



The European Union's Crisis Management After Lisbon: Addressing New Security Challenges in the 21st Century

Nicoletta Pirozzi

Abstract

Is the EU's post-Lisbon crisis management model adequate to tackle current international security challenges at both the strategic and the operational levels? The Lisbon Treaty has introduced a number of innovations in the field of the EU's crisis management which have the potential to reinvigorate the Union's security actorness, both as a norm setter (model by being) and an operational crisis manager (model by doing). This paper will investigate the prospects for the EU to become a credible security actor in the 21st century in connection with its capacity to: (1) adapt the conceptual framework of its crisis management system to the current security scenario; and (2) implement effective action on the ground. In particular, this analysis will take into consideration three main developments in the global security environment: (1) the rise of new security-political challenges; (2) the evolution of the concept of security; and (3) the proliferation of non-state actors in the field of security.

Keywords: *European Union / Crisis management / Human security / Responsibility to protect (R2P) / NGOs*

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by Nicoletta Pirozzi*

1. Conceptualizing EU crisis management in the post-Lisbon era

The security environment which has emerged in the post-Cold War era is characterized by complex challenges that cross national frontiers, a multitude of non-state actors that act both as security providers and threat perpetrators, and new modes of cooperation among security networks. The European Union (EU) has gradually acquired a security identity on the global stage, and has formalized its principles and functioning through its Treaties and strategic documents. At the same time, the Union has developed a broad range of military and civilian instruments to address the security challenges of the 21st century, and has affirmed its vocation to expand its interventions in crisis theatres beyond its immediate neighbourhood. Since 2003, the EU has deployed 20 civilian missions, 8 military operations and one civilian-military action.¹

This evolution has not followed a linear path, and has been only partially conceptualized by Union itself. The ratification process of the Treaty of Lisbon, which entered into force on 1 December 2009, and the internal reorganization that followed it, together with the need to respond to the biggest economic and financial crisis ever faced by the Union, have produced a hiatus in the implementation of the EU's security and defence policy over the last five years. Nevertheless, the innovations introduced by the Lisbon Treaty have the potential to generate new dynamics in the field of crisis management and to influence the EU's security identity in the future. Moreover, the launch in 2012 of 3 new civilian missions (in the Sahel region, in the Horn of Africa and in the newly-created State of South Sudan) and in 2013 of one military operation

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¹ The EU has deployed civilian missions to the Balkans (EUPM to Bosnia-Herzegovina, EULEX Kosovo, EUPAT and EUPOL PROXIMA to the Former Yugoslav Republic of Macedonia), to Africa (EUPOL RD Congo, EUPOL Kinshasa and EUSEC RD Congo to the Democratic Republic of the Congo, EU SSR to Guinea Bissau, EUCAP SAHEL to Niger, EUCAP NESTOR to the Horn of Africa, EUAVSEC to South Sudan and EUBAM Libya), to the South Caucasus (EUJUST THEMIS and EUMM to Georgia), to the Middle East (EUPOL COPPS and EUBAM Rafah to the occupied Palestinian territories, EUJUST LEX to Iraq), to South East Asia (AMM to the Indonesian province of Aceh), to Central Asia (EUPOL Afghanistan), and to Eastern Europe (EUBAM Moldova/Ukraine). Military operations have been conducted by the EU in the Balkans (EUFOR ALTHEA in Bosnia-Herzegovina and CONCORDIA in FYROM, both in cooperation with NATO under the Berlin Plus agreement) and in Africa (EUFOR in Chad/Central African Republic, ARTEMIS and EUFOR in the Democratic Republic of the Congo, EUTM in Somalia and EUNAVFOR - Atalanta off the Horn of Africa, and EUTM in Mali). Finally, one civilian-military action has been carried out in Sudan/Darfur in support of the African Union-led mission AMIS II.

(EUTM Mali) and one civilian mission (EUBAM Libya), accounts for the reinvigorated activism of the EU in the international security context.

Most of the observers from international relations and European studies circles have shown a certain reluctance to come to terms with the EU's security actorness at the international level. The literature on the international identity and role of the EU entails a double dimension: the first concerns "the substantive nature of the Union, describing *what it is*"; the second is of "a procedural nature, describing *how it behaves* in world politics".² The traditional debate on these aspects has been monopolized by the confrontation between the opposing conceptualization of the EU as a *civilian power* or a *military power*.³ These approaches are both oriented towards the analysis of the EU's means and goals in its foreign and security policies - the first focussing on the use of civilian means of persuasion to achieve civilian ends, the second pointing out the growing importance of effective and self-sufficient military power to exercise influence on the international stage.

This opposition has been partly reconciled through the concept of *normative power Europe*, which refers to processes of norms diffusion for the interpretation of the EU's international role, in particular claiming that the EU's power lies in its ability to define what is "normal" in world politics and derives from its distinctive international identity.⁴ Critics of this approach underline that the EU's behaviour results from the combination of normative dynamics and strategic interests, collocating it somewhere along the *civilian-military power continuum*.⁵ This part of the literature has the merit of offering a reflection on the EU's role and identity at the international level, which should help us to highlight the main features of its interaction with the international security environment and the impact of this interaction on EU crisis management. However, the specific approaches mentioned above tend to adopt an ontological orientation, which allows the elaboration of new conceptualizations of European identity but are less suited to explain "how existing roles are translated into policy action".⁶

This study tries to temper this prescriptive stance by adopting an empirically-oriented research agenda. We aim at overcoming the dichotomy between "security identity" and "security practices", between the "being" and "acting" of the EU.⁷ In order to do so, it adopts an inclusive concept of the *EU's security actorness*, which is necessary in order to measure the EU's capacity not only to aggregate preferences and select policies on

² Isabel Ferreira Nunes, "Civilian, Normative, and Ethical Power Europe: Role Claims and EU Discourses", in *European Foreign Affairs Review*, Vol. 16, No. 1 (February 2011), p. 2, emphasis in the original.

