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**The institutional barriers of the EU's peacebuilding framework: the
case of Libya and beyond**

*Studying the limitations of the Union's peacebuilding capacity and the way
these institutional barriers influenced the EU's role in Libya between
February 2011 and July 2014.*

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“As global challenges continue to rise in number and increase in complexity and as the EU’s economic and financial resources remain under pressure, the need to redefine the Union’s potential as a global actor of peacebuilding is now stronger than ever”*

*Speech held by Martti Ahtisaari at the conference ‘From early warning to early action: developing EUs response to crisis and long-term threats’, 12-13 November 2007, European Commission, Brussels.

Abstract

Over the past two decades, the EU developed a normative and institutional peacebuilding framework in order to be able to respond more adequately to the rising number of regional and global challenges. Since the beginning of the 21st century, the Union started to carry out both civilian and military peacebuilding operations in all regions of the world in order to support the three pillars of the Union: rule of law, human rights and democracy. This thesis addresses the limitations of the EU's peacebuilding capacity and the way these institutional barriers influenced the EU's role in Libya between February 2011 and July 2014. Against the backdrop of a comparison between the UN and the EU's peacebuilding system, this thesis provides a three-layered critique on the EU's peacebuilding framework: at the conceptual, political and operational/institutional level. Subsequently, it will explore and explain the way these institutional barriers shaped the EU's response to the 2011 Libyan crisis. This thesis demonstrates that there is a gap between the EU's idealistically-driven and multi-faceted peacebuilding framework on the one hand, and its limited peacebuilding record and capacity on the other. It is therefore argued that 'lessons learned' from the EU's previous peacebuilding practices – such as the case of Libya – should serve to realistically rethink and redefine the EU's role as peacebuilder at the international stage. In other words, it is time to critically reflect upon the EU's peacebuilding potential in order to become a more meaningful and effective peacebuilder in the near future.

Table of acronyms

AU	African Union
CA	Comprehensive Approach
CFSP	Common Foreign and Security Policy
CSDP	Common Security and Defense Policy
DDR	Disarmament, Demobilization and Reintegration
DG	Directorate-General
DRC	Democratic Republic of Congo
EC	European Commission
EEAS	European Union External Action Service
ENI	European Neighborhood Instrument
ENP	European Neighborhood Policy
ENPI	European Neighborhood Policy Instrument
EPLO	European Peacebuilding Liaison Office
ESDP	European Security and Defense Policy
ESS	European Security Strategy
EU	European Union
EUIDHR	European Instrument for Democracy and Human Rights
EUPF	European Union peacebuilding framework
FYROM	Former Yugoslavian Republic of Macedonia
GNC	General National Congress
HR	High Representative
IA	Integrated Approach
IfS	Instrument for Stability
MSs	Member States
NATO	North Atlantic Treaty Organization
NGOs	Non-Governmental Organizations
NTC	National Transitional Council

PBA	Peacebuilding architecture
PBC	Peace Building Commission
PBF	Peace Building Fund
PBSO	Peace Building Support Office
SC	Security Council
SSR	Security Sector Reform
TEU	Treaty on European Union
UK	United Kingdom
UN	United Nations
UNPF	United Nations peacebuilding framework
US	United States

List of abbreviations of EU and UN missions

AMISOM Somalia	African Union Mission in Somalia (2007)
EUBAM Libya	European Union Border Assistance Management in Libya (2013)
EUCAP Sahel Niger	EU Civilian Advisory Mission in Niger (2012)
EUCAP Sahel Mali	EU Civilian Advisory Mission in Mali (2014)
EUFOR Bosnia	EU Force Althea in Bosnia (2004)
EUFOR RCA Chad/ CAR	EU Force in Chad and in the Central African Republic (2008)
EUFOR RD Congo	EU Force in Congo (2006)
EULEX Kosovo	EU Rule of Law Mission in Kosovo (2008)
EUNAVFOR Somalia	EU Naval Force in Somalia ('Atalanta') (2008)
EUPM Bosnia and Herzegovina	EU Police Mission in Bosnia and Herzegovina (2003)
EUPOL Afghanistan	EU Police Mission in Afghanistan (2007)
EUPOL FYROM	EU Police Mission in FYROM (2013)
EUTM Mali	EU Training Mission in Mali (2013)

UN MINURCAT	UN Peacekeeping Mission in the Central African Republic and Chad (2007)
UN MINUSMA Mali	UN Multidimensional Integrated Stabilization Mission in Mali (2013)
UN MONUC Congo	UN <i>Mission de l'Organisation des Nations Unies en République Démocratique</i> in Congo (2003)
UNSMIL Libya	UN Support Mission in Libya

Table of contents

Introduction	10
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Part I – State of art of the EU’s peacebuilding framework

1.1	The emergence of peacebuilding: the UN	15
1.1.1	The evolution of the UN model of peacebuilding	16
1.1.2	The UN’s peacebuilding architecture	20
1.1.3	The relationship between the UN and other regional organizations	23
1.2	The development of the EU’s peacebuilding framework	24
1.2.1	The underlying philosophy of the EU’s peacebuilding consensus	24
1.2.2	From reality to rhetoric: EU peacebuilding practices since the 1990s	30
1.2.3	The institutional framework of EU peacebuilding	40
1.2.4	The institutional barriers of the EUPF	47
1.3	A comparative study of the EU and UN peacebuilding system	58
1.3.1	Similar institutional challenges	58
1.3.2	The different ‘strategic cultures’ of the UN and the EU	60

