctant to make changes of larger magnitude and resented many of the reform suggestions.<sup>71</sup> Convincing the MOI of the value the reform measures might add to the country's law enforcement sector was certainly the most difficult challenge for the mission to overcome.

### 3.3.5 *What was achieved?*

Despite all the challenges described in the previous paragraph, the EUPOL Proxima mission did succeed in achieving some of their objectives. As the mandate for this mission specified the operation to have a rule of law approach, certain improvements in maintaining law and order were necessary. According to the final report on the Proxima mission, an important step towards law and order was made with the establishment of a permanent document consultants group tasked with the detection of falsified documents.<sup>72</sup> Another main goal of the mission was to reform the Ministry of Interior as well as the police force. This was also achieved to a certain extent, as the MOI took over responsibility for running the border police, which is described as fully operational, as a result of the Proxima mission (however, with still some room for improvement concerning the management on all borders, according to the 'Final report on EUPOL Proxima'<sup>73</sup>). It is emphasized that the border police has especially made progress in detecting falsified travel documents and thereby increasing the security level. What is more, airport security has been notably improved by the mission and now meets European and international security standards. Establishing an effective border control and increasing airport security levels is also highly relevant in relation to counterterrorism, as it prevents the potential entry of terrorists into the state concerned. The EU's experience in building and strengthening foreign law enforcement gained through missions like EUPOL Proxima will come in handy in missions primarily focused on fighting terrorism outside the EU, as an effective law enforcement body is an important step towards defeating terrorism.

The problem of internal tensions and issues has also been thoroughly addressed by increasing the representation of the Albanian minority living in Macedonia within the police force and by creating a law on police. Corruption, as one of the most severe problems in Macedonia's law enforcement sector, has been tackled by establishing an Internal professional standards unit, in order to monitor internal dynamics and assure transparency in personnel questions. Despite these efforts, the final report on the mission stresses that in the field of fighting internal corruption in the police force, further action is still required.<sup>74</sup>

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<sup>70</sup> Council of the European Union, *supra* note 67, at 28.

<sup>71</sup> Council of the European Union, *supra* note 67, at 28.

<sup>72</sup> Council of the European Union, *supra* note 67, at 28.

<sup>73</sup> Council of the European Union, *supra* note 67, at 28.

<sup>74</sup> Council of the European Union, *supra* note 67, at 28.

Concerning the building of confidence between the civil society and the police force, progress has been made also. A great achievement in this respect is the establishment of 36 ‘Citizens Advisory Groups’, whose task it is to increase trust and confidence between people and the police by providing forums for dialogue and problem-solving. This project is referred to as one of the ‘true successes throughout the mission’.<sup>75</sup> A strong, trusting relationship between civil society and a country’s police force also has great value for counterterrorism objectives, as society’s cooperation with the police force significantly decreases the probability of the country at hand falling risk to harbouring terrorists unwillingly.

Finally, enhanced international cooperation and especially that with neighbouring countries was set as one of the main goals to be achieved by this civilian mission. In this respect, two achievements must be mentioned. As a result of Proxima’s efforts, mutual interest in future cooperation between Macedonia and Europol and Interpol was fostered.<sup>76</sup> According to the final report on the mission, at the time of writing there was no agreement made yet, but certainly to be expected in the future. As Europol and Macedonia went on to conclude various agreements in the future, like for example the ‘Agreement on Operational and Strategic Co-operation between the Former Yugoslav Republic of Macedonia and the European Police Office’ in 2001, this goal can be considered achieved.<sup>77</sup> The same applies for the cooperation between Macedonia and Interpol, who have also successfully increased their cooperation.<sup>78</sup> Enhancement of cross-border cooperation has also been achieved, best represented by an initiative to foster relations between the Macedonian law enforcement and the Albanian prosecutors and investigators.<sup>79</sup> Promoting cooperation among neighbouring states and also with international law enforcement bodies are also extremely helpful in counterterrorism efforts. The experience gathered by the EU in the case of Macedonia will be helpful in assisting other countries in dealing with the threat of terrorism within their region. Inter-state cooperation is not only needed among EU Member States but also among those countries risking to become the unwilling hosts of terrorist organizations. An international coordination in policing and law enforcement is highly valuable for the fight against terrorism. Since terrorism is a global phenomenon, its combat must be global also.

### *3.3.6 Problems encountered/Drawbacks*

However, Proxima also encountered some difficulties, mostly centred around the planning, administration and implementation methods of the mission. The achievement of the objectives was successful to a great extent, even though some areas might still require further attention, as

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<sup>75</sup> Council of the European Union, *supra* note 67, at 28.

<sup>76</sup> Council of the European Union, *supra* note 67, at 28.

<sup>77</sup> The exact wording of this agreement can be found at [https://www.europol.europa.eu/content/agreement-operational-and-strategic-co-operation-between-former-yugoslav-republic-macedonia-](https://www.europol.europa.eu/content/agreement-operational-and-strategic-co-operation-between-former-yugoslav-republic-macedonia)

<sup>78</sup> ‘Former Yugoslav Republic of Macedonia renews commitment to global security’, *Interpol* (19 September 2014), available at <<http://www.interpol.int/News-and-media/News/2014/N2014-175>>.

<sup>79</sup> Council of the European Union, *supra* note 67, at 28.

mentioned above. However, the projects that were planned to implement the law enforcement reform under Proxima were all put in place. The difficulties concerning the methods that were encountered throughout the operation provide valuable lessons for future (anti-terrorism) missions. A first point of criticism on how the mission was planned concerned the lack of ‘specific officers on administration, finance, communication, IT and transport’, according to the final report on EUPOL Proxima.<sup>80</sup> This complication also entails implications for counterterrorism operations. For missions of high military complexity like those targeting counterterrorism goals, it is essential that sufficient experts are available to advise and lead the mission. As terrorism is an extremely complicated phenomenon that is constantly changing and evolving, having enough military officers with sufficient experience and knowledge present, is essential for the success of such a mission.

What is more, the time frame for the planning phase of the mission was reportedly rather short, leading to complications for the mission launch. The extension of the mission’s duration from one to two years further complicated things, as the second period of the operation was planned on even shorter notice than the first. The failure to properly plan the second period of the mission hindered a smooth transition from Proxima I to Proxima II. As a result of the inefficient planning process, essential office equipment like computers were not delivered to the mission on time, leaving the mission’s participants without equipment for the first three months of the operation. A study conducted by the European Union Institute for Security Studies lists the failure of different EU bodies to properly coordinate and cooperate with each other on this mission as another severe shortcoming of the mission’s implementation.<sup>81</sup> Such lack of cooperation became visible, for example, when the European Agency for Reconstruction withheld important information concerning the mission from the EUPOL Proxima officials.<sup>82</sup> What this means for the EU’s aspirations in combating terrorism is, that internal coordination of EU bodies among each other must be significantly improved to avoid such issues in the future and especially in anti-terrorism missions. As mentioned before, effective cooperation and a strong level of commitment of all actors involved are the key factors to a successful antiterrorism approach.

However, cooperation failed not only within the European Union, relations between the EU and other international actors was also sub-optimal regarding the EUPOL mission in Macedonia. FYROM was at the time the theatre of a number of stabilizing and development missions, which caused competition between the various actors instead of cooperation. A valuable lesson for counterterrorism missions drawn from this issue is to not lose focus of the main goal, which is achieving the mandate goal of the respective mission. Instead of considering one another as rivals, international actors should work together towards a common goal, especially when this goal is to defeat global terrorism.

A point of critique centred around the content of the reform advocated by the mission deemed the recommendations within the reform as too incoherent. While, according to the European Union

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<sup>80</sup> Council of the European Union, *supra* note 67, at 28.

<sup>81</sup> G. Grevi, D. Helly and D. Keohane, *supra* note 64, at 28.

<sup>82</sup> G. Grevi, D. Helly and D. Keohane, *supra* note 64, at 28.



Institute for Security Studies, the recommendations were appropriate and useful by themselves, they did not match up well to form a coherent reform strategy.<sup>83</sup> In general, enforcing the reforms was a rather difficult task, as the Macedonian authorities were very slow and reluctant in putting the legal changes necessary for the reform to be completed successfully into practise.

### *3.3.7 Overall assessment*

In sum, the civilian mission EUPOL Proxima can in fact be evaluated as effective to a significant extent, since the mission actively tackled its mandate goals with concrete actions targeted at solving existing problems. When considering the long-term results that emerged throughout the years, as for example the enhanced cooperation with Europol and Interpol, the improved relations with its neighbouring states and the reform of the Macedonian MOI, it becomes clear that the mission contributed to Macedonia's improvement in enforcing the rule of law. It goes without saying that this mission also encountered problems that had a detrimental effect on the mission's success, as for example the reluctance of Macedonian authorities to implement the steps necessary for reforming Macedonia's law enforcement sector. Nevertheless, when comparing the achievements of the mission against its difficulties, the successes of the mission outweigh its issues. According to Gentjan Skara, the efforts of the EUPOL mission served Macedonia's long-term development towards achieving democratic governance.<sup>84</sup> He claims that CSDP missions in general successfully promote a 'culture of justice, tolerance and reconciliation between ethnic groups'<sup>85</sup> and that Proxima contributed to stabilising and advancing the region, possibly leading up to European membership. In sum, the CSDP mission EUPOL PROXIMA can certainly be evaluated as effective, as the objectives listed in the mandate goals were all achieved to a certain extent, meaning that some definite improvement can be seen in the areas that required the mission's attention.

The case of the civilian CSDP mission Proxima is a good example for the preventative effect that civilian CSDP missions can have on terrorism. By improving law enforcement and ensuring that the police body is working effectively, the mission has contributed to countering terrorism. A country with increased stability and the enforced rule of law is less likely to create new terrorist cells and more likely to detect existing terrorism scenes. A functioning border police, as installed by the Proxima mission, can prevent terrorist organizations from spreading into Macedonia and threatening the fragile stability put in place by the mission. Therefore, EUPOL Proxima provides a good example of a CSDP mission indirectly contributing to the fight against terrorism, despite having a different primary objective.

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<sup>83</sup> G. Grevi, D. Helly and D. Keohane, *supra* note 64, at 28.

<sup>84</sup> G. Skara, 'The Role of the EU as a Peacebuilder in the Western Balkans', 14 Romanian Journal of European Affairs 2014, available at <[http://rjea.ier.ro/sites/rjea.ier.ro/files/articole/RJEA\\_2014\\_vol14\\_no4\\_art2.pdf](http://rjea.ier.ro/sites/rjea.ier.ro/files/articole/RJEA_2014_vol14_no4_art2.pdf)>.

<sup>85</sup> G. Skara, *supra* note 84, at 32.

### 3.4 Conclusion on the effectiveness of CSDP missions

The case studies on a military and a civilian mission provided some valuable insight on how the EU approaches stabilisation and development objectives and to what extent these missions can be considered effective in reaching their goals. It must be noted that a generalisation of the results of these case studies is problematic, since these missions and their results are not indicative of other missions' outcomes and are merely a sample study of CSDP missions. However, in order to draw an informed conclusion on the success rate of CSDP missions, closely investigating a civilian and a military mission gives an impression on the general framework of CSDP missions.

In the context of assessing CSDP missions, the term 'effective' must not be confused with 'perfect'. A CSDP mission might have encountered severe problems and yet achieved the goals listed in its mandate to a large extent. Labelling a mission as effective is solely based on whether or not the mission contributed to achieving its objectives. Nevertheless, complications like planning difficulties or recruiting issues must be included in the assessment of such a mission to provide the reader with a comprehensive evaluation.

This was especially visible in the case of EUFOR Tchad/RCA, where the analysis above revealed various severe problems, as for example the recruiting difficulties that forced the delay of the mission. Despite these difficulties, the mission improved the situation in the field by raising the level of security, which was one of the goals listed in the mission's mandate. Therefore, the mission can be considered effective in this respect.

Both missions have had flaws, though of different magnitude, and encountered problems as results of these flaws. As an overall assessment, however, I would consider the EU capable of effectively pursuing a military or civilian mission, since the missions prove that the EU is willing and able to learn from past mistakes and put the experience gained into practise in future operations. This is proven by the extensive 'lessons learned' processes that are conducted after each CSDP mission and stored in the 'European Lessons Management Application (ELMA)'.<sup>86</sup>

The CSDP mission Proxima is very representative of the EU's capability to learn from past lessons. This does not imply that a mission is planned and implemented without flaws, but the lessons of former missions are used to improve future operations. An example for such a learning process is the execution of so-called 'fact-finding missions' conducted prior to the mission launch in order to gain an informed impression of the existing police structures and the specific needs of the Macedonian case. These fact-finding missions were not part of the standard procedure in earlier missions and came as a result of 'lessons learned' reports. Another innovative element of the Proxima mission was the benchmarking system that was put in place in order to better assess the implementation of the planned actions and projects. In general, flaws and mistakes of CSDP missions should be perceived as valuable experiences that allow future missions, and especially

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<sup>86</sup> E. Dari, M. Price, J. Van der Wal, M. Gottwald and N. Koenig, 'CSDP Missions and Operations: Lessons Learned Processes', *European Parliament* 2012, available at <[http://www.europarl.europa.eu/RegData/etudes/etudes/join/2012/457062/EXPO-SEDE\\_ET\(2012\)457062\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2012/457062/EXPO-SEDE_ET(2012)457062_EN.pdf)>.

missions in a new branch like counterterrorism, to start from a more experienced and informed point of departure. In the fight against global terrorism, any lesson learned that is put to use increases the likelihood of the mission being successful. Therefore, problems and issues of past CSDP missions should be considered opportunities to learn and become more effective when it comes to fighting terrorism through a CSDP mission.

In sum, these case studies show us that the EU's CSDP missions, while not perfect, are on a steady path towards improvement and the maximised utility and effectiveness of a CSDP mission is a goal the EU is getting closer and closer to achieve.

### 3.5 Connecting CSDP missions with counterterrorism

The thorough analyses of this chapter gave an impression of what the EU is able to do in terms of conducting military and civilian missions. However, CSDP missions have until now not been used explicitly as an instrument against terrorism. The following section will explain the relevance of the CSDP missions for the EU's counterterrorism approach, as it appears that a closer link between these two elements might be possible in the future. Before 9/11, CSDP had no connection to counterterrorism efforts whatsoever. This connection only gradually evolved throughout the years as more and more terrorist attacks targeted the Western world and specifically the European Union, for example with the Madrid train bombings of 2004. Even though, the Common Foreign and Security Policy was not built as an instrument to fight against terrorism, the threat of a terrorist attack on Europe caused a spill-over of counterterrorism into the domain of CFSP.<sup>87</sup>

CSDP missions, as they were originally designed and are still carried out today, indirectly contribute to the EU's counterterrorism agenda by preventing further radicalisation through aiding the stabilization and development of countries who are potential unwilling hosts to terrorist organizations. Implementing the rule of law and helping other countries in their law enforcement efforts decreases the likelihood of new terrorism cells forming in these states. As mentioned above, this 'side-effect' to CSDP missions has some notable potential as an effective terrorism prevention mechanism.<sup>88</sup>

However, if civilian CSDP missions were launched with the specific tasks to strengthen unstable countries with respect to their vulnerability to become the birthplace of new terrorism, even more could be achieved in this field. The EUFOR and EUPOL missions have shown that the EU is capable of setting itself reachable security goals and, in the case of EUPOL, also puts monitoring mechanisms in place to keep the achievement of the security goals in check. In light of global terrorism becoming the ultimate threat to the Western world, officially putting terrorism on the

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<sup>87</sup> B.O. Martins & L.C. Ferreira-Pereira, 'Stepping inside? CSDP missions and EU counterterrorism', 21 *European Security* 2012, available at <<http://dx.doi.org/10.1080/09662839.2012.688814>>.

