



EU-CIVCAP

Preventing and Responding to Conflict: Developing EU
CIVILIAN CAPAbilities for a sustainable peace

Report on EU conflict prevention and peacebuilding in the Horn of Africa and Western Balkans

Deliverable 5.1

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Abstract	Deliverable 5.1 is a report on EU conflict prevention and peacebuilding in the Horn of Africa and the Western Balkans. It appraises the EU's Common Security and Defence Policy missions individually within and comparatively across both regions.
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¹ EU SatCen has contributed to this deliverable by providing an overview of EU strategies and policies for the Western Balkans and the Horn of Africa, as well as a description of past and ongoing CSDP missions and operations in the two regions.

LIST OF ACRONYMS

ACP	Africa, Caribbean and Pacific
AMISOM	African Union Mission in Somalia
AU	African Union
BCSP	Belgrade Centre for Security Policy
BiH	Bosnia and Herzegovina
CARDS	Community Assistance for Reconstruction, Democratisation and Stabilisation
CB	Capacity Building
CFSP	Common Foreign and Security Policy
CSDP	Common Security and Defence Policy
CONOPS	Concept of Operations
CSO	Civil Society Organisation
ECA	European Court of Auditors
EDF	European Development Fund
EEAS	European External Action Service
ETF	Emergency Trust Fund
EU	European Union
EUAVSEC	European Union Aviation Security Mission
EUCAP	European Union Maritime Security Capacity Building Mission
EULEX	European Union Rule of Law Mission
EUPM	European Union Police Mission
EUPAT	European Union Police Advisory Team
EPLO	European Peace Liaison Office
EUPT	European Union Planning Team
EUR	Euro
EU SatCen	European Union Satellite Centre
EUSR	European Union Special Representative
FRY	Federal Republic of Yugoslavia
FYROM	Former Yugoslav Republic of Macedonia
IcSP	Instrument contributing to Stability and Peace
IBM	Integrated Border Management
ICTY	International Criminal Tribunal for the Former Yugoslavia
IGAD	Inter-Governmental Authority on Development
IO	International Organisation
IPA	Instrument of Pre-accession Assistance
ISIS	Islamic State of Iraq and Syria
KLA	Kosovo Liberation Army

KP	Kosovo Police
LRV	Legislative Review Mechanism
MATE	Mentoring, Advisory and Training Element
MMA	Monitoring, Mentoring and Advising
NAVFOR	Naval Force
OAU	Organisation of African Unity
OMiK	Organisation for Security and Cooperation in Europe Mission in Kosovo
ONLF	Ogaden National Liberation Front
OPLAN	Operation Plan
OSCE	Organisation for Security and Cooperation in Europe
PSC	Political and Security Committee
RDDC	Royal Danish Defence College
RUC	Roskilde University
SAA	Stabilisation and Association Agreement
SAP	Stabilisation and Association Process
SFOR	Stabilisation Force
SHARE	Support of the Horn of Africa Resilience
TIKA	Turkish Cooperation and Coordination Agency
TFG	Transitional Federal Government
TS	Transparency Solutions
UN	United Nations
UNDP	United Nations Development Programme
UNSOM	United Nations Assistance Mission in Somalia
UNMIK	United Nations Interim Administration in Kosovo
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
USA	United States of America
WFP	World Food Programme

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EXECUTIVE SUMMARY

EU-CIVCAP Deliverable 5.1 appraises the EU's capabilities to execute conflict prevention and peacebuilding in the Western Balkans and the Horn of Africa. The Deliverable focuses on capabilities developed under the Common Security and Defence Policy (CSDP) and whether their application matches up with EU strategies to address security needs on the ground. The purpose of this endeavour is to examine whether the EU's capabilities are appropriate and sufficient to reach its expectations – and those of others – in preventing conflict and building peace in both regions.

The report consists of five sections. The first section outlines the research framework. As the focus of this report is on the execution of EU policy, the analytical approach applied considers the effectiveness of operational conflict management from the perspective of the intervener as well as those intervened upon. It considers both what was achieved – or not – and the way in which this was sought. The second section considers the external contexts in which the EU engaged; to this end, it undertakes regional conflict analyses of the Western Balkans and the Horn of Africa. The third section reviews the EU's strategies and CSDP missions deployed in the two regions, examining the EU's activities so far as well as its ambitions for the future. The fourth section subsequently selects and studies two cases: the European Union Rule of Law Mission (EULEX) in Kosovo and the Regional European Union Maritime Security Capacity Building Mission (EUCAP) in the Horn of Africa and the Western Indian Ocean, later refocused and renamed EUCAP Somalia. EULEX and EUCAP are similar in that they are both significant civilian CSDP deployments, but they vary in the mandates they possess and contexts within which they have deployed. As such, they represent different characteristics and contexts on the spectrum for CSDP engagement and shed light on where within the conflict cycle the EU is currently best equipped to act. Finally, the fifth section concludes by discussing whether the EU has effectively executed conflict prevention in the two regions and identifying what has been missing in this regard.

This Deliverable draws findings and policy recommendations for the EU and other concerned actors. Firstly, the conflict analyses within the report find that both geographic areas constitute regional security complexes, where the security of one actor interacts with the security of the others. In both the Western Balkans and the Horn of Africa, security interdependence is intense and must be appreciated and addressed appropriately. Furthermore, both regions struggle with authoritarian regimes and power politics undermining government and governance at both the state and sub-state levels. Governments across these regions stand accused of suppressing minority groups and perspectives. This creates problems both within and between countries, as political elites

intentionally fuel inter-group grievances to gain or retain power and avoid accountability towards their own citizens.

Both the Western Balkans and the Horn of Africa face problems of democratic deficit, unequal economic development as well as limitations to civic, human and minority rights. Thus, it is important to sustain support for state- and institution-building. At present, ruling elites in both regions prove unable and unwilling to represent their populations as a whole, alienating rather than standing accountable to their citizens. As a result, states struggle to secure and control their full territories and ensure that institutions reach and represent all their people. Existing gaps between states and parts of their populations contribute to continued disputes over state legitimacy. The state itself has become a bone of contention, as politics have become a zero-sum game. This has led to disengagement at best and violence at worst, as different groups continue to fight for representation. In the slipstream hereof, organised crime and radical extremism challenge countries in both regions, whether this materialises as illicit trade of people, goods and services or criminal enterprises such as piracy, terrorism or recruitment of foreign fighters. These issues are connected and exacerbated as insecure borders allow criminal networks and activities to operate across national and international boundaries. Border-related disputes have thus become both causes and consequences of insecurity. It is imperative that these are addressed individually, but without overlooking how they relate to one another. In particular, international actors must keep a close eye on how contentious issues are instrumentalised by those in power. In sum, the Western Balkans and the Horn of Africa experience similar conflict causes, characteristics and consequences. They differ significantly, however, in the way and degree to which they challenge local, national and regional security – let alone European stability. Moreover, it is important that international actors like the EU do not undermine national development in favour of regional security, but work actively to promote both, thus simultaneously addressing causes and consequences of conflict.

With the above recommendations in mind, the Deliverable goes on to review EU strategies for, and CSDP deployments to both regions. In the Western Balkans, the EU has framed its approach to conflict prevention and peacebuilding as a regional ‘Stabilisation and Association Process’. This has allowed the EU to support and reward progress in the region whilst addressing its own concerns regarding security and serious crimes. This process is founded on the prospect of future EU membership for the countries in the region. It is key, therefore, that this prospect remains, as demonstrated in the way in which enlargement fatigue within the EU translates into reform reluctance outside it. The EU Strategic Framework for the Horn of Africa similarly takes a regional approach towards the challenges interlocked in that region. Within this Framework, the EU has integrated its policies towards security and development seeking to strengthen governance, institutions and the rule of law to counter problems like piracy and terrorism, both by seeking to eradicate specific groups

and by reducing structural factors that contribute to insecurity (such as unemployment, government instability and socioeconomic inequality). The EU seeks to increase cooperation with as well as between these countries and to strengthen regional organisations and solutions. At present, Horn of Africa governments with limited reach and enforcement capabilities such as the Federal Government of Somalia can suppress neither terrorism nor piracy without assistance, nor do they have the ability to prosecute and reintegrate apprehended criminals or networks. This illustrates how there is still a significant difference between the EU's ambitions and the realities on the ground.

In response to the issues outlined above, the EU supports its strategic approach towards both regions through a series of CSDP deployments focused in particular on strengthening security structures through police, military and rule of law missions. The Deliverable takes a closer look at two of these missions to examine their effectiveness and identify lessons as well as best practices regarding operational conflict prevention and peacebuilding. EULEX Kosovo and EUCAP Nestor/Somalia both provide valuable lessons for future application by the EU, or indeed other organisations and entities that plan future operations in these or other regions. The most important lessons from EULEX Kosovo relate to: (i) the importance of a clear mission mandate with concrete benchmarks and verifiable indicators of success; (ii) clarity, consistency and predictability in political support from EU Member States and institutions; and (iii) sufficient structures for recruiting and retaining appropriate human resources and proper procurement for CSDP missions. Key lessons identified in EUCAP Nestor/Somalia relate to the importance of (i) fostering deeper cooperation between countries in the region, whilst (ii) not forgetting to include local actors in (iii) strengthening governments, governance, institutions and the rule of law.

This Deliverable concludes that EU engagements in both the Western Balkans and the Horn of Africa are critical to preventing further conflict and building peace in both regions. Its regional strategies constitute an appropriate response to the challenges at hand that should be sustained and further developed. To implement these regional strategies, the EU must develop coherent, integrated CSDP packages supporting its overall strategic ambitions as well as responding to the complex security challenges at hand. To this end, it is essential that there is a clear chain of command and a designated commander-in-chief for EU efforts in each region, whether these are military or civilian, thus ensuring that EU actors and agencies work well together. Likewise, the EU must work closely and consistently with local, regional and international actors, including them through continuous consultation and cooperation at all stages from the fact-finding and planning phases to the launch, implementation, revision and withdrawal of CSDP missions.

Based on the best practices and lessons identified in the report, Deliverable 5.1 makes the following policy recommendations:

1. **It imperative to adopt a regional** approach to conflict prevention and peace building.
2. **Regional approaches must appreciate and respond to local needs, national capacities and regional intricacies**, addressing the causes as well as the consequences of conflict.
3. **Root causes must be addressed alongside immediate security needs**, as both challenge long-term peace and stability.
4. **The EU must ensure predictable and sustainable political support** from Member States for CSDP missions/operations.
5. **Member States must agree on specific ‘EU standards’**, when such standards are to be implemented by a CSDP mission/operation.
6. **Clear benchmarks and indicators of success must be identified** in planning documents to ensure progress, which can be measured and monitored from the beginning to the end of a mission/operation. This will help manage expectations within and outside the EU.
7. **Different aspects of a CSDP mission/operation, whether local, nation or regional, executive or supportive, must be coordinated** in one combined effort.
8. **Appropriate human and material resources must be rapidly deployed and maintained** throughout CSDP deployments.
9. **The EU must coordinate** its own initiatives, agencies, Member States and institutions.
10. **The EU must appreciate the international context in which it deploys**, acknowledging and, as far as is possible, cooperating with other actors invested and involved in the given context.

1. INTRODUCTION

The European Union (EU) has long pursued the development of civilian capabilities for conflict prevention and peacebuilding. This deliverable contributes to the wider work of EU-CIVCAP as a comparative study of such capabilities applied in the Western Balkans and the Horn of Africa. It assesses whether the EU has had appropriate capabilities to meet its stated ambitions in both regions. The study focuses mainly on capabilities developed under the Common Security and Defence Policy (CSDP) and whether their application has matched EU objectives in this regard.

EU-CIVCAP's overall research focus on the development of civilian capabilities for peacebuilding and conflict prevention identified EULEX Kosovo and EUCAP Nestor as the most relevant cases to study, as these are the primary CSDP civilian instruments in each region. The two are similar in their typology as civilian CSDP missions, but differ in the mandates and contexts within which they were deployed. The two regions have significant dissimilarities; the Horn of Africa is a region characterised by ongoing crisis with a heavy military presence and continuous peace enforcement operations, while the Western Balkans is a post-conflict stabilisation and conflict prevention scenario. These dissimilarities mean that the two cases are at opposite ends of a continuum of possible contexts for CSDP engagements. As such, this assessment of the effectiveness of EU civilian CSDP capabilities sheds light on more than the individual cases and indicates where within the conflict cycle the EU is currently best equipped to act.

The study builds on both primary and secondary data collected from EU documents and reports, existing studies and original research in the form of field work and semi-structured interviews conducted with EU missions, agencies and departments, and non-governmental organisations in both regions (see Annex 1 for list of interviews). EU capabilities are analysed using the framework for evaluating effectiveness in operational conflict prevention established by Rodt (2017; see Figure 1 for illustration). This framework proposes a two-pronged approach to understanding effectiveness in operational conflict prevention by reviewing internal (EU) and external (conflict) perspectives, analysing both goal attainment and the appropriateness of methods applied.

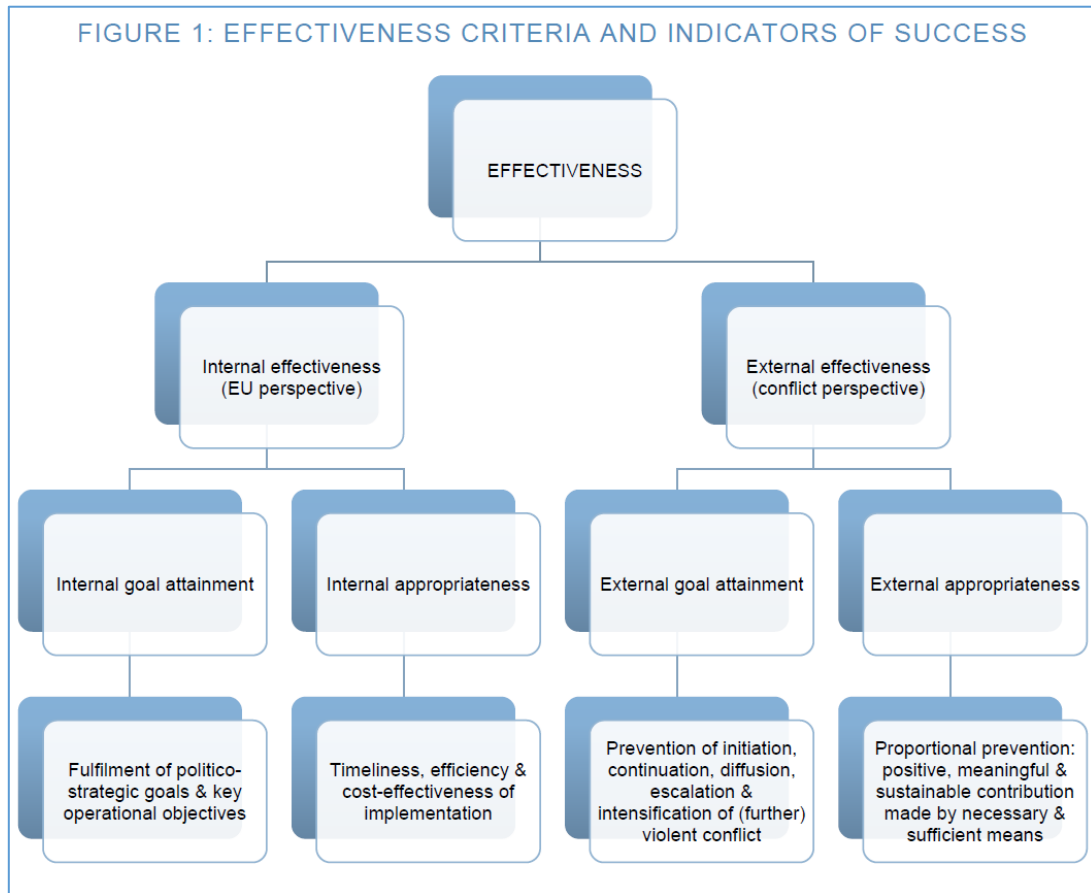


Figure 1: Framework for Effectiveness in Operational Conflict Prevention (Rodt, 2017, p. 86.)

The regional conflict analyses presented in Chapter 2 provide the context in which external effectiveness is appraised, whilst the EU’s internal effectiveness is considered according to the Union’s regional strategies and mission mandates reviewed in Chapter 3. The effectiveness of EULEX Kosovo and EUCAP Nestor is subsequently compared in Chapter 4 and discussed with regard to lessons, best practices and policy recommendations in Chapter 5.

2. EXTERNAL CONTEXT OF EU CONFLICT PREVENTION AND PEACEBUILDING

2.1 REGIONAL CONFLICT ANALYSIS OF THE WESTERN BALKANS

Since the violent dissolution of Yugoslavia in the 1990s, the Western Balkans has steadily progressed on a path towards European integration, in accordance with the EU's overarching strategy for conflict prevention and peacebuilding in the region. However, progress has been hampered by frozen conflicts and internal issues, which have occasionally been stirred up by regional autocrats. In this chapter, we provide a regional conflict analysis of the Western Balkans anno 2017, examining possible causes of conflict, key international actors involved and unresolved bilateral and regional issues that could trigger future conflict. This approach is in line with the European External Action Service (EEAS) Guidance Note on Conflict Analysis, an analytical framework for the comprehensive, context-specific assessment of possible causes, actors and dynamics of conflict (EEAS, 2015). As the purpose is to provide a regional conflict analysis, trends across the Balkans are identified, including specific country examples where applicable.