Part II – The EU’s response to the Libyan crisis

2.1	Specific characteristics of Libyan history	63
2.1.1	The political order of Qaddafi	63
2.1.2	The importance of tribal alliances	65
2.1.3	The presence of suppressed Islamist groups	67
2.2	The EU’s peacebuilding strategy and practices in Libya: no European boots on the ground	68
2.2.1	The diplomatic and humanitarian dimension of the EU’s involvement	68
2.2.2	Military operations and the EU: standing on the side-lines	70
2.2.3	The EU’s response on the civilian side	70
2.3	The EU’s institutional barriers in the context of Libya	75
2.3.1	The lack of ‘institutionalization before liberalization’	75
2.3.2	National interests versus common interests	77
2.3.3	A lack of military hardware and ‘institutional turf battles’	79
2.4	A future perspective of the EU as a peacebuilder at the international stage	82
2.4.1	Towards the notion of ‘civilian power Europe’	82
2.4.2	Integrating peacebuilding in development programmes	84
2.4.3	A ‘Schengen approach’ to defence integration	86
2.4.4	Reflecting on the most feasible and effective scenario for Libya	88

Conclusion		90
Bibliography		94
Annex 1	Map of Libya	109
Annex 2	Galtung's conflict triangles	110
Annex 3	Intertwinement of peacekeeping and peacebuilding as part of the CA	111
Annex 4	Timeline of the course of the Libyan conflict and its aftermath	112
Annex 5	Table concerning EU support to Libyan people and civil society	115
Annex 6	Table concerning EU funded projects in Libya: support to Libyan authorities	116
Annex 7	Table concerning EU support for reform of public sector by the Public Administration Capacity-Building Facility	116

Introduction

Over the past two decades, the European Union (EU) became increasingly aware of the growing link between its internal security and external security.¹ Therefore, the Union started the process of formalizing its peacebuilding approach as a central element of the EU's foreign policy (CFSP).² In reaction to the increasing international debate on peacebuilding, the EU adopted a mosaic of disperse documents on the Union's peacebuilding priorities and objectives.³ In the footsteps of major international player in the field of peacebuilding, the United Nations (UN)⁴, the EU started to carry out both civilian and military peacebuilding operations in all regions of the world in order to support the three pillars of the Union: rule of law, human rights and democracy.⁵ In the beginning of the 21st century, the Union mainly carried out large-scale military interventions and long-term post-conflict reconstruction initiatives in war-torn countries such as Bosnia, Afghanistan, and the Democratic Republic of Congo (DRC).⁶ The Lisbon Treaty in 2007 strengthened the peacebuilding potential of the EU by introducing several changes in the Union's institutional setting, including the

1 Al-Momani, 2011, 3.

2 In order to clarify how this thesis defines the concept of peacebuilding, it is firstly important to look at the conceptual differences between peacemaking, peacekeeping, and peacebuilding. Here, the thesis refers to Galtung's conflict triangle in order to better analyze, understand and explain conflict factors and dynamics (see Annex 2) (Galtung, 1996). Galtung describes peacemaking as a political process involving diplomatic negotiations and mediation leading to peace agreements. In addition, Galtung's notion of peacekeeping refers to end direct violence. He argues that peacebuilding underpins the work of peacemaking and peacekeeping. According to Galtung's conflict triangle, peacebuilding addresses structural issues and the long-term relations between conflicting parties (Galtung, 1996 in Tshiband, 2010, 2). However, this thesis argues that these concepts are strongly interlinked and that their activities greatly overlap in reality. In line with the 2009 UN report 'Peacebuilding in the immediate aftermath of conflict', this thesis argues that peacebuilding should not be set apart from conflict prevention, peacekeeping, peacemaking, humanitarian and development assistance. This thesis therefore uses a broad notion of peacebuilding, including a whole range of activities of both military and civil peacebuilding. This understanding of peacebuilding reflects the so-called 'comprehensive approach' (CA) of peacebuilding that is used in both the UN and the EU's peacebuilding framework (EUPF), which will be further discussed in part one.

3 Duke and Courtier, 2009, 12.

4 In the 90s, the UN optimistically carried out peacekeeping operations in Mozambique (1992-1994) and Somalia (1992-1995); observer missions in Liberia (1993-1997), Uganda-Rwanda (1993-1994), Angola (1997-1999), and Sierra Leone (1998-1999); and an assistance mission in Rwanda (1993-1996) (United Nations, available at: <http://www.un.org/en/peacekeeping/documents/operationslist.pdf>, accessed on 15 March 2015).

5 TEU, Article 21 (1).

6 Grevi et al., 2009, 13.

establishment of the European External Action Service (EEAS): also referred to as ‘the potential center of gravity in peacebuilding’.⁷ Since the EEAS came into force in 2010, there has been a lot of scholarly critique on the EEAS and the EU as a whole for not being effective in the field of peacebuilding.⁸ There seems to be a scholarly consensus about the strong normative power of the EU on the one hand and its limited ability to play a significant peacebuilding role on the other.⁹ However, despite this academic criticism, there has been limited discussion on the EU’s peacebuilding approach and strategy.¹⁰ This thesis will therefore focus on this significant institutional contradiction of the EUPF.