³ François Duchêne, "The European Community and the Uncertainties of Interdependence", in Max Kohnstamm and Wolfgang Hager (eds.), *A Nation Writ Large? Foreign-Policy problems before the European Community*, London and Basingstoke, Macmillan, 1973, p. 1-21; and Hedley Bull, "Civilian Power Europe: A Contradiction in Terms?", in *Journal of Common Market Studies*, Vol. 21, No. 2 (December 1982), p.149-164.

⁴ Ian Manners, "Normative Power Europe: A Contradiction in Terms?", in *Journal of Common Market Studies*, Vol. 40, No. 2 (June 2002), p. 235-258, <http://dx.doi.org/10.1111/1468-5965.00353>.

⁵ Karen E. Smith, "The End of Civilian Power EU: A Welcome Demise or Cause for Concern?", in *The International Spectator*, Vol. 35., No. 2 (April-June 2000), p. 11-28, <http://www.iai.it/pdf/articles/smith.pdf>; and Karen E. Smith, "The EU in the World: Future Research Agendas", in *EFPU Working Papers*, No. 2008-1 (2008), <http://personal.lse.ac.uk/SMITHKE/EFPUworkingpaper2008-1.pdf>.

⁶ Isabel Ferreira Nunes, "Civilian, Normative, and Ethical Power Europe...", *cit.*, p. 20.

⁷ *Ibidem*.

international issues, but also to pursue them in its relations with other state and non-state actors and international institutions.⁸

According to this approach, the EU's security actorness does not coincide with the EU's security identity, but is rather the result of the interaction between the EU's security identity and the international security environment, with its security challenges and actors. This is why the EU's security actorness is conceived here as an evolving rather than rationally-selected or pre-defined feature, which derives from both the EU's political momentum and the development of the international security context. On the basis of this assumption, it is possible to deduce the relevance of an analysis that is articulated in two main strands: (a) it aims at connecting the EU's security identity with a specific security practice, namely EU crisis management; (b) it evaluates the EU's security actorness as a product of the political momentum generated by the entry into force of the Lisbon Treaty and the international security environment of the 21st century.

In this perspective, the following sections will try to elaborate analysis and prescriptions regarding the EU's role as an international crisis manager by looking at its strategic elaboration and implementation of three key developments in the global security environment: (1) the rise of new security-political challenges; (2) the evolution of the concept of security; (3) the proliferation of non-state actors in the field of security.

2. Facing new security-political challenges

In the post-Lisbon phase, the EU has been confronted with a number of new security and political challenges. In the 2003 European Security Strategy (ESS)⁹, the EU identified a number of "global challenges" and "key threats". The former included conflict, poverty and disease, competition for natural resources (which will increase as a consequence of global warming), and energy dependence. The latter were understood to include terrorism, the proliferation of weapons of mass destruction (WMD), regional conflicts, state failure and organized crime. The 2008 report on the implementation of the ESS¹⁰ expanded this list to include cyber security, energy security and climate change, as well as piracy and small arms.

The EU's approach to tackling security threats such as the proliferation of weapons of mass destruction and conventional weapons, terrorism and organized crime, energy insecurity and climate change has developed in continuity with the pre-Lisbon phase.

⁸ Christopher Hill, "European Foreign Policy: Power Bloc, Civilian Model - or Flop?", in Reinhardt Rummel (ed.), *The Evolution of an International Actor. Western Europe's New Assertiveness*, Boulder, Westview Press, 1990, p. 31-55; Charlotte Bretherton and John Vogler, *The European Union as a Global Actor*, London and New York, Routledge, 1999; Roy H. Ginsberg, *The European Union in International Politics. Baptism by Fire*, Lanham, Rowman & Littlefield, 2001; Christopher Hill, *The Changing Politics of Foreign Policy*, Basingstoke and New York, Palgrave Macmillan, 2003; Christopher Hill and Michael Smith (eds.), *International Relations and the European Union*, 2nd ed., Oxford, Oxford University Press, 2011.

⁹ Council of the European Union, *A Secure Europe in a Better World. European Security Strategy*, Brussels, 12 December 2003, <http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>.

¹⁰ Council of the European Union, *Report on the Implementation of the European Security Strategy. Providing Security in a Changing World (S/407/08)*, Brussels, 11 December 2008, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/EN/reports/104630.pdf.