2.1.1 Potential causes of future conflict

Possible causes of further conflict in the Western Balkans can be divided into political, economic and security challenges. These are investigated below.

A. Political challenges

Western Balkan countries are facing increased authoritarianism,² reflected in state capture by political parties in power, which systematically use informal clientelist networks to govern public goods³ and undermine the rule of law by weakening the independence of

² While the EU has not pinpointed a decline in political freedoms, except in Macedonia, which was referred to as a 'captured state' in its 2016 country report (European Commission, 2016: 8), specialised international and local organisations that monitor the quality of democracy and freedoms have widely recognised deteriorating democratic governance throughout the region. Most of the Western Balkan countries were classified as transitional governments or hybrid regimes in the 'Nations in Transit' report (Freedom House, 2017), whereas Serbia and Montenegro were referred to as semi-consolidated democracies.

³ Various organisations and mechanisms used to measure corruption repeatedly show that the region is at the bottom of the list when compared to EU member states (European Parliament, 2015; European Parliament, 2017b). A Transparency International (2016) report dealing with national integrity systems, underlines that anti-corruption efforts face difficulties due to state capture in all of the Western Balkans. The Corruption

democratic institutions, limiting press freedom and suppressing criticism from civil society. Much internal governance is conducted through party-affiliated networks, while ordinary citizens are brought in through conditioning jobs and other goods by way of loyalty to political parties (BiEPAG, 2017a: 78-81). The most prominent feature of state capture in the Western Balkans is the bypassing of institutions by ruling elites that govern through informal rules and party dominance. Supposedly independent institutions, such as judiciaries, are heavily subordinated to political parties in power (Elek et al., 2016). Political interference in the work of judiciaries is especially noticeable in Albania, whose progress in EU integration depends on the implementation of recently adopted legislation dealing with judicial reform, ending a long political deadlock (European Parliament, 2017d).⁴

Security sector reform processes initiated in the Western Balkans have not been fully implemented. Following EU conditionality policy,⁵ countries have managed to fulfil the official criteria, mostly by adopting necessary legislation and strategic documents, thus creating a façade of democratic governance within their security systems. A phenomenon of state capture, however, is exemplified by the politicisation of security sectors throughout the region and relocation of power sources outside the security institutions. The most notable incident was the illegal wiretapping of around 20,000 citizens, including journalists and opposition representatives disclosed in Macedonia in 2015 (Jakov Marušić, 2017a).

This model of governance has been referred to as “stabilitocracy”⁶ (BiEPAG 2017; *The Economist*, 2017), a term referring to the increasing authoritarianism in the region, which enjoys external support and legitimacy in the context of increased geopolitical competition between the West and Russia, as well as in relation to perceived threats of migration and terrorism. The EU has been turning a blind eye to a series of authoritarian practices in domestic politics in the region, prioritising stability at the expense of rule of law and democracy (Fouéré, 2016). In return, local leaders promised to prevent an influx of migrants from the Middle East to the EU, to fight terrorism and to pacify recurring bilateral and regional disputes. Authoritarian leaders (e.g. Milo Djukanovic in Montenegro, Aleksandar Vucic in Serbia, Edi Rama in Albania and Hashim Thaci in Kosovo) have cemented their

Perception Index (Transparency International, 2017) indicates high corruption scores and low ranking of the region as a whole, with Kosovo occupying the lowest, 95th rank among 176 examined countries.

⁴ Political stalemate in Albania peaked in February 2017, when opposition parties decided to boycott the Parliament and refused to participate in the forthcoming parliamentary elections. By accepting the EU and US-backed ‘Mc Allister plus’ proposal, conflicting parties reached agreement in May 2017 to continue judicial reforms and create an oversight body to assess the credibility of judges and prosecutors (EWB, 2017a).

⁵ Through conditionality based on a ‘sticks and carrots’ principle, the EU evaluates each country on its own merits and rewards or sanctions them accordingly to encourage reforms (Anastasakis and Bechev, 2003: 3).

⁶ The term was originally coined by a Montenegrin academic, Srdja Pavlovic, to describe the situation in Montenegro, where Djukanovic’s regime has functioned smoothly for over two decades and advanced in the Euro-Atlantic integration process, in spite of obvious autocratic behaviour (Pavlovic 2016).

power positions across the region, under the guise of Euro-Atlantic integration, while some occasionally play off competing global actors, Russia and the West, as seen particularly in Serbia and Republika Srpska in Bosnia-Herzegovina (BiH).

One of the key tools has been to capture the media. Editorial policy is influenced through media capture, which is enabled through hidden media ownership by political parties or individuals being affiliated to parties, as well as through financial pressure exercised in the form of direct state aid, conditionality through advertisement budgets and regulations favouring the media that are loyal to ruling parties. For instance, media owners were often closely linked to the former ruling party in Macedonia (European Commission, 2016: 21), while media ownership and funding remain non-transparent in Kosovo and BiH (European Parliament, 2017c). The handful of independent journalists and media outlets remaining is exposed to constant pressure, intimidation and assaults (Zaba, 2016; Rudić, 2017a).

B. Economic challenges

Western Balkan countries have slightly improved their economic performance with 2016 economic growth rates reaching up to 2.8% on average (World Bank Group, 2017a: 4). This trend is expected to continue in the 2017-19 period (European Commission, 2017: 4). Considering that the EU is the Western Balkans' principal trading partner and biggest investor (European Commission, 2017a), most of the progress can be attributed to its economic recovery and the global economic revival since the financial crisis. Growth prospects remain challenged by internal issues such as slow economic reforms and overreliance on external investors.

The Western Balkan countries also occasionally find themselves in trade wars. Most recently, Croatia decided to raise import taxes on agricultural products, which could have detrimental effects on neighbouring economies. The remaining countries in the region sent a joint letter to the European Commission to protest against Croatia's unfavourable measures (BIRN, 2017a). A ten-day trade crisis ended when Croatia revoked its decision to avoid a trade war and counter-measures announced by its neighbours (Kovačević, 2017a).

Along with crime, corruption and poor infrastructure, a substantial informal economic sector contributes to the unfavourable business environment in the region.⁷ Companies that operate within the formal economy lose an estimated 13% of sales annually due to a mix of these factors (Krešić, Milatović and Sanfey, 2017: 2). It is estimated that the informal sector makes up 30-50% of GDP in the region (European Commission, 2017: 8). Such covert

⁷ The grey or informal economy refers to all the unregistered economic activities that are not subject to state oversight or taxation (Schneider, 2011: 2).

economic activity prevents the stabilisation of public finances, reduces tax revenues and creates unfair competition.

Although youth unemployment rates recorded a decline from 50.8% in 2010 to 47.7% in 2015, they are still twice as high as overall unemployment rates and extremely high when compared to the EU average (World Bank Group, 2017: 17). All the countries in the region rank low in the Global Competitiveness Report, where Serbia ranks 137 of 138 countries on its ability to retain or attract talent (World Economic Forum, 2017: 315). This too may have far-reaching consequences for the stability of the region, as young people without access to the job market are far more inclined to leave their countries of origin or turn to crime or violent extremism.

C. Security challenges

The difficult economic situation, with high unemployment and poverty rates, coupled with political instability, creates incentives for black market activities. The production and smuggling of drugs are widespread and lucrative types of organised crime. Drug trafficking runs via different routes, most often in the region itself, through the region towards Western Europe and finally, smuggling from South America and South-East Asia (Regional SOCTA, 2016: 15). For instance, Albania has been marked as the greatest source of cannabis trafficked to EU member states (SOCTA, 2017: 35).

Smuggling of irregular migrants is the second most prevalent form of organised criminal activity ensuing via the Balkan route (Regional SOCTA, 2016: 25). As irregular migration has intensified since 2015, so has the smuggling of human beings across the region (Regional SOCTA, 2016: 25). Another type of illicit trade unfolding within the region is arms trafficking. Following the wars of the 1990s, but also the significant military industry of the former Yugoslavia, there are a great number of unregistered weapons in circulation throughout the region. Estimates vary from 3.6 to 6.2 million firearms in civilian possession in the Western Balkans (Čarapić, 2014). Both the *Charlie Hebdo* and November 2015 attacks in Paris drew attention to this trafficking route, as weapons used in both incidents originated from these countries (Arapi, 2015).

Another security challenge facing Western Balkan countries is violent extremism and the associated issue of foreign fighters. Although the phenomenon of foreign fighters is known to the region, the departure of roughly 1,000 individuals since 2013 to Syria and Iraq, mostly from BiH, Kosovo and Albania (BIRN, 2016) has put it back on the agenda. In order to tackle the problem, the Western Balkans have all criminalised foreign fighting and associated criminal acts (Azinović and Jusić, 2016: 80) in accordance with UN Resolution 2178. The

countries in the region have mostly focused on law enforcement, and have failed to adopt comprehensive prevention and de-radicalisation measures (Petrovic, 2016).

In sum, a democratic backslide caused by state capture and the politicisation of basic democratic institutions is a potential source of further conflict in the region. Likewise, poor economic performance, characterised by slow and inconsistent reform processes, high unemployment and a large grey economy could foster future conflict. Finally, radicalisation and violent extremism, Islamic and right wing, and different types of organised crime are among the most salient security challenges that could trigger tensions in the region.

2.1.2 International actors

In the past few years, with the EU's declining interest in the region, the stalled enlargement process and the power of its conditionality decreasing, the geopolitical reality in the Western Balkans has changed. Competition has intensified since other geopolitical powers, such as Russia, Turkey, China and the Gulf States have seized the opportunity to solidify their influence in the region. Perceptions of these geopolitical players vary across the region, which was exemplified by these countries' various actions regarding sanctions against Russia in response to the Ukraine crisis. Montenegro, Kosovo and Albania imposed sanctions against Russia, whereas the rest of the Western Balkan countries refrained from doing so (Bechev, 2015).

Alongside the EU, the US has also disengaged from the region, facilitating other actors' (re-) entry. External actors have differing interests and priorities, as well as mechanisms and capacities at their disposal. However, diplomatic, economic and other soft power instruments are still the main channels of external influence in the region, where the EU's biggest competitor is Russia. Among external actors, Russia is the only one benefiting from destabilisation in the region; it thus openly undermines the EU's efforts by meddling in the internal affairs of Western Balkan countries. Such interventions by Russia are exemplified by the thwarted alleged coup d'état in Montenegro during the 2016 elections (Tomovic, 2017). Russian economic influence in the region is restricted to the energy sector, where half of the countries, namely BiH, Macedonia and Serbia remain almost 100% dependent on Russian gas (European Parliament, 2017).

Apart from in the energy field, the economic presence of the EU, which is the Western Balkans' biggest trading partner, with more than 76% of the region's trade, undermines Russian economic clout in the region (European Commission, 2017a). Russia is ranked as the second exporting destination for the Western Balkan countries; however, the figures are fairly low when compared to the EU (European Commission, 2017b: 8). Nevertheless, in

2016 Serbia started negotiating with the Russian-led Eurasian Union, to enter its free trade area. Even though primarily economic, Serbia's ties with this bloc could have serious political implications and jeopardise its EU accession process.

Russia's soft power is based on cultural and historical connections and religious and linguistic associations with the Orthodox Slavs in the Western Balkans. Russia wields soft power through its presence in the region's media, influencing its agenda and indirectly shaping public opinion (European Parliament, 2017). Russian influence is most palpable in Serbia, where besides the aforementioned channels of influence, Russia can also use its veto power in the United Nations Security Council (UNSC) as leverage over the status of Kosovo and in that way keep Serbia close (Reljic, 2016). Finally, Russia is openly opposing Western Balkan countries' membership of NATO, which was most recently demonstrated after Montenegro's accession to the Alliance. Apart from the alleged Russia-backed coup during Montenegro's elections (Tomovic, 2017), Russian Foreign Minister Sergey Lavrov condemned the country's decision to join NATO and stated that Russia would uphold the right to take retaliatory measures (Brunnstrom, 2017).

Another important external player is Turkey, with its deeply rooted historical and cultural links to the region. Turkey's domestic frictions and conflicts in the neighbourhood have diverted its attention from the Balkans; hence, its current role there should not be exaggerated. Nevertheless, some of these issues may affect the region. For instance, the Western Balkans would be affected first if Erdogan were to fulfil his threats of opening Turkey's borders to migrants travelling to the EU. This is particularly relevant as the Western Balkan countries are not included in the EU-Turkey agreement on refugees. Moreover, Turkey is wielding soft power over Muslim communities in the Western Balkans, mostly through educational and religious programmes. The Turkish Cooperation and Coordination Agency (TIKA) is actively engaged across the region, with a special focus on predominantly Muslim areas. Its engagement is mostly based on restoring Islamic heritage sites, such as bridges, mosques, residences etc. (European Parliament, 2017a). Turkey has also had a successful mediating role in the Western Balkans, e.g. in trilateral meetings with Serbia and BiH (Vračić, 2016: 10). The peak of these meetings was reached in 2010, when Serbian President Boris Tadić met with the Chairman of the Bosnian Presidency Haris Silajdžić for the first time. Finally, Turkey's economic power in the region should also be taken into account, since the country was ranked as the fourth largest trading partner for the region in 2016, following the EU, Russia and China (European Commission, 2017b: 8).

The influence that China exerts on the region is mostly economic. The Western Balkans is located on the path of China's Belt and Road Initiative, the primary goal of which is to economically connect Asia, Africa and Europe. It includes infrastructural and telecommunications projects, such as the construction of a railway between Serbia and

Hungary. Likewise, the Chinese 16+1 Initiative aims to enhance economic ties with 16 countries of Central and Eastern Europe, including the Western Balkans (Tonchev, 2017). Although China supports and benefits from stability in the region, its investments may come at a political cost to the reform process that the EU has encouraged through its enlargement policy. China's infrastructural and economic projects bring a set of norms and values that are modelled on its state-led economy, known for corruption in large infrastructural deals (Makocki and Nechev, 2017). Besides utilising economic tools to pursue its foreign policy goals, China also projects soft power, especially in Serbia, where there is a Chinese radio with national coverage, various research networks and educational centres.

Finally, geopolitical competition in the Western Balkans is intensified by influences from the Persian Gulf. Since the 1990s, radical Islamist ideas have spread across the Western Balkans. The region's Muslim communities, traditionally supporting a moderate Hanafi interpretation of Islam, has been influenced and funded by Gulf States (Petrović, 2016). By the end of the 20th century, charities backed by or based in the Gulf started flourishing across the Balkans. Besides financially supporting mosques and educational facilities, these foundations often granted scholarships for Middle Eastern universities. The spread of hard-line Wahhabi Islam resulted in a great number of radicalised individuals; around 1,000 of who went to Syria and Iraq to fight for different armed groups (BIRN, 2016).

Gulf States have started investing in various real-estate projects across the region in recent years, such as the controversial United Arab Emirates' Belgrade Waterfront project in Serbia or the Gulf real estate investment boom around the Bosnian capital of Sarajevo. The motives behind these investments remain unclear, as projects are mostly non-transparent and suspected of corruption and money laundering. Furthermore, a recent investigation has exposed arms export routes from the Western Balkans to certain Gulf States. Since 2012, eight Central and Eastern European countries have exported arms and ammunition worth 1.2 billion euros to Gulf States, the largest part of which have gone to Saudi Arabia. These exports were later diverted from the intended destination and ended up fuelling conflicts in Syria and Yemen (Marzouk, Angelovski and Patrucic, 2016).

2.1.3 Bilateral disputes between Western Balkans states

Yugoslavia's violent dissolution left the Western Balkan region troubled by a series of bilateral disputes. Some of the ongoing disputes involve neighbouring EU member states, such as Croatia and Greece, which creates enduring obstacles on the path to EU integration. Moreover, political elites, unwilling to take unpopular and risky steps towards a resolution of these issues, instead regularly revive and exploit them to maintain power and score

political points. Disputes range from border and minority rights issues to economic and property issues related to succession from the former Yugoslavia (Djolai, 2016). These are investigated in further detail below.

Firstly, the Western Balkans are troubled by a series of territorial and border demarcation disputes between the countries that emerged after the break-up of the former Yugoslavia. Even though border disputes may be technical in nature, their resolution contains a political dimension, as some are used in internal political struggles to discredit those willing to compromise. Macedonia is the only country in the region without a border demarcation issue, while Croatia, now an EU member state, has not yet managed to resolve border demarcation with any of its former Yugoslav neighbours: BiH, Serbia, Montenegro or Slovenia. Serbia has unresolved border issues with Croatia and BiH, and as it does not recognise Kosovo's independence, it treats the demarcation between Serbia and Kosovo not as a border, but as an administrative boundary. As this area of Kosovo is inhabited mostly by Kosovo Serbs, there have been protests about imposing border controls between the two – protests that turned violent in 2011. The issue of Kosovo's boundaries is also a matter of dispute between Kosovo and Montenegro, the resolution of which has been a condition for the EU to grant visa liberalisation to Kosovo. However, this was postponed due to internal political conflict in Kosovo between the government and opposition parties that perceive the agreement as a theft of large parts of Kosovo's territory (Djolai, 2017; Morina, 2017). Border disputes also include the maritime border dispute between Albania and Greece, as well as the one regarding the Danube border between Serbia and Croatia (European Western Balkans, 2017).