This thesis is built on the following hypothesis: the combination of different institutional barriers explains the Union’s role in Libya since the 2011 conflict.^{11,12} This twofold thesis aims to explore and explain this relation. First of all, it will discuss the underlying rhetoric and the main institutional barriers of the EUPF against the backdrop of a comparison between the peacebuilding systems of the UN and the EU. The way these institutional limitations influenced the EU’s response to the Libyan conflict and the role the Union played in the aftermath of the conflict (until the summer of 2014) will be discussed in the second part. This thesis focuses on the specific period from February 2011 until July 2014 because this can be seen as the period of the Libyan political transition in which violence generally remained absent. In July 2014, the conflict between the constantly changing Islamist and non-Islamist coalitions in Libya escalated which pulled the country back in a situation of civil war. The reason this thesis focuses on the particular case of Libya is because it is the last case in which the

7 It is important to clarify the relation between the EEAS and the EU’s CFSP. It should be noted that the EU is not a European Ministry of Foreign Affairs, designed to replace the EU’s member states’ (MSs) ministries. It rather ensures effective delivery of the EU’s foreign policy through a global network of EU delegations, crisis management structures, and Common Security and Defense Policy (CSDP) missions. The EEAS has been created to implement and to coordinate the external policy of the Union, including trade, development and other global issues such as energy, security, climate change, and migration (European External Action Service, 2013, 4).

8 European External Action Service, 2013.

9 Richmond et al., 2011, 12.

10 Natonski, 2011, 3.

11 When using the term ‘institutional limitations’, this thesis refers to the conceptual, political, and operational/institutional limitations of the EUPF in the broader context of the EU’s foreign policy.

12 See Annex 1 for a map of Libya.

EU engaged itself as a peacebuilder. In this way, this case study indicates the state-of-art of the EUPF which is necessary to explore and understand in order to envision the EU's potential to improve its peacebuilding role at the international stage.

The social relevance of this thesis should be first of all understood in terms of its contribution to a greater level of public awareness about the peacebuilding capacity of the EU and its role at the international stage. Secondly, this thesis urgently calls for more research into the direction for further development of the peacebuilding policy and capacity of the Union.¹³ This kind of research is becoming more necessary in the light of the increasing instability in the Union's neighboring countries and other security challenges that the EU is currently facing, such as terrorism and international crime.¹⁴ The theoretical relevance of this thesis is based on the lack of academic literature on the current EU's peacebuilding strategy and institutional capacity. Although some scholars of European Studies and International Relations have focused on the lack of a common political position and political will regarding peacebuilding among the EU's MSs, little attention has been paid to other barriers of the EUPF.¹⁵ In addition, the thesis will also contribute to the academic debate on the relevance of democratization as part of the peacebuilding process in (semi-autocratic) countries beyond the EU.

The research for this thesis will be based on an in-depth analysis of primary source documents of EU bodies such as the Council, the Commission (EC) and the EEAS and of the UN. These policy documents are all related to the CFSP, which can be seen as the framework of this thesis. In addition, I will conduct a literature analysis (secondary academic sources) in order to develop a further understanding of both theories of peacebuilding and democratization and of the former conflict dynamics in Libya. Related to the methodology, it should be noted that this thesis will be written at the intersections of the disciplines of political science (international relations) and conflict studies since it will use theories and concepts from both academic fields. The thesis will use a critical liberal peacebuilding framework while analysing the EU's peacebuilding

13 Jopp and Schlotter, 2007, 15.

14 Schmitt, 2013, 413.

15 Fiara, 2014, 14.

capacity and its peacebuilding practices in Libya. This critical discourse of liberal peacebuilding questions the general assumption that liberalism and democracy are key to peaceful national and international relations.^{16,17} Liberal peacebuilding is often challenged from the theoretical perspective of political realism: a theory of international relations that considers states as the principle actors in the international arena.¹⁸ The theory assumes that states are mainly concerned with their own security and always act in pursuit of their own international interest.¹⁹ The critical discourse of liberal peacebuilding and political realism can be seen as theoretical underpinnings of this thesis.

In the first part of this thesis, the UN's normative and institutional framework of peacebuilding will be compared with the EUPF in order to explore the differences and similarities between both systems. This comparison makes it possible to answer essential questions such as: how has the EU's peacebuilding model evolved over the years and what kind of peacebuilder is the Union today? Then, the thesis will focus on the main institutional limitations of the Union's peacebuilding capacity that seem to hinder the EU from playing a meaningful role at the international stage. The second part of the thesis will focus on the EU's peacebuilding approach and practices in the case of Libya and the way some of the EU's institutional barriers have shaped the EU's response to the Libyan crisis. Furthermore, the EU's peacebuilding record in Libya sheds light on the Union's strengths and added-value regarding peacebuilding at the international level, which will be discussed as well. The conclusion suggests that the EU's underlying liberal rhetoric of peacebuilding and the persistent character of the main institutional barriers of the EUPF undermine the EU's ambition to become a major actor in regional and global peacebuilding. The case study of Libya confirms the

16 Paris, 2010, 360.

17 It should be noted that the liberal peacebuilding framework, well-known in the field of conflict studies, is strongly related to the liberal peace theory: a prominent theory of political science. It can be argued that the liberal peace theory can be seen as the basis of liberal peacebuilding (Tziarras, 2012, 3).

18 In the context of this thesis, political realism mainly refers to the political and/or economic interests of states as peacebuilders (Tziarras, 2012, 1).