The EU has undeniably made efforts to use the new opportunities provided by the Lisbon Treaty, especially in terms of coordination between the EU institutions and the Member States, and by bringing together different instruments and tools under the aegis of the double-hatted High Representative (HR) for Foreign Affairs and Security Policy/Vice-President of the European Commission (VP). Nevertheless, its response to these challenges has remained largely based on previous strategies, namely:

- supporting universal accession to the relevant international treaties (i.e. the Non Proliferation Treaty, the Comprehensive Nuclear Test Ban Treaty), institutions (i.e. the International Atomic Energy Agency) and instruments (i.e. export control) as well as their full implementation, and promoting the inclusion of non-proliferation clauses in agreements with third States (i.e. the negotiations on WMD and Small Arms and Light Weapons (SALW) undertaken in 2011 with Armenia, Australia, Azerbaijan, Canada, Georgia and Malaysia);
- addressing the terrorist threat in the framework of the UN, with a special focus on prevention, the fight against radicalization and recruitment, and financing, by imposing sanctions on terrorist organizations such as Al-Qaeda and the Taliban and supporting third countries in their efforts to counter terrorism through the Instrument for Stability. The main novelty in this field is the EU's engagement in countering terrorism and organized crime in regions such as the Horn of Africa and the Sahel as an integral part of its comprehensive strategic frameworks, including development- and security-related aspects;
- whilst a 2011 Communication by the Commission in association with the HR/VP on security of energy supply and international cooperation set out a comprehensive strategy for the EU's external relations in energy and for security of supply, the EU's external energy policy continues to be marked by scarce coordination among Member States and a strong interdependence with a few partners (with Russia at the forefront);
- promoting international negotiations on climate change in the UN framework, conducting political dialogue with third countries, offering financial assistance and cooperation to facilitate the implementation of climate action, enhancing knowledge of climate-induced threats and enabling early warning and preventive action.

Among the security threats that have affected the EU in the post-Lisbon period, the upheavals in the Middle East and North Africa have probably been the most challenging, including revolutions, conflicts and/or regime changes with major security implications at regional level in its immediate neighbourhood in countries such as in Libya, Tunisia and Egypt. North Africa would have been a perfect case to test the new crisis management institutions and instruments introduced by the Lisbon Treaty, being an area which is considered the strict responsibility of the EU from both the geographical and strategic points of view. These considerations should have induced the EU to intervene by means of its enhanced diplomatic and operational tools immediately after the outset of the crisis and to provide a mediation channel between the governments and the insurgents. The main role should have been played by the HR/VP, assisted by the relevant services of the European External Action Service (EEAS), and in concert with some key Member States. However, the actions implemented by the EU in this juncture reveal only a limited use of the provisions of the Lisbon Treaty and a mixed assessment in terms of the results.

The HR/VP's stance failed to articulate a strong political message on behalf of the EU, even if the majority of declarations and statements issued in 2011 regarded the North Africa region,¹¹ the EEAS was still in the first phase of its implementation and the Member States reacted in a scattered manner. The condemnation statements emanating from the President of the European Council, the President of the European Parliament and the Foreign Affairs Council clashed with the offer of French Foreign Minister Michelle Alliot-Marie to President Ben-Ali to send riot police to deal with his crowd problems, and with the declarations by Italian Prime Minister Silvio Berlusconi and Foreign Minister Franco Frattini in support of Presidents Mubarak and Gaddafi.¹² The institutions of the EU recently created by the Lisbon Treaty were not capable of coordinating national political choices, which were largely dictated by internal considerations - as in the cases of Germany and France - or by the prevalence of the transatlantic partnership - as in the case of the UK - or a mixture of both reasons - as in the case of Italy. The cautious attitude of the institutions in Brussels, which did not operationalize their new powers and competences derived from the Lisbon Treaty, alongside the protagonism of some national leaders, undermined the EU's ability to act as a credible crisis manager.

At the operational level, some new instruments were activated, alongside the EU's more traditional sanction regimes against non-compliant countries, namely:

- the appointment of an EU Special Representative for the Southern Mediterranean in July 2011, with a mandate focused on democracy-building, economic growth and development;
- the creation of Task Forces, i.e. for Tunisia and Egypt, bringing together EU institutions, Member States, international financial institutions and the private sector in assisting partner countries to carry forward their reform programmes;
- the Libya Crisis Platform, which was convened 14 times during the peak of the crisis, helping to share information and take management decisions among the different departments involved;
- the five exploratory missions sent to Libya by the EEAS, which provided information to identify priorities for EU support;
- the EU office opened by the EEAS in Benghazi and the EU delegation subsequently opened in Tripoli, which started a series of programmes aimed at supporting democratic transition.

The CSDP branch, which could have been mobilized to contribute to the implementation of UN Security Council resolutions 1970 and 1973 on Libya and to ensure at least the presence of the Union in one of the crisis theatres, was blocked by the divisions among Member States and the ideological reluctance of some to

¹¹ The statements and declarations issued in 2011 on North Africa represented about 22% of a total of 593. This figure comprises declarations by the HR on behalf of the EU, statements by the HR, statements by the spokespersons of the HR, and local EU statements. See Annex III to the *Annual report from the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament on the main aspects and basic choices of the CFSP - 2011* (14605/1/12 REV 1), Brussels, 9 October 2012, <http://register.consilium.europa.eu/pdf/en/12/st14/st14605-re01.en12.pdf>.

¹² Jolyon Howorth, "The 'New Faces' of Lisbon: Assessing the Performance of Catherine Ashton and Herman van Rompuy on the Global Stage", in *European Foreign Affairs Review*, Vol. 16, No. 3 (August 2011), p. 318.

intervene militarily. Only on 22 May 2013 did the Council of the EU give its green light for the deployment of EUBAM Libya, a civilian mission mandated to support the Libyan authorities in improving and developing the security of the country's borders.¹³

3. Redefining the concept of security

The end of the Cold War has been accompanied by a reassessment of the concept of security beyond the conventional, state-centric and militarized terms of the bi-polar era. Today's security environment is mainly characterized by non-nuclear and intra-state threats, which undermine the effectiveness of traditional forms of coercion and policy instruments. As a consequence, security has to be understood in broader terms in order to encompass economic development, social justice, environmental protection, democratization, disarmament, and respect for human rights and the rule of law.