<sup>88</sup> T. Sinkkonen, 'Counterterrorism in External Action – The EU's Toolbox for Responding to Terrorism abroad', *The Finnish Institute of International Affairs* 2013, available at <[www.fiia.fi/assets/publications/bp129.pdf](http://www.fiia.fi/assets/publications/bp129.pdf)>.

CSDP agenda could provide an effective instrument in the fight against it. The scientific community has identified many concrete causes of terrorism that could be directly tackled by CSDP missions in cooperation with the states threatened to become host countries to terrorism. Setting the destruction of these concrete causes as security goals in future CSDP missions, tailored to be specifically counterterrorism missions, could turn out to be a valuable instrument in preventing the formation of future terrorist cells.

What sets CSDP missions aside from national military efforts is their hybrid nature, made up of military and civilian elements. This combination could prove more successful in fighting terrorism than the predominantly military strategies countries like the USA or France have pursued. While these strategies might kill those that are already part of terrorist organisations like ISIS, they do not address the underlying root causes. By combining both strategies, eliminating the terrorist cells already existing and preventing the formation of new ones, through military presence in cooperation with the countries affected and through long-term stabilisation to prevent further radicalisation and terrorist recruitment, real progress could be made. This combination of both military and civilian efforts has been successful in CSDP missions and might therefore also be successful on a broader, more global scale. The hybrid nature of CSDP missions is very much in harmony with the EU Counterterrorism Strategy's approach towards counterterrorism. The strategy puts forth four different dimensions to fighting global terrorism, namely 'prevent', 'protect', 'pursue' and 'respond'.<sup>89</sup> The variety in nature found in the CSDP missions is very helpful in making process in each of these four approaches. Civilian missions like EUPOL Proxima, for example, fall into the 'prevent' branch of counterterrorism, as the effective enforcement of law and order subdues the development of terrorism in that region. Military missions like EUFOR Tchad/RCA contribute more to the 'protect' branch of the strategy. Although the mission might not address the root causes of the problem, it contributes to the protection of citizens from harm and violence. This kind of 'task division' set forth by the EU Counterterrorism Strategy could easily be translated to CSDP missions targeting counterterrorism goals. What this means in practise is, that future antiterrorism CSDP missions could be specifically modelled to contribute to one of these four approaches, thereby defeating global terrorism from different angles more effectively.

What is more, the civilian missions of the European Union are not replaceable by unilateral action of a single country, because a state suffering from instability and high crime rates is unlikely to let another nation-state interfere in its security sector, fearing for its national sovereignty. By allocating this task to the EU, the concerned states can maintain their sovereign power while at the same time solving their security problems with external help of a supranational institution. The unique nature of the EU and its prominent role in international politics further supports the claim that this indirect stabilization needed by many high-risk countries can only be provided by the EU.

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<sup>89</sup> Council of the European Union, 'The European Union Counter-Terrorism Strategy', 14469/4/05 REV 4 (30 November 2005), available at <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2014469%202005%20REV%204>.

In order for this strategy of combining civilian with military counterterrorism efforts to become reality, the gap between the EU's rhetoric and its actions must be closed. For years, the EU has claimed to prioritize the fight against terrorism and yet, no CSDP missions has had counterterrorism as its main objective. According to Martins and Ferreira-Pereira, the problem could be an intra-EU divergence: While counterterrorism policy makers consider the CSDP as a useful instrument in the fight against terrorism, CSDP policy-makers do not agree.<sup>90</sup> A reconciliation or compromise between these levels is essential for the European Union to take on more responsibility as a security actor in the world. Javier Argomaniz explains the proclamation-implementation gap as the product of political, capacity and strategic reasons. According to him, the EU's lack of a clear, military counterterrorism mandate abroad, the failure to maximise the utility of CSDP operations and political calculations of EU Member States are hindering the use of CSDP for counterterrorism purposes in practise.<sup>91</sup>

## Chapter 4

### 4.1 Introduction

In this section of the thesis, the Member States' willingness to commit to a common European approach against global terrorism will be assessed using data on the Member States' voting behaviour on different resolutions in the European Parliament. The question to be answered by the analysis of this data reads '*To what extent do the Member States support a common European approach to combating global terrorism?*'. In order to gain an impression of the Member States' attitude towards action on the EU-level regarding issues relating to terrorism, five resolutions dealing with terrorism will be compared with five resolutions dealing with issues linked to a common monetary policy of the European Union. Monetary policy issues were chosen as a reference point because Member States tend to be in favour of EU-level decision-making that advocates a common monetary policy approach.

Of course, this comparison is severely limited in its explanatory power because the Member States are not voting for or against a European approach towards fighting terrorism or towards monetary policy issues, but only for the specific resolution in question. Therefore, a general conclusion on the EU Member States' willingness to pool their sovereignty in favour of a common Counterterrorism approach is not possible. Nevertheless, this comparison provides us with a snapshot of Member States' voting behaviour in two different policy areas and positions the topic of Counterterrorism in relation to other policy fields. A further limitation of this analysis is the fact that it uses data from votes held in the European Parliament, which is less

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<sup>90</sup> B.O. Martins & L.C. Ferreira-Pereira, *supra* note 87, at 34.

<sup>91</sup> J. Argomaniz, *supra* note 19, at 8.

representative of the various Member States' positions, but more of the parties holding seats in the European Parliament in representation of their respective Member State. The validity of this analysis could therefore be significantly improved if the voting behaviour of the Member States in the Council on these resolutions was available, but unfortunately this information is not accessible to the public. The use of European Parliament (EP) votes can be justified in this case because the representatives of the EP are directly elected by the citizens of Europe and can therefore serve as a barometer for the public opinion in the various Member States. In sum, this analysis aims to provide the reader with a snapshot insight on Member States' position towards a common European approach towards Counterterrorism from an interesting and uncommon perspective.

The quantitative analysis of the voting behaviour consists of comparing how many delegates of each Member State voted for or against a resolution and then using these figures to calculate a Member State's overall position towards this specific resolution. Abstentions and absences from the vote were not regarded in the analysis. The data indicating the Member States' voting behaviour on each resolution was provided by the website 'VoteWatch'<sup>92</sup>, which collects data on the EP votes on all policy fields. The website made information available on resolutions that were voted on within a timeframe of July 2014 until today. Data from earlier years was not accessible. The selection of resolutions to be compared followed no specific pattern. The only selection criterion was that the vote was a non-legislative motion for resolution to ensure that the vote really displayed a Member State's position on an issue, instead of accepting or rejecting an amendment to a legal paragraph in the EU's ordinary legislation procedure. Apart from this criterion, the selection of resolutions was random.

## 4.2 Terrorism related issues vs. Monetary policy issues

In the following section, I will briefly introduce the issues addressed in the respective EP resolutions and then discuss the voting behaviour of the Member States for each policy field using tables and graphic displays.<sup>93</sup>

### *4.2.1 Terrorism-related issues*

The primary focus of this analysis is the resolutions dealing with issues linked to terrorism. The first one, titled 'Anti-terrorism measures'<sup>94</sup> lists several anti-terrorism measures aimed at forming a more coordinated approach to fighting terrorism. This resolution refers to the attacks on

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<sup>92</sup> Full web address: [www.votewatch.eu](http://www.votewatch.eu)

<sup>93</sup> For the complete overview of the Member States voting behaviour for each resolution, please see the annex. In this section of the thesis, only the final comprehensive overview of the Member States' voting behaviour on all five terrorism/monetary policy issues combined is provided, in order to facilitate the reading of the thesis.

<sup>94</sup> The data provided on this resolution is available at <<http://www.votewatch.eu/en/term8-anti-terrorism-measures-joint-motion-for-resolution-vote-resolution.html###vote-tabs-list-4>>.

‘Charlie Hebdo’ in Paris as an example of incidents that demonstrate the necessity to improve common anti-terrorism measures.<sup>95</sup> The second resolution is titled ‘Destruction of cultural sites perpetrated by ISIS/Da’esh’<sup>96</sup> and covers the Member States’ condemnation of ISIS’ efforts to destroy the cultural and the historic sites in Syria. The resolution provides a number of suggestions on how to combat this destruction by cooperating with each other.<sup>97</sup> A third resolution to be analysed is the EP resolution ‘Humanitarian Crisis in Iraq and Syria, particularly in IS context’<sup>98</sup>, which puts forth the EU’s condemnation for the cruel atrocities committed by ISIS to the populations of Iraq and Syria. The resolution calls for increased international humanitarian aid and more coordinated action against ISIS. Furthermore, it calls for more increased protection of the local population’s human rights and requests measures to bring about peace in the Syrian civil war.<sup>99</sup> The fourth resolution concerning terrorism issues is titled ‘Persecutions of the Christians around the world, in relation to the killing of students in Kenya by terror group Al-Shabaab’.<sup>100</sup> This resolution refers directly to the terrorist attack on April 2nd in 2015, when members of the terrorist organization Al-Shabaab stormed a University in Garissa, Kenya, killing 148 and injuring 79 people.<sup>101</sup> According to the resolution, the EP strongly condemns this attack and any crimes based on religious differences. It is stressed that freedom of religion is upheld as a fundamental right and an investigation for the violence and the root causes of Al-Shabaab is called for. Furthermore, Kenya is requested to protect the diversity of faith in its territory, and will be supported by international cooperation aimed at tackling the financing of international terrorism.<sup>102</sup> Finally, the fifth resolution, titled ‘Systematic mass murder of religious minorities by ISIS’,<sup>103</sup> again, strongly condemns ISIS and its brutal actions, especially the genocide ISIS is committing against Yezidis and Christians and other ethnic and religious minorities. The resolution entails a call for a thorough investigation of these genocide crimes and it urges the international community to combat religious radicalisation and prevent citizens from

<sup>95</sup> ‘Joint Motion for a Resolution on Anti-terrorism Measures’ (2015/2530(RSP)), *European Parliament*, 10 February 2015, available at <<http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=P8-RC-2015-0122&language=EN>>.

<sup>96</sup> The data provided on this resolution is available at <<http://www.votewatch.eu/en/term8-motions-for-resolutions-destruction-of-cultural-sites-perpetrated-by-isis-da-esh-joint-motion-for-re.html###vote-tabs-list-4>>.

<sup>97</sup> ‘Joint Motion for a Resolution on the destruction of cultural sites perpetrated by ISIS/Da’esh’ (2015/2649(RSP)), *European Parliament*, 28 April 2015, available at <<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+MOTION+P8-RC-2015-0375+0+DOC+XML+V0//EN>>.

<sup>98</sup> The data provided on this resolution is available at <<http://www.votewatch.eu/en/term8-humanitarian-crisis-in-iraq-and-syria-in-particular-in-the-is-context-joint-motion-for-resolution-pa.html###vote-tabs-list-4>>.

<sup>99</sup> ‘Joint motion for a resolution on the humanitarian crisis in Iraq and Syria, in particular in the IS context’ (2015/2559(RSP)), *European Parliament*, 11 February 2015, available at <<http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=P8-RC-2015-0136&language=EN>>.

<sup>100</sup> The data provided on this resolution is available at <<http://www.votewatch.eu/en/term8-persecution-of-the-christians-around-the-world-in-relation-to-the-killing-of-students-in-kenya-by-te-16.html>>.

<sup>101</sup> ‘Kenya attack: 147 dead in Garissa University assault’, *BBC News*, 3 April 2015, available at <<http://www.bbc.com/news/world-africa-32169080>>.

<sup>102</sup> ‘European Parliament resolution on the persecution of Christians around the world, in relation to the killing of students in Kenya by terror group Al-Shabaab’ (2015/2661(RSP)), *European Parliament*, 28 April 2015, available at <<http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=P8-RC-2015-0382&language=EN>>.

<sup>103</sup> The data provided on this resolution is available at <<http://www.votewatch.eu/en/term8-systematic-mass-murder-of-religious-minorities-by-isis-joint-motion-for-resolution-paragraph-10.html###vote-tabs-list-4>>.

joining ISIS' forces. The international community is requested to protect and provide humanitarian aid to those targeted by ISIS.<sup>104</sup>

The final result of the voting procedure on these resolutions was 'yes' for all five respectively. However, in order to get a more nuanced impression on the support of Member States for common approaches towards counter-terrorism, an analysis for the voting behaviour of each Member States' delegates for each resolution was conducted. For each Member State, the pro and contra votes were counted and converted into percentage figures to show how many of a country's delegates were in favour or against a resolution in relation to the total number of this specific Member State's delegates. An example of such a table can be seen below. It describes the voting behaviour of the Member States' delegates for the resolution 'Anti-terrorism measures':

*Table 1: Voting Behaviour on EP Resolution 'Anti-terrorism measures'*<sup>105</sup>

| Voting Behaviour on EP Resolution 'Anti-terrorism measures' |     |        |           |                    |                 |             |           |                     |
|---|-----|--------|-----------|--------------------|-----------------|-------------|-----------|---------------------|
| Member States   | Pro | Contra | Abstained | Absent/Didn't vote | Total delegates | % in Favour | % Against | MS Commitment level |
| Austria   | 8   | 7      | 3         | 0                  | 18              | 44%         | 39%       | LIF                 |
| Belgium   | 17  | 3      | 0         | 1                  | 21              | 81%         | 14%       | CIF                 |
| Bulgaria  | 16  | 0      | 0         | 1                  | 17              | 94%         | 0%        | CIF                 |
| Croatia   | 10  | 0      | 0         | 1                  | 11              | 91%         | 0%        | CIF                 |
| Cyprus  | 4   | 2      | 0         | 0                  | 6               | 67%         | 33%       | MIF                 |
| Czech republic  | 17  | 4      | 0         | 0                  | 21              | 81%         | 19%       | CIF                 |
| Denmark   | 10  | 2      | 0         | 1                  | 13              | 77%         | 15%       | CIF                 |
| Estonia   | 6   | 0      | 0         | 0                  | 6               | 100%        | 0%        | CIF                 |
| Finland   | 9   | 2      | 0         | 2                  | 13              | 69%         | 15%       | MIF                 |
| France  | 39  | 8      | 22        | 5                  | 74              | 53%         | 11%       | MIF                 |
| Germany   | 64  | 23     | 4         | 5                  | 96              | 67%         | 24%       | MIF                 |
| Greece  | 10  | 10     | 0         | 1                  | 21              | 48%         | 48%       | LIF                 |
| Hungary   | 16  | 2      | 3         | 0                  | 21              | 76%         | 10%       | CIF                 |
| Ireland   | 6   | 4      | 0         | 1                  | 11              | 55%         | 36%       | MIF                 |
| Italy   | 59  | 7      | 1         | 5                  | 72              | 82%         | 10%       | CIF                 |
| Latvia  | 7   | 1      | 0         | 0                  | 8               | 88%         | 13%       | CIF                 |
| Lithuania   | 9   | 1      | 0         | 1                  | 11              | 82%         | 9%        | CIF                 |
| Luxembourg  | 5   | 1      | 0         | 0                  | 6               | 83%         | 17%       | CIF                 |
| Malta   | 4   | 0      | 0         | 2                  | 6               | 67%         | 0%        | MIF                 |
| Netherlands   | 15  | 8      | 0         | 3                  | 26              | 58%         | 31%       | MIF                 |
| Poland  | 45  | 0      | 3         | 3                  | 51              | 88%         | 0%        | CIF                 |
| Portugal  | 17  | 4      | 0         | 0                  | 21              | 81%         | 19%       | CIF                 |
| Romania   | 32  | 0      | 0         | 1                  | 32              | 100%        | 0%        | CIF                 |
| Slovakia  | 12  | 0      | 0         | 1                  | 13              | 92%         | 0%        | CIF                 |
| Slovenia  | 6   | 1      | 0         | 1                  | 8               | 75%         | 13%       | CIF                 |
| Spain   | 35  | 15     | 0         | 4                  | 54              | 65%         | 28%       | MIF                 |
| Sweden  | 11  | 7      | 0         | 2                  | 20              | 55%         | 35%       | MIF                 |
| UK  | 43  | 24     | 0         | 6                  | 73              | 59%         | 33%       | MIF                 |

<sup>104</sup> 'Joint motion for a resolution on the systematic mass murder of religious minorities by the so-called "ISIS/Da'esh"' (2015/2529(RSP)), *European Parliament*, 3 February 2016, available at <<http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=P8-RC-2016-0149&language=EN>>.