19 Tziarras, 2012, 8.

previously mentioned institutional contradiction of the EU, although it should be noted that Libya is a peculiar case compared to other peacebuilding operations.²⁰

²⁰ The case of Libya can be seen as a not typical and extremely challenging case for peacebuilding efforts of the international community, due to Libya's history of four decades of dictatorship; the lack of a functioning state apparatus in the post-conflict situation; the presence of extremist Islamic groups such as the Islamic State and the increasing number of transnational extremists; and the sensitive issue of irregular migration towards Europe as a consequence of the conflict.

Part I – State-of-art of the EU’s peacebuilding framework

“The EU’s understanding of peacebuilding is multi-faceted and this, in turn, has implications for the manner in which peacebuilding is implemented in the context of the EU’s external relations”

(Duke and Courtier, 2009, 3)

1.1 The emergence of peacebuilding: the UN

Peacebuilding in the EU context cannot be considered in isolation. Despite the fact that the EU often emphasizes its ‘distinctive approach’ of peacebuilding at the international level - pointing at its focus on civil society, capacity-building and dialogue - it can be argued that the EUPF is not only built upon and fully compatible with the UN’s peacebuilding approach and activities.^{21,22} EU peacebuilding is also dependent on the United Nations peacebuilding framework (UNPF) because of the EU’s obligation to evoke the UN Charter when it comes to the approval and legitimacy for a variety of peacebuilding tasks.^{23,24} In other words, the UN mandate underpins the legality of the Union’s proposed ‘crisis management operations’ and thus enhances the status and the authority of these operations.²⁵ Furthermore, Article 52 (1) of the Chapter VIII of the UN Charter states that ‘regional arrangements of agencies and their activities’ should be consistent with the purposes and principles of the UN. This means that regional actors such as the EU are always obliged to cooperate with the UN during the implementation of peacebuilding operations. Given these direct links between the EU’s and the UN

21 Duke and Courtier, 2009, 14.

22 The argument that the EU follows the UN’s peacebuilding project and relies on the common ideas and norms of the UN has been outlined in the Agenda for Peace (1992), the Millennium Development Goals (2000), Responsibility to Protect (2001), and the High Level Panel Report (2004) (Richmond et al., 2011, 5).

23 UN Charter, Chapter VII.

24 The EU’s security strategy (ESS), established in 2003, recognizes the ‘primacy of the UN Security Council (SC) in the maintenance of international peace and security’.

25 Duke and Courtier, 2009, 15.

peacebuilding system, it is not surprising that the EU's understanding and practice of peacebuilding is heavily influenced by that of the UN.²⁶ Therefore, any attempt to understand peacebuilding in the EU context must also take into account the UNPF.

1.1.1 The evolution of the UN model of peacebuilding

Within the UN system, peacebuilding became a familiar concept in 1992, following the Secretary-General Boutros Boutros-Ghali's report 'An Agenda for Peace'. In this report, peacebuilding was defined as 'an action to solidify peace and avoid relapse into conflict'.²⁷ This concept refers to activities that go beyond crisis intervention, such as long-term development, and building of governance structures and institutions.²⁸ In 1997, the report 'Supplement to An Agenda for Peace' was adopted by the UN General Assembly in which four sub-groups were distinguished: preventive diplomacy and peacemaking; UN-imposed sanctions; coordination; and post-conflict peacebuilding.²⁹ Another important UN report that was established in 1998 was titled 'The causes of conflict and the promotion of durable peace and sustainable development in Africa'. In this report, Boutros-Ghali's successor Kofi Annan underlined that the consolidation of peace in the aftermath of conflict requires more than purely diplomatic and military action.³⁰ According to this report, peacebuilding should not replace ongoing humanitarian and development activities in countries emerging from crisis, but it should rather build on and add to these activities. Despite the formulation and the increasing clarification of the peacebuilding concept in these policy documents, the UN found itself embroiled in complex environments without coherent peacebuilding strategy in the mid to late 90s.³¹ In a response to this 'crisis of expectations', the 2000 'Report of the Panel on United Nations Peace Operations' (also known as the Brahimi Report) stressed the need for a better integrated UN peacebuilding strategy in which

26 Duke and Courtier, 2009, 11.

27 Lemay-Hébert and Toupin, 2011, 1.

28 Lemay-Hébert and Toupin, 2011, 4.

29 General Assembly of the UN, available at:

<http://www.un.org/en/ga/62/plenary/workorganization/bkg.shtml>, accessed on 11 May 2015.

30 Knight, 2009, 30.

31 Berenskoetter, 2005, 80.

peacebuilding will be integrated in peacekeeping missions.³² The Brahimi report did not only underline the necessity to create a clear peacebuilding doctrine, but also the need to reinforce the peacebuilding structures inside the UN.³³ Or as the report states: “Without institutional changes, the UN will not be capable of peacekeeping and peacebuilding tasks that the MSs assign it in coming months and years”.

In addition, the report clearly pointed out that immediate relief was no longer the only priority of the UN, but that reconstruction, development, and sustainable peace also became important concerns of the UN system. Therefore, peacebuilding was defined as “activities undertaken on the far side of conflict to reassemble the foundations of peace and provide the tools for building on those foundations something that is more than just the absence of war”. A 2007 working paper of the Peace Building Support Office (PBSO) stated that although very few of the Brahimi recommendations have been implemented properly, the report has contributed to the progress of peacekeeping by highlighting its operational and doctrinal flaws.³⁴ The Brahimi report is often described as the first step towards the ‘humanitarianization’ of peacekeeping that charged itself with peacebuilding and development goals.