At the centre of this new security thinking is what the 1994 *Human Development Report* issued by the United Nations Development Programme (UNDP) has called "human security".¹⁴ Human security is a concept characterized by a certain ambiguity and its definition is still at the core of controversies among scholars and policy-makers.¹⁵ Its key innovation has been to move the focus from the security of the State to that of the individual. Looking at every individual irrespective of his country or region of residence, it puts forward a universalistic approach to security and refers to a human community with global common concerns.¹⁶ It adopts a multidimensional and holistic interpretation of security, by advocating the need to ensure for individuals not only "freedom from fear", but also "freedom from want", and by adhering to the conviction that problems such as underdevelopment, human rights violations and insecurity of citizens in conflict zones are strongly interrelated. From a policy perspective, human security offers the opportunity to place non-military, root causes of instability on the agenda, as well as a common framework for cooperative problem-solving among diverse actors (governments, NGOs, international organizations, trans-national agencies and coalitions) and across separate but related policy areas (development, human rights, conflict resolution, etc.).

Before Lisbon, the EU had already modelled the ESS on this new concept of security. In 2004, a study group on Europe's security capabilities, convened by Professor Mary Kaldor, proposed *A Human Security Doctrine for Europe*, which argued that in order to

¹³ Council of the European Union, *Decision 2013/233/CFSP on the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya)*, 22 May 2013, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=celex:32013d0233:en:not>.

¹⁴ UNDP, *Human Development Report 1994. New Dimensions of Human Security*, New York and Oxford, Oxford University Press, 1994, <http://hdr.undp.org/en/reports/global/hdr1994>.

¹⁵ Advocates of human security are divided between two different perceptions of the concept: a narrow approach is supported by middle powers such as Canada and Japan and embedded in the *Human Security Report* regularly produced by the Human Security Report Project (HSRP) in Vancouver (<http://www.hsrgroup.org>); the main reference for the promoters of the broader perspective is the UNDP's *Human Development Report*. See Nikolaos Tzifakis, "Problematizing human security: a general/contextual conceptual approach", in *Southeast European and Black Sea Studies*, Vol. 11, No. 4 (December 2011), p. 353-368.

¹⁶ Nikolaos Tzifakis, "Problematizing human security...", cit., p. 353.

implement the ESS, the EU needed to configure and use military forces in new ways.¹⁷ The doctrine adopted a narrow interpretation of human security, focusing on physical insecurity and “freedom from fear”, and consisted of seven principles¹⁸ and the capabilities required to apply those principles in practice (a human security response force and a new legal framework). In 2006, the Finnish Presidency of the EU asked the study group to look at ways of taking forward a human security agenda within the EU: the 2007 Madrid report proposed codifying a “European way of security”¹⁹ and adopting human security as “a new operating framework for EU external action”.²⁰ The report on the implementation of the ESS made a specific reference to human security, affirming that “drawing on a unique range of instruments”, the EU has “worked to build human security, by reducing poverty and inequality, promoting good governance and human rights, assisting development, and addressing the root causes of conflict and insecurity”.²¹ Moreover, the report pointed out the need “to continue mainstreaming human rights issues in all activities [...], including ESDP missions, through a people-based approach coherent with the concept of human security” as a condition for a more capable EU.²²

The affirmation of the human security concept has been accompanied by a gradual shifting from the classical concepts of sovereignty and non-interference to a more prismatic right to intervene. The emergence of the responsibility to protect (R2P) doctrine dates back to its first formulation in the 2001 report of the International Commission on Intervention and State Sovereignty (ICISS),²³ and was defined at the 2005 UN World Summit, where member states made the commitment to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.²⁴ Since then, R2P has been invoked in a number of UN resolutions adopted by the General Assembly²⁵ and the Security Council (on Darfur,²⁶ Burma,²⁷ Libya,²⁸ and

¹⁷ Study Group on Europe's Security Capabilities, *A Human Security Doctrine for Europe. The Barcelona Report of the Study Group on Europe's Security Capabilities*, 2004, <http://eprints.lse.ac.uk/40209>.

¹⁸ These principles are the primacy of human rights, clear political authority, multilateralism, a bottom-up approach, regional focus, the use of legal instruments, and the appropriate use of force.

¹⁹ Human Security Study Group, *A European Way of Security. The Madrid Report of the Human Security Study Group*, 2007, <http://eprints.lse.ac.uk/40207>.

²⁰ *Ibidem*, p. 7.

²¹ Council of the European Union, *Report on the Implementation of the European Security Strategy*, cit., p. 2.

²² *Ibidem*, p. 10.

²³ International Commission on Intervention and State Sovereignty (ICISS), *The Responsibility to Protect*, Ottawa, ICISS, December 2001, <http://responsibilitytoprotect.org/ICISS%20Report.pdf>.