<sup>105</sup> VoteWatch, *supra* note 94, at 37.



The distribution of delegates in favour or against this resolution was then categorized into one of four categories. If 75% or more of the delegates had voted in favour of the resolution, this Member State was classified as ‘Completely in favour’ or ‘CIF’. If 50% or more, but less than 75% of the Member State’s delegates had voted in favour of the resolution, this Member State was categorized as ‘More in favour’ or ‘MIF’. In the event that more than 25% but less than 50% of a Member State’s delegates had voted in favour, this Member State was classified as ‘Less in favour’ or ‘LIF’. Finally, if less than 25% of a Member State’s delegates had voted in favour of the resolution, the Member State was classified as ‘Not in favour’ or ‘NIF’.

In order to display the Member States’ overall level of approval for a common European approach towards counterterrorism, and with this subsequently, their willingness to pool their sovereignty in favour of a common European anti-terror approach, the distribution of Member States with the four categories explained above was calculated for each resolution and put together in the table below. In the table it can be seen how many Member States qualified for the categories ‘CIF’/’MIF’/’LIF’/’NIF’ for each resolution in absolute and relative figures.

*Table 2: Distribution of Member States into commitment level categories based on their voting behaviour on resolutions addressing terrorism issues*<sup>106 107</sup>

| Distribution of Member States in commitment level categories based on their voting behaviour on resolutions addressing terrorism issues |     |             |     |             |     |             |     |             |     |             |   |
|---|-----|-------------|-----|-------------|-----|-------------|-----|-------------|-----|-------------|---|
|   | R1a | R1a<br>in % | R2a | R2a<br>in % | R3a | R3a<br>in % | R4a | R4a<br>in % | R5a | R5a<br>in % | Total<br>count<br>(absolute<br>numbers) |
| CIF   | 16  | 57%         | 17  | 61%         | 15  | 54%         | 16  | 57%         | 9   | 32%         | 73                                      |
| MIF   | 10  | 36%         | 10  | 36%         | 12  | 43%         | 10  | 36%         | 16  | 57%         | 58                                      |
| LIF   | 2   | 7%          | 1   | 4%          | 1   | 4%          | 2   | 7%          | 3   | 11%         | 9                                       |
| NIF   | 0   | 0%          | 0   | 0%          | 0   | 0%          | 0   | 0%          | 0   | 0%          | 0                                       |
| Total   | 28  | 100%        | 28  | 100%        | 28  | 100%        | 28  | 100%        | 28  | 100%        | 140                                     |

*Legend: R1a: ‘Anti-terrorism measures’, R2a: ‘Destruction of cultural sites perpetrated by ISIS/Da’esh’, R3a: ‘Humanitarian Crisis in Iraq and Syria, particularly in IS context’, R4a: ‘Persecution of the*

<sup>106</sup> Data provided by the various VoteWatch websites for the specific EP resolutions ‘Anti-terrorism measures’, ‘Destruction of cultural sites perpetrated by ISIS/Da’esh’, ‘Humanitarian Crisis in Iraq and Syria, particularly in IS context’, ‘Persecution of the Christians around the world, in relation to the killing of students in Kenya by terror group Al-Shabaab’ and ‘Systematic mass murder of religious minorities by ISIS’

<sup>107</sup> Please note that the percentage figures are rounded up to the next full number, which leads to slight discrepancies from the real figures and might cause the percentage figures to not add up to 100% perfectly.

*Christians around the world, in relation to the killing of students in Kenya by terror group Al-Shabaab', R5a: 'Systematic mass murder of religious minorities by ISIS'*

The contents of the table show that, apart from the fifth resolution (R5a: 'Systematic mass murder of religious minorities by ISIS'), every resolution was welcomed enthusiastically by more than half of the 28 EU Member States, indicated by the high frequency of Member States being categorized as 'Completely in favour' of a resolution. In the case of the fifth resolution, more than half of the Member States were 'More in favour' of the resolution, which still indicates a strong rate of approval for the topic at hand. A strong argument for the willingness of the Member States to approach counterterrorism as a European unity is the fact that no country qualifies as 'Not in favour' for any of the resolutions and only very few were 'Less in favour' for the resolutions included in this analysis.

#### *4.2.2 Monetary policy issues*

In order to assess the voting behaviour of the Member States on these terrorism-related issues, it makes sense to introduce a reference point against which the voting results of the first five resolutions can be compared. Five motions for resolution concerning monetary policy issues will serve as such a reference point. The choice to compare the voting behaviour on a security policy field as terrorism-related issues with an economic policy field such as monetary policy related issues is motivated by the assumption that Member States are in general quite willing to pool their sovereignty for matters of monetary policy. Therefore, looking at Member States' attitude towards a common counter-terrorism approach in relation to their attitude towards a common monetary policy serves as a valuable tool for answering this sub-question.

The five resolutions covering monetary policy issues were chosen randomly, just like the resolutions linked to issues of terrorism. The first resolution chosen is titled 'Bringing Transparency, Coordination and Convergence to corporate tax policies'<sup>108</sup> and addresses the need to introduce reforms in order to improve transparency, coordination and convergence to corporate tax policies after the LUXLEAKS scandal of 2014. The resolution requests the Commission to introduce a legislation combating large scale corporate tax evasion in the future and introduces various other suggestions for reform.<sup>109</sup> The second resolution concerning monetary policy issues is titled 'Building Capital Markets Union'<sup>110</sup> and addresses steps necessary to strengthen

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<sup>108</sup>The data provided on this resolution is available at <<http://www.votewatch.eu/en/term8-bringing-transparency-coordination-and-convergence-to-corporate-tax-policies-motion-for-resolution-v.html###vote-tabs-list-4>>.

<sup>109</sup>Motion for a European Parliament resolution with recommendations to the Commission on bringing transparency, coordination and convergence to Corporate Tax policies in the Union' (2015/2010(INL)), *European Parliament*, 2 December 2015, available at <<http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A8-2015-0349&language=EN>>.

<sup>110</sup>The data provided on this resolution is available at <<http://www.votewatch.eu/en/term8-building-a-capital-markets-union-motion-for-resolution-vote-resolution.html###vote-tabs-list-4>>.

European competitiveness and stimulate investment. The resolution introduces suggestions to create an environment of financial stability and measures to build a complete, genuine capital markets union.<sup>111</sup> Another resolution studied for this analysis is titled ‘European Semester for economic policy coordination: implementation of 2014 priorities’<sup>112</sup> and it sets the agenda for the coming economic year. This resolution highlights areas that still require further attention, as for example job creation or European competitiveness policies. The priorities for the following year set by the EP in this resolution, are to be considered by the Commission and the Member States.<sup>113</sup> The fourth resolution analysed in this context is titled ‘Mortgage legislation and risky financial instruments in the EU: the case of Spain’<sup>114</sup> and deals with the abusive business practises in the Spanish mortgage sector which have caused many citizens to lose their savings and see their existence threatened. The resolution proposes various specific reforms to the mortgage legislation in order to prevent such economic tragedies in the future.<sup>115</sup> Finally, the last resolution chosen for this comparative analysis is titled ‘Virtual Currencies’<sup>116</sup> and deals with the advantages and disadvantages of virtual currencies like ‘Bitcoin’ and the rules and regulations required for their implementation. The resolution introduces several suggestions on how to create a legal framework in order to regulate the use of virtual currencies in the economic sector.<sup>117</sup>

As for the resolutions concerning issues related to terrorism, the voting behaviour of the Member States on these monetary policy resolutions was analysed and the results combined into the following table.

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<sup>111</sup> ‘Motion for a European Parliament resolution on building a Capital Markets Union’ (2015/2634(RSP)), *European Parliament*, 1 July 2015, available at

<<http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B8-2015-0655&language=EN>>.

<sup>112</sup> The data provided on this resolution is available at <<http://www.votewatch.eu/en/term8-european-semester-for-economic-policy-coordination-implementation-of-2014-priorities-motion-for-reso-2.html>>.

<sup>113</sup> ‘Motion for a European Parliament resolution on the European Semester for economic policy coordination: implementation of 2014 priorities’ (2015/2059(INI)), *European Parliament*, 15 October 2014, available at <<http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A8-2014-0019&language=EN>>.

<sup>114</sup> The data provided on this resolution is available at <<http://www.votewatch.eu/en/term8-mortgage-legislation-and-risky-financial-instruments-in-the-eu-the-case-of-spain-motion-for-resoluti-22.html###vote-tabs-list-4>>.

<sup>115</sup> ‘Motion for a European Parliament resolution on mortgage legislation and risky financial instruments in Spain (based on petitions received)’ (2015/2740(RSP)), *European Parliament*, 2 October 2014, available at <<http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B8-2015-0987&language=EN>>.

<sup>116</sup> The data provided on this resolution is available at <<http://www.votewatch.eu/en/term8-virtual-currencies-motion-for-resolution-single-vote.html###vote-tabs-list-4>>.

<sup>117</sup> ‘Motion for a European Parliament resolution on virtual currencies’ (2015/2007(INI)), *European Parliament*, 3 May 2016, available at <<http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A8-2016-0168&language=EN>>.

*Table 3: Distribution of Member States into commitment level categories based on their voting behaviour on resolutions addressing monetary policy issues<sup>118 119</sup>*

| Distribution of Member States in commitment level categories based on their voting behaviour on resolutions addressing monetary policy issues |           |             |           |             |           |             |           |             |           |             |                                |
|---|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|--------------------------------|
|   | R1b       | R1b in %    | R2b       | R2b in %    | R3b       | R3b in %    | R4b       | R4b in %    | R5b       | R5b in %    | Total count (absolute numbers) |
| CIF   | 15        | 54%         | 17        | 61%         | 1         | 4%          | 1         | 4%          | 18        | 64%         | 52                             |
| MIF   | 9         | 32%         | 9         | 32%         | 14        | 50%         | 14        | 50%         | 9         | 32%         | 55                             |
| LIF   | 1         | 4%          | 2         | 7%          | 13        | 46%         | 13        | 46%         | 1         | 4%          | 30                             |
| NIF   | 3         | 11%         | 0         | 0%          | 0         | 0%          | 0         | 0%          | 0         | 0%          | 3                              |
| <b>Total</b>  | <b>28</b> | <b>100%</b> | <b>28</b> | <b>100%</b> | <b>28</b> | <b>100%</b> | <b>28</b> | <b>100%</b> | <b>28</b> | <b>100%</b> | <b>140</b>                     |

*Legend: R1b: 'Bringing Transparency, Coordination and Convergence to corporate tax policies', R2b: 'Building Capital Markets Union', R3b: 'European Semester for economic policy coordination: implementation of 2014 priorities', R4b: 'Mortgage legislation and risky financial instruments in the EU: the case of Spain', R5b: 'Virtual Currencies'*

The table displaying the combined voting behaviour results for monetary policy related issues shows that, unlike with terrorism related issues, there is considerably more discrepancy in the voting behaviour of the various Member States for the respective resolutions. While the final result was a 'yes' vote for all of these resolutions also, the level of support from the Member States varied much more in the monetary policy related issues than in the terrorism related issues. This for example becomes visible when comparing Resolution 3b and Resolution 5b in the table above. For Resolution 3b, only one Member State qualified for the category 'Completely in favour', while for Resolution 5b, 18 Member States, the great majority, qualified as 'Completely in favour' of the resolution. Also considering negative reactions to the resolution, the monetary policy related issues resolutions shows more resistance by the Member States than the resolutions covering terrorism-related issues. Resolution 3b, for example, shows significant reluctance of the Member States to support the resolution, which in this case means setting priorities for the economic year of 2014.

<sup>118</sup> Data provided by the various VoteWatch websites for the specific EP resolutions 'Bringing Transparency, Coordination and Convergence to corporate tax policies', 'Building Capital Markets Union', 'European Semester for economic policy coordination: implementation of 2014 priorities', 'Mortgage legislation and risky financial instruments in the EU: the case of Spain' and 'Virtual Currencies'.

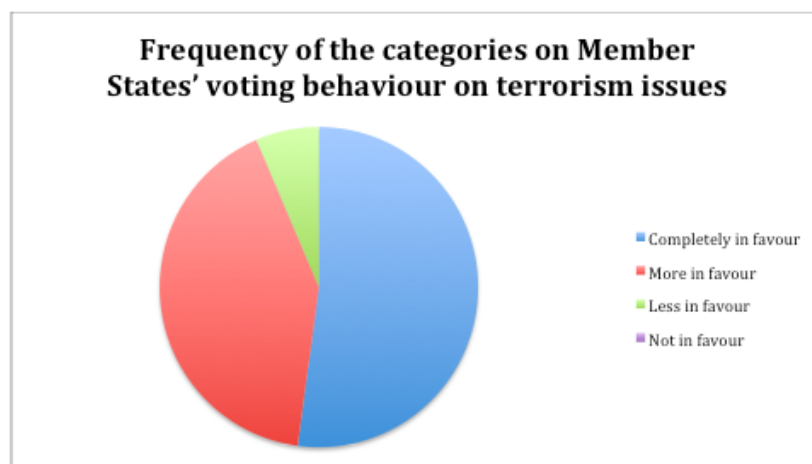
<sup>119</sup> Please note that the percentage figures are rounded up to the next full number, which leads to slight discrepancies from the real figures and might cause the percentage figures to not add up to 100% perfectly.

