
The end of the EU Police Mission in Bosnia and Herzegovina: What lessons for the Common Security and Defence Policy?

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BACKGROUND

30 June 2012 marks the end of the European Union Police Mission in Bosnia and Herzegovina (EUPM), the first ever and longest-running mission launched under the European Union's Common Security and Defence Policy (CSDP). In a local and regional context in which the EU has concurrently pursued the twin goals of stabilisation and integration, the launch and subsequent conduct of EUPM reflected the bloc's growing engagement with civilian crisis management, initially focusing on police reform but soon coming to encompass concerns over the wider rule of law.

The mission's termination after close to a decade of operational engagement signals a turning point in EU policy towards Bosnia and Herzegovina, moving away from an approach based on stability towards an accession logic regarding the application of EU instruments in pursuit of reforming the rule of law. Such an approach involves changing the institutional set-up for overseeing reform. A small Law Enforcement Section will be set up in the EU Delegation to help the Head of the EU Delegation/ EU Special Representative (EUSR) in their work with the Bosnian authorities on outstanding reform efforts. This marks a departure from a visible, member state-led CSDP mission towards a more structural approach that relies on political oversight and EU conditionality.

Viewing the past decade of EU engagement in Bosnia through the prism of the EUPM highlights the difficulties of assisting with domestic institutional reform in the face of multifaceted challenges, including corruption and organised crime. In Bosnia, the EU has also faced a coordination challenge.

This refers to both other EU actors in the field – including EU military operation EUFOR Althea, the EUSR and the European Commission – and to other international organisations – including NATO and the Organisation for Security and Cooperation in Europe (OSCE) – with which the EUPM has sought to coordinate and cooperate.

As for the CSDP itself, the EU's long-term engagement in Bosnia has highlighted gaps in mission planning, design and coordination. 'Growing pains' and the need to continually adjust mission mandates in light of evolving local and international contexts – alongside greater engagement with the concept of Security Sector Reform (SSR) and the inclusion of gender and human rights concerns in mission mandates – have impacted on the long-term institutional and operational development of the CSDP proper.

Therefore in addition to EUPM's legacy in terms of its impact on the host country's structures, the review of a decade of mission activities also holds important lessons regarding the design, conduct and impact of future CSDP missions. These lessons take on added relevance in a changing institutional environment as a result of the creation of the European External Action Service (EEAS). This applies in particular to the increased focus on a comprehensive approach, whereby CSDP missions and the assistance they provide represent but one aspect of broader EU engagement. Such an approach subordinates the CSDP – both as a 'brand' of EU engagement and a sign of political oversight on the part of the EU and its member states – to the EU's political engagement in particular countries

or policy areas. Political and strategic engagement rests with the EEAS: specifically the HR/VP, supported by member states.

This heralds a twofold challenge for the EU: with respect to the CSDP, it must build on lessons learned from the EUPM and other missions and improve this

particular policy instrument with a view to upcoming missions and the financial and personnel challenges identified; and, with respect to the place of the CSDP in the broader EEAS toolbox, it must perfect the political approach – at the level of both individual leadership and institutional coherence – in which CSDP missions are embedded.

STATE OF PLAY

Lessons learned from the conduct and performance of EUPM fall into three broad categories. First, they concern coordination within and beyond the EU's CSDP and broader foreign policy toolbox; second, they apply to planning CSDP missions both in Brussels and on the ground; and third, they question the impact of CSDP missions in their host societies and the best way to measure a mission's impact. Some are specific to the institutional intricacies of the EU's foreign policy architecture in Bosnia, while others involve broader and more complex issues of post-conflict reconstruction. In an effort to focus on transferable lessons for other CSDP missions, and in light of the post-EEAS set-up, the sections below focus on general lessons for CSDP.

Lessons learned 1: Mission planning and strategic guidance

Over the course of its mandate, EUPM revealed a number of shortcomings that had been visible in other missions too. These refer both to the link between Brussels and the mission in the field, and to the place of CSDP operations within the EU's broader institutional presence in the host country. EUPM also raised questions concerning mission design, mandates and oversight, both at Brussels and EU member-state level.