²⁴ See UN General Assembly, *Resolution on the 2005 World Summit Outcome (A/RES/60/1)*, 24 October 2005, <http://undocs.org/A/RES/60/1>. In paragraphs 138-139, heads of state or government agreed to the following principles: (1) each individual state has the primary responsibility to protect its population from genocide, war crimes, crimes against humanity and ethnic cleansing, which also entails a responsibility for the prevention of these crimes; (2) the international community should encourage or assist states to exercise this responsibility; (3) the international community has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means to help protect populations threatened by these crimes. When a state manifestly fails in its protection responsibilities, and peaceful means are inadequate, the international community must take stronger measures, including the collective use of force authorized by the Security Council under Chapter VII.

²⁵ UN General Assembly, *Resolution on the responsibility to protect (A/RES/63/308)*, 7 October 2009, <http://undocs.org/A/RES/63/308>.

²⁶ UN Security Council, *Resolution 1706 (2006) on reports of the Secretary-General on the Sudan (S/RES/1706/06)*, 31 August 2006, [http://undocs.org/S/RES/1706\(2006\)](http://undocs.org/S/RES/1706(2006)).

Ivory Coast²⁹), as well as various debates and three reports by the UN Secretary General on the implementation of the responsibility to protect,³⁰ early warning and assessment capacities³¹ and the role of regional and sub-regional arrangements³². While contested by a number of emerging powers as a new form of Western imperialism, R2P has garnered supporters beyond the Global North.³³ The African Union embraced the R2P doctrine in its 2000 constitutive act³⁴ and in the so-called Ezulwini Consensus adopted in 2005.³⁵

The EU's approach to human security recognizes that "[t]he main sources of political insecurity are either authoritarian states that repress their own citizens or a combination of state and non-state armed groups in conditions of state failure".³⁶ In its report on the implementation of the ESS, the EU underlined that "[s]overeign governments must take responsibility for the consequences of their actions and hold a shared responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity".³⁷ Moreover, it recalled its commitment "to advance the agreement reached at the UN World Summit in 2005, that we hold a shared responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity".³⁸ At the same time, a clear reference to the responsibility to protect is still lacking from the main EU strategic documents, including those related to human rights and conflict prevention.

The Task Force on the EU Prevention of Mass Atrocities and Genocide, launched in January 2012, has conducted an extensive assessment of the strengths and

²⁷ UN Security Council, *Resolution 1769 (2007) on reports of the Secretary-General on the Sudan* (S/RES/1769/07), 31 July 2007, [http://undocs.org/S/RES/1769\(2007\)](http://undocs.org/S/RES/1769(2007)).

²⁸ UN Security Council, *Resolution 1970 (2011) on peace and security in Africa* (S/RES/1970/11), 26 February 2011, [http://undocs.org/S/RES/1970\(2011\)](http://undocs.org/S/RES/1970(2011)); and *Resolution 1973 (2011) on the situation in Libya* (S/RES/1973/11), 17 March 2011, [http://undocs.org/S/RES/1973\(2011\)](http://undocs.org/S/RES/1973(2011)).

²⁹ UN Security Council, *Resolution 1975 (2011) on the situation in Côte d'Ivoire* (S/RES/1975/11), 30 March 2011, [http://undocs.org/S/RES/1975\(2011\)](http://undocs.org/S/RES/1975(2011)).

³⁰ UN Secretary General, *Implementing the responsibility to protect* (A/63/677), 12 January 2009, <http://undocs.org/A/63/677>.

³¹ UN Secretary General, *Early warning, assessment and the responsibility to protect* (A/64/864), 14 July 2010, <http://undocs.org/A/64/864>.

³² UN Secretary General, *The role of regional and sub-regional arrangements in implementing the responsibility to protect* (A/65/877), 27 June 2011, <http://undocs.org/A/65/877>.

³³ Mónica Serrano, "The Responsibility to Protect and its Critics: Explaining the Consensus", in *Global Responsibility to Protect*, Vol. 3, No. 4 (December 2011), p. 425-437, <http://dx.doi.org/10.1163/187598411X602017>.

³⁴ Article 4(h) of the Constitutive Act states that it is the "right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide and crimes against humanity". See African Union, *Constitutive Act of the African Union*, Lomé, 11 July 2000, http://www.africa-union.org/About_AU/Constitutive_Act.htm.

³⁵ African Union, *The Common African Position on the Proposed Reform of the United Nations: the Ezulwini Consensus* (Ext/EX.CL/2 VII), Addis Ababa, 7-8 March 2005, http://www.safpi.org/sites/default/files/publications/au_executive_council_ezulwini_consensus.pdf.

³⁶ Study Group on Europe's Security Capabilities, *A Human Security Doctrine for Europe*, cit., p. 7.

³⁷ Council of the European Union, *Report on the Implementation of the European Security Strategy*, cit., p.

2.

³⁸ *Ibidem*, p. 12.

weaknesses of post-Lisbon EU in implementing the R2P doctrine.³⁹ According to the Task Force, the EU continues to address situations of conflict and grave violations of human rights through traditional long-term instruments such as conditionality clauses in cooperation and association agreements with third countries, specific financial instruments such as the European Instrument for Democracy and Human Rights (EIDHR) and the Instrument for Stability (IfS), or diplomatic measures such as declarations, *démarches* and dialogue. Nevertheless, the EIDHR is a relatively small instrument and the IfS is mostly used for short-term crisis responses.⁴⁰ The EU conducts human rights dialogues with countries such as China, Belarus and Turkmenistan, but still lacks proper mediation capacities, as recently recognized by the EU Council. The EU also makes extensive use of sanctions in support of its strategy for the prevention of and response to mass atrocities, as shown by the strong measures it imposed as a reaction to the escalation of violence in Syria and its campaign for their upgrade by the UN Security Council. These are, however, difficult instruments to time properly and their effectiveness has been widely questioned.