In 2007, the UN Secretary-General's Policy Committee agreed on the following conceptual basis for peacebuilding to inform UN practice: “Peacebuilding involves a range of measures targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management, and to lay the foundations for sustainable peace and development. Peacebuilding strategies must be coherent and tailored to specific needs of the country concerned, based on national ownership, and should comprise a carefully prioritized, sequenced, and therefore relatively narrow set of activities aimed at achieving the above objectives”.³⁵ This conceptual basis of peacebuilding can be seen as the starting point of the development of the so-called ‘integrated approach’ (IA) and later the CA of the UNPF that will now

32 United Nations Peace Building Commission, 2009.

33 Ibid.

34 Peace Building Support Office, 2007.

35 United Nations Peace Building Support Office, 2010, 5.

be discussed.

The UN and the integrated approach

Over the first few years of the beginning of the century, the UN and other peacebuilding organizations struggled with the dilemma that 55% of the peacebuilding programmes worldwide did not show any link to a larger country strategy.³⁶ The UN system responded to this challenge by commissioning a series of high-level panels and working groups to evaluate several aspects of this problem and to experiment with different kind of operational and strategic peacebuilding models.³⁷ These efforts culminated in the IA concept: “A specific type of operational process and design where planning and coordination processes of different elements of the UN family are integrated into a single country-level UN system, when it undertakes complex peacebuilding missions”.³⁸ It is not surprising that such an approach requires coordinated and coherent efforts of both internal and external actors, including governments, the private sector, international organizations, and civil society.³⁹ In 2008, Secretary-General Ban Ki-Moon officially introduced the concept of the IA and referred to the concept as follows: “A strategic partnership between the UN peacekeeping operation and the UN country team that ensures that all components of the UN system operate in a coherent and mutually supportive manner and in close collaboration with other partners”.⁴⁰ In some circles, the broader strategic coordination process of establishing linkages among all the external actors in a given country is known as the CA, or as the ‘new understanding of peacebuilding’.⁴¹

The CA was central to the 2009 UN report ‘Peacebuilding in the immediate aftermath of

36 Coning, de, 2009, 1.

37 Ibid

38 Ibid

39 Coning, de, 2009, 2.

40 Ibid.

41 Coning, de, 2009, 5.

conflict’.⁴² The report underlined that peacebuilding should not be set apart from conflict prevention, peacekeeping, peacemaking, humanitarian and development assistance. In other words, the CA can be seen as a wider vision and new definition for peacebuilding that not only includes ending an intrastate armed conflict but also the whole range of peacekeeping, policing, humanitarian, and development activities needed for rebuilding fragile conflict-afflicted countries into stable, peaceful, and sovereign nation-states. This shows that the CA also refers to the integration of various military, police, and civilian dimensions of a peacebuilding operation to establish a multi-component entity (also referred to as a ‘Joint Operation’).⁴³ In this way, it can be argued that the CA has shifted the focus on the old bi-polar concept of civil-military coordination to a new multi-polar coordination challenge of complex UN peacekeeping operations.⁴⁴ According to this holistic approach, all these activities should work in tandem from the beginning of a mission. The CA has been further developed and elaborated in the following UN policy documents: the 2010 ‘UN peacebuilding: an orientation’, the 2010 ‘Progress report’, the 2012 ‘Report on peacebuilding in the aftermath of conflict I’, and the 2014 ‘Report on peacebuilding in the aftermath of conflict II’. These documents and previously mentioned reports form the normative framework of the UN peacebuilding discourse.

On 17 January 2015, the SC urged a common UN approach to inclusive development as a key for preventing conflict and enabling sustainable peace. The Council underlined the primary responsibility of national authorities to engender inclusive development, with the support of the international community and the participation of civil society - particularly women and youth - in the interest of lasting peace. During this meeting, Secretary-General Ban Ki-Moon emphasized the need to integrate efforts to address challenges under all three pillars of the UN: peace and security, development and human rights. “We must break out of our silos and work together on all three areas

42 This landmark report identifies five peacebuilding objectives: support to basic safety and security, support to political process, support to the provision of basic services, support to restoring core government functions, and support to economic revitalization. It should be noted that this was the first time that security was publicly mentioned as part of peacebuilding.

43 Ibid.

44 Dansk Institut for Internationale Studier, Coning, de, C., 2008, available at: <http://subweb.diiis.dk/sw69227.asp>, accessed on 1 May 2015.

simultaneously”, Ban Ki-Moon said. In addition, he affirmed the readiness of the UN to increase its support to countries in promoting inclusive (social, economic and political) development, noting that the UN Peace Building Commission (PBC) was undergoing a review on how to make that support more robust and flexible. This recent meeting of the SC reaffirms the comprehensive view of peacebuilding of the UN, specifically referring to the important role of inclusive development and its mutual relation with security and peace.

1.1.2 The UN’s peacebuilding architecture

In response to the frequent relapse into violence of countries emerging from conflict in the 2000s, the fragmented international response and the lack of UN leadership in the field of peacebuilding, the UN’s MSs agreed to create an institutional and coordinative mechanism to advise and propose integrated strategies for peacebuilding. In 2005, the so-called ‘UN peacebuilding architecture’ (PBA) was founded, consisting of the UN’s PBC and two associated bodies: the PBSO and the Peace Building Fund (PBF). These new peacebuilding mechanisms were not intended as a new operational arm of the UN, but rather as a set of institutions that would convene and coordinate the UN system and MSs to strengthen collective efforts in peacebuilding.