Regarding the CSDP, considerations of mission strength and design have often been informed by political priorities in Brussels and national capitals, rather than by needs on the ground. The EUPM and questions regarding the nature of its mandate illustrate this. CSDP missions, with the (partial) exception of EULEX Kosovo, have a non-executive mandate focused on mentoring, monitoring and assisting with reform efforts. The planning phase for the EUPM, however, did include a discussion on adopting an executive mandate in light of concerns over the lack of political oversight of reform.

Given that political emphasis was placed on being different from the United Nations (UN) – also in light of the fact that EUPM was to take over from the UN International Police Task Force – and on developing a mission approach

that was unique to the EU, EUPM was given a non-executive mandate that had to be tightened and adjusted once the mission was underway.

Indeed, the experience with EUPM sparked a learning process regarding mission planning that is still on-going. This reflected greater concerns like ensuring more effective cooperation with the other international actors involved in the handover, as well as regarding the conduct of the mission and its specific tasks. However, it also applied to the EU itself, a lesson that was taken on board in the planning and design of EULEX Kosovo, the EU's biggest civilian mission to date. Staff from other relevant EU institutions – particularly the European Commission – were included in the mission's initial planning phase in order to ensure coherence between EU instruments.

A broader lesson concerns standardisation and questions regarding how to improve the connection between the levels of Brussels, EU capitals and the field. The Civilian Planning and Conduct Capability (CPCC) was created in 2007 to improve planning and support of civilian CSDP missions. It has gone some way towards standardising processes at Brussels level. As for coordination in the field, however, the EUSR remains underutilised in the conduct of CSDP missions. Tasked with providing local guidance, the EUSR has not been part of the formal chain of command of CSDP missions, which has kept apart the operational and political instruments at the EU's disposal and reinforced divisions within and between Brussels and the field.

Lessons learned 2: Coordination of mandates, actors and organisations

The second category of lessons follows on from the first – in particular regarding EUSRs and their role in CSDP missions – and concerns coordination: in the case of Bosnia, coordination of different EU missions; and more generally, regarding the need for coordination with other international and EU actors on the ground.

The Bosnian context was unique in that the EUPM had to coordinate action with the military CSDP

mission, EUFOR Althea. Given that the planning process for the respective missions took place separately, divisions apparent in Brussels while planning and designing the missions were replicated in the field. It also led to the duplication of tasks, with both the military and civilian missions pursuing organised crime. This led to considerable confusion over which mission should take the lead on those particular tasks. Such gaps can generally be fixed in the field thanks to good interpersonal working relationships, driven by necessity rather than by design, but they could be avoided by taking a more coordinated approach to mission planning.

Coordination challenges also extended to other international organisations and individual partners. In the case of Bosnia, these apply in particular to the UN, the OSCE and NATO. As discussed earlier, EU-UN relations were particularly pertinent in the case of Bosnia on account of the EUPM being a hand-over mission from the UN. Experiences with the handover process in turn signalled the need for greater preparation and inter-institutional coordination in future.

Coordination with NATO in operational terms is relevant in Kosovo and was shown to substantially curtail the effectiveness of the CSDP mission in Afghanistan, where institutional restrictions negatively affected operational coordination. But in the case of Bosnia and the Balkans more broadly, the dual goals of NATO and EU membership reinforce similar political goals – and the two institutions pursue a more integrated goal than in other theatres, even if operational coordination remains blocked.

Lessons learned 3: The impact of CSDP missions

The final category concerns the impact of missions in host societies in which the EU is engaged in order to ensure the sustainability of reform – and ways in which this impact can be usefully measured. The EUPM experience is illustrative regarding the introduction of benchmarks to measure mission achievements, the need to include gender and human rights concerns in mission activities, and the need to engage the elite in institutional reform while at the same time helping to reform or build up a police force that enjoys citizens' trust – and which is accountable to broader civil society.

At the level of CSDP missions, planners have developed benchmarks to measure a mission's success. While this goes some way to standardise mission design and measure performance, introducing quantitative benchmarks does not necessarily reflect qualitative improvements. It also does not reflect the fact that the goals of some mission activities are generational processes that will not (and perhaps

cannot) be addressed in the framework of a CSDP operation. This reflects the political nature – in addition to the operational purpose – of the CSDP in the Balkans (and elsewhere): long-term integration requires a more coordinated approach.