Another but connected set of bilateral disputes concerns the status of national minorities, such as the status of Serbs in BiH, Montenegro and Kosovo, or Albanians in Serbia, Macedonia, Montenegro and Greece. One such dispute caused controversy in 2016, when Croatia blocked Serbia's opening of Chapter 23 negotiations with the EU, demanding full protection of national minorities (Burazer, 2016). Among other requirements, the establishment of a mechanism under which representatives of the Croatian minority would be guaranteed seats in the Serbian Parliament was demanded (Kmezić, 2016). Although the obstruction was temporary, it exemplified how bilateral clashes can challenge EU accession in the Western Balkans.

Besides border and minority status issues, there are several other disputes among the countries of the region, the most prominent of which is the name dispute between the Former Yugoslav Republic of Macedonia (FYROM) and Greece. Lasting for almost three decades, this clash has blocked FYROM's road towards full EU and NATO integration. FYROM has not started its EU accession negotiations yet, even though it was granted candidate status in 2005, because Greece has repeatedly used its veto as an EU member to block the

process. The appointment of a new government in FYROM has brought about positive efforts – although the dispute has yet to be resolved (Djolai, 2017). Finally, the status of Kosovo continues to challenge bilateral relations throughout the region – and beyond. The EU mediated the Belgrade-Pristina dialogue although barriers in implementing the agreements achieved during this process indicate the difficulty of resolving political issues in the Western Balkans.⁸

2.1.4 Internal challenges

In recent years, the Western Balkans have experienced a series of internal clashes, be they between governments and oppositions, or fuelled by ethnic tensions. Such events call into question the suitability of peace arrangements to overcome these countries' blockages and deadlocks. In BiH, tensions increased in the autumn of 2016, when the Bosnian-Serb dominated entity, Republika Srpska, held a disputed referendum over its 'Statehood Day' (Rose, 2016). The actual celebration in January 2017 generated a new sequence of ethnic and political slurs between Sarajevo and Banja Luka (Kovačević, 2017). These developments reopened the perpetual debate about Republika Srpska secession, previously announced for 2018 by its President Milorad Dodik (Bennet, 2016). Continuous frictions, secessionist aspirations and an unwillingness to distance itself from the past raise doubts over the constitutional arrangement for BiH as set out in the Dayton Peace Accords.

In Kosovo, frequent government and opposition clashes and frictions accompanying the normalisation of relations with Serbia continue to threaten peace. Violent demonstrations and tear-gas incidents in parliament, caused primarily by the Self-Determination (Vetevendosje) movement, continued throughout 2016 (Morina, 2016). This radical nationalist party independently won 26.7% of votes in the June 2016 parliamentary elections and came second after the broad coalition of 14 parties (BIRN, 2017c). The Self-Determination movement vehemently opposes EU-mediated deals with Serbia and Montenegro concerning the formation of the Association of Serbian Municipalities and border demarcation with Montenegro.

The enduring political deadlock in FYROM started to ease in May 2017 when President Ivanov finally gave opposition leader Zoran Zaev the mandate to form a government (Saeed, 2017). However, this political crisis exposed the ease with which unresolved ethnic issues can be mobilised and misused to cover up democratic deficits and the authoritarian governance of Balkan 'stabilitocrats'. After the biggest opposition party managed to secure a majority in Parliament and elect a speaker by allying with ethnic Albanian parties, the former ruling party leader attempted to discredit the coalition with inflammatory rhetoric

⁸ EU-CIVCAP Deliverable 5.2 takes a closer look at Belgrade-Pristina dialogue.

about national unity being endangered by the Tirana platform. This ultimately led to a violent incident in the Parliament.⁹

2.2 REGIONAL CONFLICT ANALYSIS OF THE HORN OF AFRICA

The Horn of Africa is one of the most unstable and least developed regions in the world; the media has described it as hopeless, poor and politically unstable (Gettleman, 2009; Economist Intelligence Unit, 2016). This section analyses the conflicts in the Horn of Africa by focusing on four factors: borders, governance, terrorism, and piracy. These categories have been selected, because (1) they are regional factors affecting the Horn of Africa as a whole; (2) they are preeminent sources of conflict in the region; and (3) they are the focus of multiple regional and international interventions. The following examines these issues at a regional level, while including specific country examples where applicable, as well as noting ways in which these issues interact and influence one another.

2.2.1 Borders

Borders in the Horn of Africa are a frequent site and source of conflict. This section considers two contributing factors to conflicts concerning borders in the region: the legacy of colonialism and the complexities of overlapping, multi-level border conflicts.

There is a long history of foreign involvement and incursion in the Horn of Africa. During the colonial era, the African continent was divided up amongst European powers, with little regard for existing political, demographic, or topographic demarcations of space (Herbst, 1989: 674). Borders are thus sometimes viewed as colonial constructs that “did not recognise African social, political, and economic systems beyond the immediate interests of the colonisers” (Feyissa and Hoehne, 2010: 4). While local elites were given some input in border decisions, many boundaries split through traditional units of governance and ethnic groupings (Selassie, 2003: 141; Feyissa and Hoehne, 2010: 3). The discord concerning colonial borders was further compounded by the Organisation of African Unity’s (OAU) 1964 resolution to honour the colonial boundaries (Selassie, 2003: 143). Rather than deferring to the self-determination of peoples, African leaders decided to favour the territorial integrity of nascent states in the hope of encouraging stability and avoiding opening a Pandora’s box of separatist conflicts (Iyob, 1993: 257; Kornprobst, 2002: 382). Since disputes concerning

⁹ Political crisis in Macedonia peaked on 27 April 2017, shortly after the new Speaker of the Parliament was elected, when demonstrators dissatisfied with the decision, mainly supporters of the former ruling party stormed the Parliament building and exerted violence upon opposition MPs and journalists (Marušić 2017).

the locations of borders in the Horn of Africa have not been adequately addressed, conflict along, across and about the borders continues to be a recurring theme in the region.

Conflicts occur as two or more states clash over borders, as state and non-state actors come into conflict, and as multiple non-state actors such as clans engage in violence over borders. At the inter-state level, there have been several conflicts between countries concerning the delineation of borders, including the 1998-2000 hostilities between Ethiopia and Eritrea¹⁰ and the 2008 clashes between Djibouti and Eritrea.¹¹ Tensions heightened between these two countries when Qatar removed its peacekeeping force in June 2017 (Reuters, 2017a; Reuters, 2017b). As of July 2017, the African Union (AU) was preparing to send a delegation to Eritrea to address the situation (Associated Press, 2017; Maasho, 2017).

Additionally, the Horn countries occasionally interfere directly in their neighbours' affairs, such as the Kenyan and Ethiopian incursions into Somalia in 2006 and 2011. Rivalries and power grabbing between countries have exacerbated tensions and disputes concerning borders in the region. One example of this tendency is countries backing rebel or opposition groups in other countries. Rather than directly invade or interfere in another country, Horn governments tend to pursue their objectives via proxies, supporting opposition or rebel groups in rival countries in bids to destabilise one another or as a method of furthering their own objectives (Lyons, 2009: 173).

Another significant source of border tension in the region is the distribution of ethnic groups across borders; the most prominent example of which is the Somali ethnic group spread across the Horn countries (Williams, 2011: 37). One example of how this has intensified border disputes is the Ogaden National Liberation Front (ONLF), which aims to secure self-determination for Somalis in Ethiopia's Somali region (Lyons, 2009: 174). This self-determination issue can also be seen in the disputed status of Somaliland. Although it declared independence in 1991, Somaliland has not been recognised regionally or internationally for fear that so doing could instigate separatist movements in Puntland or other parts of Somalia.

Finally, conflicts concerning borders also occur at the sub-state level, as there is frequent low-intensity feuding in many areas of the region. For example, periodic tensions flare up between groups in Somaliland and Puntland as well as along the Kenyan border (Menkhaus,

¹⁰ The conflict between Ethiopia and Eritrea began in May 1998 with small clashes near the disputed town of Badme and was followed by Eritrean incursions into Ethiopian-held areas leading to escalating military activity by both parties. Negotiations led by the international community brought about a ceasefire in June 2000 and deployment of a UN monitoring force along the border (Murphy, 2016: 1-2, 5-7).

¹¹ The 2008 conflict between Djibouti and Eritrea began with heightened tensions in April when Eritrean troops crossed the border into Djibouti. Fighting broke out between the two countries on June 10th and ended on June 13th (African Research Bulletin, 2008: 17558).

2006: 104; Williams, 2011: 27). In sum, borders have been a frequent source of tension in the Horn of Africa due to the arbitrary division of colonial territories, the distribution of ethnic groups, and traditional forms of governance across borderlines. The 1964 decision by the OAU to maintain the colonial borders set the Horn of Africa up for decades of conflict concerning these divisions and the issue of self-determination. The ongoing border issues, while important in their own right, also contribute to other causes of conflict in the region and generally add to instability throughout the Horn. The wars between Somalia and Ethiopia, Eritrea and Djibouti as well as between Ethiopia and Eritrea were all rooted in border conflicts, which continue to impact the development of effective regional mechanisms for reconciliation. As it stands, the mistrust between the countries in the Horn is expected to continue and remains a major barrier to achieving comprehensive peace in the region.

2.2.2 Governance

The Horn of Africa is plagued by poor governance. Conflict throughout the region is enabled and fed by the consequences of authoritarian regimes, unstable democracy, a lack of strong institutions, and a zero-sum attitude towards government. Overall, governance issues in the Horn can be summed up as a “lack of the establishment of constitutional, civil and democratic governance” (Weldesellassie, 2011: 26). As this section will discuss, the Horn of Africa’s experiences of authoritarian regimes and state failure have, and could continue to have, devastating effects for the region, including the prevalence of political violence and terrorism (Howard, 2010: 982). The following provides a brief overview of governance issues in the Horn of Africa and the ways in which they contribute to conflict in the region.

A. Authoritarian regimes

Politics and governance contribute significantly to conflict in the Horn of Africa. Djibouti, Eritrea, and Ethiopia suffer from repressive regimes where presidents and political elites tightly control power and resources (Lyons, 2009: 170). Authoritarian regimes in the Horn stand accused of committing human rights violations against their own people, frequently in the form of repressing opposition and minority groups (Country Watch, 2016: 62; Human Rights Watch, 2017). These practices remain a serious concern as the EU continues and seeks to expand its presence in the region, as some activists assert that EU activities overlook continued human rights violations by governments (Finnan, 2017).

State oppression, while executed in the name of maintaining order, has the ability to unsettle countries in the region because long-unaddressed misuses of power can lead to revolts, coups and separatist movements (Horne, 2017; Mogherini, 2017). Not only do such

regimes foster discontent and grievances in their own populations, they can destabilise neighbouring countries. Authoritarian regimes have become a primary source of instability in the region as a whole. For example, political leaders in Somalia and Ethiopia have in some cases been unable to hold on to power without branding their immediate neighbours as enemies and a threat to national security. These political leaders, who do not face public elections and remain unaccountable to their people, increase the likelihood of conflict and thus pose an increased risk to the region. The form of centralised state power that is exhibited in Horn countries such as Eritrea, Djibouti, and Ethiopia, while arguably providing a certain degree of political stability, is a long-term threat to the peace and security of the region (Maxted and Zegeye, 2002: 59).

B. Governance

There is a great deal of room to strengthen governance within the Horn of Africa. This section explores several aspects of state-building processes, including the ways in which the lack of good governance has contributed to, or created, conflict. In the progress towards good governance in the Horn of Africa, democratisation and institution-building have an important role to play. While seeming like a good first step, attempting to force democracy without ensuring that the necessary institutions and civil society are in place can lead to violence as groups fight for representation (Mansfield and Snyder, 2007: 6-7). As Mansfield and Snyder (2007: 6-7) assert, it is crucial to have “impartial state institutions that provide a framework for civic action and a focal point for civic loyalty”.

An additional piece of the puzzle is ensuring that the state is able to secure and control its own territory and that its institutions are far-reaching. Throughout the Horn, governments have very limited penetration within society. For example, while the Somali government is active in the capital of Mogadishu and other urban areas, there is very little connection between the government and rural people (Bereketeab, 2011: 381). This gap between the state and large portions of its population can also contribute to unrest in the form of disputes over the state’s legitimacy, especially in democratic governments where the state is expected to represent the people (Bereketeab, 2011: 389).

Another barrier to state-building and a source of continuous conflict is the view of the state as a zero-sum game. Ehrhart and Petretto date this idea back to colonial times when a winner-takes-all rule was the international, regional, and national norm throughout the Horn of Africa (2014: 191). This zero-sum approach to the state can produce conflicts in relating to power sharing and access to resources. In the Horn of Africa, due to underdevelopment and unstable conditions, “state power is the most direct and effective means of gaining access to scarce resources, consequently, a share of state power is most often the bone of contention and most conflicts involve the state in one form or another”

(Markakis, 2003: 362). The state and its resource have come to be seen as a prize to be won, leading to frequent conflicts over its control (Cliffe, 1999: 108).

Additionally, a recurring discussion with regards to the Horn states is the presence of spoilers – internal or external actors who veto governance strengthening and peace process due to the belief that they might “[threaten] their power, worldview, and interests” (Stedman, 1997: 5). Spoilers act to maintain the status quo as any changes – even if they could improve the situation – risk unsettling an environment that they, the spoilers, benefit from in terms of financial gain, positions held, or social status achieved (Menkhaus, 2006: 77). Similarly, situations can arise where actors involved, while not outright attempting to spoil governance strengthening or peace processes, hinder their development and implementation by diverting time, energy, and resources to promoting their own aims. For example, Ehrhart and Petretto (2014: 190) state that “Somalis have learnt to utilise the process for their own benefit”. The interests thereby pursued are not always aimed at actually solving the Somali crisis; rather “personal or specific group interests tend to have the upper hand” (Ehrhart and Petretto, 2014: 190). This engenders a lack of political will to improve institutions and advance state-building initiatives that could benefit the region (Menkhaus, 2014: 169). That the Horn of Africa governments subscribe to the belief that politics is a zero-sum game severely detracts from state-building and governance strengthening efforts and contributes to continual outbreaks of conflict in the region.

2.2.3 Terrorism

Terrorism is one of the most significant issues currently facing the Horn of Africa (Lyman 2009). The following addresses this topic in two sections: the terrorist threat to Horn of Africa countries and the risk that terrorism in the Horn poses to the international community.

C. Terrorism as a threat in the Horn

Al-Shabaab¹² remains one of the main security threats to the region. After seeing a decline in their activity since 2011, Al-Shabaab re-emerged as a potent threat in 2016 (Takele, 2017). The group continues to carry out attacks throughout Somalia, such as the January 2017 attack on an African Union Mission in Somalia (AMISOM) base in the Juba region, killing at least 70 people, and the attack on a pizza restaurant in Mogadishu on 14-15 June 2017 that left 31 people dead (Al Jazeera, 2017c; DW, 2017). In the spring of 2017, there was an increase in terrorist activity in the region, specifically in the Puntland state of Somalia and along the border between Somalia and Kenya (Al Jazeera, 2017a; Burke, 2017;

¹² Al-Shabaab is an Islamic militant group based in Somalia.

Guled, 2017; Hassan, 2017). While mainly active in southern Somalia, Al-Shabaab has also been operating in neighbouring Kenya and Uganda. In Kenya, Al-Shabaab has “increased its operational tempo” with at least 11 attacks carried out over a three-week period in May 2017 and dozens of casualties in the Garissa, Mandera, and Lamu provinces in 2017 (Weiss, 2017). Other militant organisations have also been active in the region, including Al Qaeda and the so-called Islamic State of Iraq and Syria (ISIS). While groups such as Al-Shabaab, Al Qaeda, and ISIS have specific national and regional aims, they also see these struggles as part of a global jihad, which fuels ties between them and their activities in the Horn of Africa (Vidino et al., 2010: 222). Terrorism in the Horn not only threatens people with direct violence, but also serves to undermine the legitimacy of governments, particularly the Federal Government of Somalia, and heighten tensions between the various regional governments (Ibrahim, 2010: 292; Hansen, 2013: 129). Terrorism affects all countries in the region and as such must be addressed at the regional level.

D. Terrorism as a threat from the Horn

Since 9/11, the Horn has been a focus area in the global effort to combat terrorism (United States Institute of Peace, 2004: 1-2). The region hosts numerous international interventions that seek to dispel current terror threats and prevent others from emerging (Luengo-Cabrera and Pauwels, 2016: 1). While progress has been made in reducing terrorism in the region, the interventions have also contributed to conflicts.