The PBC can be described as an intergovernmental advisory body that (politically) supports peacebuilding efforts in countries emerging from conflict, by means of keeping the attention of the international community, mobilizing the necessary resources, and making sure that all actors are coherently behind an integral strategy.⁴⁵ In addition, the PBA also helps to identify clear peacebuilding priorities for the countries on its agenda, such as Burundi, the Central African Republic, Guinea-Bissau, Liberia and Sierra Leone. Furthermore, this central mechanism of the PBA has the ability to engage with the host government of a conflict-affected country, pre-existing international non-governmental organizations (NGOs) and stakeholders of the civil society of that

45 United Nations Peacebuilding Commission, available at: <http://www.un.org/en/peacebuilding/>, accessed on 20 March, 2015.

country.⁴⁶ The original logic of the PBC was to build synergies and greater coherence between the peacebuilding efforts of both the full spectrum of UN institutions and its MSs. It should be emphasized that it was not intended as a new operational arm or set of self-standing entities. In other words, the PBC does not shape the peacebuilding mandate and it does not implement peacebuilding programmes in the field.⁴⁷

The PBC is supported and advised by the PBSO. Over the years, the later mentioned gradually improved to serve as the secretariat for the PBC and to engage in other activities such as knowledge dissemination, participation in mission planning, coordination of the UN peacebuilding strategy and policy learning within the UN, the development of indicators and benchmarks on peace consolidation, and administering the PBF (which is a less independent entity than the PBSO).⁴⁸ This fund can be seen as an instrument through which various actors, including but not limited to the PBSO and the PBC, seek to advance their ideas and interests, rather than as a third pillar in the peacebuilding architecture. Since its launch in 2006, the PBF has funded several activities, projects and organizations regarding the implementation of peace agreements and political dialogue; national capacity building, efforts to revitalize the economy, the establishment of essential administrative services and related human and technical capacities.⁴⁹ In addition, the PBF also raises money - 360 million Dollar in 2010 since its launch in 2006.⁵⁰⁵¹

Despite the central role of the UN's PBA, it should be underlined that the SC maintains the exclusive right to authorize a peacebuilding mission in a member state, determine an actual mandate of a mission (the degree of the interference, etc.), and decide when to end a mission. The inclusion of a certain country on the PBC's agenda is mainly driven

46 Hearn et al., 2014, 4-5.

47 It is important to note that the PBC takes all its decisions by consensus of its 31 members, which often curbs the decision-making of this body (Hearn et al., 2014, 6).

48 Ibid.

49 Jenkins, 2010, 11.

50 Ibid.

51 Related to the PBF is an independent PBF Advisory Group that is appointed by the Secretary-General to provide advice and oversight of the speed and appropriateness of fund allocations and to examine performance and financial reports. This advisory group consists of ten persons, from all regions, with significant peacebuilding experience.

by the SC and not by the PBC.⁵² In addition, it can be argued that the SC also plays a significant role in the development of the creation of the previously discussed UN's peacebuilding approach.⁵³ In the past few years (especially since 2008), the SC organized several thematic debates on issues including the linkages between peacekeeping and peacebuilding, partnership with regional organizations in peacebuilding, comprehensive approaches to security and development, women's participation in peacebuilding, and institution-building.⁵⁴ Given the fact that these debates are often followed by specific peacebuilding guidelines, thematic reviews and other UN policy documents, the role of the SC in the UN's PBA should not be underestimated.

Pluralism of tools and instruments of the UNPF

According to the PBSO, there is a variety of planning instruments that can be used to guide peacebuilding activities in countries emerging from conflict.⁵⁵ These different 'toolboxes' include the PBC's Strategic Frameworks for Peacebuilding, the UN Development Assistance Frameworks, Poverty Reduction Strategy Papers and Integrated Strategic Frameworks.⁵⁶ It can be argued that the lack of one formal UN peacebuilding strategy and the broad range of different toolboxes make it unclear how to combine them together in ways that are specific and most effective for the country in question. Furthermore, it should be noted that the UN has a wide variety of peacebuilding tools, ranging from electoral assistance and reconciliation techniques to new information technology.⁵⁷ Without further elaborating on the broad range of peacebuilding tools, this thesis argues that the multiplicity of UN peacebuilding instruments and tools makes the UN's comprehensive approach of peacebuilding only more complicated.