An effective implementation of the R2P doctrine also requires the ability to gather timely and relevant knowledge about the situation in specific countries or regions, to produce accurate risk assessments, to provide clear communications to decision-makers and to ensure early action in response to escalating crises. In the post-Lisbon phase, the EU can count on the expertise of EEAS personnel, including national diplomats, a network of 141 EU delegations, Special Representatives for particular regions and some intelligence capabilities (i.e. the EU Satellite Centre, the EU Intelligence Analysis Centre).⁴¹ However, the EEAS is still in the process of building adequate expertise, in particular within its delegations, access to intelligence sources is still partial due to restrictions imposed by Member States, and forecasting of security risks over the medium and long terms is limited. Early action is hampered not only by the lack of a unitary political will such as in the case of Libya, but also by the embryonic organizational culture of the EEAS, where fast-tracking warnings from geographical desks and experts in the field to senior policy-makers is still in the process of being developed.⁴² Moreover, discussions at the Foreign Affairs Council and Political and Security Committee remain focused on current or immediate crises, often neglecting emerging problems, as happened in the case of the conflict in Mali.⁴³

Finally, the EU inevitably suffers from a lack of autonomous military resources, which are provided by Member States on a voluntary basis, and a permanent headquarters in Brussels. At the same time, it must be recognized that the EU has done a great deal in post-conflict situations to avoid the re-emergence of crises and to improve the well-being of local populations through its civilian actions aimed at supporting security sector reform (i.e. in Bosnia-Herzegovina, the Democratic Republic of the Congo,

³⁹ Task Force on the EU Prevention of Mass Atrocities and Genocide, *The EU and the Prevention of Mass Atrocities. An Assessment of Strengths and Weaknesses*, February 2013, <http://www.massatrocitiestaskforce.eu/Report.html>.

⁴⁰ The budget of the EIDHR for the period 2007-2013 amounted to 1.104 billion euros. In 2011, 188 million out of a total budget of 282 million for the IfS budget was spent on crisis or emerging crisis situations, while only 15 million was spent on pre- and post-crisis capacity building. *Ibidem*, p. 57-58.

⁴¹ *Ibidem*, p. 39-40.

⁴² *Ibidem*, p. 44.

⁴³ *Ibidem*, p. 64-65.

Guinea Bissau, the occupied Palestinian territories), strengthening the rule of law (i.e. in the former Yugoslav Republic of Macedonia, Kosovo and Iraq), protecting refugees (i.e. in Chad/Central African Republic) and monitoring the implementation of peace agreements (i.e. in the Aceh province of Indonesia).⁴⁴

4. Engaging non-state actors in the field of security

The EU has progressively recognized the role of non-state actors as key stakeholders “for dealing effectively with problems that are essentially social in nature”.⁴⁵ As a consequence, the Union has often demonstrated its willingness to rely on the expertise and resources of non-state actors such as NGOs for crisis management. This trend, which has the potential to change the approach to and implementation of the EU's crisis management system, seems to have been confirmed and reinforced in the post-Lisbon phase.

The cooperation between the EU and NGOs has been traditionally rooted in the field of development.⁴⁶ The Cotonou Agreement between the European Commission and the African, Caribbean and Pacific (ACP) countries in 2000 was the first legally-binding document to recognize the key role of non-state actors (referring to all social structures other than governments) in a participatory approach to development cooperation.⁴⁷ In 2006, the *European Consensus on Development* included civil society organizations as fully-fledged stakeholders in all stages of the development process.⁴⁸ This evolution has been confirmed in the post-Lisbon phase: the *Agenda for Change*, the new framework for EU development cooperation proposed by the European Commission in October 2011, acknowledges the need to strengthen the links between the EU and civil society organizations, social partners and local authorities through regular dialogue and the use of best practices. It also advocates the EU's support for the emergence of an organized local civil society able to act as a watchdog and partner in dialogue with national governments.⁴⁹ The European Commission is also working on the creation of

⁴⁴ Ibidem, p. 63.

⁴⁵ Hans-Georg Ehrhart, “What model for CFSP?”, in *Chaillot Papers*, No. 55 (October 2002), p. 19, <http://www.iss.europa.eu/publications/detail/article/what-model-for-cfsp>.

⁴⁶ The first formal partnership between the European Commission and European NGOs was established in 1976 with the creation of an NGO co-financing budget line of 2.5 million ECUs to support innovative projects, such as the struggle against apartheid in South Africa or the promotion of fair trade. In 1999, the launch of the EIDHR marked an important step, as the EU's focus broadened to include the development of democracy, the rule of law and respect for human rights and fundamental freedoms. See Valérie Vicky Miranda, “The Africa-EU Peace and Security Partnership and the Role of Civil Society”, in Nicoletta Pirozzi (ed.), “Strengthening the Africa-EU Partnership on Peace and Security: How to Engage African Regional Organizations and Civil Society”, in *IAI Research Papers*, No. 6 (October 2012), p. 55-92, <http://www.iai.it/content.asp?langid=2&contentid=803>.

⁴⁷ Partnership agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 (2000/483/EC), <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=celex:22000a1215%2801%29:en:not>.