As Markakis (2003: 361) writes, “the Horn has once more become a stage in a violent international struggle in which it has no stake (...) the war on terror. As a result, foreign interference in the region's muddled affairs is now greater than ever”. International counterterrorism interventions in the region have sometimes had unintended consequences, however. For example, within Somalia, continual incursions by foreign troops, both individually as in the 2006 military action by Ethiopia and the continued presence of AMISOM, have been used as a recruiting tool by Al-Shabaab. The 2006 Ethiopian effort to overturn the popular Islamic courts is seen as especially significant; it is widely believed in Somalia that the Ethiopian forces gave Al-Shabaab an opportunity to grow by providing the narrative that Ethiopia would become a new imperialist power in the Horn of Africa (Omaita, no date: 8-9). The lack of appreciation of local context by external parties involved in Ethiopia's 2006 incursion into Somalia fuelled perceptions that the international community, particularly the United States, supported Ethiopia in taking Somali territory (Menkhaus, 2007: 368-369; Bamfo, 2010: 060; Hesse, 2014: 582). It is critical that counter-terrorism actions undertaken by neighbouring countries and the international community are firmly grounded in an understanding of the local context and possible alternative interpretations of actors' motives to avoid potential negative consequences.

One of the main motivations behind international counterterrorism interventions and activities in the region are international fears that the region could become a breeding ground for terrorism. These fears are fuelled by the connections between terror groups throughout Africa such as Boko Haram,¹³ Al-Shabaab, and Al-Qaeda in the Islamic Maghreb¹⁴ (Olsen, 2014: 295). The international community has funded a number of counterterrorism initiatives and interventions in the Horn of Africa, partnering with a variety of regional organisations, including the AU and the Intergovernmental Authority on Development (IGAD)¹⁵ (Africa-EU Partnership, 2017). For example, in 2016 the EU pledged €178 million to AMISOM. While the international community certainly seeks to reduce terrorism in the region to benefit the people living there, an additional motivation is the fear that terror originating in the Horn of Africa will affect countries in other parts of the world, largely through the actions of radicalised immigrants (Friedman, 2017). Thus, organisations such as the EU and countries such as the US have pursued a policy of containment to stem the flow of migrants from countries that are considered ‘high-risk’ due to a perceived heightened influence of terrorism within their populations (Olsen, 2015: 238). One example of such an action is US President Trump’s travel ban that includes people from Sudan and Somalia, allegedly due to concerns about terrorism and US national security (Yugas and Laughland, 2017). This securitisation of migration has occurred throughout the Western world and is caused by concerns that some immigrants are a threat (d’Appollonia, 2015: 15). The EU, the US, and others fear that immigrants will commit acts of terror in their host countries. As such, “military intervention to fight Islamist groups and Islamist radicals (...) has become part of the struggle against migrants and radicals in European countries themselves” (Olsen, 2015: 240).

2.2.4 Piracy

Piracy along the Horn of Africa’s coastline continues to be a problem. In March 2017, Aris 13, an oil tanker manned by a Sri Lankan crew, was hijacked, the first successful pirate attack in five years, although there have been several unsuccessful attempts in the same period (Al Jazeera, 2017b; Freeman, 2017). This recent resurgence in pirate activity has largely been attributed to three causes: the shift in international focus away from piracy in

¹³ Boko Haram is an Islamist militant group based in Nigeria and founded in 2002. The group is responsible for numerous attacks within Nigeria as well as attacks in neighbouring countries (BBC, 2016a).

¹⁴ Al-Qaeda in the Islamic Maghreb is a Salafi jihadist group that emerged from the Algerian civil war in the 1990s. The group now operates in North and West Africa and is aligned with the broader Al-Qaeda network (Laub and Masters, 2015).

¹⁵ IGAD, an East African regional organisation, was established in 1996 and is currently comprised of Djibouti, Ethiopia, Kenya, Somalia, Sudan, Uganda, Eritrea, and South Sudan. IGAD’s mission is to “[p]romote regional cooperation and integration to add value to Member States’ efforts in achieving peace, security and prosperity” (IGAD, no date).

the region, a failure to address the local context that enables piracy, and continued governance challenges in the Horn countries.

First, with a decrease in piracy around the Horn of Africa since 2012 and simultaneously increased migration across the Mediterranean, resources have been reallocated away from combating piracy in the region. One of the key manifestations of this shift in focus was the end of NATO's operation, Ocean Shield, at the end of 2016, although the EU's NAVFOR Atalanta remains (NATO, 2016; Freeman, 2017). The resurgence in piracy in 2017, however, demonstrates that piracy has not been eradicated in the region. While increased naval patrols and ship defences might deter pirate activity in the short term, it will re-emerge once precautionary measures are eased (Hansen, 2017; Pantinkin 2017).

Second, the local context plays a major role in piracy in the Horn of Africa. The emergence and continuance of piracy in the region has been underpinned by a variety of factors including the Somalia state collapse in 1991, toxic waste dumping, poverty, criminal networks, and illegal fishing (Elmi et al. 2015: 157). These factors have not really been the subject of international interventions concerning piracy, however. As Marchal (2011: 31) writes, "the fight against piracy near the Somali coast does not aim to tackle the very causes of the support that piracy enjoys among the Somali population at large". Illegal fishing is one of the most prominent factors contributing to piracy off the coast of Somalia. It has greatly contributed to the depletion of fish stocks, driving fishermen off the Somali coast to seek out alternative sources of income in an environment with limited employment options (Beri, 2011: 456; Pantinkin, 2017). Additionally, illegal fishing is a continual source of grievance to Somalis who feel "neglected and defenceless in the face of the exploitation of their resources" (Elmi et al. 2015: 157). This grievance is further exacerbated by the perception that the international community is doing nothing to halt illegal fishing (Marchal, 2011: 47). The UN mandate that allowed international navies to enter Somali waters to combat piracy, for example, does not allow them to counter illegal fishing (Pantinkin, 2017). While illegal fishing certainly contributes to piracy, painting pirates as embittered fishermen would be incorrect; piracy is embedded in existing and emerging criminal networks (Elmi et al., 2015: 159; Hansen, 2017). During the international crackdown on piracy from 2012 to 2016, many pirate networks diversified their activities to include arms running and people smuggling (Hansen, 2017). The pirate and criminal networks along the Horn of Africa coast are deeply interconnected and provide multiple revenue streams that can be adjusted according to the political, economic, social, and maritime environment (Hansen, 2017; Pantinkin, 2017).

Third, the weak governance in the Horn of Africa countries, particularly the instability and lack of territorial control in Somalia, further enables piracy (Baniela and Rios, 2012: 702). Onuoha (2010: 211) writes that "[a] long-term but practical solution to the piracy problem requires stabilising Somalia as quickly as practicable. At the root of the maritime violence

plaguing the region is the lack of an effective and central government in Somalia”. Similarly, Pantinkin (2017) states that “the real problem is the lack of functioning government along the coast, which allows both illegal fishing and piracy to flourish”. Weak governance, specifically in Somalia, not only fails to prevent piracy, but also creates an environment where it can take root and thrive. The situation in Somalia is further exacerbated by the weak enforcement capacity, especially naval capacity, of the other Horn of Africa countries and a general lack of cooperation and coordination between them on the issue of piracy (Baniela and Rios, 2012: 698-700). Despite the international focus on eradicating piracy in the Horn of Africa, it continues to be a problem due to a reallocation of naval resources away from the region, a failure to address the local context that fosters piracy, and the weak governance capacity of Somalia and the other countries in the region.

This section has outlined key contributing factors to conflicts in the Horn of Africa, concentrating on border disputes, governance issues, terrorism, and piracy. These issues are closely interconnected. Efforts at good governance are hampered by continual border conflicts, such that terrorism is able to cross unsecured borders between countries, the lack of good governance enabling and sometimes fuelling further terrorist activities, and piracy is in many ways a result of governance issues. Sources of conflict in the Horn of Africa transcend national boundaries and pose significant threats to stability and peace in the region.

3. EU STRATEGIES AND CSDP DEPLOYMENTS IN BOTH REGIONS

This chapter reviews the EU’s strategies and CSDP deployments to prevent conflict and promote peace in the Western Balkans and the Horn of Africa, respectively. For an overview of CSDP missions and operations deployed in both regions see Appendix 2.

3.1 EU REGIONAL STRATEGIES AND CSDP DEPLOYMENTS IN THE WESTERN BALKANS

3.1.1 EU strategy for the Western Balkans

Extensive international efforts have sought to prevent conflict and promote peace in the Western Balkans¹⁶ following the violent dissolution of the former Yugoslavia in the 1990s. Upon an EU initiative, an overarching regional approach was adopted in the Stability Pact for South-Eastern Europe established in 1999 and reconfigured as the Regional Cooperation Council in 2008, both of which have promoted regional as well as Euro-Atlantic integration in the Western Balkans (European Commission, 1999; Regional Cooperation Council, 2008). The EU's own strategy for the region was conceptualised as a Stabilisation and Association Process (SAP), established by the Council in 1999 as the official framework for relations between the EU and the Western Balkans. The 2003 Thessaloniki Agenda ratified the SAP, confirming that countries in the region would be eligible for EU membership provided that the Copenhagen Criteria for accession were met. The EU's strategy, to be implemented through the SAP, consisted of promoting stability and development throughout the region by offering the possibility of future EU membership "based on bilateral contractual relations, financial assistance, political dialogue, trade relations and regional cooperation" (European Parliament, 1993; European Union, 1999 and 2003).

Currently, all the Western Balkan countries comply with the first requirement to establish contractual relations through a Stabilisation and Association Agreement (SAA) with the EU.¹⁷ Next, all countries applying for EU membership must fulfil the Copenhagen Criteria. The Thessaloniki Agenda recognised all the Western Balkan countries as "potential candidates". Individual countries are subsequently recommended by the European Commission to be recognised as "candidates" by the European Council on the basis of their fulfilment of the Copenhagen Criteria. Once a country is recognised as a candidate, it must adopt and implement all EU legislation, known as the *acquis communautaire* (European Parliament, 2017d).

In 2007, the EU established the Instrument for Pre-accession Assistance (IPA) to help candidate countries carry out reforms necessary for accession (European Commission, 2007). This programme superseded the Community Assistance for Reconstruction, Democratisation and Stabilisation (CARDS) (European Union, 2000). Based on lessons from

¹⁶ In the CSDP context, the Western Balkans refers to Albania, Bosnia-Herzegovina, Macedonia, Montenegro, Kosovo and Serbia. Previously, the term also included Croatia and Slovenia, but as these entered the Union, the Western Balkans has remained the label referring to the countries in the region still seeking membership.

¹⁷ Kosovo was the latest Western Balkan country to sign an SAA in April 2016.

Croatia's accession to the EU in 2013, the Union proposed a 'new approach' to enlargement (European Parliament, 2013). The new approach focuses on the maintenance of rule of law, an independent judiciary and efficient public administration. Moreover, it widened the accession criteria, now referred to as Copenhagen Plus, to include requirements of full cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY), refugee return, regional cooperation and reconciliation, and the resolution of bilateral disputes and statehood dilemmas. The new approach also has a security dimension, which requires the implementation of various political and peace agreements that settled the armed conflicts of the 1990s. These include United Nations Security Council Resolution 1244 as well as the Dayton, Kumanovo, Ohrid and Belgrade agreements and the Agreement on the Normalisation of Serbia-Kosovo Relations (European Parliament, 2015b).

Finally, the SAP requires cooperation between and within the countries in the region in political, security and economic areas to promote regional stability and prosperity. Some areas of cooperation include "the prosecution of war crimes, border issues, refugees and the fight against organised crime" (European Commission, 2005; European Parliament, 2017). The offer of possible EU membership constitutes a strong motivation for the Western Balkan countries to adopt political, economic and structural reforms. However, in recent years the European integration process in the region has slowed down as a response to the Union's so-called enlargement fatigue. The EU's concern about its own absorption capacity alongside economic, political and refugee crises have all negatively influenced incentives for EU-related reform measures in the Western Balkans (O'Brennan, 2014). The slowing down of the enlargement process, coupled with the realisation that long-term stabilisation in the Western Balkans might best be achieved through economic growth and increased regional cooperation, has led to the 'Berlin Process'. This is a new German-led framework for closer regional cooperation towards the achievement of sustainable economic growth, fully fledged market democracy and reconciliation. The Berlin Process also aims to confirm the EU's commitment to the region (European Parliament, 2016).

3.1.2 CSDP deployments in the Western Balkans

As part of the EU's strategy to prevent conflict and build peace in the Western Balkans, the Union has assumed both military and civilian roles from NATO and the UN, deploying six CSDP missions and operations throughout the region. This section provides an overview of the four missions and operations that have been completed and the two that are still ongoing.

A. European Union Police Mission in Bosnia and Herzegovina (2003 – 2012)

The European Union Police Mission (EUPM) in BiH was the first mission deployed under the European Security and Defence Policy. EUPM was launched on 1 January 2003 for an initial period of three years, but it continued until the 30 June 2012 upon invitation by BiH authorities and continuous modification of the mission's mandate and size (European Union, 2006).

EUPM was part of EU efforts to support the stabilisation of BiH after the Dayton Peace Agreements signed in 1995. Key mission tasks were (i) strengthening the operational capacity and joint capability of the agencies engaged in the fight against organised crime and corruption, (ii) assisting and supporting the planning and conduct of investigations in the fight against organised crime and corruption, (iii) assisting and promoting development of criminal investigative capacities, (iv) enhancing police-prosecution cooperation, (v) strengthening police-penitentiary system cooperation and (vi) contributing to ensuring a suitable level of accountability (Flessenkemper, 2013).

EUPM is typically divided into three phases: EUMP I – mission planning and build-up, EUPM II – mission refocus, and EUPM conclusion. EUPM I covers the first EUPM mandate between 2003 and 2005. This phase focused on the return of refugees and combating organised crime but the major priority was to build an accountable and independent police force in BiH. As a result, the BiH State Investigation and Protection Agency was built. EUPM II was launched in 2006 and primarily focused on: (i) supporting the fight against organised crime, (ii) assisting the police reform process and (iii) strengthening the accountability of the law enforcement sector through inspection. Finally, EUPM's conclusive period ranged from 2010 until its end in 2012. During this period, the mission focus was to support the strategic development of the partly reformed but highly fragmented law enforcement and judicial system (Flessenkemper, 2013).

According to official EU documentation, the following objectives were achieved: law enforcement agencies at state and entity level reached joint strategic and operational capacity; the police and judiciary were developed; institutions and mechanisms prescribed by the police reform laws were established; BiH reached visa-free travel status with the EU; the number of large-scale anti-organised crime operations conducted by BiH police increased significantly; and the EUPM helped the police to develop its outreach activities and improve its image (EEAS, 2012).

B. EUFOR CONCORDIA in the Former Yugoslav Republic of Macedonia (2003)

Operation Concordia was launched in Macedonia on 31 March 2003 (Council of the European Union, 2003). It was the Union's first military operation. Concordia officially aimed to support Macedonia in its implementation of the Ohrid Agreement, which ended hostilities between armed ethnic Albanian groups and Macedonian security forces. Moreover, the operation sought to support the country's progress towards EU membership through the Stabilisation and Association Process. Operation Concordia continued the work of previous NATO operations, Essential Harvest, Amber Fox and Allied Harmony. In line with this, it made use of NATO assets, as agreed under the Berlin Plus agreement. In the field, NATO and EU teams cooperated with overall good performance. In July 2003, Operation Concordia was extended for an additional three months, before it was concluded on 15 December 2003 (Mace, 2004).

C. EUPOL PROXIMA in the Former Yugoslav Republic of Macedonia (2003 – 2005)

EUPOL Proxima was launched on 15 December 2003 (Council of the European Union, 2003b). It was a one-year police mission, subsequently extended to two years, ending on 14 December 2005. The mission focused on the following tasks (i) consolidation of law and order, including the fight against organised crime, especially in sensitive areas, (ii) practical implementation of the comprehensive reform of the Ministry of Internal Affairs, including the police, (iii) operational transition and the creation of a border police, (iv) confidence building between local police and the population and (v) enhanced cooperation with neighbouring states in the field of policing (European Union, 2005). EUPOL Proxima was to continue the work carried out in Operation Concordia. Like EUPM in BiH, EUPOL Proxima was a non-executive police mission and focused on certain priorities such as fighting organised crime, improving relations with ethnic minorities and ensuring that institutional and procedural police reforms were sustainable (Ioannides, 2009).

D. EU Police Advisory Team in the Former Yugoslav Republic of Macedonia (2006)

The EU Police Advisory Team (EUPAT) was launched on 15 December 2005 and ended on 14 June 2006. EUPAT succeeded EUPOL Proxima, focusing on border police, public order, accountability and the fight against corruption and organised crime in Macedonia. The mission's scope included support for the development of an efficient and professional police service based on European standards of policing. It focused mainly on (i) overall implementation of police reform in the field, (ii) police-judiciary cooperation, and (iii) professional standards and internal control (Council of the European Union, 2005). A new element in EUPAT, which did not exist in Proxima, was a consultation mechanism that included the submission of monthly reports to the national authorities on (a) progress

achieved in EUPAT activities, (b) progress of reforms and (c) shortcomings in the Macedonian police. This was to add to the openness and transparency of the mission (EEAS, 2013b).