Most CSDP missions, by focusing on institutional reform and building administrative capabilities, operate at the level of political elites and security forces: that is, ministerial and institutional reform, along with some degree of mentoring, monitoring and advising. In this field, gender and human rights aspects represent a small but integral part of most civilian operations focusing on the rule of law, also in light of the fact that many of the post-conflict settings in which the EU operates through the CSDP are marked by sexual violence and human rights violations, or take place in local settings in which human rights – including women's rights – are not respected.

In settings where institutions are weak and/or marked by impunity, past human rights violations and abuse of power by vested officials, CSDP missions risk exposing themselves to charges of complicity, or at the very least raise questions as to whose security and stability the missions set out to protect.

Even more importantly, there can be negative implications for the sustainability and the legitimacy of institutional reforms. The EUPM may have helped to spearhead the inclusion of gender and human rights in CSDP missions, but more needs to be done to streamline these concerns into the design of missions beyond including a human rights/gender adviser in each mission and including human rights and gender in training curricula.

In turn, this calls for more attention to be paid to the role of civil society in EU activities. The strengthened EU Delegations and the promised greater engagement with civil society actors on the ground could offset some of the weaknesses identified in mission approaches to date, partly because the long-term, structural change required to transform a fragile or post-conflict setting into stable peace exceeds the remit of a CSDP mission.

In Bosnia, police reform turned out to be a highly complex and politically charged issue that touched on ethnicity, the role of elites and their willingness to reform, and local ownership, including that of civil society. A setting where reforms remain less than complete naturally raises questions regarding their sustainability over time and the need for a coordinated and coherent EU approach towards host countries to prevent political interference with rule-of-law institutions.

PROSPECTS

The analysis of the EUPM in the framework of CSDP and its place in the EU foreign policy toolbox highlights that ensuring a mission's effectiveness, both on its own terms and in coordination with other EU foreign policy instruments, is a central challenge for the future.

This remains a complicated business. The experience of launching CSDP missions in complex post-crisis environments such as Afghanistan or Bosnia shows that it is the political framework which determines the impact – missions cannot substitute for that. In Bosnia, EUFOR plus a strengthened Delegation will follow on from the EUPM and continue to put the comprehensive approach to the test, particularly the political oversight required for sustainable reform.

It will also put to the test once more the link between the prospect of EU membership and on-going institution-building and rule of law challenges in Bosnia. While EUFOR is due to be downsized but will continue to play a role in supporting the country's defence reform effort, the enduring presence of a military operation with an executive mandate sends a somewhat curious signal to the outside world, including to the Bosnian authorities.

As the EU gets ready to launch three additional CSDP missions in the near future, greater emphasis must be placed on the EU's overall political engagement as well as on the diplomatic and financial tools deployed in the service of EU aims. The planned missions reflect different geographic and operational priorities, but also a shift away from long-term engagement through the CSDP. This raises the question of exit strategies when entering a complex environment of insecurity and weak institutions.

Too often CSDP missions and the technical assistance they provide have acted as substitutes for policy, which has diminished the EU's overall impact. Despite the evolving EEAS framework,

there is a risk of future CSDP missions being similarly disconnected from the EU's overall strategy. They will be smaller, deployed in geographically more remote but equally if not more complex theatres of instability, and will not enjoy the backing of strong EU engagement enjoyed by the Balkan missions.

These lessons also raise the question of a strategy to underpin the EU's comprehensive approach. The experience of the EUPM contributed to the formulation of Security Sector Reform (SSR) concepts, both on the part of the European Council and the European Commission.

Given the current and evolving institutional framework that emphasises a comprehensive approach concept, strategic guidance and direction in the sequencing of instruments and the question of political oversight remains an important – but open – question. A revised SSR strategy in the context of EEAS instruments could guide the implementation of comprehensive reform efforts and avoid the fragmentation that has bedevilled post-conflict interventions from Bosnia to Afghanistan.

The EEAS provides an opportunity to reframe and integrate CSDP missions in a broader strategic context. If the EEAS manages through its delegations and improved presence in the field to put in place a stronger political framework that is supported by effective strategic guidance from Brussels and EU member states, much could be achieved.

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These issues are analysed in the EPC's European Politics and Institutions and Europe in the World programmes and discussed in its Balkans and EU Foreign Policy and Global Governance Forums.

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