⁴⁸ European Union, *The European Consensus* (2006/C 46/01), OJ C 46 24 February 2006, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=celex:42006x0224%2801%29:en:not>.

⁴⁹ European Commission, *Increasing the impact of EU Development Policy: an Agenda for Change*, (COM(2011) 637 final), Brussels, 13 October 2011, p. 6, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=celex:52011dc0637:en:not>.

new financial tools in the Multiannual Financial Framework 2014-2020, aimed at operationalizing the EU's partnership with civil society namely through geographic funds and a new thematic programme on civil society organizations and local authorities.⁵⁰

Cooperation between the EU and non-governmental organizations in the specific field of security and defence has been less regular or structured. Again, the European Commission has been very active in reaching out to civil society actors in the sectors of conflict prevention and peace-building. The Directorate General for External Relations (DG RELEX) of the European Commission established the first Conflict Prevention Network (CPN) of European institutes and NGOs in as long ago as the 1990s. This was followed by the launch of the Conflict Prevention Partnership (CPP) in 2005, the Initiative for Peacebuilding in 2007 and the Initiative for Peacebuilding-Early Warning in 2010. The Peacebuilding Partnership, currently the main framework for dialogue between EU institutions and NGOs on security-related matters, is funded through the IfS, and is aimed at building the capacities of relevant organizations in pre-crisis situations, for instance to develop early-warning systems, to provide mediation and reconciliation services and to address inter-community tensions, as well as at improving post-conflict and post-disaster recovery.

As concerns crisis management, the EU Council adopted in 2006 recommendations for enhancing co-operation with NGOs and civil society organisations (CSOs).⁵¹ Since then, the Political and Security Committee and the CIVCOM have established a practice of inviting field experts from leading European NGOs to their meetings for informal exchanges in view of the preparation of EU concepts and policy documents.

However, despite the EU's recognition of the value of the potential contribution of NGOs, cooperation in early warning and situation assessment, particularly concerning the strategic and operational planning of CSDP missions, is still suboptimal.⁵² The difficulty of identifying relevant expertise in the civil society realm is accompanied by an enduring lack of trust on the part of national diplomatic and EU officers in the non-governmental sector, by a scarce availability of resources and by a limited knowledge of EU crisis management processes and needs by NGOs. Examples of effective cooperation, such as the Aceh Monitoring Mission (AMM) deployed by the EU to the Indonesian province of Aceh in 2006, remain rare. In the case of AMM, the Finnish Crisis Management Initiative (CMI) played an active role in the drafting of operational concepts and plans at PSC level and through the inclusion of one of its experts on the Technical Assessment Mission (TAM) team. In order to improve the situation, the EEAS has recently launched an initiative to establish a more stable framework of

⁵⁰ Valérie Vicky Miranda, "The Africa-EU Peace and Security Partnership and the Role of Civil Society", cit., p. 62.

⁵¹ Council of the European Union, *Recommendations for Enhancing Co-operation with Non-Governmental Organisations (NGOs) and Civil Society Organisations (CSOs) in the Framework of EU Civilian Crisis Management and Conflict Prevention (15741/06)*, Brussels, 23 November 2006, <http://register.consilium.europa.eu/pdf/en/06/st15/st15741.en06.pdf>.

⁵² Catriona Gourlay, *Partners Apart: Enhancing Cooperation between Civil Society and EU Civilian Crisis Management in the framework of ESDP*, Helsinki, Civil Society Conflict Prevention Network (KATU), Crisis Management Initiative (CMI) and European Peacebuilding Liaison Office (EPLO), 2006, p. 11, <http://www.katunet.fi/julkaisut/partners-apart-enhancing-cooperation-between-civil-society-and-eu-civilian-crisis>.

cooperation with relevant NGOs for the strategic planning of CSDP missions. NGOs are also implementing partners for projects funded by the Foreign Policy Instrument (FPI). According to FPI officers, it is not easy to find expertise within European NGOs, beside some exceptions such as the Deutsche Gesellschaft für Internationale Zusammenarbeit (GTZ), and they are often forced to have recourse to UN agencies such as the UNDP.⁵³

At the operational level, the 2012 *Guidelines to design Civilian CSDP Mission-specific organizational structures* mention the need for civilian CSDP missions to collaborate, where appropriate, with NGOs and civil society in the crisis management context. The new mission structure proposed in the document envisages the establishment of NGO liaison functions within civilian CSDP missions. Looking at the reality in the field, EULEX mission in Kosovo is one of the most advanced CSDP missions in terms of coordination with NGOs. However, the structure of EULEX does not yet include a dedicated civil society liaison officer, but both the Programme Office and the Policy Office are responsible for relations with NGOs. The main part of the work of EULEX as regards civil society remains focused on providing information about the mission's mandate and activities, rather than on creating occasions for genuine dialogue in which NGOs are able to share their expertise and experience.⁵⁴ As a consequence, local NGOs continue to feel little consulted on the main issues concerning the mission, and lament its lack of transparency, especially concerning its executive activities, which they perceive as the main obstacle to improving accountability and engagement with civil society.⁵⁵

NGOs play a key role in building EU crisis management capacity also by training personnel and providing experts to be deployed in CSDP missions. Most training and recruitment is still organized at Member State level; this situation creates imbalances and fragmentation in terms of the degree of participation of non-governmental organizations. In most countries, with the exception of some smaller Member States, independent training institutes or NGOs deliver training services. At EU level, the European Security and Defence College was established in 2005 as a network of national universities, academies, colleges and institutes to provide strategic-level education in CSDP. In the civilian field, the most successful initiative is Europe's New Training Initiative for Civilian Crisis Management (ENTRi), a capacity-building programme funded by the European Commission since 2011 and implemented by 13 national training centres in Europe. In terms of recruitment, only a few Member States currently include non-governmental experts on their rosters for civilian deployments, whereas in most cases national recruitment practices fail to reach relevant experts that are employed in the private, NGO or academic sectors.⁵⁶

⁵³ Interview with FPI officer, Brussels, 25 April 2012.