E. EUFOR ALTHEA in Bosnia and Herzegovina (2004 – ongoing)

EUFOR Althea, launched on 2 December 2004, is the ongoing military CSDP mission in BiH (Council of the European Union, 2004). It succeeded NATO's Stabilisation Force (SFOR) and is part of the Union's strategy to assist BiH on the road to EU membership. The Joint Action establishing EUFOR Althea defined the mission's overall goal as to "contribute to a safe and secure environment in BiH" (Council of the European Union, 2003c; Dijkstra, 2013). Its main objectives were to (i) provide capacity building and training to the armed forces of BiH, (ii) support BiH efforts to maintain a safe and secure environment and (iii) provide support to the overall EU comprehensive strategy for BiH (European Union, 2015). EUFOR Althea, like Operation Concordia before it, functions under the Berlin Plus agreements, which allow for the EU's use of NATO assets and capabilities (Palm, 2017). Following on from the Dayton Agreement, several tasks were identified and assigned to EUFOR Althea in collaboration with local authorities, such as: (i) countermining activities, (ii) military and civilian movement and control of weapons, ammunition and explosive substances, as well as (iii) the management of weapons and ammunition storage sites.

Throughout its mandate, EUFOR Althea's character has changed considerably (Palm, 2017). At the end of 2005, its previous focus on organised crime ended (Dijkstra, 2013). In 2007, following a positive evaluation of the situation in BiH, the number of troops deployed to the operation was reduced. In 2010, the mission's executive mandate was extended by including "non-executive capacity-building and training support" for BiH authorities (Council of the European Union, 2010), and in 2012, the number of troops was again reduced and a greater emphasis was put on capacity building and training (European Union, 2012). Nevertheless, the mandate's focus on maintaining a safe and secure environment has remained constant, underlining the peace-enforcement character of the operation.

F. European Union Rule of Law Mission in Kosovo (2008 – ongoing)

The European Union Rule of Law Mission in Kosovo (EULEX) was launched in February 2008 (Council of the European Union, 2008). EULEX is currently the largest civilian CSDP mission and the only one with an executive mandate. Its overall goal is to assist and support the Kosovo authorities in rule of law, specifically with regard to the police, judiciary and customs. The EULEX mandate is to be fulfilled through monitoring, mentoring and advising, while retaining certain executive responsibilities. EULEX Kosovo is an ambitious mission with broad objectives including (i) judicial and police reform, (ii) border management, (iii) fighting

corruption and (iv) arresting suspected war criminals (van der Borgh, 2016). While EULEX's non-executive objective aims to bolster local capacity, its executive functions aim to support the adjudication of constitutional and civil justice, as well as prosecution and adjudication of selected criminal cases (EEAS, 2014d).

3.2 EU REGIONAL STRATEGIES AND CSDP DEPLOYMENTS IN THE HORN OF AFRICA

3.2.1 EU strategy for the Horn of Africa

The EU's engagement in the Horn of Africa has a long history. On 23 June 2000, the Cotonou Agreement was established as an overarching framework for EU relations with 79 countries in Africa, the Caribbean and Pacific (ACP). This agreement superseded the Lomé IV and Lomé IV bis conventions¹⁸ and was designed to establish a comprehensive partnership for development, political, economic and trade cooperation. It entered into force in April 2003 (European Commission, 2017) and is regularly revised. The second revision increased attention to regional integration between the ACP countries as well as for ACP-EU cooperation. Moreover, these amendments highlight the increasing inter-linkage of security and development, with the EU seeking to address conflict prevention and peacebuilding through a comprehensive approach to development (European Commission, 2017c).

The Union and its member states currently provide the largest amount of humanitarian assistance and development aid to the Horn of Africa. Development cooperation with the ACP countries is primarily conducted through the European Development Fund (EDF) (European Commission, 2017c). In addition, the EU Emergency Trust Fund (ETF) for Africa was signed at the Valetta summit in 2015 (European Commission, 2017c). One ETF supported area is peacebuilding and conflict prevention in the Horn of Africa (European Commission, 2016e). The Instrument contributing to Stability and Peace (IcSP) was established in 2014 to replace the Instrument for Stability (2007-2014) until 2020. Its objective is to support governments and civic organisations in the areas of crisis response, conflict prevention, peacebuilding, crisis preparedness and addressing global and trans-regional threats (Council of the European Union, 2014).

¹⁸ The Lomé Convention set out the principle objectives of the European Community's cooperation with the ACP countries. Following Britain's accession to the European Community, the first Lomé convention (Lomé I) sought to include some of the Commonwealth countries in the programme. Lomé I was followed by three other conventions (Lomé II – IV). The fourth was revised in 1994-1995, hence its name Lomé IV bis (European Commission, 2017d).

In November 2011, the EU Strategic Framework for the Horn of Africa was adopted (Council of the European Union, 2011). The Strategic Framework highlights the EU's interests in the Horn, which are "defined by the region's geo-strategic importance, the EU's historic engagement with the countries in the region, its desire to support the welfare of the people and help lift them from poverty into self-sustaining economic growth, and the need for the EU to protect its own citizens from the threats that emanate from some parts of the region and address common challenges" (Council of the European Union, 2011). The Strategic Framework built upon two key documents that highlighted the EU's concerns and challenges in the area. The first, the Commission Communication Strategy for Africa: An EU Regional Political Partnership for Peace, Security and Development in the Horn of Africa, was presented in 2006 (European Commission, 2006). This led to the Horn of Africa Initiative, developed jointly by the EU Commission and IGAD to promote a political partnership for peace, security and development in the region. The second document, which set the foundations for the EU Strategic Framework for the Horn of Africa, entitled An EU Policy on the Horn of Africa – Towards a Comprehensive Strategy, was published in December 2009.

Overall, the Strategic Framework aims to align various external policy programmes and instruments in the region and to address what it understands as interlocking challenges. Within this Framework, the EU strives to achieve its objectives of peace, security, development and accountable government in the Horn by promoting democratic and accountable state structures, peace, security, conflict prevention and resolution, mitigation of the effects of insecurity in the region, poverty reduction, economic growth and prosperity and regional cooperation (Council of the European Union, 2011a). Various documents have stemmed from the EU Strategic Framework such as the Action Plan on Counter-Terrorism for the Horn of Africa and Yemen, the Action Plan on Counter-Piracy, and the Support of the Horn of Africa Resilience (SHARE) initiative. Finally, the EU Horn of Africa Regional Action Plan outlines the EU's comprehensive approach to addressing key challenges identified by the EU Strategic Framework in 2011 (Council of the European Union, 2015).

3.2.2 CSDP deployments in the Horn of Africa

Four CSDP deployments have been launched in the Horn of Africa: two military operations and two civilian missions, of which three are still ongoing. With the exception of one mission in South Sudan, they have all focused on Somalia. A brief description of each mission/operation is provided below.

A. European Union Aviation Security Mission in South Sudan (2012 -2014)

The European Union Aviation Security Mission (EUAVSEC) in South Sudan was launched in 2012. It responded to the government's request for EU support to strengthen security at Juba International Airport, as part of the international community's overall assistance to the newly independent country. EUAVSEC aimed to assist and advise South Sudan's authorities in the establishment of an aviation security organisation at the Ministry of Transport and to raise aviation security, border control and law enforcement at Juba International Airport to internationally accepted standards (Kammel and Satanakis, 2017). To this end, the mission trained and mentored security personnel, provided advice and assistance on aviation security and supported the coordination of security activities related to aviation (European Union External Action, 2014e). The mission reached a milestone in setting up the Airport Security Committee in July 2013 (European Union External Action, 2014e). The Political and Security Committee's (PSC) debate on whether to prolong the mission mandate was interrupted by the outbreak of civil war in South Sudan, and the mission's evacuation to Nairobi on 19 December 2013 (Kammel and Satanakis, 2017). The mission was officially terminated on 17 January 2014 (European External Action Service, 2014e).

B. EU Naval Force Operation ATALANTA off the coast of Somalia (2008 – ongoing)

The EU Naval Force (NAVFOR) Operation Atalanta was launched in 2008 as a response to increased piracy off the coast of Somalia (Council of the European Union, 2008b). It is a military operation with three key objectives: (i) to protect World Food Programme (WFP) vessels providing food aid to displaced persons in Somalia, (ii) to protect vulnerable vessels cruising off the Somali coast, and (iii) to deter, prevent and suppress piracy and robbery off the Somali coast. The deployed forces can operate up to 500 nautical miles off the coast of Somalia and its neighbours. The operation must liaise with other organisations, entities and states working to combat piracy and armed robbery off the Somali coast, in particular with Combined Task Force 150 maritime force, which operates within the framework of Operation Enduring Freedom (Council of the European Union, 2008b). EUNAVFOR's Operational Headquarters are currently located at Northwood, in the UK. The mandate has repeatedly been extended and its current end date is 31 December 2018 (European External Action Service, 2016).

C. European Union Training Mission in Somalia (2010 – ongoing)

In January 2010 the Council of the European Union agreed to set up an EU military mission to contribute to the training of Somali security forces in Uganda, where Somali forces were already being trained. This mission aims to contribute to strengthening the Somali Transitional Federal Government (TFG). The Council's Decision to launch the mission also

states that it shall operate in close cooperation and coordination with other international and regional actors, particularly, the UN, AMISOM, and the US (Council of the European Union, 2010b). Its initial end date was set for December 2012, but the mission was extended and is currently on its fifth mandate, ending in December 2018 (Council of the European Union, 2016). The character of the mission has changed since its creation, and now includes strategic advisory and mentoring activities, in addition to training. Due to the security situation in Somalia at the time, EUTM Somalia initially operated in Uganda, where Mission Headquarters were located in Kampala and a training camp was located in Bihanga. In 2014, Mission Headquarters were relocated to Mogadishu, where advisory, mentoring and training activities are now conducted. The mission also has a Liaison Office in Nairobi, a Support Cell in Brussels, and a Mentoring Advisory and Training Element (MATE) in Mogadishu (European External Action Service, 2017).

D. EUCAP NESTOR – EUCAP Somalia (2012 – ongoing)

In July 2012, the European Union launched EUCAP Nestor, a civilian maritime capacity building mission initially operating in four states across the Horn of Africa and the Western Indian Ocean, including Djibouti, Somalia, the Seychelles and Tanzania. The Council Decision defined various tasks for the mission. First, it was to assist regional authorities in achieving the efficient organisation of maritime security agencies in charge of coast guard functions. Second, it was to deliver training courses and expertise in an attempt to strengthen the maritime capacities of the states in the region and to promote their self-sustainability in training. Third, it was to assist Somalia in developing its own land-based coastal police capability. Fourth, it was to provide assistance in strengthening national legislation and rule of law through a regional legal advisory programme and legal support for drafting maritime security and related national legislation. Fifth and finally, it was to promote regional cooperation between national authorities responsible for maritime security and to strengthen regional coordination in the field of maritime capacity building (Council of the European Union, 2012). Despite being advertised as unique in its cross-regional character, activities in all states except Somalia were phased out and Headquarters were relocated from Djibouti to Somalia in 2015. When the mission mandate was extended in December 2016, the mission was renamed EUCAP Somalia and it was given a new civilian maritime security mandate to assist Somalia in strengthening its maritime security capacity (EUCAP Somalia, 2017).

4. CASE STUDIES OF EU CAPABILITIES FOR CONFLICT PREVENTION SUSTAINABLE PEACE

The previous chapter illustrated how the EU has established regional strategies for both the Western Balkans and the Horn of Africa, in support of which it has launched a number of CSDP missions and operations. This chapter takes a closer look at one mission in each region to appraise whether, and if so how, specific CSDP missions have effectively helped the EU achieve what it set out to do in its regional strategies. As explained in the introduction, Rodt's (2017; Figure 1) framework for evaluating effectiveness in operational conflict prevention will be applied.

4.1 EULEX KOSOVO

In order to appraise the EU's efforts in conflict prevention and peacebuilding on the ground in the Western Balkans, the following case study assesses the effectiveness of EULEX Kosovo. The purpose of this endeavour is to examine whether the mission had sufficient capabilities to meet its articulated ambitions and to identify any potential gaps in this regard. EULEX Kosovo is an important case study as it is the largest as well as the only ongoing civilian CSDP mission in the region and because it enjoys an executive rule of law mandate as well as a number of non-executive functions in the country. This provides a unique opportunity to look into a range of EU civilian capabilities that are relevant for conflict prevention and peacebuilding more broadly.

This appraisal builds on knowledge about the mission accumulated over the past nine years. As such, it incorporates internal EU reviews carried out in 2012 by the European Court of Auditors (ECA) and in 2015 by Professor Jean-Paul Jacqu e, the expert tasked by the European External Action Service (EEAS) to investigate corruption allegations against EULEX, as well as state of the art academic analyses of the EU's role in Kosovo (Boštjančič and Pejič, 2016; Capussela, 2015; Ciero and Reis, 2014; Derk and Price 2010; Greiçevci, 2010; Grilj and Zupančič, 2016, Tardy: 2017, Zupančič et al, 2016). Primary data was collected through a number of semi-structured interviews carried out with former and current EULEX staff as well as with representatives of EU member states and civil society during four field visits to Kosovo in 2017. Both primary and secondary data is analysed in a fresh analysis of the mission using Rodt's (2017) model for assessing effectiveness in operational conflict prevention. In this way, perspectives both from within and outside the EU are considered.

4.1.1 Internal effectiveness: success for the EU?

In this section, internal effectiveness will be analysed according to two criteria: internal goal attainment and internal appropriateness. In other words, did the EU achieve its strategic goals and operational objectives in a timely, efficient and cost-effective manner?

A. Internal goal attainment: did the mission achieve the EU's goals and objectives?

EULEX was launched with the following mission statement:

“EULEX Kosovo shall assist the Kosovo institutions, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability and in further developing and strengthening an independent and multi-ethnic justice system and a multi-ethnic police and customs service, ensuring that these institutions are free from political interference and adhering to internationally recognised standards and European best practices” (Council of the EU, 2008).

This mission statement was broad, setting ambitions high. EULEX was tasked with capacity building of Kosovo law enforcement and judicial institutions through monitoring, mentoring and advising (MMA). At the same time, it became the first EU mission with executive powers to investigate, prosecute, adjudicate and enforce law in cases of war crimes, terrorism, organised crime, corruption, inter-ethnic crimes, financial/economic crimes and other serious crimes. This could be done “by international investigators, prosecutors and judges jointly with Kosovo investigators, prosecutors and judges or independently”¹⁹ (Council of the EU, 2008) and could include actions such as arrests of suspects without consultation with Kosovo Police (KP) or riot policing, if the KP failed to provide first response effectively. Its executive powers also included the power to reverse or annul operational decisions²⁰ taken by Kosovo authorities, if that was deemed necessary for “the maintenance and promotion of the rule of law, public order and security” (Council of the EU, 2008).

The biggest challenge to EULEX's internal goal attainment was imbalanced political support due to the lack of consensus among EU member states on Kosovo's status. Most member states recognised Kosovo's unilateral declaration of independence in 2008, but Cyprus, Greece, Romania, Slovakia and Spain did not. Due to this lack of consensus on Kosovo's legal

¹⁹ International investigators, prosecutors and judges could come from EU member states or third countries like the US or Norway.

²⁰ Spornbauer (2010: 16) discusses the possible confusion of the meaning of annulment due to different translations of the concept and conditions for such action in official English, French and German translations of the document.

status and therefore EULEX's mandate, the mission was slow to deploy,²¹ resulting in "compromised authority and ambiguous recognition" by regional and local actors, thus decreasing the EU's ability to act (Greičevci, 2011: 299). Due to a compromise solution, deploying EULEX under a UN umbrella, it received support from Serbia, while being opposed by parts of the Kosovo Albanian political spectrum and population. On a more practical note, relying "on the lowest common denominator of political will (...) impacted operational capabilities of EULEX (...) [such as] leadership, training, mission organisational structures and human resources challenges" (Boštjančič Pulko and Pejič, 2016: 122). Another consequence of the absence of consensus among recognising and non-recognising member states was the lack of clarity on mandates that should be held by Kosovo institutions, whose capacity was being built (Greičevci, 2011: 291). The ECA report concluded that "the absence of a common EU position over the recognition of Kosovo has jeopardised the incentive of EU accession" (ECA, 2012: 35).

The broad mission mandate was also criticised by the ECA (2012: 26), as it had not been operationalised into clear benchmarks and verifiable indicators of success in EULEX's planning documents – Concept of Operations (CONOPS) and Operation Plan (OPLAN). A lesson identified is that this made monitoring and evaluating progress difficult. The lack of clarity on benchmarks revealed an unclear theory of change on how EULEX should seek to tackle such complex challenges as organised crime, corruption, war crimes and inter-ethnic crimes, and how EU member states would determine if they were on the right track. The ambitious mandate, combined with a lack of clarity on concrete benchmarks, also led to high expectations among the host population, as people were expecting that EULEX would deal with the 'big fish' or 'untouchables' among senior political figures that were involved in corruption and/or organised crime (Jacqué, 2015:16; Interview 1). The Jacqué report (2015: 16) also criticised EULEX's mission statement as being too ambitious, given that many EU member states had not themselves achieved all standards of rule of law and anti-corruption, thus implying that the EU would have to dedicate decades in order for Kosovo to reach such a level of jurisprudence. The absence of consensus on what EU standards are constitutes a second lesson identified for all missions seeking to implement 'European standards' of one sort or another (Jacqué, 2015:17).