52 Hearn et al., 2014, 4.

53 Ibid.

54 Ibid.

55 United Nations Peace Building Support Office, 2010.

56 Ibid.

57 Security Council, 2000, 3.

1.1.3 The relationship between the UN and other regional organizations

Having discussed the UNPF, it becomes clear that the UN's peacebuilding model is marked by the promotion of liberal norms, values and practices such as democracy and the market economy.⁵⁸ In other words, it is based on the discourse that projects peacebuilding as 'the construction of liberal democracy, with a free market and globalized economy, progressive development strategies, and guaranteed human rights'.⁵⁹ Emphasis on the liberal conceptions and worldviews can be found in many of the previously mentioned UN guidelines and objectives. It can be argued that the UN's peacebuilding model and its architecture have served and still serve as an example for the peacebuilding design of regional organizations such as the EU and the African Union (AU).⁶⁰ The UNPF not only inspires other organizations, but the UN also works increasingly together with regional and sub-regional organizations that are involved in peacebuilding.⁶¹ When looking at the relationship between the UN and the EU, it has been argued that both organizations have become more and more intertwined since 2006-2007.⁶² The EU's operations are for example increasingly deployed in countries where the UN is already engaged.⁶³ The recent cases of Kosovo (the handover of the UN mission UNMIK to the EU mission EULEX), and Chad and the Central African Republic (the handover of EUFOR RCA/Chad to the UN mission MINURCAT) can both be seen as examples of the positive cooperation between the two organizations.⁶⁴

At the same time, there is also a level of competition between the UN and other

58 Pugh, 2005, 31.

59 Richmond et al., 2011, 14.

60 Duke and Courtier, 2009, 14.

61 Despite the UN's primacy in the field of peacebuilding, the SC encourages the continuing involvement of regional and sub-regional organizations in the settlement of disputes and underlines the importance of utilizing their existing and potential capabilities (United Nations, 2013, available at: <http://www.un.org/press/en/2013/sc11087.doc.htm>, accessed on 27 June 2015). In 2013, the Council stressed the importance of further developing effective partnerships between the UN and regional entities (Ibid.). The Council especially underlined the fact that regional entities are well-positioned to understand the causes of armed conflict due to their knowledge of the region. That, the Council stated, could benefit efforts to influence prevention or resolution of the disputes (Ibid.).

62 Novosseloff, 2012, 12.

63 Ibid.

64 Ibid.

organizations when it comes to peacebuilding operations. Several peacebuilding operations in the past two decades have shown that it is difficult to reach consensus between the UN and other organizations given the fact that they all have a different understanding of what constitutes a threat, the norms that are to govern stability and order (although all organizations converge around some basic principles), the means that should be used to confront the threat, the implementation of peacebuilding activities in practice and so on.⁶⁵ It can be argued that all organizations are motivated to prove that they are significant peacebuilders at the international stage. This, in turn, often creates competition and rivalry between these organizations.⁶⁶ The UN and EU operations in Afghanistan, the DRC and Somalia can be seen as examples of cases in which cooperation between the UN and the EU has been minimal or even non-existent and where tensions and a certain level of competition between both organizations arose.⁶⁷

1.2 The development of the EU's peacebuilding framework

1.2.1 The underlying philosophy of the EU's peacebuilding consensus

Main concepts and core values

Although peacebuilding is a term that is increasingly present in the EU lexicon in a variety of ways and forms, it remains an imprecise notion.⁶⁸ The general conceptual variance in understanding the notion of peacebuilding makes it impossible for the EU to have a precise definition of the term.⁶⁹ Moreover, there is a general lack of an explicit reference to peacebuilding in the treaties that the EU signed in the past decades, which also problematizes the formulation of a fixed definition.⁷⁰ By way of illustration, Article 11 of the Treaty on European Union (TEU) refers to the objectives of CFSP as: 'To

65 Barnett, 1995, 421.

66 Barnett, 1995, 421.

67 Novosseloff, 2012, 12.

68 Duke and Courtier, 2009, 9.

69 Ibid.

70 Ibid.

safeguard common values (...) in conformity with the principles of the UN Charter (...); ‘to strengthen the security of the Union in all ways (...); ‘to preserve peace and strengthen international security in accordance with the principles of the United Nations Charter’; ‘to promote international co-operation’; and ‘to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms’.⁷¹ Although peacebuilding is not explicitly mentioned in this Article, it can be argued that it is certainly an implicit aspect of the TEU and the rationale of the second pillar that focused on the external dimension of the EU.⁷² Despite the lack of a precise definition of peacebuilding, it is possible to identify a number of concepts and key values related to peacebuilding or to peacebuilding activities that are in regular use.^{73,74}

The key values of the EUPF are sustainable peace, human security, responsibility to protect, effective multilateralism, partnership and local ownership, and national capacity. In addition, there is a particular emphasis on concepts such as democracy, and human rights promotion and the strengthening of civil society through dialogue with civil society actors in third countries.⁷⁵ Based on these key values and concepts, it becomes clear that the EU’s objectives for peacebuilding are to facilitate the construction of the liberal state, a social contract, democracy, the rule of law, civil society and development.⁷⁶ These objectives fall under the EU’s general objective for peacebuilding: “The establishment of strong political democratic institutions that ensure political representation and market economy, guarantee sustainable economic growth and provide basic public goods, in order to create necessary conditions for the

71 TEU, Article 11.

72 Duke and Courtier, 2009, 14.

73 The Treaty of Maastricht in 1992 introduced a new institutional structure (the so-called ‘pillar structure’) which was composed of three pillars: the European Community pillar (covering most of the policy areas encompassed by the EU); the second pillar of the CFSP (including the ESDP); and the third pillar that was devoted to police and judicial cooperation in criminal matters (Dinan, 2005, 5). The Treaty of Lisbon (2007) abolished this pillar structure and replaced it with a single legal framework for the EU. The Treaty clarified the division of competences between the EU and its Mss, consisting of exclusive, shared and supportive competences of the Union (Ibid).