#### 4.2.3 Direct Comparison

In this final section, a direct comparison will be drawn between the Member States' voting behaviour on resolutions covering terrorism-related issues and monetary policy related issues, using graphic displays to clarify the differences in Member State support for a common approach in each policy field.

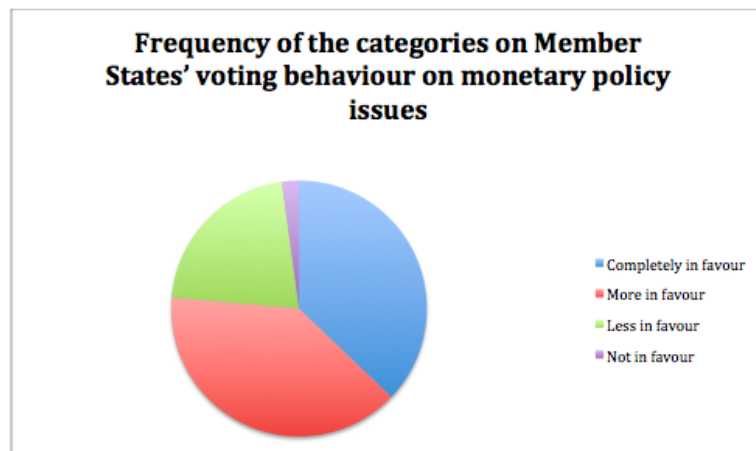
The graphs below show the frequency of the four categories ('CIF'/'MIF'/'LIF'/'NIF') describing the level of support of the Member States for each of the policy fields, based on their voting behaviour on the five selected resolutions.

*Graph 1: Frequency of the categories on Member States' voting behaviour on the terrorism issues*<sup>120</sup>



<sup>120</sup> Data provided by the various VoteWatch websites for the specific EP resolutions 'Anti-terrorism measures', 'Destruction of cultural sites perpetrated by ISIS/Da'esh', 'Humanitarian Crisis in Iraq and Syria, particularly in IS context', 'Persecution of the Christians around the world, in relation to the killing of students in Kenya by terror group Al-Shabaab' and 'Systematic mass murder of religious minorities by ISIS'

*Graph 2: Frequency of the categories on Member States' voting behaviour on monetary policy issues<sup>121</sup>*



The graphs show that, while more than 50% of the Member States were 'Completely in favour' of the resolutions relating to terrorism issues, only 37% of the Member States were 'Completely in favour' of the resolutions relating to monetary policy issues.

Concerning the category 'More in favour', both policy fields received approximately 40% of the votes in the resolutions.

However, the negative reactions to the resolutions only amounted to 6% in the case of terrorism related resolutions and totalled about 20% in the case of monetary policy resolutions.

Therefore, a direct comparison of the two graphs leads to the conclusion that the EU Member States were actually more supportive of the terrorism related issues covered in the five selected resolutions than they were of the monetary policy related issues covered in the other five resolutions.

### 4.3 Conclusion

It appears, that even though monetary policy related issues were selected as a reference point for a high level of Member State support, the actual support visible in these concrete resolutions is greatly surpassed by the support for resolutions covering issues relating to terrorism. What can be concluded from that is, that the EU Member States are in favour of a common European approach towards tackling the problem of global terrorism. Since the resolutions relating to terrorism often include a common condemnation of terrorist crimes and promote joint, international action against global terrorism, the fact that no Member State qualified for the lowest category of support for a common European approach ('Not in favour'), allows the conclusion that all Member States are in fact supporting a joint taking of action on the EU-level against global

<sup>121</sup> Data provided by the various VoteWatch websites for the specific EP resolutions 'Bringing Transparency, Coordination and Convergence to corporate tax policies', 'Building Capital Markets Union', 'European Semester for economic policy coordination: implementation of 2014 priorities', 'Mortgage legislation and risky financial instruments in the EU: the case of Spain' and 'Virtual Currencies'.

terrorism. Nevertheless, the limitations of this analysis, as explained earlier, must be considered in drawing a conclusion based on these findings, especially since the resolutions selected for the purpose of comparison are only random examples and can in no way represent the entire range of their policy fields. However, keeping these limitations in mind, this analysis has provided some insight on the position that a joint European counterterrorism approach has in the current agenda of EU Member States.

A possible explanation for the wide-spread support of the Member States for a joint anti-terrorism approach could be the point in time at which this analysis was conducted. Since the data used ranged from 2014 until today, an increased support for common action against terrorism could be expected. Throughout the past years, the threat of global terrorism has been consistently growing, with the number of incidents having multiplied five-fold since 9/11, according to a report from 2014 (meaning that numbers can be expected to be even higher today).<sup>122</sup> What is more, terrorism is increasingly developing from an external issue to an internal issue of Europe. While the majority of attacks have been targeted towards countries like Iraq, Syria, Nigeria, Pakistan and Afghanistan in previous years,<sup>123</sup> Western Europe is becoming a main focus of terrorist organizations like ISIS, especially through the 'Foreign Fighter' strategy.

The year 2015 has seen the highest death toll in Western Europe, indicating the increased threat of terrorism to the European Member States and their citizens.<sup>124</sup> Therefore, the willingness of Member States to support a common anti-terror approach as it can be seen today is very likely to be the result of the increase in global terrorism the past years have shown and especially the newly increased threat to their own territories and citizens. Terrorism is no longer merely an external issue to be combated, the threat is expanding towards the internal European dimension as well, leaving Member States no choice but to take common action against a common threat.

Of course, one could say that Member States are obvious to support any resolution that aims to maintain or bring about peace, as those studied in the context of counterterrorism in this thesis. However, other studies have shown that resolutions on other global security threats, like regional conflicts, do not enjoy the same amount of support of Member States as counterterrorism resolutions do.<sup>125</sup> A possible explanation for this difference in support could be that other global security threats like regional conflicts do not present an immediate danger to EU Member States yet and are therefore neglected. This, however, could turn out as a mistake, since violence and instability, both consequences of regional conflicts, are causes of terrorism and could develop into very real, immediate threats to EU Member States in time. Nevertheless, as of right now, terrorism seems to be perceived as the most immediate threat to Member States, causing them to vote in favour of resolutions dealing with issues related to terrorism.

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<sup>122</sup> A. Raziye, 'Mapped: 2015 was Europe's most dangerous year in a decade for terrorism', *The Telegraph*, 12 April 2016, available at <<http://www.telegraph.co.uk/news/2016/04/12/mapped-2015-was-europes-most-dangerous-year-in-a-decade-for-terr/>>.

<sup>123</sup> 'Global Terrorism Index 2015', *Institute for Economics & Peace* (November 2015), at 16, available at <<http://economicsandpeace.org/wp-content/uploads/2015/11/Global-Terrorism-Index-2015.pdf>>.

<sup>124</sup> A. Merelli, 'Charted: Terror attacks in Western Europe from the 1970s to now', *Quartz*, 25 November 2015, available at <<http://qz.com/558597/charted-terror-attacks-in-western-europe-from-the-1970s-to-now/>>.

<sup>125</sup> D. Sutter, 'Disposed to take action? An Assessment of the EU as a global security actor in the combat of regional conflicts', University of Twente, 2016.

# Chapter 5

## Overall Conclusion

In order to answer the overall research question of this thesis, namely *‘To what extent is the EU willing and able to take on more responsibility as a counter-terrorism actor in the wake of global terrorism?’*, three dimensions of the European Union’s ‘ability and willingness’ were studied. First of all, the legal competences of the EU were analysed in order to determine what exactly the EU is legally capable to do in the field of counterterrorism. Furthermore, a thorough analysis of two CSDP missions was conducted to assess the ability of the EU to achieve a military goal using civilian and military missions within the common security and defence policy framework. This analysis aimed at providing the reader with an impression of the EU’s experience as a military and civilian security actor and allowed to draw conclusions on the EU’s potential role as a counterterrorism actor in the world. Finally, after having studied the legal and physical dimensions of the EU’s ability and willingness to assume more responsibility in the fight against terror, the question of the Member States willingness to support the EU in assuming the role of a global security actor in the field of counter-terrorism was addressed. Including the public opinion of the Member States’ population in the analysis is an essential element of the study because it is the bridge between the hypothetical possibility of a new role for the EU and its actual implementation in real life.

In the following, the findings from each of the sections listed above will be discussed in order to derive an overall answer to the main research question of this thesis.

The question on the EU’s legal competences to act as a security actor plays an important role in this thesis because it defines the framework for all possible action the EU might take in the fight against terrorism. As chapter 2 of this thesis has shown, the ability of the EU to become active globally in the security sector heavily depends on the Member States’ approval. The rules on a common foreign and security policy are very specific and form a sui generis case in the law governing EU competences. Without the support of its Member States, the EU does not have the power to unilaterally act as a security actor, according to the provisions of the TEU and TFEU. However, if the Member States are in favour of a common European approach to a security issue like counterterrorism, the EU may exercise its competence of framing and planning common action, as well as concluding international agreements with third states or international organizations. This conclusion to the first sub-question highlights the importance of the analysis conducted within chapter 4, as the willingness of the Member States to engage in a common counterterrorism approach and the competences of the European Union as a security actor are closely linked to one another.

Chapter 3 goes on to investigate a more physical aspect of the EU’s ability to function as a global security actor, namely its performance in previous CSDP missions. An extensive analysis of two missions that followed rather different approaches, one being of military and the other of civilian nature, revealed that even though both missions were flawed in several aspects of their planning



and implementation, and required thorough lessons-learned procedures, various aspects of their respective mandate goals were surely achieved to a certain extent. Furthermore, both missions proved that past mistakes were used as learning opportunities, which leads to the conclusion that the EU is on a steady path towards becoming the security actor in military and civilian missions that it aspires to be. Concerning the differentiation between military and civilian missions and their respective value in combating terror, it must be stressed that civilian missions like Proxima FYROM, aiming at establishing a properly functioning rule of law, are considered especially effective in the fight against terrorism, as they are contributing to the prevent further terrorist cells from developing. Military missions on the other hand are mainly considered useful in diminishing the power of already existing terrorist cells. A synergy of these two approaches, accompanied by efforts to improve CSDP missions' performance, is deemed as a potentially very valuable tool of the European Union as a global counterterrorism actor. In sum, the EU already possesses the required building blocks to become a global security actor, but some further revision of past mistakes is necessary to effectively use CSDP missions as an instrument in the fight against global terrorism.

Finally, chapter 4 of this thesis addresses the willingness of the Member States to join a common European approach towards counterterrorism. It has become clear that the Member States' support in this matter is really the essential element for success, be it their decision to let the EU frame a common foreign and security policy or in their contribution of staff and resources of all kinds to CSDP missions.

The analysis of EU Member States' delegates' voting behaviour in EP resolutions from 2014 to 2016 has shown that a great majority of delegates from all 28 Member States have supported common European statements or actions concerning issues of terrorism. In fact, support for these terrorism related resolutions has been higher than for monetary policy resolutions that were chosen as a reference point. The direct comparison between the two policy fields and the level of support brought towards them showed that Member States are fact promoting a European approach towards terrorism related issues. Since this can be considered the necessary precondition for all further conditions relating to the EU's taking on more responsibility as a security actor, the findings of chapter 4 provide an optimistic outlook for the EU's future as a security actor.

The Member States' willingness to cooperate and coordinate with one another in fighting global terrorism makes the framing of a common foreign security policy by the EU possible, as well as the use of a CSDP mission to achieve counterterrorism objectives. Their willingness to support a common European approach towards counterterrorism could also imply Member State support for future CSDP missions targeted specifically at fighting terrorism, demonstrated by contributing staff and resources to these missions. With the legal and physical dimension of the EU's ability and willingness to take more responsibility in the fight against global terrorism covered in this scenario, the one issue remaining is the performance level of civilian and military CSDP missions in the past. However, if the EU commits to eliminating the flaws that have appeared in the past and prioritizes the improvement of CSDP missions' performance on its

agenda, it could be considered to be on a steady and straight path towards taking on more responsibility as a counter-terrorism actor in the wake of global terrorism.

# Appendix

## 1. Overview over Member State contributions to CSDP mission EUFOR Tchad/RCA<sup>126</sup>

| Country           | Contributed forces |
|-------------------|--------------------|
| EU Member States  |                    |
| Austria           | 173                |
| Belgium           | 78                 |
| Bulgaria          | 2                  |
| Cyprus            | 2                  |
| Czech Republic    | 2                  |
| Germany           | 4                  |
| Greece            | 5                  |
| Finland           | 62                 |
| France            | 1958               |
| Hungary           | 3                  |
| Ireland           | 450                |
| Italy             | 103                |
| Lithuania         | 2                  |
| Luxembourg        | 2                  |
| Netherlands       | 74                 |
| Poland            | 418                |
| Portugal          | 2                  |
| Romania           | 2                  |
| Sweden            | 10                 |
| Slovakia          | 1                  |
| Slovenia          | 26                 |
| Spain             | 87                 |
| United Kingdom    | 4                  |
| Non-Member States |                    |
| EU                | 1                  |
| Albania           | 63                 |
| Croatia           | 15                 |
| Russia            | 79                 |
|                   |                    |
| <b>Total</b>      | <b>3628</b>        |

<sup>126</sup> B. H. Seibert 'Operation EUFOR Tchad/RCA and the European Union's Common Security and Defense Policy', *Strategic Studies Institute* 2010, available at <<http://www.strategicstudiesinstitute.army.mil/pdffiles/pub1026.pdf>>.

## 2. Overview of International Participation in the second phase of CSDP mission EUPOL Proxima FYROM<sup>127</sup>

| Country           | Contributed forces |
|-------------------|--------------------|
| EU Member States  |                    |
| Austria           | 3                  |
| Belgium           | 4                  |
| Cyprus            | 4                  |
| Czech Republic    | 3                  |
| Denmark           | 5                  |
| Germany           | 21                 |
| Greece            | 8                  |
| Finland           | 6                  |
| France            | 25                 |
| Hungary           | 5                  |
| Ireland           | 1                  |
| Italy             | 11                 |
| Latvia            | 2                  |
| Lithuania         | 2                  |
| Luxembourg        | 1                  |
| Netherlands       | 11                 |
| Poland            | 3                  |
| Portugal          | 1                  |
| Sweden            | 11                 |
| Slovakia          | 2                  |
| Slovenia          | 5                  |
| Spain             | 11                 |
| United Kingdom    | 5                  |
| Non-Member States |                    |
| Estonia           | 1                  |
| Norway            | 5                  |
| Switzerland       | 2                  |
| Turkey            | 8                  |
| Ukraine           | 3                  |
|                   |                    |
| <b>Total</b>      | <b>169</b>         |

<sup>127</sup> G. Grevi, D. Helly and D. Keohane, *supra* note 64, at 28.