The ECA (2012) further criticised the lack of clarity on criteria for decisions on when EULEX's executive function should take priority over its support function – identifying when host authorities were deemed ready to perform their role with only capacity building support from EULEX and when they were not. There is a perception among EULEX staff (Interview 2) that this criticism in the ECA review was understood as a recommendation to transfer competencies from the Executive to the Strengthening Division and to lower staff numbers so as to indicate success in certain mission areas. However, an interview with EULEX staff

²¹ See more on slow deployment in the section below on timeliness – an indicator of internal appropriateness.

suggested that this had been done without realistic estimates of resources required to carry out leftover tasks.²² A third lesson was identified when both former and current EULEX staff recommended that future executive missions should link executive and capacity-building activities into one combined effort from the start (Interviews 2, 3 and 4). Former staff employed in the first half of EULEX's mandate explained that at the beginning of the mission international investigation, prosecution and adjudication were more frequently separate from domestic investigation, prosecution and adjudication, thus preventing them coaching host country law enforcement and judicial professionals during the execution of these tasks. While this was understandable from fear of widespread corruption and information leaks in the Kosovo judiciary, it should not have prevented better coordination between the Executive and Strengthening Divisions, so as to promote the same models of governance in key host country law enforcement and judicial institutions. This would also have allowed for a smoother transition between executive and capacity-building functions.

Some former EULEX staff highlighted that the executive mandate is especially needed to investigate and prosecute war crimes, as internationals are more likely to be impartial (Interview 3) or less likely to be corrupt (Interview 4) in this area where the biggest local vested interests are present and may obstruct justice. Former and current EULEX employees suggested that the broad competencies given to EULEX were relevant, as their practice showed that key persons accused of war crimes were at the same time involved in organised crime and serious corruption and that evidence could not be effectively collected without examining the linkages between these crimes (Interview 2 and 4). However, in order for such a mission to be completed it should be designed from the beginning to have all relevant elements of an effective investigation, prosecution and adjudication system,²³ as well as predictable and sufficient human and material resources at its disposal to ensure uninterrupted functioning (ECA, 2012: 31).

EULEX staff also suggested that if such an ambitious mission were to be implemented again, member states should guarantee a longer commitment, i.e. mandate to the mission. Their estimate was that a decade was an adequate timeframe to get a final verdict in complex cases regarding organised crime and war crimes. "It takes a few years to investigate a

²² The example given was the cut of an integrated border management (IBM) component from the Executive Section during the 2016 revision of the mandate, including closing a unit dealing with IBM. This decision by member states left the task of monitoring border posts in North Kosovo to the Strengthening Division. With only one expert for IBM and four advisors in the North, they have difficulty responding to demands, e.g. attending joint weekly meetings of Kosovo police and Serbian police, who will not meet without EULEX presence. "There are three meetings a week in 15 border crossings, so how can freedom of movement be implemented, if EULEX does not support [Kosovo and Serbian border police services] talking" (Interview 2).

²³ Interviewee 3 highlighted the lack of a victim support unit and a financial analysis unit as key components missing, which led to lower efficiency than in prosecution of war crime suspects by combined efforts of the international mission and local authorities in BiH.

complex crime in a foreign country and to collect enough evidence for the trial. Then the first instance trial usually takes another two to three years, followed by a few years for 2nd instance trial and if there is re-trial it can take ten to fifteen years to get final decisions in complex cases” (Interview 2). The EULEX mission will complete its tenth year in 2018, when its current mandate expires. However, the extension of its mandate was not guaranteed from the start of the mission, but required approval by the Council and host government every two years. The lack of predictability in the duration of mandate led to disengagement by EULEX staff as “everybody is looking for a new job a year before expiry of the mandate, so that is usually the year when we have biggest turn-over of staff” (Interview 2). Due to the expectation that the current extension is the last one and that EULEX will leave Kosovo in 2018, there is also an impression that “major cases are pending as they [Kosovo institutions] are waiting for us to go” (Interview 2).

EULEX officially lists as its key achievements: the strengthening effort to train Kosovo police; advice and material support for the establishment and management of border crossings points; support and advice to the Kosovo Judicial and Prosecutorial Council; and legislative assistance and support to other structural reforms. For their part, official and academic reviews of EULEX performance have jointly concluded that it has only partially fulfilled its mission. The ECA (2012) found that:

“Assistance has made only a modest contribution to building the capacity of the Kosovo police and little progress has been made in the fight against organised crime. In the judicial sector assistance has been useful but the judiciary continues to suffer from political interference, inefficiency and a lack of transparency and enforcement. EU interventions have had only limited results in tackling corruption, which continues to prevail in many areas. Most progress was made in the area of customs. There has been almost no progress in establishing the rule of law in the North of Kosovo. Overall, the sustainability of results which have been achieved by the assistance is threatened by a lack of political will, weak financial capacity and the limited influence of civil society.” (ECA, 2012: 35)

Similarly, the Jacqué report lists little progress in the fight against corruption and organised crime and highlights corruption in the judiciary and a culture of political interference in law enforcement and judicial processes as especially challenging tasks (2015:17). This assessment is supported by local experts (Kursani, 2013).

Since the ECA and Jacqué’s criticisms were published, EULEX has started measuring the performance of its executive functions through the number of new indictments made and completed during the mission, as well as by other actions completed. While its start was slow, EULEX’s go-to booklet from 2016 lists the following figures as indicators of success:

delivery of approximately 620 verdicts; completed investigations of 250 war crime cases and involvement in the proceedings of about 1,350 other cases; adjudication in over 42,700 property related cases; and excavation of sites of alleged mass graves (quoted in Zupančič et al, 2016: 28). Moreover, EULEX staff interviewed for this research considers published judgments in serious complex cases as an important legacy for the Kosovo judiciary to follow in future adjudications (Interview 2). However, due to the high turnover of staff, there has been a backlog of cases, many of which have been transferred to national authorities since the 2014 revision of the mandate (Gjyshinica: 2016). Despite the importance of EULEX staff investigating some of the most difficult war crimes cases, EULEX has had a mixed record in this regard as it did not manage to complete many major cases against local Albanian political leaders suspected of involvement in war crimes against local Serbs, as well as killings of their political opponents among local Albanians in the immediate aftermath of the 1999 conflict. The cause of this relates to problems with CSDP planning and deployments, as well as the difficult environment in which they operate (Capussela, 2015 and ECA, 2012, 62-66). Most interviewees listed challenges such as witness protection in a closely intertwined society such as Kosovo and political obstructions by local political elites (Interviews 2, 3 and 4) and suggested that systems put in place in BiH were more effective at protecting witnesses and providing support to victims (Interview 3). This is why EULEX is expected to be replaced by Special Chambers and a Special Prosecutor based in The Hague that will investigate and prosecute crimes listed in the so-called 'Dick Marty report' on inhuman treatment and organ trafficking (2011) that allegedly occurred between 1 January 1998 and 31 December 2000, and which must have been subject to criminal investigation by the EULEX Task Force (Sheremeti, 2017).

Since the ECA and Jacqué's criticisms regarding the lack of monitoring and evaluation performed by EULEX management, a new 'programmatic approach' has also been tried out in EULEX for the first time in any CSDP mission, tasking staff of the Strengthening Division to monitor on a monthly basis quantitative and qualitative progress of host institutions against strategic objectives agreed by member states. As explained by EULEX itself: "The central aim is to ensure accountability and to statistically measure the achievements of EULEX, by measuring the progress of the local rule of law institutions" (EULEX, no date). These activities were frequently overlapping with the European Commission's pre-accession assistance for institution building, as well as a number of other international activities in the field. The effectiveness of capacity building is linked to several international actors supporting institutions, and the consistency of approaches and coordination they have developed in so doing.²⁴ The most effective capacity building was the development of the customs service, due in part to the consistency of international assistance, which was led and supervised by only one actor – the UK – for almost two decades, including key personnel in UNMIK and EULEX. However, most interlocutors interviewed for this study

²⁴ For more on this, see Stojanović Gajić (2017).

believed that the KP had more capacity due to the longer-term investment by the international community (Interview 1, 2 and 5). In contrast to this, Kosovo's judicial system was and still is an unhappy amalgamation of international judges (initially UNMIK and later EULEX), judges recruited from the ranks of the former Yugoslav judiciary, and newly enrolled ones (Welski, 2014).

The discussion of the challenges encountered when using international police and judges to develop the capacities of relevant local institutions is important for future missions. It is considered that national policing styles are less diverse than national judicial practices (Interview 4). All interviewees agreed that the judiciary is the most difficult area of institutional capacity to develop in both the host country and the countries deploying capacity-building assistance due to the difficulty of recruiting experienced staff and the absence of an agreed-upon EU model in this area. Therefore, in comparison to their effects on the police, internationals have created more confusion in capacity building of the judiciary, where core legislation was developed in line with continental European and Anglo-Saxon case law depending on which international actor had more power at a given moment (Interview 4). Diversity in different national judicial cultures also had an effect in the executive part of the mission, as different judicial practices were exercised in the absence of a common understanding of 'highest European standards'. For example, the Jacqué report (2015: 17) mentions that in some EU countries informal meetings between judges and prosecutors are standard practice, while in others this is seen as interference in due process.

EULEX's impact seems to be mostly positive when it comes to support provided to structured EU initiatives such as the Belgrade-Pristina Dialogue, the visa liberalisation process, "which would otherwise be difficult to implement" without operational human resources deployed in the field (Balkans IECEU roundtable of experts, 2016). However, even in this regard, there is space for greater coordination and coherence among different EU actors under the coordination of the European Union Special Representative (EUSR).

B. Internal appropriateness: was implementation timely, efficient and cost-effective?

As mentioned above, EULEX was slow to deploy due to the lack of consensus among EU member states on Kosovo's legal status and EULEX's mandate. The planning of the mission had started already in 2006 with the deployment of the EU Planning Team (EUPT), which ended two years later, twice the average time for deployment of a mission (Grilj and Zupančič, 2016: 68). The key reason for this being the assumption that the Ahtisaari plan²⁵ would be adopted by the UNSC, enabling the EU to take over all competencies from UNMIK. However, once independence was declared and the Ahtisaari plan was blocked by Russia in

²⁵ Marti Ahtisaari, a former Finnish diplomat was tasked as an UN Special Envoy to draft a Comprehensive Proposal for the Kosovo Future Settlement.

the UNSC, EU member states failed to reach consensus on the desired end-state towards which they wanted Kosovo to develop. A compromise was found by allowing EULEX to deploy in line with UNSCR 1244 and function in parallel with UNMIK. Grilj and Zupančič (2016: 71) highlight how having a separate planning mission like EUPT for the preparation of a complex mission such as EULEX is good practice, but stress that in the future, planning missions should always develop a 'plan b'. In this case, the key weakness of EUPT was it not being prepared for the non-endorsement of Ahtisaari's plan by the UNSC. The second factor that limited the timeliness of EULEX actions in Kosovo relates to inadequacies in member states' capability for rapid and flexible deployment of competent civilian – especially judicial – staff. This is analysed in more detail in the sections below on efficiency and cost-effectiveness. A third factor was the inadequate programming and procurement system of the European Commission, which did not allow for timely procurement, as required to respond effectively to EULEX's operational needs (ECA, 2012: 28). Procurement rules were slow and cumbersome and not adequate for this type of work (ECA, 2012). In the words of one former EULEX employee, the procurement system "did not understand that court cases could not be fit in the box" (Interview 3).

With regard to the efficiency of the mission, there were two major sets of challenges. The first related to human resource management, as highlighted in both the ECA (2012) and Jacqué Report (2015, 18-19). One interviewee, who had worked in several CSDP missions (Interview 3) noted: "the biggest problems of CSDP and EEAS is recruitment, retention and firing or lack of a functioning human resources management system". Major staffing challenges within EULEX have led to a significant staff turnover, and consequently to a lack of consistency within EULEX and its relations with other EU actors (ECA, 2012). From the beginning EULEX had problems recruiting the right number of staff with the relevant expertise that could implement such a broad mission. EULEX employees highlighted that it is difficult to recruit the right profile of staff or people with sensitivity for transitional justice issues and experience of dealing with all phases of investigation, prosecution and adjudication of serious and 'high politics' crimes such as war crimes and organised crime (Interview 2). There are even fewer people who understand the specific challenges of investigating gender-based violence as part of war crimes (Interview 2). The systemic weakness of human resources in CSDP is mostly due to the dominant system of filling posts in missions through secondments by member states. This does not necessarily lead to merit-based selection (ECA, 2012: 32). Another problem related to human resources is short secondments, as most member states do not support individual deployments longer than three and a half years. Many secondments are as short as one year (ECA, 2012: 31), which typically motivates junior rather than more experienced staff to apply for these posts (Jacqué, 2015: 18). Short secondments also undermined the effectiveness of MMA actions as they interrupted transfers of knowledge to Kosovo institutions (ECA, 2012: 31). It was

even more damaging for “the continuity in management of cases” (Jacqué, 2015: 20) as there was a high turnover of judicial staff as well as a lack of obligatory hand-overs.

If the EU is to deploy another executive CSDP justice mission, EEAS should develop a pool of judicial experts that receive similar training and are ready for rapid deployment, mobilise member states to support longer secondments with obligatory hand-overs and/or consider using more contracted than seconded staff. All interviewees agreed that while at first glance the current system of secondments seems cheaper because experts’ salaries are covered by member states, it would be more cost-effective at least to have longer secondments and thus save resources for new staff to become familiar with ongoing cases and reduce interruptions in judicial processes (Jacqué, 2015: 18, Interviews 1-5). Greater use of contracted staff would increase continuity of case management and allow for a more flexible selection of best-qualified staff and their deployment in line with mission needs and not necessarily requiring permissions from member states for re-allocations (ECA, 2012: 32). Another example of wasted resources mentioned by an interviewee was a requirement for all employed staff to go through another selection process after the review of EULEX mandate in 2010 (Interview 3).

The second cause of EULEX inefficiency was related to coherence of action with other EU actors present in Kosovo – primarily the EU office and its political and developmental wing. A significant reason behind the limited effectiveness of capacity building in Kosovo has been the lack of coherence among EU institutions, actors and tools. The major coordination challenges were between the EU Office and EULEX, as they were both active in supporting rule of law in Kosovo – EULEX through its executive and MMA function since 2010, and the EU Office from as early as 2000 and later through IPA. This overlap was partially caused by inadequate planning of EULEX, whose planning document did not contain any elements of an exit strategy, objective benchmarks to measure progress or a plan for handing over responsibility for capacity building to the EU Office or another international actor with relevant expertise (ECA, 2012: 29). There has been some progress in the coordination of EU input regarding rule of law reforms, as the EUSR team has coordinated expert comments made by the EU Office and EULEX on draft legislation as part of the legislative review mechanism (LRV) for Kosovo, checking whether proposed acts are in line with EU *acquis* (Interviews 2 and 6). But there seems to be more challenges to coordinate planning of IPA projects.²⁶ Given the amount of resources invested through the IPA and its potential as an incentive for reforms, the coordination among EU players should be enhanced.

²⁶ The ECA audit found that two IPA projects supported development of separate border and boundary police intelligence systems that were “in contradiction with EULEX’s objective of creating a single intelligence system within the Kosovo Police due to insufficient coordination during the design of this project’ (ECA, 2012: 26). Likewise, interviewed EULEX staff (Interview 2) expressed dissatisfaction with the lack of coherence regarding programming of pre-accession assistance towards large-scale structural reforms.

Related was the lack of a joint capacity-building concept among EU actors present in the field. The coherence of EU assistance was undermined by the absence of consensus between EU member states regarding Kosovo's independence and the types of mandates that should be held by Kosovo's institutions. By filling EU posts predominantly through secondments, it was frequently left to national experts involved in capacity-building interventions to choose models that were to be promoted in Kosovo institutions. As previously described, Jacqué's report (2015: 17) highlighted the impact of a lack of clarity of what "best European standards are in the judiciary" on the performance of the executive function. The ECA review (2012) found that intra-EU political coordination and guidance was not fully ensured through the establishment of the EUSR. It resulted in limited coherence in political messaging from different EU stakeholders towards the host population and government, as the coordination greatly depended on the personal relationship between the EUSR and the Head of EULEX (Interview 2, 12 July 2017). Since the Brussels Dialogue was launched, external communication has been streamlined, as it is almost exclusively 'Brussels that speaks on this matter', while internal exchanges of information are still limited as much of the process is secretive, even towards EU staff in Kosovo (Interviews 6, 7 and 8). In some cases, even the EUSR did not have the final text of agreements made between Kosovo and Serbia facilitated by the EU High Representative, although the EUSR would be in charge of coordinating the implementation of these agreements by EU bodies in Kosovo (Interview 7).