⁵⁴ Malin Palm, *Accountability and Effectiveness of CSDP Missions: The Role of Civil Society. The Cases of EULEX (Kosovo) and EUPOL COPPS (Palestinian Territories)*, Brussels, European Peacebuilding Liaison Office (EPLO), June 2010, p. 12, http://www.eplo.org/assets/files/2.%20Activities/Working%20Groups/CSDP/EPLO_CSDP_WG_Study_Accountability_and_Effectiveness_of_CSDP_Missions.pdf.

⁵⁵ *Ibidem*, p. 14.

⁵⁶ Catriona Gourlay, *Partners apart...*, cit., p. 12.

5. Model by being and model by doing: reinvigorating the EU's security actorness

The reflection on the evolution of the EU's response to emerging challenges and expectations on the international stage has allowed us to outline both established patterns and elements of innovation in the post-Lisbon phase.

The EU's approach to the identification and response to the main threats to international security and stability - ranging from the proliferation of WMD and conventional weapons to terrorism and organized crime, as well as energy insecurity and climate change - has developed in substantial continuity with the pre-Lisbon phase. At the same time, the EU has been confronted with new challenges in North Africa and the Middle East following the upheavals of the Arab Spring, which have not led it to rethink its crisis management strategies and actions. The implementation of a limited number of new instruments at the operational level has not balanced the lack of a common political vision and coordinated efforts to tackle the crises at stake, most evidently those which erupted in its neighbourhood.

It seems that the post-Lisbon EU has managed partially to internalize and operationalize the emerging approach to security by embedding in the human security concept and the R2P doctrine in its crisis management system. The main gaps lie in the prevalence of a reactive rather than anticipatory mindset in the intelligence, policy-making and planning sectors, as well as a difficult translation of early warning into early action within the EEAS' architecture. Moreover, the effectiveness of EU action is mitigated by the lack of a common interpretation of the operational aspects of R2P among its Member States and institutional actors, accompanied by a limited ability to intervene militarily in conflict theatres to protect citizens from gross human rights violations.

Cooperation with NGOs can be considered a test case for the analysis of the response elaborated by the EU to the proliferation of non-state actors in the field of security. This cooperation has not been characterized by a major shift in the post-Lisbon phase: the increasing recognition of the added value provided by NGOs in addressing current conflicts and crises has not been accompanied by a change in the EU's decision-making and conduct. The scattered contribution of well-connected European networks to the planning and implementation of CSDP missions has not been accompanied by a comprehensive policy of empowering and involving NGOs in the security and defence sector. Cultural elements - such as the enduring lack of trust on the part of national and European constituencies - and material constraints - namely the scarcity of financial resources - are the main causes of the lack of a formalized framework of cooperation at EU level.

The EU will be able to tackle the evolution of the international security environment only by reaffirming the validity of its role in the shifting global context, both as a norm setter (model by being) and an operational crisis manager (model by doing).

Moving from the innovations introduced by the Lisbon Treaty, the EU should take into account the panoply of policies and instruments at its disposal, and elaborate indications as to how they should be projected on the international stage - from the

neighbourhood to the global world. On the one hand, the evolution of the concept of security rules out the suitability of a narrow definition of the international actorness of the EU seen through the lens of traditional defence tasks, and implies the involvement of a much broader range of external actions as set out in the Lisbon Treaty. On the other hand, the special role that the EU is called upon to perform in its immediate vicinity - especially in the Mediterranean, the Middle East and the Sahel in the South, and in the Balkans and the Caucasus in the East - has to be acknowledged without neglecting the international implications of local and regional crises in a highly globalized and connected world.

Recent evolutions on the global scale, including the ongoing economic and financial crisis, the emergence of complex and unconventional threats and the proliferation of security actors, can constitute both obstacles and opportunities for the EU. The tendency towards the diffusion of power in the current international security environment cannot be neglected, but the EU should interpret this more as an incentive to the creation of a multi-level system of governance than as a threat to its role. A new approach for the EU's external action should be focused on the added value of the Union's model and cooperation with traditional and emerging stakeholders.

Regional, non-state and trans-national actors might be best placed and better equipped than the EU to deal with particular conflicts or crises. The range and amount of operational requirements existing in the current international security environment require the delegation of some responsibilities to other relevant actors, possibly by means of financial and technical support. Based on past experience and future trends, the EU should look in particular to NGOs for the implementation of specific tasks, i.e. mediation, monitoring, early warning, information-gathering and policy analysis.

If the Lisbon Treaty does not constitute a watershed for the EU's crisis management model, in both positive and negative terms, it certainly contains most of the elements which a comprehensive security provider requires in the 21st century. These elements should be turned into a new strategic approach and tested in the field.

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