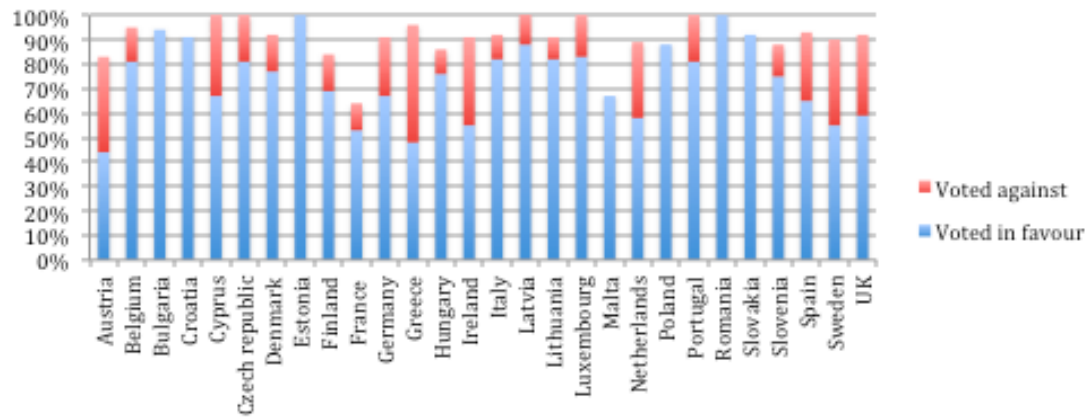
### 3. Tables for EP resolutions on terrorism related issues

#### a. 'Anti-terrorism measures'<sup>128</sup>

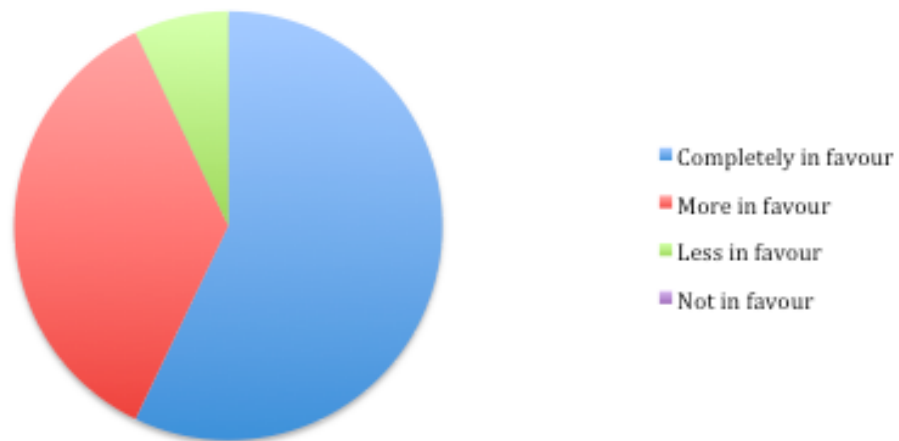
| Voting Behaviour on EP Resolution 'Anti-terrorism measures' |     |        |           |                    |                 |             |           |                     |
|---|-----|--------|-----------|--------------------|-----------------|-------------|-----------|---------------------|
| Member States   | Pro | Contra | Abstained | Absent/Didn't vote | Total delegates | % in Favour | % Against | MS Commitment level |
| Austria   | 8   | 7      | 3         | 0                  | 18              | 44%         | 39%       | LIF                 |
| Belgium   | 17  | 3      | 0         | 1                  | 21              | 81%         | 14%       | CIF                 |
| Bulgaria  | 16  | 0      | 0         | 1                  | 17              | 94%         | 0%        | CIF                 |
| Croatia   | 10  | 0      | 0         | 1                  | 11              | 91%         | 0%        | CIF                 |
| Cyprus  | 4   | 2      | 0         | 0                  | 6               | 67%         | 33%       | MIF                 |
| Czech republic  | 17  | 4      | 0         | 0                  | 21              | 81%         | 19%       | CIF                 |
| Denmark   | 10  | 2      | 0         | 1                  | 13              | 77%         | 15%       | CIF                 |
| Estonia   | 6   | 0      | 0         | 0                  | 6               | 100%        | 0%        | CIF                 |
| Finland   | 9   | 2      | 0         | 2                  | 13              | 69%         | 15%       | MIF                 |
| France  | 39  | 8      | 22        | 5                  | 74              | 53%         | 11%       | MIF                 |
| Germany   | 64  | 23     | 4         | 5                  | 96              | 67%         | 24%       | MIF                 |
| Greece  | 10  | 10     | 0         | 1                  | 21              | 48%         | 48%       | LIF                 |
| Hungary   | 16  | 2      | 3         | 0                  | 21              | 76%         | 10%       | CIF                 |
| Ireland   | 6   | 4      | 0         | 1                  | 11              | 55%         | 36%       | MIF                 |
| Italy   | 59  | 7      | 1         | 5                  | 72              | 82%         | 10%       | CIF                 |
| Latvia  | 7   | 1      | 0         | 0                  | 8               | 88%         | 13%       | CIF                 |
| Lithuania   | 9   | 1      | 0         | 1                  | 11              | 82%         | 9%        | CIF                 |
| Luxembourg  | 5   | 1      | 0         | 0                  | 6               | 83%         | 17%       | CIF                 |
| Malta   | 4   | 0      | 0         | 2                  | 6               | 67%         | 0%        | MIF                 |
| Netherlands   | 15  | 8      | 0         | 3                  | 26              | 58%         | 31%       | MIF                 |
| Poland  | 45  | 0      | 3         | 3                  | 51              | 88%         | 0%        | CIF                 |
| Portugal  | 17  | 4      | 0         | 0                  | 21              | 81%         | 19%       | CIF                 |
| Romania   | 32  | 0      | 0         | 1                  | 32              | 100%        | 0%        | CIF                 |
| Slovakia  | 12  | 0      | 0         | 1                  | 13              | 92%         | 0%        | CIF                 |
| Slovenia  | 6   | 1      | 0         | 1                  | 8               | 75%         | 13%       | CIF                 |
| Spain   | 35  | 15     | 0         | 4                  | 54              | 65%         | 28%       | MIF                 |
| Sweden  | 11  | 7      | 0         | 2                  | 20              | 55%         | 35%       | MIF                 |
| UK  | 43  | 24     | 0         | 6                  | 73              | 59%         | 33%       | MIF                 |

<sup>128</sup> VoteWatch, *supra* note 94, at 37.

### EP Voting results on the Resolution 'Anti-terrorism Measures'



### Distribution of Member States' voting behaviour on the Resolution 'Anti-Terrorism Measures' in the EP

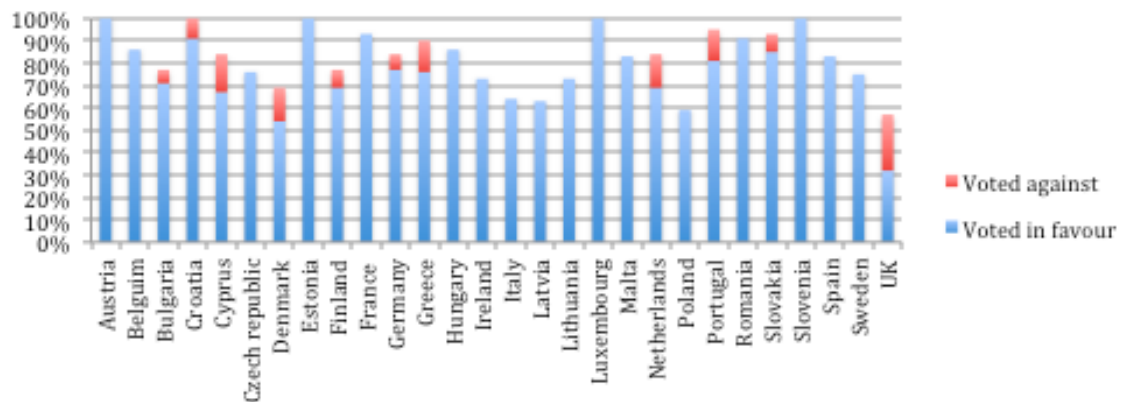


b. 'Destruction of cultural sites perpetrated by ISIS/Da'esh'<sup>129</sup>

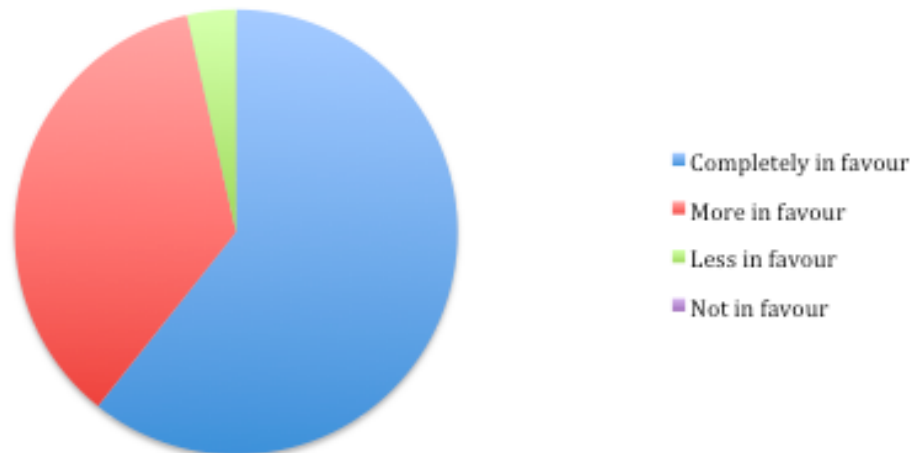
| Voting Behaviour on EP Resolution 'Destruction of cultural sites perpetrated by ISIS/Da'esh' |     |        |           |                    |                 |             |           |                     |
|--|-----|--------|-----------|--------------------|-----------------|-------------|-----------|---------------------|
| Member States  | Pro | Contra | Abstained | Absent/Didn't vote | Total delegates | % in Favour | % Against | MS Commitment level |
| Austria  | 18  | 0      | 0         | 0                  | 18              | 100%        | 0%        | CIF                 |
| Belgium  | 18  | 0      | 0         | 3                  | 21              | 86%         | 0%        | CIF                 |
| Bulgaria   | 12  | 1      | 0         | 4                  | 17              | 71%         | 6%        | MIF                 |
| Croatia  | 10  | 1      | 0         | 0                  | 11              | 91%         | 9%        | CIF                 |
| Cyprus   | 4   | 1      | 1         | 0                  | 6               | 67%         | 17%       | MIF                 |
| Czech republic   | 16  | 0      | 3         | 2                  | 21              | 76%         | 0%        | CIF                 |
| Denmark  | 7   | 2      | 0         | 4                  | 13              | 54%         | 15%       | MIF                 |
| Estonia  | 6   | 0      | 0         | 0                  | 6               | 100%        | 0%        | CIF                 |
| Finland  | 9   | 1      | 0         | 3                  | 13              | 69%         | 8%        | MIF                 |
| France   | 69  | 0      | 0         | 5                  | 74              | 93%         | 0%        | CIF                 |
| Germany  | 74  | 7      | 3         | 12                 | 96              | 77%         | 7%        | CIF                 |
| Greece   | 16  | 3      | 0         | 2                  | 21              | 76%         | 14%       | CIF                 |
| Hungary  | 18  | 0      | 0         | 3                  | 21              | 86%         | 0%        | CIF                 |
| Ireland  | 8   | 0      | 0         | 3                  | 11              | 73%         | 0%        | MIF                 |
| Italy  | 47  | 0      | 17        | 9                  | 73              | 64%         | 0%        | MIF                 |
| Latvia   | 5   | 0      | 0         | 3                  | 8               | 63%         | 0%        | MIF                 |
| Lithuania  | 8   | 0      | 0         | 3                  | 11              | 73%         | 0%        | MIF                 |
| Luxembourg   | 6   | 0      | 0         | 0                  | 6               | 100%        | 0%        | CIF                 |
| Malta  | 5   | 0      | 0         | 1                  | 6               | 83%         | 0%        | CIF                 |
| Netherlands  | 18  | 4      | 2         | 2                  | 26              | 69%         | 15%       | MIF                 |
| Poland   | 30  | 0      | 17        | 4                  | 51              | 59%         | 0%        | MIF                 |
| Portugal   | 17  | 3      | 0         | 1                  | 21              | 81%         | 14%       | CIF                 |
| Romania  | 29  | 0      | 0         | 3                  | 32              | 91%         | 0%        | CIF                 |
| Slovakia   | 11  | 1      | 0         | 1                  | 13              | 85%         | 8%        | CIF                 |
| Slovenia   | 8   | 0      | 0         | 0                  | 8               | 100%        | 0%        | CIF                 |
| Spain  | 45  | 0      | 5         | 4                  | 54              | 83%         | 0%        | CIF                 |
| Sweden   | 15  | 0      | 0         | 5                  | 20              | 75%         | 0%        | CIF                 |
| UK   | 23  | 18     | 5         | 27                 | 73              | 32%         | 25%       | LIF                 |

<sup>129</sup> VoteWatch, *supra* note 96, at 38.