Since the ECA (2012) criticised EULEX for not supporting the external dimension of the freedom, security and justice area, some progress has been made in this regard. This has been achieved through EULEX assisting cooperation between Kosovo and EUROPOL (Kursani, 2015). Due to the non-recognition of Kosovo by the EU as a whole, EUROPOL cannot develop contractual relations with Kosovo as with other countries in the Western Balkans. This challenge has been overcome by setting EULEX to serve as "a bridge between the host country and the EU Law Enforcement Agency, EUROPOL" and deploying EULEX police officers to serve in the UN Mission – UNMIK – to ensure information flow from Interpol both to the Kosovo Police and to EULEX. Such arrangements serve internal EU security needs such as information-sharing on organised crime in the Balkans and beyond. However, they contribute little to the development of the Kosovo's resilience, i.e. "its capability to function and deal with external shocks on its own" (Tardy, 2016: 29).²⁷

In sum, due to the lack of consensus among EU member states on Kosovo's status and subsequent support given to the CSDP mission, EULEX has had limited impact on improving rule of law in Kosovo over the last nine years. However, all interviewees agree that the situation would have been worse without an EU executive mission, especially when it comes

²⁷ Further analysis of the lack of coherence is available in Deliverable 5.4 on the Comprehensive Approach in the Western Balkans and the Horn of Africa.

to investigation, prosecution and adjudication of war crimes and its links to organised crime and corruption. The EULEX mission became more effective in the second half of its mandate, although it still has significant challenges when it comes to transition from executive to capacity-building functions and a coherent approach with other EU actors in Kosovo.

4.1.2 External effectiveness: successful conflict prevention?

Having appraised EULEX from the internal EU perspective, we now go on to examine its efforts from an external conflict perspective. According to Rodt's (2017) analytical approach outlined above, a successful mission has fulfilled the external goal attainment criterion if it has prevented initiation, continuation, diffusion, escalation and intensification of (further) violent conflict. Whereas, a mission has met the external appropriateness criterion if it has had a positive, meaningful and sustainable impact on preventing violent conflict without using disproportionate measures, e.g. of coercion.

The following is based on surveys of public perceptions of security and justice sectors in Kosovo (Saferworld, 2011; KCSS, 2016) as well as interviews with representatives from civil society organisations working on issues related to EULEX's mandate and/or who have participated at least in one consultation with the mission. It is important to appreciate the potential differences between the ambitions of the EU and the expectations that host nations, civil society actors and local populations, in their diversity, may have. While some civil society experts assess a mission strictly in reference to its mandate, others have different expectations. Many of the respondents in Kosovo expected that EULEX would eliminate large-scale corruption in public institutions, in particular among political and economic elites, and contribute to building a safe and democratic state for Kosovo's people,²⁸ a very high bar for the mission to reach on its own and in the timeframe for which it was (initially) deployed.

C. External goal attainment: did the mission prevent further violent conflict?

Perceptions of EULEX's contribution to operational conflict prevention depend on the location, activity and timeframe in question. Of all the locations where it was deployed, EULEX is perceived by civil society representatives to have had the most positive impact on preventing violent conflict in the northern regions of Kosovo. In particular, it is understood to have had a positive effect through its policing mandate and MMA work with police, justice and customs authorities, as well as on court cases related to war crimes and

²⁸ In a survey on security perceptions conducted by Saferworld (2011), some people in Kosovo "would like the mission to take more decisive executive action, particularly over corruption". Interview 10 carried out for this paper confirms this.

organised crime (Interviews 9-15). Five interviews out of the seven suggest that that EULEX was most effective in preventing conflict in areas where the KP force was not able to deploy, and where tensions between Kosovo Serbian and Kosovo Albanian communities were most likely to turn violent (cf. initiation/continuation of violence). As an executive police force and a trusted intermediary between Serbian police and Kosovo state institutions, EULEX played a de-escalatory role through community policing and confidence-building (cf. diffusion, escalation and intensification of violence). In particular, the MMA work was viewed by civil society interviewees as having had a meaningful impact and included input from civil society through regular, thematic and technical consultations (Interview 12).

In 2011, Saferworld (2011: 28-29) found that public opinion of EULEX's impact on law enforcement and justice sectors was overall positive, in spite of marked frustrations with inefficiency in both sectors and disparities between respondents of different ethnicities. It also found that the likelihood of renewed violent conflict in the following five years was perceived as decreasing among survey respondents. In 2017, however, EULEX is perceived by civil society interviewees to be generally inefficient, inadequate and unaccountable. It is thought to provide inadequate support to the KP, which is considered to be professionalised, effective and trusted by local populations (Interviews 11 and 12).²⁹ While the KP's reputation has deteriorated during political crises and due to corruption allegations, civil society respondents no longer believe it requires the level or kind of support that EULEX provides (Interviews 9, 11, 12, 14).

Perceptions of the impact of EULEX's justice mandate were more mixed than for the security sector. With executive powers to investigate and prosecute serious and sensitive crimes, EULEX's potential for a meaningful and sustainable contribution to addressing impunity for violence, war crimes and corruption, all key conflict drivers that have fuelled violence in the region, was seen as very high. Civil society organisations involved in the justice sector lament poor delivery overall. A backlog of up to tens of thousands of cases in some courts indicate that EULEX and other actors involved in supporting the Kosovo judicial system have failed in this respect (European Commission, 2016: 37; Interview 10). Enforcement of decisions was also raised as being problematic, as described in the 2012 ECA report, which estimated that only 40% of Court rulings in Kosovo were enforced. This has created frustration among the population and civil society organisations involved in transitional justice and criminal prosecution. That, in turn, has been pointed out more often for cases related to elite corruption, which EULEX has not been pursuing enough in the eyes of local populations and civil society actors (Saferworld, 2011; Interviews 9-14).

²⁹ The Kosovo Police remains the most trusted police force in the region, according to Kosovo Security Barometer (2016, p. 8).

Furthermore, the 2014 allegations of EULEX officials being bribed or otherwise complicit with Kosovo officials suspected of corruption damaged the trust of civil society organisations and local populations in the mission (Tabak and Xharra, 2014; KCSS, 2016: 13-14). These scandals have been covered by local and international media and proved damaging to the credibility of EULEX, which itself claims to fight corruption and impunity (Borger, 2014; Capussela, 2015). The lack of direct exchanges between civil society organisations and EULEX contributed to this distrust. After a period of regular consultations in the deployment phases (Palm, 2010; Interviews 11 and 13), since 2012, formal dialogues between EULEX and civil society have been and informal exchanges still are reported to be non-existent in spite of requests from civil society representatives (Interviews 9-14). In terms of external goal attainment, respondents see this withdrawal from engagement with civil society and local populations as a major impediment to the mission's contribution to conflict prevention.

D. External appropriateness: prevention by necessary and sufficient means?

With executive powers and a wide range of tools and resources at its disposal, the EULEX mission was perceived as promising at its launch in 2008. Nine years on, the political context has changed (Interviews 3 and 6), its mandate has been narrowed (Council of the EU 2016), and the imminent threat of large-scale violence has lowered (Interviews 9, 10 and 11). Even though the mission was downsized to 800 staff in 2017 and to a budget of EUR 63.6 million for the period from June 2016 to June 2017 (Council of the EU, 2016), EULEX's resources are deemed by all civil society respondents as disproportionately high in view of its poor delivery of results. Resources are not perceived to translate into external effectiveness. The impact on conflict prevention attributed to EULEX by civil society experts interviewed was not understood as proportional to its resources. It is seen as being neither cost-effective for the EU nor for local populations in Kosovo (Interviews 11 and 14). In addition, suspicions of complacency towards the political elite raise questions about the mission's credibility.

Respondents put forward several reasons to explain why the mission might not be fulfilling its conflict prevention potential. These tended to echo public perception surveys and include the lack of accountability of EULEX staff towards the Kosovo people. Mission staff was seen to be working towards the interests of EU member states, which pay their salaries and which does not create cohesion around the mandate of the mission (Interview 12, 13 and 14) or the needs of the local population. EULEX's reputation was further tarnished by allegations of corruption. Another problem related to the lack of transparency and adequate scrutiny of its actions, especially since its coercive power is high (cf. executive mandate). EULEX neither consults nor communicates well enough with the people that are supposed to be its primary beneficiaries. Likewise, its monitoring and evaluation processes are neither transparent nor participatory (Interviews 9-14; Saferworld, 2010).

These findings confirm what has been put forward by the literature since 2010. Saferworld (2011) reported that: “EULEX continues to be criticised for performing below expectations. Surprisingly, this is notwithstanding the fact that people increasingly think that the mission had a positive impact on the performance of key justice and security providers in the country.” In 2017, the first part of the statement still holds true, while the benefits seem further away. The majority of civil society respondents perceive EULEX’s contribution to conflict prevention as weak or negligible. The discrepancy between ambitions, means and actual delivery is so high that most civil society organisations that were consulted in this study do not see it as an added value for Kosovo, whether it is to prevent immediate violence or build rule of law. This contrasts slightly with perceptions of local populations measured by the 2016 Kosovo Security Barometer. Although frustrations and distrust towards EULEX have never been higher, a majority of respondents in this survey were in favour of continuing EULEX’s presence in Kosovo (KCSS, 2016). This suggests that EULEX is still seen to make a meaningful, positive and sustainable contribution to conflict dynamics, which justify its presence according to the analytical model applied – albeit by a small margin. The most important question ahead is not whether EULEX Kosovo contributes to conflict prevention but whether, or indeed when, it will make way for other actions and dynamics, led by the EU or others, that might achieve more.

4.2 EUCAP NESTOR

This section will utilise the effectiveness assessment model (Rodt, 2017) to examine EUCAP Nestor from both an internal and external perspective. Both these lenses provide insight on the successes and failures of EUCAP Nestor and identify the gaps of the mission so that best practices and lessons can be identified to help improve regional capacity building missions undertaken by the EU in the future.

4.2.1 Internal effectiveness: success for the EU?

A. Internal goal attainment: did the mission achieve the EU’s goals and objectives?

As stated in the EU’s Strategic Framework for the Horn of Africa, the Union’s interests in the Horn are:

“Defined by the region’s geo-strategic importance, the EU’s historic engagement with the countries in the region, its desire to support the welfare of the people and help lift them from poverty into self-sustaining economic growth, and the need for the EU to protect its own citizens from the threats that emanate from some parts of the region and address common challenges” (Council of the European Union, 2011b: 4).

To this end, its CSDP priorities have been piracy-related missions off the Horn of Africa. In June 2008, in reaction to the rise of pirate attacks, the UN Security Council adopted resolution 1816, which authorised third party states to enter the territorial waters of Somalia and to use all means necessary to combat piracy. The EU subsequently launched its first naval counter-piracy operation, NAVFOR Atalanta, off the coast of Somalia in December 2008. Drawing on the Strategic Framework for the Horn of Africa, which called for a regional approach to tackling piracy, the Union subsequently launched EUCAP Nestor in July 2012 with an initial budget of €11.9 million (Council of the European Union, 2011a; Council of the European Union, 2012). EUCAP Nestor was the first civilian CSDP mission to have a regional focus (Tejpar and Zetterlund, 2013: 9). It was created and has been implemented to complement simultaneous CSDP operations, EUNAVFOR Atalanta and EU Military Training Mission Somalia (EEAS, 2016d). EUCAP Nestor also worked alongside other regional and international actors operating in the Horn of Africa including the UN,³⁰ IGAD, AU, the International Maritime Organisation (IMO),³¹ and Oceans Beyond Piracy (OBP)³² (EEAS, 2016d).

EUCAP Nestor initially sought to operate in five countries: Djibouti, Somalia, Seychelles, Kenya, and Tanzania, however, after a comprehensive strategic review undertaken by the EU in 2015 the mission, renamed EUCAP Somalia, was reframed to focus solely on that country. EUCAP’s redefined aim is to bolster Somalia’s maritime security force, strengthen its ability to fight piracy, and increase its overall capacity to patrol its territorial waters (EEAS, 2016d). Its core objective was to build capacity to cover the entire process of prosecuting acts of piracy “from crime to court” (EEAS, 2014b). In pursuit of this aim, EUCAP

³⁰ The United Nations is very active in the Horn of Africa. Of particular note is the United Nations Assistance Mission in Somalia (UNSOM) and the United Nations Development Programme (UNDP). UNSOM was established on 3 June 2013. It provides policy advice to the Somali government and to AMISOM in a variety of areas, including governance, democratisation, security, and donor relations (UNSOM, no date). UNDP is the UN’s global development network and mainly concentrates on sustainable development, democratic governance and peacebuilding, climate change, and disaster resilience (UNDP, no date).

³¹ IMO is the UN agency dedicated to safeguarding and securing international shipping as well as working to end pollution from these ships (IMO, no date).

³² OBP is a non-profit organisation that was formed in 2010 to ‘[mobilise] stakeholders from the maritime community, [develop] public-private partnerships to promote long-term solutions at sea and ashore, [and to create] sustainable deterrence based on the rule of law (OBP, no date).

was to work with key maritime security actors within Somalia, including the coast guards, navy, police forces, judges, and prosecutors (EEAS, 2014b). Together, EUCAP experts and Somali actors would work to improve upon “existing legal and law enforcement frameworks related to anti-piracy and [to develop] relevant maritime security capacity instruments” (EEAS, 2014b).

In order to fulfil its aims, EUCAP provides advice, mentoring, and training in three areas of expertise: legal, maritime, and policing. For example, EUCAP facilitates basic coast guard training and expert training in fields as diverse as law drafting and engineering. Additionally, some EUCAP experts have been placed within local maritime security authorities in order to provide additional support and guidance and to assist in the development of organisational structures (EEAS, 2014b). “Strategic level advice is complemented by the coordination and facilitation of specialised training to support capacity building efforts” (EEAS, 2016d).

Some of EUCAP’s greatest successes are its training and workshop programmes provided throughout the Horn of Africa. Partnering with local and international experts, EUCAP has facilitated trainings that focus on both the theoretical and practical aspects of maritime security. These trainings have been a success both in terms of skills and knowledge transfers, but also by increasing cooperation between EUCAP and regional actors as well as between the regional actors themselves. Additionally, these trainings benefited from utilising a variety of EUCAP Nestor staff, from trainers to experts from the Seychelles and Djibouti to navy and coast guard personnel from a number of countries, both in the Horn of Africa and outside of it.

One example of a successful training that occurred was the 2013 maritime security course for 14 high-level individuals on board the HNLMS Johan de Witt. This training focused on building leadership capabilities and increasing knowledge of maritime legal matters through learning sessions and practical exercises (EEAS, 2013). A second example was a training session held on the 26 May 2015. EUCAP Nestor and the Federal Government of Somalia co-hosted this workshop that included individuals from across the Somali regional governments and law enforcement agencies and representatives from international stakeholders such as UNSOM, EU NAVFOR, EUTM Somalia, and the UK embassy. The workshop served as a forum to continue the “enhancing and strengthening knowledge, understanding, cooperation and cohesion among the different maritime-security entities in Somalia” (EEAS, 2015).

B. Internal appropriateness: was implementation timely, efficient and cost-effective?

Contributing to EUCAP’s internal goal attainment has been its role in complementing other EU actions in the region. “Together, EUCAP NESTOR, Atalanta and EUTM form a coherent, integrated CSDP package supporting the EU’s Strategic Framework for the Horn of Africa”

(EEAS, no date). While this has been accomplished in several ways, two areas stand out. First, EUCAP Nestor and EU NAVFOR Atalanta's mandates complement each other from a strategic perspective. Both missions seek to support capacity building in the Horn of Africa, specifically with regard to maritime security, albeit with different focus areas and approaches, supporting the EU's objectives for peace and stability in the region (Tejpar and Zetterlund, 2013). Second, EUCAP Nestor and EU NAVFOR Atalanta have supported each other in practical terms. Representatives from the two missions frequently visit one another and attend similar events as well as planning joint activities such as trainings (EEAS, 2016b; EEAS, 2016c). The complementary nature of EUCAP Nestor with other EU activities in the region, specifically EU NAVFOR Atalanta, is a successful feature of EUCAP Nestor and provides an excellent example of coordination potentially to be reproduced in other regions.

While EUCAP Nestor's training programmes have had an impact, the long-term sustainability of its trainings are an issue that must be addressed, particularly EUCAP Nestor's focus on 'soft' capacity building, such as advice and training. This focus is not aligned with the priorities of the affected countries on their need for equipment, such as boats and weapons, and on coastguard infrastructure (Bueger, 2013). Thus, while EUCAP Nestor provided the training and knowledge transfer necessary for capacity-building, its mandate did not include a remit to provide the necessary 'hard' capacity needed to apply the new training and skills (Bueger, 2013). One EUCAP Nestor official put it this way: "[w]hen you train somebody they pass it on to others in their organisations. If there are no buildings, no operation centres, no schools, there is nothing to maintain this knowledge" (quoted in Ejodus, 2017b: 13). While the trainings that EUCAP Nestor has provided have achieved internal EU objectives such as strengthening the soft capacity of navies, coast guards and police forces, as well as criminal and legal justices systems in the region, the lack of necessary equipment and facilities means that the local communities are not getting the full benefits of EUCAP NESTOR activities, nor are they able to sustain the actions critical to reducing piracy in the region in the long term.

4.2.2 External effectiveness: successful conflict prevention?

As outlined above, this section aims to appraise the extent to which the mission contributes to preventing further violent conflict (external goal attainment) in a positive, meaningful and sustainable way without using inappropriate levels of force (external appropriateness).