### EP Voting results on the Resolution 'Destruction of cultural sites perpetrated by ISIS'



### Distribution of Member States' voting behaviour on the Resolution 'Destruction of cultural sites perpetrated by ISIS' in the EP



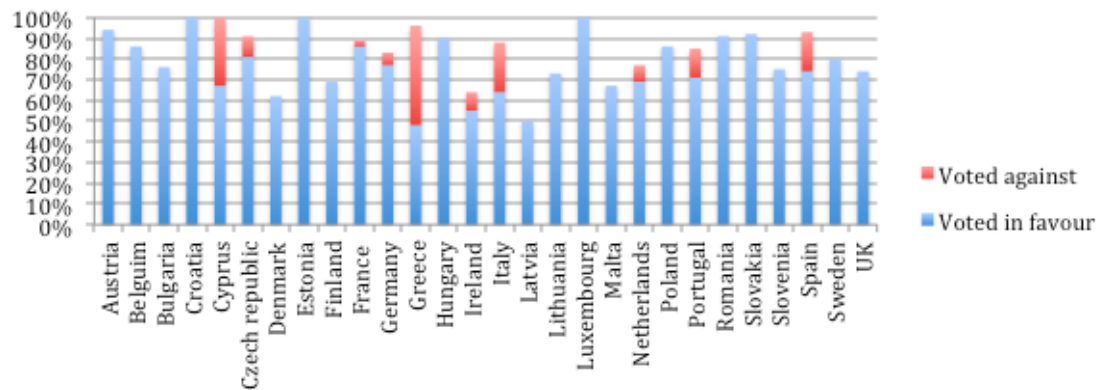


c. 'Humanitarian Crisis in Iraq and Syria, particularly in IS context'<sup>130</sup>

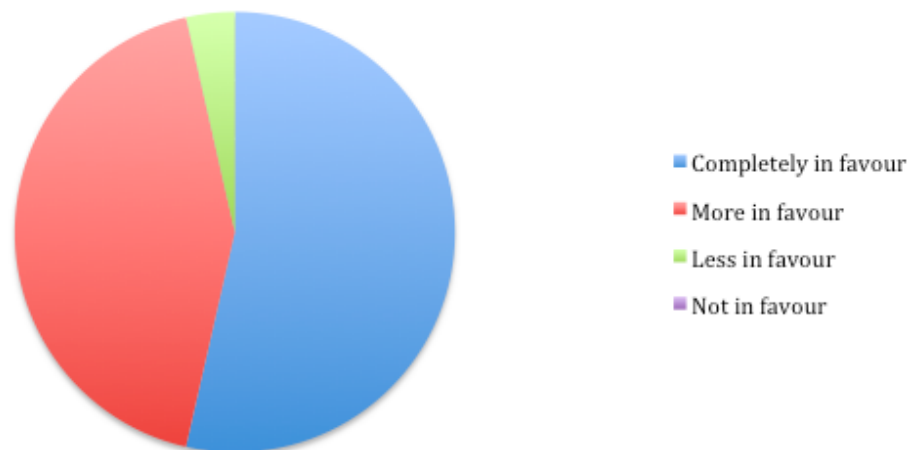
| Voting Behaviour on EP Resolution 'Humanitarian Crisis in Iraq and Syria, particularly in IS context' |     |        |           |                    |                 |             |           |                     |
|---|-----|--------|-----------|--------------------|-----------------|-------------|-----------|---------------------|
| Member States   | Pro | Contra | Abstained | Absent/Didn't vote | Total delegates | % in Favour | % Against | MS Commitment level |
| Austria   | 17  | 0      | 0         | 1                  | 18              | 94%         | 0%        | CIF                 |
| Belgium   | 18  | 0      | 0         | 3                  | 21              | 86%         | 0%        | CIF                 |
| Bulgaria  | 13  | 0      | 0         | 4                  | 17              | 76%         | 0%        | CIF                 |
| Croatia   | 11  | 0      | 0         | 0                  | 11              | 100%        | 0%        | CIF                 |
| Cyprus  | 4   | 2      | 0         | 0                  | 6               | 67%         | 33%       | MIF                 |
| Czech republic  | 17  | 2      | 0         | 2                  | 21              | 81%         | 10%       | CIF                 |
| Denmark   | 8   | 0      | 0         | 5                  | 13              | 62%         | 0%        | MIF                 |
| Estonia   | 6   | 0      | 0         | 0                  | 6               | 100%        | 0%        | CIF                 |
| Finland   | 9   | 0      | 1         | 3                  | 13              | 69%         | 0%        | MIF                 |
| France  | 64  | 2      | 0         | 8                  | 74              | 86%         | 3%        | CIF                 |
| Germany   | 74  | 6      | 2         | 14                 | 96              | 77%         | 6%        | CIF                 |
| Greece  | 10  | 10     | 0         | 1                  | 21              | 48%         | 48%       | LIF                 |
| Hungary   | 19  | 0      | 1         | 1                  | 21              | 90%         | 0%        | CIF                 |
| Ireland   | 6   | 1      | 3         | 1                  | 11              | 55%         | 9%        | MIF                 |
| Italy   | 46  | 17     | 1         | 8                  | 72              | 64%         | 24%       | MIF                 |
| Latvia  | 4   | 0      | 1         | 3                  | 8               | 50%         | 0%        | MIF                 |
| Lithuania   | 8   | 0      | 1         | 2                  | 11              | 73%         | 0%        | MIF                 |
| Luxembourg  | 6   | 0      | 0         | 0                  | 6               | 100%        | 0%        | CIF                 |
| Malta   | 4   | 0      | 0         | 2                  | 6               | 67%         | 0%        | MIF                 |
| Netherlands   | 18  | 2      | 1         | 5                  | 26              | 69%         | 8%        | MIF                 |
| Poland  | 44  | 0      | 3         | 4                  | 51              | 86%         | 0%        | CIF                 |
| Portugal  | 15  | 3      | 1         | 2                  | 21              | 71%         | 14%       | MIF                 |
| Romania   | 29  | 0      | 0         | 3                  | 32              | 91%         | 0%        | CIF                 |
| Slovakia  | 12  | 0      | 0         | 1                  | 13              | 92%         | 0%        | CIF                 |
| Slovenia  | 6   | 0      | 1         | 1                  | 8               | 75%         | 0%        | CIF                 |
| Spain   | 40  | 10     | 1         | 3                  | 54              | 74%         | 19%       | MIF                 |
| Sweden  | 16  | 0      | 1         | 3                  | 20              | 80%         | 0%        | CIF                 |
| UK  | 54  | 0      | 1         | 18                 | 73              | 74%         | 0%        | MIF                 |

<sup>130</sup> VoteWatch, *supra* note 98, at 38.

### Voting results on the Resolution 'Humanitarian Crisis in Iraq and Syria, particularly in IS context'



### Distribution of Member States' voting behaviour on the Resolution 'Humanitarian Crisis in Iraq and Syria, particularly in IS context' in EP

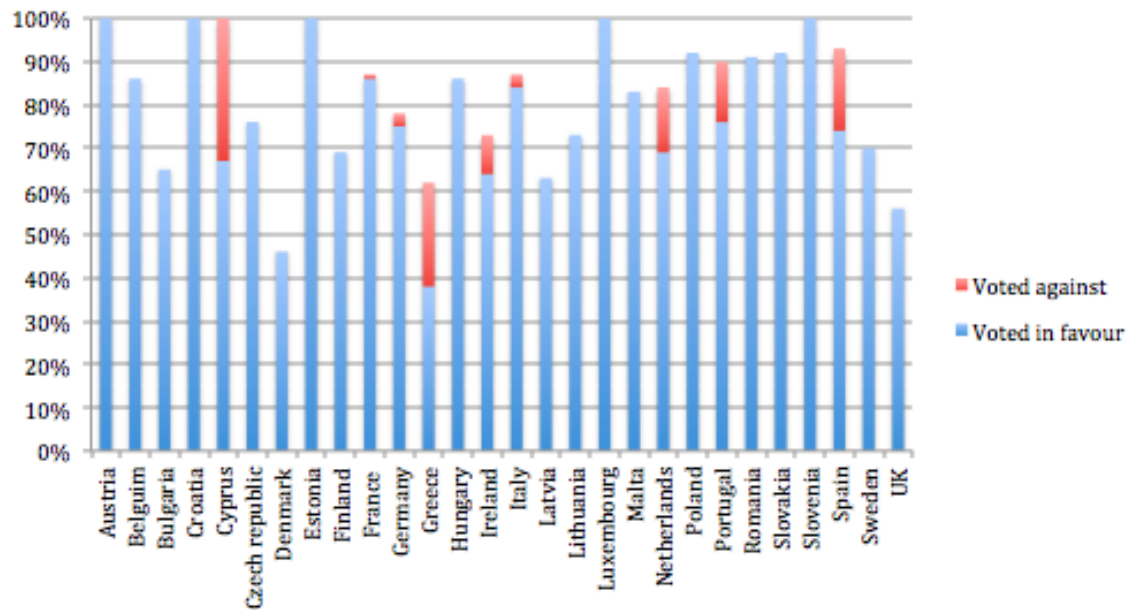


- d. 'Persecution of the Christians around the world, in relation to the killing of students in Kenya by terror group Al-Shabaab'<sup>131</sup>

| Voting on EP Resolution 'Persecution of the Christians around the world, in relation to the killing of students in Kenya by terror group Al-Shabaab' |     |        |           |                    |                 |             |           |                     |
|--|-----|--------|-----------|--------------------|-----------------|-------------|-----------|---------------------|
| Member States  | Pro | Contra | Abstained | Absent/Didn't vote | Total delegates | % in Favour | % Against | MS Commitment level |
| Austria  | 18  | 0      | 0         | 0                  | 18              | 100%        | 0%        | CIF                 |
| Belgium  | 18  | 0      | 0         | 3                  | 21              | 86%         | 0%        | CIF                 |
| Bulgaria   | 11  | 0      | 1         | 5                  | 17              | 65%         | 0%        | MIF                 |
| Croatia  | 11  | 0      | 0         | 0                  | 11              | 100%        | 0%        | CIF                 |
| Cyprus   | 4   | 2      | 0         | 0                  | 6               | 67%         | 33%       | MIF                 |
| Czech republic   | 16  | 0      | 3         | 2                  | 21              | 76%         | 0%        | CIF                 |
| Denmark  | 6   | 0      | 3         | 4                  | 13              | 46%         | 0%        | LIF                 |
| Estonia  | 6   | 0      | 0         | 0                  | 6               | 100%        | 0%        | CIF                 |
| Finland  | 9   | 0      | 1         | 3                  | 13              | 69%         | 0%        | MIF                 |
| France   | 64  | 1      | 4         | 5                  | 74              | 86%         | 1%        | CIF                 |
| Germany  | 72  | 3      | 8         | 13                 | 96              | 75%         | 3%        | CIF                 |
| Greece   | 8   | 5      | 6         | 2                  | 21              | 38%         | 24%       | LIF                 |
| Hungary  | 18  | 0      | 0         | 3                  | 21              | 86%         | 0%        | CIF                 |
| Ireland  | 7   | 1      | 0         | 3                  | 11              | 64%         | 9%        | MIF                 |
| Italy  | 61  | 2      | 1         | 9                  | 73              | 84%         | 3%        | CIF                 |
| Latvia   | 5   | 0      | 0         | 3                  | 8               | 63%         | 0%        | MIF                 |
| Lithuania  | 8   | 0      | 0         | 3                  | 11              | 73%         | 0%        | MIF                 |
| Luxembourg   | 6   | 0      | 0         | 0                  | 6               | 100%        | 0%        | CIF                 |
| Malta  | 5   | 0      | 0         | 1                  | 6               | 83%         | 0%        | CIF                 |
| Netherlands  | 18  | 4      | 1         | 3                  | 26              | 69%         | 15%       | MIF                 |
| Poland   | 47  | 0      | 0         | 4                  | 51              | 92%         | 0%        | CIF                 |
| Portugal   | 16  | 3      | 1         | 1                  | 21              | 76%         | 14%       | CIF                 |
| Romania  | 29  | 0      | 0         | 3                  | 32              | 91%         | 0%        | CIF                 |
| Slovakia   | 12  | 0      | 0         | 1                  | 13              | 92%         | 0%        | CIF                 |
| Slovenia   | 8   | 0      | 0         | 0                  | 8               | 100%        | 0%        | CIF                 |
| Spain  | 40  | 10     | 0         | 4                  | 54              | 74%         | 19%       | MIF                 |
| Sweden   | 14  | 0      | 1         | 5                  | 20              | 70%         | 0%        | MIF                 |
| UK   | 41  | 0      | 4         | 28                 | 73              | 56%         | 0%        | MIF                 |

<sup>131</sup> VoteWatch, *supra* note 100, at 38.

**EP Voting results on the Resolution  
'Persecution of the Christians around the world,  
in relation to the killing of students in Kenya by  
terror group Al-Shabaab'**



**Distribution of Member States' voting behaviour  
on the Resolution 'Persecution of the Christians  
around the world, in relation to the killing of  
students in Kenya by terror group Al-Shabaab' in  
the EP**

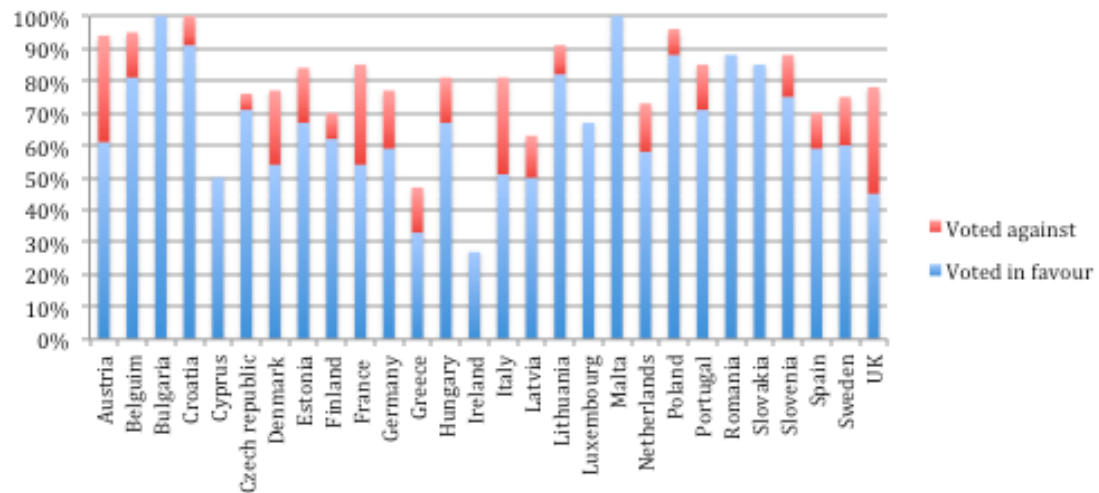


e. 'Systematic mass murder of religious minorities by ISIS'<sup>132</sup>

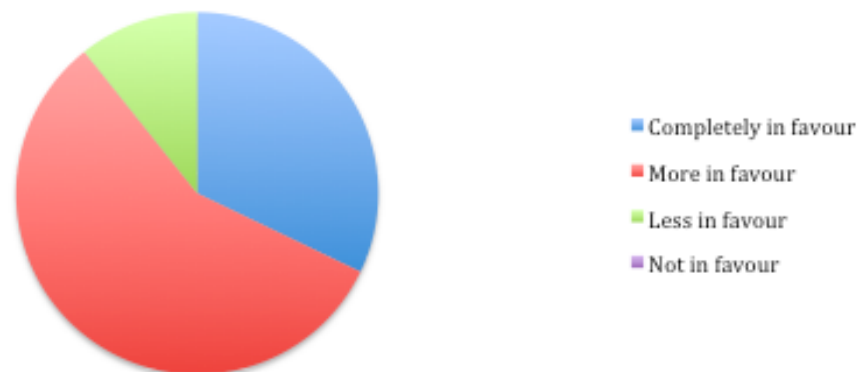
| Voting Behaviour on EP Resolution 'Systematic mass murder of religious minorities by ISIS' |     |        |           |                    |                 |             |           |                     |
|--|-----|--------|-----------|--------------------|-----------------|-------------|-----------|---------------------|
| Member States  | Pro | Contra | Abstained | Absent/Didn't vote | Total delegates | % in Favour | % Against | MS Commitment level |
| Austria  | 11  | 6      | 0         | 1                  | 18              | 61%         | 33%       | MIF                 |
| Belgium  | 17  | 3      | 0         | 1                  | 21              | 81%         | 14%       | CIF                 |
| Bulgaria   | 17  | 0      | 0         | 0                  | 17              | 100%        | 0%        | CIF                 |
| Croatia  | 10  | 1      | 0         | 0                  | 11              | 91%         | 9%        | CIF                 |
| Cyprus   | 3   | 0      | 2         | 1                  | 6               | 50%         | 0%        | MIF                 |
| Czech republic   | 15  | 1      | 0         | 5                  | 21              | 71%         | 5%        | MIF                 |
| Denmark  | 7   | 3      | 1         | 2                  | 13              | 54%         | 23%       | MIF                 |
| Estonia  | 4   | 1      | 0         | 1                  | 6               | 67%         | 17%       | MIF                 |
| Finland  | 8   | 1      | 1         | 3                  | 13              | 62%         | 8%        | MIF                 |
| France   | 40  | 23     | 3         | 8                  | 74              | 54%         | 31%       | MIF                 |
| Germany  | 57  | 17     | 5         | 17                 | 96              | 59%         | 18%       | MIF                 |
| Greece   | 7   | 3      | 1         | 10                 | 21              | 33%         | 14%       | LIF                 |
| Hungary  | 14  | 3      | 0         | 4                  | 21              | 67%         | 14%       | MIF                 |
| Ireland  | 3   | 0      | 1         | 7                  | 11              | 27%         | 0%        | LIF                 |
| Italy  | 37  | 22     | 2         | 12                 | 73              | 51%         | 30%       | MIF                 |
| Latvia   | 4   | 1      | 0         | 3                  | 8               | 50%         | 13%       | MIF                 |
| Lithuania  | 9   | 1      | 0         | 1                  | 11              | 82%         | 9%        | CIF                 |
| Luxembourg   | 4   | 0      | 0         | 2                  | 6               | 67%         | 0%        | MIF                 |
| Malta  | 6   | 0      | 0         | 0                  | 6               | 100%        | 0%        | CIF                 |
| Netherlands  | 15  | 4      | 3         | 4                  | 26              | 58%         | 15%       | MIF                 |
| Poland   | 45  | 4      | 0         | 2                  | 51              | 88%         | 8%        | CIF                 |
| Portugal   | 15  | 3      | 1         | 2                  | 21              | 71%         | 14%       | MIF                 |
| Romania  | 28  | 0      | 0         | 4                  | 32              | 88%         | 0%        | CIF                 |
| Slovakia   | 11  | 0      | 0         | 2                  | 13              | 85%         | 0%        | CIF                 |
| Slovenia   | 6   | 1      | 0         | 1                  | 8               | 75%         | 13%       | CIF                 |
| Spain  | 32  | 6      | 5         | 11                 | 54              | 59%         | 11%       | MIF                 |
| Sweden   | 12  | 3      | 0         | 5                  | 20              | 60%         | 15%       | MIF                 |
| UK   | 33  | 24     | 1         | 15                 | 73              | 45%         | 33%       | LIF                 |

<sup>132</sup>VoteWatch, *supra* note 103, at 38.