C. External goal attainment: did the mission prevent further violent conflict?

EUCAP Nestor has been commended for being the first maritime mission to adopt an inclusive regional approach to enhancing maritime security, governance, and rule of law in

the Horn of Africa (Tejpar and Zetterlund, 2013). During its mandate, EUCAP Nestor has operated across borders including operations in Djibouti, Somalia, Seychelles and Tanzania. The Horn of Africa faces a number of shared security challenges, as explained in the regional conflict analysis above. Taking a regional approach and establishing cooperative partnerships in the region is therefore critical. Cooperation between the different Horn governments is especially important, as it would be difficult to sustain a systematic anti-piracy campaign without their support and coordination. Additionally, this cooperation opens the door to opportunities beyond combating piracy at sea. It provides space for “capacity building in the area of maritime domain awareness, judicial enforcement, information sharing, asset facility sharing, and joint counter-piracy/terrorism exercises” (Onuoha, 2010: 212). With its regional focus, EUCAP Nestor supported the EU’s regional priorities to foster peace and security throughout the Horn (Council of the European Union, 2011b: 4).

EUCAP Nestor’s focus on civilian-based maritime security has had a noticeable impact in the region. In their 2013 study on regional solutions to piracy in the Horn of Africa, Madsen and Kane-Hartnett attributed the drop in piracy to the shift in focus towards regional capacity building through EUCAP Nestor. However, challenges still exist. One issue area concerns the importance of implementing capacity-building programmes early on in the country where piracy originates. EUCAP Nestor did not operate in Somalia for its first two years, despite the piracy problem stemming from within that country (Ejdus, 2017b: 11).³³ As a result: “the mission [did not have] a significant impact on the ability of Somali authorities to improve policing and rule of law” in the first two years (quoted in Ejdus, 2017b: 11). In part to remedy these issues, the EU renamed and refocused EUCAP Somalia, shifting its mandate to focus on Somalia from 2016 onwards. Consequently, the mission expanded its Hargeisa field office, established an operations base in Puntland and increased its presence at the Mogadishu headquarters (EEAS, 2016a: 20). While this move could in some ways be considered a ‘better late than never’ reshuffle, it did illustrate willingness on the part of the EU and EUCAP to be versatile and to adapt the mission to better fulfil its preventive potential.

D. External appropriateness: prevention by necessary and sufficient means?

EUCAP’s approach of building capacity through the promotion of local ownership can be seen specifically in the mission’s efforts to strengthen maritime capabilities and the rule of law in Puntland, Somaliland and Galmudug; this was pursued via onshore trainings, support for a coastal police force, and the training of judges in Puntland (Holzer and Jürgenliemk, 2012: 9). EUCAP Nestor encouraged the Federal Somali Government and Somali Regional

³³ Some of the evidence below draws on Filip Ejdus’ article on EUCAP Somalia (Ejdus, 2017b). Transparency Solutions facilitated 21 interviews in Hargeisa for this article.

States, including Somaliland, to meet with international partners such as the UN and OBP. One of the meetings between these entities led to the May 2017 opening of the Interim Operations Room³⁴ for the Somaliland Coast Guard (EEAS, 2016a: 20). This and related initiatives aimed to enhance the awareness and capacity of maritime management and coordinated security responses (EEAS 2016a). EUCAP's engagement with authorities in Somaliland is an example of the process and results of local buy-in. Through negotiations, an agreement was established between EUCAP Nestor and the Republic of Somaliland that the mission would follow a 'bottom up' approach and that it would be aligned with Somaliland's National Maritime Development Plans (Somaliland Coast Guard, 2015). Another practical example of EUCAP Nestor's promotion of local ownership can be seen in their work with the Somaliland Coast Guard to develop a website (EEAS, 2014a). EUCAP Nestor facilitated a partnership between a Somaliland IT expert and the coast guard's self-educated IT team. Internally, the project was considered a success, especially as it was viewed as a project "by Somalilanders for Somalilanders" (EEAS, 2014a). The approach exemplified in that project provides support for the EU to prioritise local ownership and community engagement. By making these principles a priority, EU missions are likely to improve both in terms of their ability to enhance local capacity and the amount of local engagement in and support for the missions.

While EUCAP's mission highlight the importance of a locally owned approach, and while there have been instances of local ownership as mentioned above, overall, "EUCAP Nestor has struggled to achieve ownership because it implemented ownership as an externally driven, top-down endeavour"; this assessment has been echoed by internal and external commentators alike (Ejdus, 2017b: 10). According to Ejdus (2017b: 10):

"The EU designed the mission according to its own needs, interests, and resources and then tried to sell it to its local counterparts. As a result, the overall degree of local ownership has been low, while the impact on the local and regional capacity to fight piracy has been either negligible or unsustainable."

These issues are further highlighted by the fact that it was not until the rebranding of EUCAP Nestor to EUCAP Somalia that the government of Somalia was fully consulted about their needs during the process of creating a new operational plan for EUCAP Somalia. Thus, it was not until five years into the mission that key government actors were consulted and that the Somali maritime context was appropriately incorporated into the mission. In addition, EUCAP was further distanced from the local context due to the EU mission's structure, management style, and "the tendency to micro-manage the mission from Brussels" (Ejdus, 2017b: 12). External actors have commented on the fact that the bureaucracy that accompanied the operation on the EU side alienated local actors, damaging their trust in the

³⁴ A maritime operations centre for the Somaliland coastguard.

EU and EUCAP Nestor, and “overwhelmed the mission with red tape” (Ejdus, 2017b: 12).

As with EUCAP Nestor, the EU has increasingly engaged in and funded activities in the Horn of Africa with the aim of promoting security and stability, but its efforts have suffered from an overall lack of cohesion and a mismatch between goals and capacities. Overall, EU policy towards the Horn of Africa prioritises security and stability with an underlying theme of promoting African solutions to African problems (Sicurelli and Fabrinni, 2011: 52; Kempin and Scheler, 2016: 40). This approach is seen as building African capacity to address its own problems, minimising external interventions, and encouraging the emergence of African institutions such as IGAD and the AU (Mays, 2003). EU programmes and priorities in the Horn, such as EUCAP, however, frequently fail to adequately take into account the local context and the limited governmental and institutional capacity in the region (Gibert, 2006: 148). Nevertheless, EUCAP Nestor was the first mission of its kind and can serve as a helpful learning model for future EU actions. Both in terms of its achievements and challenges EUCAP provides valuable lessons for regional engagements both in the Horn of Africa and elsewhere (Madsen and Kane-Hartnett, 2013).

As seen in this case study, EUCAP has had both successes and failures. EUCAP’s achievements include the political backing the mission received in the region (e.g. in Seychelles and Somaliland), the beneficial trainings throughout the Horn of Africa, and the complementary nature of the mission with other EU activities. EUCAP has provided key lessons on leadership in maritime security, capacity building, and political cooperation around the Horn of Africa. A primary lesson identified is that while EUCAP aimed to be a locally owned mission with a regional approach, it succeeded in achieving this mainly in framework creation and not in the realities of the mission. One of the central failings of the mission was its initial lack of operations in Somalia, which was a glaring gap as piracy in the region mainly originates from Somalia. EUCAP also largely failed to take local needs and contexts into account in creating mission priorities. In order to improve future missions the EU must ensure that missions operate in mission-critical areas, create trainings that are sustainable and supported by local capacity, understand the local context and consult local government, civil society and affected groups among local populations.

5. CONCLUSIONS

The Western Balkans and Horn of Africa vary only slightly in terms of conflict characteristics, causes and types of actors involved. They do, however, differ significantly in the intensity and influence of their core security challenges and the degree of stabilisation currently achieved. Both regions share root causes such as poor governance and socio-economic

development that create space for security challenges like violent conflict, organised crime and radical extremism. The main difference between them is the extent thereof and the risks associated with the challenges in the two areas.

Whereas the EU considers good governance and rule of law to be the most pressing challenges for the Western Balkans, counter-terrorism and -piracy is at the forefront of its agenda in the Horn of Africa. It appears that the capabilities deployed by the EU generally correspond to contemporary conflict dynamics in both regions, as identified in the regional analyses above. The Western Balkans, in a post-conflict phase, is mainly supported through political stabilisation initiatives, economic development and institution building in a context where state capture by political elites aiming to avoid accountability is the main concern. The Horn of Africa, much closer to violent conflict and with more immediate security needs, receives support mainly through humanitarian aid and security initiatives, elements of which are similar to the international response to the situation in the Western Balkans in the 90s, when the focus there was on humanitarian assistance and stabilisation operations.

In the two case studies compared, the initial success of EULEX Kosovo has been overshadowed by the mission's inability to adapt to the changing context on the ground. What was once a flagship mission of the EU is now heavily criticised by external observers, and even the mission's own staff – to the extent that it is disputed whether the benefits of the mission warrant its expenses. EUCAP Nestor/Somalia is a similarly ambitious endeavour striving to tackle regional, national and local aspects of a complex security challenge such as piracy. In this case, the mission has proved more flexible in adapting to the dynamics of the piracy problem, scaling its engagements and scope to improve its response.

The EU has developed CSDP instruments to address both causes and consequences of conflict in both regions, and have engaged in support ranging from direct humanitarian assistance, through mitigation of security challenges to capacity-building and supporting governance and rule of law, albeit with differing degrees of success. The analysis did not find significant shortcomings in the selection of tools developed or deployed by the EU, but it did find that instruments, while potentially effective from an internal EU perspective, are often less appropriate from an external conflict preventive perspective. This finding is mainly based on the EU's inability to respond appropriately to dynamic local contexts and needs.

Ten key lessons were identified in this report:

1. Both regions suffer from poor government and governance, which coupled with socio-economic underdevelopment lead to significant security challenges such as (potentially) violent conflict, organised crime and corruption.

2. These problems spill across national borders making it imperative to adopt, as the EU has done, a regional approach to conflict prevention and peace building.
3. Regional approaches must appreciate and respond to local needs, national capacities and regional intricacies, addressing the causes as well as the consequences of conflict.
4. Root causes must be addressed alongside immediate security challenges, as these challenge long-term peace and stability.
5. Political support from Member States for CSDP missions/operations is imperative. This must be predictable and sustainable over time to ensure successful deployments.
6. Member States must agree to specific 'EU standards', when such standards are to be implemented by a CSDP mission/operation.
7. Clear benchmarks and indicators of success must be identified in planning documents to ensure progress, which can be measured and monitored, from the beginning to the end of a mission. This will help manage expectations both within and outside the EU.
8. Different aspects of a CSDP mission/operation, whether local, nation or regional – executive or supportive, must be coordinated in one combined effort.
9. The EU must coordinate its own initiatives, agencies, Member States and institutions. Likewise, it must acknowledge and as far as possible cooperate with other activities and actors involved.
10. Appropriate human and material resources must be rapidly deployed and sustained throughout CSDP deployments.

While the two cases studied in this report aspire to provide representative results on the effectiveness and shortcomings of EU capabilities for conflict prevention and peacebuilding, the report as a whole, and particularly the regional analyses, also provide a stepping-stone for a deeper analysis of CSDP instruments in the following EU-CIVCAP work package 5 studies. Deliverable 5.2 appraises the impact of EU engagement on mediation and local level dialogue, Deliverable 5.3 takes a closer look at civil-military synergies and Deliverable 5.4 provides an assessment of the EU's Comprehensive Approach (European Commission, 2013). Given the breadth of the EU's external policy instruments, from CSDP to development policy, an extensive number of external factors influence its performance. It would be beyond the scope of this deliverable to consider them all, however. For further conflict prevention and peacebuilding instruments, readers are referred to EU-CIVCAP work packages 3, 4 and 6 (EU-CIVCAP website, 2017).

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ANNEX 1 – LIST OF INTERVIEWS

Interview	Organisation	Date	Interviewer
1	Naim Rashiti, Balkans	02 February 2017	Sonja Stojanovic Gajic, BCSP
2	EULEX staff [group interview]	12 July 2017	Sonja Stojanovic Gajic and Katarina Djokic, BCSP
3	Former EULEX employee	2 March 2017	Sonja Stojanovic Gajic
4	Former EULEX employee	21 April 2017	Sonja Stojanovic Gajic
5	Former Kosovo Police employee	30 January 2017	Sonja Stojanovic Gajic
6	EU Office employee	30 March 2017	Sonja Stojanovic Gajic and Katarina Djokic
7	Former EU Office employee	29 March 2017	Sonja Stojanovic Gajic
8	Former EU Office employee	10 July 2017	Sonja Stojanovic Gajic
9	Non-governmental organisation representative - Security Policy, Prishtinë/Priština	15 June 2017, phone call	Nabila Habbida
10	Non-governmental organisation representative - Policy analysis, Prishtinë/Priština	15 June 2017, phone call	Nabila Habbida
11	Non-governmental organisation representative - Security Policy, Prishtinë/Priština	20 June 2017, phone call	Nabila Habbida

Interview	Organisation	Date	Interviewer
12	Non-governmental organisation representative, Peacebuilding, Gračanica/ Gračanice	12 June 2017, phone call	Nabila Habbida
13	Non-governmental organisation representative, policy analysis, Mitrovicë/Mitrovica	13 June 2017, phone call	Nabila Habbida
14	Non-governmental organisation representative – Gender, peace & security, Stockholm	20 June 2017, phone call	Nabila Habbida
15	Non-governmental organisation representative – Peacebuilding, The Hague	13 June 2017, phone call	Nabila Habbida

ANNEX 2 – OVERVIEW OF CSDP MISSIONS/OPERATIONS IN THE HORN OF AFRICA AND THE WESTERN BALKANS

A. Regional overview of CSDP missions/operations in the Horn of Africa

Mission/operation	Dates of deployment	Mandate	Country	Capacity
EUNAVFOR Operation Atalanta	2008-ongoing	Protect vessels from World Food Programme, AMISOM and other vulnerable shipping; deter and disrupt piracy; monitor fishing activities; support other EU missions and activities of other international organisations in the region.	The coast of Somalia	Changes during the year but overall: 1.000 personnel, 3-4 surface combat vessels and 2 Maritime Patrol and Reconnaissance Aircrafts (EU NAVFOR Somalia)
EUTM Somalia	2010-ongoing	Initially training of Somali forces. Later the mandate has been focused on training of personnel at a political and military strategic level within Somali defence institutions.	Uganda and from 2014 in Mogadishu, Somalia	178 personnel in August 2017 (EEAS, 2017a)
EUCAP NESTOR, later EUCAP Somalia	2012-ongoing	To establish and capacity build maritime civilian law enforcement capability in HoA and Western Indian Ocean (later only in Somalia) by assisting authorities in carrying out coast guard functions and policing of the coastal zone on land and sea.	Somalia, Djibouti, Seychelles and Tanzania. From 2015 the focus has been solely on Somalia	125 international staff and 40 national in February 2017 (EEAS, 2017b)
EUAVSEC South Sudan	2012-2014	Assist and advise South Sudan authorities in the establishment of an aviation security organisation at the Ministry of Transport and to strengthen aviation security, border control and law enforcement at Juba International Airport.	Juba, South Sudan	34 international staff and 15 national in February 2014 (EEAS, 2014f)

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B. Regional overview of CSDP missions/operations in the Western Balkans

Mission/operation	Dates of deployment	Mandate	Country	Capacity
EUPM BiH	2003-2012	(i) Strengthening the operational capacity and joint capability of the agencies engaged in the fights against organised crime and corruption (OCC), (ii) on assisting and supporting in the planning and conduct of investigations in the fight against organised crime and corruption in a systematic approach, (iii) assisting and promoting development of criminal investigative capacities of BiH, (iv) enhancing police-prosecution cooperation, (v) strengthening police-penitentiary system cooperation and (vi) to contribute to ensuring a suitable level of accountability.	Bosnia and Herzegovina	Initial mission strength in January 2003: 478 international staff and 296 national. Final mission strength in June 2012: 34 international staff and 47 national (EEAS, 2012).
Concordia FYROM	2003	Supporting Macedonia in its implementation of the Ohrid Agreement, ending the hostilities between armed ethnic Albanian groups and FYROM security forces.	Macedonia	375 personnel in Marc 2003 (Ladzik, 2009: 2).
EUPOL PROXIMA FYROM	2003-2005	Support the following tasks: (i) the consolidation of law and order, including the fight against organised crime, (ii) the practical implementation of the comprehensive reform of the Ministry of Internal Affairs, including the police, (iii) the operational transition and creation of a border police, (iv) the local police in building confidence within population and (v) enhanced co-operation with neighbouring states in the field of policing.	Macedonia	Approximately 200 personnel in December 2003 (EUPOL Proxima, 2003).

Mission/operation	Dates of deployment	Mandate	Country	Capacity
EUPAT FYROM	2006	EUPAT succeeded EUPOL Proxima in monitoring and mentoring middle and senior police officers. Focus on border police, public peace, order, accountability and the fight against corruption and organised crime.	Macedonia	Approximately 30 personnel in 2006 (EU Council Secretariat, 2005).
EUFOR ALTHEA	2004 – ongoing	(i) To provide capacity building and training to the armed forces of BiH, (ii) to support BiH efforts to maintain the safe and secure environment in BiH and (iii) to provide support to the overall EU comprehensive strategy for BiH.	Bosnia and Herzegovina	600 personnel in January 2015 (EEAS, 2015b).
EULEX KOSOVO	2008 – ongoing	To assist and support the Kosovo authorities in the rule of law area, specifically in the police, judiciary and customs areas.	Kosovo	Authorised maximum strength: 800 international personnel and 800 local (EEAS, 2014g).