### EP Voting results on the Resolution 'Systematic mass murder of religious minorities by ISIS'



### Distribution of Member States' voting behaviour on the Resolution 'Systematic mass murder of religious minorities by ISIS' in the EP



4. Tables for EP resolutions on monetary policy related issues

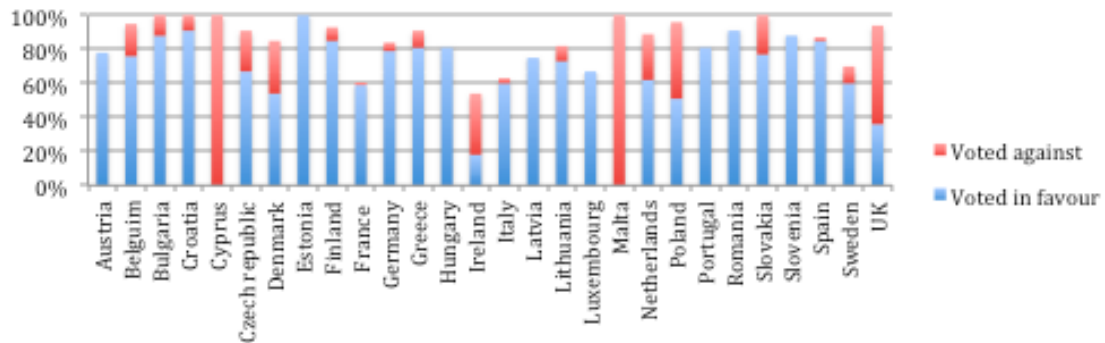
- a. 'Bringing Transparency, Coordination and Convergence to corporate tax policies'<sup>133</sup>

| Voting Behaviour on EP Resolution 'Bringing Transparency, Coordination and Convergence to corporate tax policies' |     |        |           |                    |                 |             |           |                     |
|---|-----|--------|-----------|--------------------|-----------------|-------------|-----------|---------------------|
| Member States   | Pro | Contra | Abstained | Absent/Didn't vote | Total delegates | % in Favour | % Against | MS Commitment level |
| Austria   | 14  | 0      | 1         | 3                  | 18              | 78%         | 0%        | CIF                 |
| Belgium   | 16  | 4      | 1         | 0                  | 21              | 76%         | 19%       | CIF                 |
| Bulgaria  | 15  | 2      | 0         | 0                  | 17              | 88%         | 12%       | CIF                 |
| Croatia   | 10  | 1      | 0         | 0                  | 11              | 91%         | 9%        | CIF                 |
| Cyprus  | 0   | 6      | 0         | 0                  | 6               | 0%          | 100%      | NIF                 |
| Czech republic  | 14  | 5      | 1         | 1                  | 21              | 67%         | 24%       | MIF                 |
| Denmark   | 7   | 4      | 1         | 1                  | 13              | 54%         | 31%       | MIF                 |
| Estonia   | 6   | 0      | 0         | 0                  | 6               | 100%        | 0%        | CIF                 |
| Finland   | 11  | 1      | 0         | 1                  | 13              | 85%         | 8%        | CIF                 |
| France  | 44  | 1      | 24        | 5                  | 74              | 59%         | 1%        | MIF                 |
| Germany   | 76  | 5      | 5         | 10                 | 96              | 79%         | 5%        | CIF                 |
| Greece  | 17  | 2      | 2         | 0                  | 21              | 81%         | 10%       | CIF                 |
| Hungary   | 17  | 0      | 3         | 1                  | 21              | 81%         | 0%        | CIF                 |
| Ireland   | 2   | 4      | 4         | 1                  | 11              | 18%         | 36%       | NIF                 |
| Italy   | 44  | 2      | 23        | 4                  | 73              | 60%         | 3%        | MIF                 |
| Latvia  | 6   | 0      | 2         | 0                  | 8               | 75%         | 0%        | CIF                 |
| Lithuania   | 8   | 1      | 2         | 0                  | 11              | 73%         | 9%        | MIF                 |
| Luxembourg  | 4   | 0      | 1         | 1                  | 6               | 67%         | 0%        | MIF                 |
| Malta   | 0   | 6      | 0         | 0                  | 6               | 0%          | 100%      | NIF                 |
| Netherlands   | 16  | 7      | 2         | 1                  | 26              | 62%         | 27%       | MIF                 |
| Poland  | 26  | 23     | 0         | 2                  | 51              | 51%         | 45%       | MIF                 |
| Portugal  | 17  | 0      | 3         | 1                  | 21              | 81%         | 0%        | CIF                 |
| Romania   | 29  | 0      | 1         | 2                  | 32              | 91%         | 0%        | CIF                 |
| Slovakia  | 10  | 3      | 0         | 0                  | 13              | 77%         | 23%       | CIF                 |
| Slovenia  | 7   | 0      | 0         | 1                  | 8               | 88%         | 0%        | CIF                 |
| Spain   | 46  | 1      | 0         | 7                  | 54              | 85%         | 2%        | CIF                 |
| Sweden  | 12  | 2      | 5         | 1                  | 20              | 60%         | 10%       | MIF                 |
| UK  | 26  | 42     | 0         | 5                  | 73              | 36%         | 58%       | LIF                 |

<sup>133</sup> VoteWatch, *supra* note 108, at 41.



### EP Voting results on the Resolution 'Bringing Transparency, Coordination and Convergence to corporate tax policies'



### Distribution of Member States' voting behaviour on the Resolution 'Bringing Transparency, Coordination and Convergence to corporate tax policies' in the EP



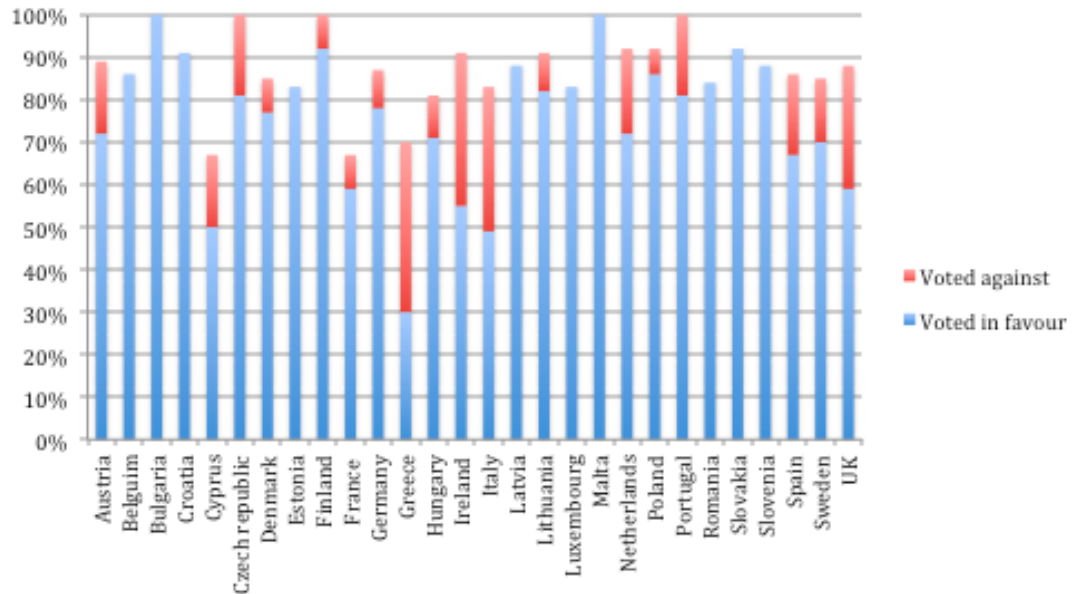


b. 'Building Capital Markets Union'<sup>134</sup>

| Voting Behaviour on EP Resolution 'Building a Capital Markets Union' |     |        |           |                    |                 |             |           |                     |
|--|-----|--------|-----------|--------------------|-----------------|-------------|-----------|---------------------|
| Member States  | Pro | Contra | Abstained | Absent/Didn't vote | Total delegates | % in Favour | % Against | MS Commitment level |
| Austria  | 13  | 3      | 1         | 1                  | 18              | 72%         | 17%       | MIF                 |
| Belgium  | 18  | 0      | 1         | 2                  | 21              | 86%         | 0%        | CIF                 |
| Bulgaria   | 17  | 0      | 0         | 0                  | 17              | 100%        | 0%        | CIF                 |
| Croatia  | 10  | 0      | 0         | 1                  | 11              | 91%         | 0%        | CIF                 |
| Cyprus   | 3   | 1      | 0         | 2                  | 6               | 50%         | 17%       | MIF                 |
| Czech republic   | 17  | 4      | 0         | 0                  | 21              | 81%         | 19%       | CIF                 |
| Denmark  | 10  | 1      | 0         | 2                  | 13              | 77%         | 8%        | CIF                 |
| Estonia  | 5   | 0      | 0         | 1                  | 6               | 83%         | 0%        | CIF                 |
| Finland  | 12  | 1      | 0         | 0                  | 13              | 92%         | 8%        | CIF                 |
| France   | 44  | 6      | 18        | 6                  | 74              | 59%         | 8%        | MIF                 |
| Germany  | 75  | 9      | 0         | 12                 | 96              | 78%         | 9%        | CIF                 |
| Greece   | 6   | 8      | 0         | 6                  | 20              | 30%         | 40%       | LIF                 |
| Hungary  | 15  | 2      | 0         | 4                  | 21              | 71%         | 10%       | MIF                 |
| Ireland  | 6   | 4      | 0         | 1                  | 11              | 55%         | 36%       | MIF                 |
| Italy  | 36  | 25     | 0         | 12                 | 73              | 49%         | 34%       | LIF                 |
| Latvia   | 7   | 0      | 0         | 1                  | 8               | 88%         | 0%        | CIF                 |
| Lithuania  | 9   | 1      | 0         | 1                  | 11              | 82%         | 9%        | CIF                 |
| Luxembourg   | 5   | 0      | 0         | 1                  | 6               | 83%         | 0%        | CIF                 |
| Malta  | 6   | 0      | 0         | 0                  | 6               | 100%        | 0%        | CIF                 |
| Netherlands  | 18  | 5      | 0         | 2                  | 25              | 72%         | 20%       | MIF                 |
| Poland   | 44  | 3      | 2         | 2                  | 51              | 86%         | 6%        | CIF                 |
| Portugal   | 17  | 4      | 0         | 0                  | 21              | 81%         | 19%       | CIF                 |
| Romania  | 27  | 0      | 0         | 5                  | 32              | 84%         | 0%        | CIF                 |
| Slovakia   | 12  | 0      | 0         | 1                  | 13              | 92%         | 0%        | CIF                 |
| Slovenia   | 7   | 0      | 0         | 1                  | 8               | 88%         | 0%        | CIF                 |
| Spain  | 36  | 10     | 1         | 7                  | 54              | 67%         | 19%       | MIF                 |
| Sweden   | 14  | 3      | 1         | 2                  | 20              | 70%         | 15%       | MIF                 |
| UK   | 43  | 21     | 0         | 9                  | 73              | 59%         | 29%       | MIF                 |

<sup>134</sup>VoteWatch, *supra* note 110, at 41.

### EP Voting results on the Resolution 'Building a Capital Markets Union'



### Distribution of Member States' voting behaviour on the Resolution 'Building a Capital Markets Union' in the EP

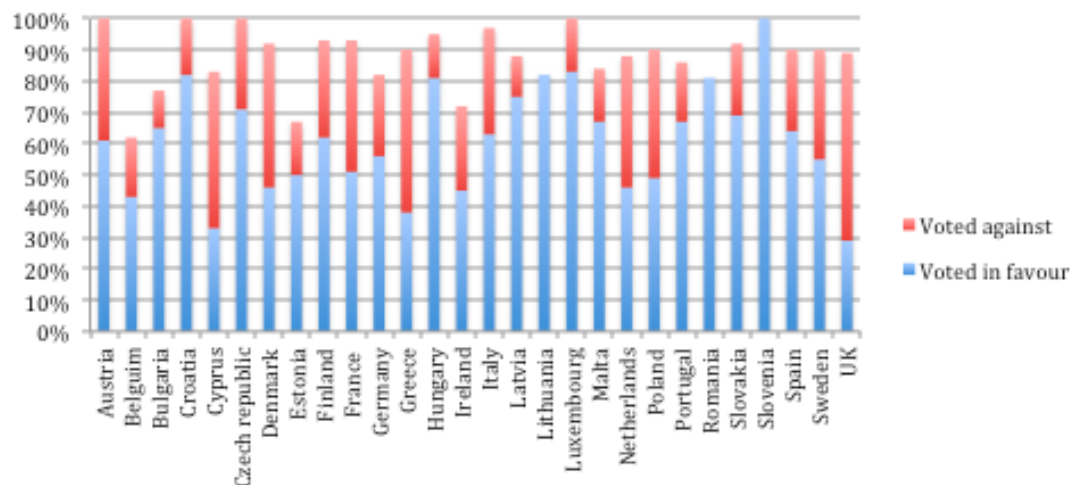


- c. 'European Semester for economic policy coordination: implementation of 2014 priorities'<sup>135</sup>

| <b>Voting Behaviour on EP Resolution 'European Semester for economic policy coordination: implementation of 2014 priorities'</b> |     |        |           |                    |                 |             |           |                     |
|--|-----|--------|-----------|--------------------|-----------------|-------------|-----------|---------------------|
| Member States  | Pro | Contra | Abstained | Absent/Didn't vote | Total delegates | % in Favour | % Against | MS Commitment level |
| Austria  | 11  | 7      | 0         | 0                  | 18              | 61%         | 39%       | MIF                 |
| Belgium  | 9   | 4      | 5         | 3                  | 21              | 43%         | 19%       | LIF                 |
| Bulgaria   | 11  | 2      | 0         | 4                  | 17              | 65%         | 12%       | MIF                 |
| Croatia  | 9   | 2      | 0         | 0                  | 11              | 82%         | 18%       | CIF                 |
| Cyprus   | 2   | 3      | 0         | 1                  | 6               | 33%         | 50%       | LIF                 |
| Czech republic   | 15  | 6      | 0         | 0                  | 21              | 71%         | 29%       | MIF                 |
| Denmark  | 6   | 6      | 0         | 1                  | 13              | 46%         | 46%       | LIF                 |
| Estonia  | 3   | 1      | 0         | 2                  | 6               | 50%         | 17%       | MIF                 |
| Finland  | 8   | 4      | 0         | 1                  | 13              | 62%         | 31%       | MIF                 |
| France   | 38  | 31     | 0         | 5                  | 74              | 51%         | 42%       | MIF                 |
| Germany  | 54  | 25     | 1         | 16                 | 96              | 56%         | 26%       | MIF                 |
| Greece   | 8   | 11     | 0         | 2                  | 21              | 38%         | 52%       | LIF                 |
| Hungary  | 17  | 3      | 0         | 1                  | 21              | 81%         | 14%       | CIF                 |
| Ireland  | 5   | 3      | 0         | 3                  | 11              | 45%         | 27%       | LIF                 |
| Italy  | 46  | 25     | 0         | 2                  | 73              | 63%         | 34%       | MIF                 |
| Latvia   | 6   | 1      | 0         | 1                  | 8               | 75%         | 13%       | CIF                 |
| Lithuania  | 9   | 0      | 0         | 2                  | 11              | 82%         | 0%        | CIF                 |
| Luxembourg   | 5   | 1      | 0         | 0                  | 6               | 83%         | 17%       | CIF                 |
| Malta  | 4   | 1      | 0         | 1                  | 6               | 67%         | 17%       | MIF                 |
| Netherlands  | 12  | 11     | 3         | 0                  | 26              | 46%         | 42%       | LIF                 |
| Poland   | 25  | 21     | 0         | 5                  | 51              | 49%         | 41%       | LIF                 |
| Portugal   | 14  | 4      | 0         | 3                  | 21              | 67%         | 19%       | MIF                 |
| Romania  | 26  | 0      | 0         | 6                  | 32              | 81%         | 0%        | CIF                 |
| Slovakia   | 9   | 3      | 0         | 1                  | 13              | 69%         | 23%       | MIF                 |
| Slovenia   | 8   | 0      | 0         | 0                  | 8               | 100%        | 0%        | CIF                 |
| Spain  | 34  | 14     | 0         | 5                  | 53              | 64%         | 26%       | MIF                 |
| Sweden   | 11  | 7      | 1         | 1                  | 20              | 55%         | 35%       | MIF                 |
| UK   | 21  | 44     | 0         | 8                  | 73              | 29%         | 60%       | LIF                 |

<sup>135</sup>VoteWatch, supra note 112, at 42.

### EP Voting results on the Resolution 'European Semester for economic policy coordination: implementation of 2014 priorities'



### Distribution of Member States' voting behaviour on the Resolution 'European Semester for economic policy coordination: implementation of 2014 priorities ' in the EP

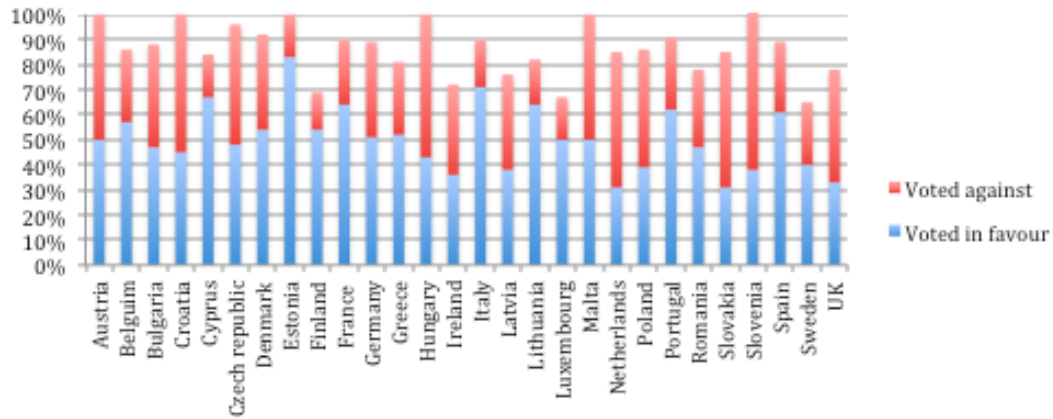


- d. 'Mortgage legislation and risky financial instruments in the EU: the case of Spain'<sup>136</sup>

| Voting Behaviour on EP Resolution 'Mortgage legislation and risky financial instruments in the EU: the case of Spain' |     |        |           |                    |                 |             |           |                     |
|---|-----|--------|-----------|--------------------|-----------------|-------------|-----------|---------------------|
| Member States   | Pro | Contra | Abstained | Absent/Didn't vote | Total delegates | % in Favour | % Against | MS Commitment level |
| Austria   | 9   | 9      | 0         | 0                  | 18              | 50%         | 50%       | MIF                 |
| Belgium   | 12  | 6      | 2         | 1                  | 21              | 57%         | 29%       | MIF                 |
| Bulgaria  | 8   | 7      | 1         | 1                  | 17              | 47%         | 41%       | LIF                 |
| Croatia   | 5   | 6      | 0         | 0                  | 11              | 45%         | 55%       | LIF                 |
| Cyprus  | 4   | 1      | 1         | 0                  | 6               | 67%         | 17%       | MIF                 |
| Czech republic  | 10  | 10     | 0         | 1                  | 21              | 48%         | 48%       | LIF                 |
| Denmark   | 7   | 5      | 0         | 1                  | 13              | 54%         | 38%       | MIF                 |
| Estonia   | 5   | 1      | 0         | 0                  | 6               | 83%         | 17%       | CIF                 |
| Finland   | 7   | 2      | 1         | 3                  | 13              | 54%         | 15%       | MIF                 |
| France  | 47  | 19     | 0         | 8                  | 74              | 64%         | 26%       | MIF                 |
| Germany   | 49  | 36     | 0         | 11                 | 96              | 51%         | 38%       | MIF                 |
| Greece  | 11  | 6      | 2         | 2                  | 21              | 52%         | 29%       | MIF                 |
| Hungary   | 9   | 12     | 0         | 0                  | 21              | 43%         | 57%       | LIF                 |
| Ireland   | 4   | 4      | 0         | 3                  | 11              | 36%         | 36%       | LIF                 |
| Italy   | 52  | 14     | 0         | 7                  | 73              | 71%         | 19%       | MIF                 |
| Latvia  | 3   | 3      | 0         | 2                  | 8               | 38%         | 38%       | LIF                 |
| Lithuania   | 7   | 2      | 0         | 2                  | 11              | 64%         | 18%       | MIF                 |
| Luxembourg  | 3   | 1      | 0         | 2                  | 6               | 50%         | 17%       | MIF                 |
| Malta   | 3   | 3      | 0         | 0                  | 6               | 50%         | 50%       | MIF                 |
| Netherlands   | 8   | 14     | 2         | 2                  | 26              | 31%         | 54%       | LIF                 |
| Poland  | 20  | 24     | 0         | 7                  | 51              | 39%         | 47%       | LIF                 |
| Portugal  | 13  | 6      | 0         | 2                  | 21              | 62%         | 29%       | MIF                 |
| Romania   | 15  | 10     | 0         | 7                  | 32              | 47%         | 31%       | LIF                 |
| Slovakia  | 4   | 7      | 0         | 2                  | 13              | 31%         | 54%       | LIF                 |
| Slovenia  | 3   | 5      | 0         | 0                  | 8               | 38%         | 63%       | LIF                 |
| Spain   | 33  | 15     | 1         | 5                  | 54              | 61%         | 28%       | MIF                 |
| Sweden  | 8   | 5      | 6         | 1                  | 20              | 40%         | 25%       | LIF                 |
| UK  | 24  | 33     | 0         | 16                 | 73              | 33%         | 45%       | LIF                 |

<sup>136</sup>VoteWatch, *supra* note 114, at 42.

### EP Voting results on the Resolution 'Mortgage legislation and risky financial instruments in the EU: the case of Spain '



### Distribution of Member States' voting behaviour on the Resolution 'Mortgage legislation and risky financial instruments in the EU: the case of Spain' in the EP



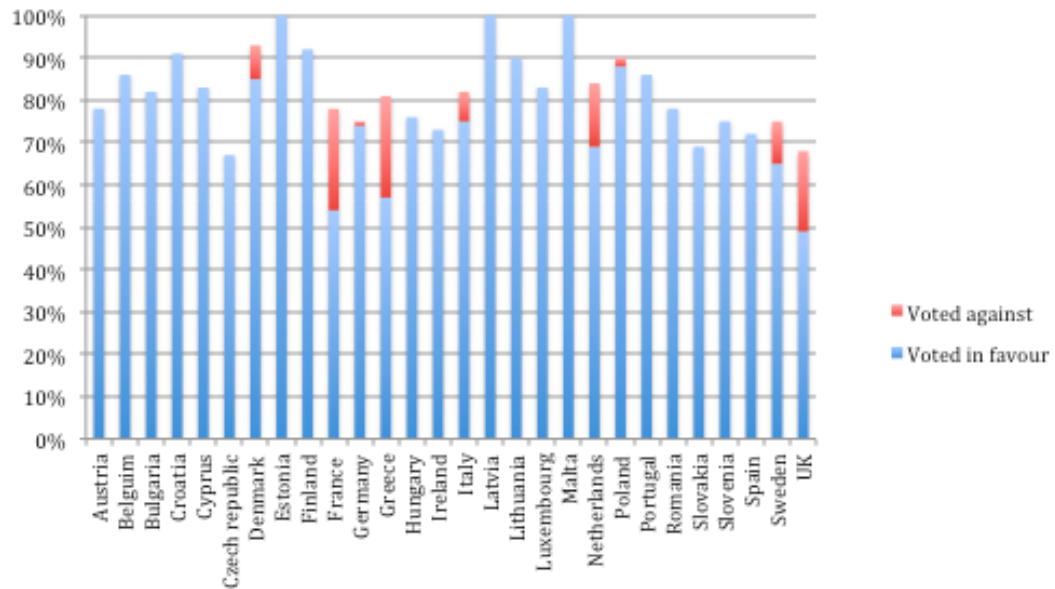
e. 'Virtual Currencies'<sup>137</sup>

| Voting Behaviour on EP Resolution 'Virtual Currencies' |     |        |           |                    |                 |             |           |                     |
|--|-----|--------|-----------|--------------------|-----------------|-------------|-----------|---------------------|
| Member States  | Pro | Contra | Abstained | Absent/Didn't vote | Total delegates | % in Favour | % Against | MS Commitment level |
| Austria  | 14  | 0      | 3         | 1                  | 18              | 78%         | 0%        | CIF                 |
| Belgium  | 18  | 0      | 1         | 2                  | 21              | 86%         | 0%        | CIF                 |
| Bulgaria   | 14  | 0      | 0         | 3                  | 17              | 82%         | 0%        | CIF                 |
| Croatia  | 10  | 0      | 0         | 1                  | 11              | 91%         | 0%        | CIF                 |
| Cyprus   | 5   | 0      | 0         | 1                  | 6               | 83%         | 0%        | CIF                 |
| Czech republic   | 14  | 0      | 1         | 6                  | 21              | 67%         | 0%        | MIF                 |
| Denmark  | 11  | 1      | 0         | 1                  | 13              | 85%         | 8%        | CIF                 |
| Estonia  | 6   | 0      | 0         | 0                  | 6               | 100%        | 0%        | CIF                 |
| Finland  | 12  | 0      | 0         | 1                  | 13              | 92%         | 0%        | CIF                 |
| France   | 40  | 18     | 0         | 16                 | 74              | 54%         | 24%       | MIF                 |
| Germany  | 71  | 1      | 0         | 24                 | 96              | 74%         | 1%        | MIF                 |
| Greece   | 12  | 5      | 1         | 3                  | 21              | 57%         | 24%       | MIF                 |
| Hungary  | 16  | 0      | 0         | 5                  | 21              | 76%         | 0%        | CIF                 |
| Ireland  | 8   | 0      | 0         | 3                  | 11              | 73%         | 0%        | MIF                 |
| Italy  | 55  | 5      | 1         | 12                 | 73              | 75%         | 7%        | CIF                 |
| Latvia   | 8   | 0      | 0         | 0                  | 8               | 100%        | 0%        | CIF                 |
| Lithuania  | 9   | 0      | 0         | 1                  | 10              | 90%         | 0%        | CIF                 |
| Luxembourg   | 5   | 0      | 0         | 1                  | 6               | 83%         | 0%        | CIF                 |
| Malta  | 6   | 0      | 0         | 0                  | 6               | 100%        | 0%        | CIF                 |
| Netherlands  | 18  | 4      | 0         | 4                  | 26              | 69%         | 15%       | MIF                 |
| Poland   | 44  | 1      | 0         | 5                  | 50              | 88%         | 2%        | CIF                 |
| Portugal   | 18  | 0      | 0         | 3                  | 21              | 86%         | 0%        | CIF                 |
| Romania  | 25  | 0      | 1         | 6                  | 32              | 78%         | 0%        | CIF                 |
| Slovakia   | 9   | 0      | 0         | 4                  | 13              | 69%         | 0%        | MIF                 |
| Slovenia   | 6   | 0      | 0         | 2                  | 8               | 75%         | 0%        | CIF                 |
| Spain  | 39  | 0      | 3         | 12                 | 54              | 72%         | 0%        | MIF                 |
| Sweden   | 13  | 2      | 0         | 5                  | 20              | 65%         | 10%       | MIF                 |
| UK   | 36  | 14     | 0         | 23                 | 73              | 49%         | 19%       | LIF                 |

<sup>137</sup>VoteWatch, *supra* note 116, at 42.



### EP Voting results on the Resolution 'Virtual Currencies'



### Distribution of Member States' voting behaviour on the Resolution 'Virtual Currencies' in the EP





## 5. Reference List

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