74 Ibid.

75 Richmond et al., 2011, 5.

76 Richmond et al., 2011, 8.

achievement of durable peace”.⁷⁷

It can be argued that these key values and objectives of the EUPF are mainly based on the principles of democratization and marketization that also dominate the UN peacebuilding framework.⁷⁸ These liberal principles are based on the well-known liberal peace paradigm (see 1.2.4) and correspond to the so-called ‘third generation peacebuilding model’.⁷⁹ According to this approach, external actors focus on the construction of a liberal state, embedded in liberal norms and markets.^{80,81} The current EU’s peacebuilding consensus is not only framed by the aims of the third generation peacebuilding approach, but also by the objective to transcend the state via regional integration to produce a more emancipatory version of peacebuilding: the ‘fourth generation peacebuilding’.⁸² The emancipatory model of liberal peace aims at emancipation, transcendence of identity and sovereignty problems through contextual legitimacy with respect to local cultures, extending to the questions of social justice, human security and welfare.⁸³ This bottom-up approach is more critical of universalistic liberal peace ambitions, as it is especially concerned with civil society, local ownership, social welfare and justice.⁸⁴ Based on the EU’s normative framework of peacebuilding, it seems that the EU tries to bridge the third-generation agendas of the liberal peacebuilding consensus with more emancipatory fourth-generation approaches.⁸⁵ Many scholars however argue that the EUPF tends more towards the third-generation

77 Natorski, 2011, 1.

78 As mentioned before, the underlying philosophy of EU peacebuilding largely derives from the underlying norms, values and principles of the UNPF.

79 Ibid.

80 Richmond et al., 2011, 17.

81 Although state-building (according to liberal standards) plays a key role in the third model of peacebuilding and despite the fact that there are many connections and overlaps between both concepts, it should be noted that there is a distinction between state-building and peacebuilding (Richmond et al., 2011, 17). State-building can be seen as a narrow version of peacebuilding since it mainly focuses on technical and programmatic aspects of state design – based on individualism, rationalism, and self-help. Whereas peacebuilding has become more focused on a normative framework for politics, including rights and social contract (Richmond et al., 2011, 18).

82 Richmond et al., 2011, 8.

83 Natorski, 2011, 1.

84 Ibid.

85 Richmond et al., 2011, 16.

approach to peacebuilding than towards the fourth.⁸⁶ Richmond et al. for example argue that the EUPF offers a third generation version of peacebuilding in practice, rather than the more ambitious fourth generation rhetoric that it aspires.⁸⁷

Towards a comprehensive approach

As mentioned before, the UN promotes the CA since 2008 in order to better link security and development concerns and its related actors.⁸⁸ In the footsteps of the UN, the EU also shifted towards a more CA of its external action, especially in the field of conflict prevention, peacekeeping and peacebuilding.^{89,90,91} The clearest example of this shift is the Communication entitled ‘The EU’s Comprehensive Approach to External Conflict and Crisis’, jointly launched in December 2013 by the EC and the High Representative (HR) of the EU for the CFSP.⁹² Despite the fact that the document does not really clarify the concept of CA, this Communication can nevertheless be seen as a first milestone attempting to set out a joint understanding by the EEAS and the EC.⁹³ The 2013 strategy document proposes a number of steps that the EU could take towards an increasingly CA in its external relations policies and action. The document states that the CA covers all stages of the cycle of conflict and other external crises: early warning and preparedness, conflict prevention, crisis response and management to early recovery, stabilization and peacebuilding in order to help countries getting back on track

86 Ibid.

87 Ibid.

88 Fiara, 2014, 6.

89 Consortium of Particip et al., 2011, 42.

90 It should be noted that ‘comprehensive approach thinking’ has not been a new phenomenon at the EU level. There have been various situations in which different European actor-types, policies, institutions and even nations have connected to address conflict, crisis and post-crisis recovery in the recent and more distant past (Fiara, 2014). For instance, the ‘Communication on Conflicts in Africa’ in 1996 already discussed the significance of a CA to conflict prevention, peacebuilding and to promoting structural stability in Africa.

91 Here, it is important to clarify the relationship between peacebuilding and conflict prevention. Despite the different conceptual and operational nature of both concepts, it can be argued that peacebuilding has always been an integral part of the EU’s previous conflict prevention strategies (Duke and Courtier, 2009). At the same time, the EU’s concept of peacebuilding also includes preventative and early warning elements (Notarski, 2011, 1).

91 Helly and Galeazzi, 2015, 2.

92 Fiara, 2014, 7.

93 Helly and Galeazzi, 2015, 2.

towards sustainable long-term development.

The approach links defence, diplomacy, and development (‘the three D’s’) whereby military-led peacekeeping, political engagement through diplomatic channels and broader civilian-led peacebuilding are viewed as functionally complementary to one another.⁹⁴ The CA of peacebuilding abandons former ideas of sequencing the actions of peacekeeping and peacebuilding and favours the understanding that peacekeeping and peacebuilding are highly intertwined (see Annex 3). This approach assumes that progress in development can only be achieved with a certain degree of security, and that security will fail unless there are advances in development.⁹⁵ Therefore, it can be argued that the so-called ‘security-development nexus’ – the causal relationship between security and development in rebuilding conflict affected societies - can be seen as the theoretical underpinning of the CA.⁹⁶ According to the 2013 Joint Communication, the CA also refers to the joined-up deployment of the EU’s instruments and resources and the shared responsibility of EU-level actors and MSs for peacebuilding practices in third states.⁹⁷ The Communication states: “The CA aims that all EU institutions and MSs work together on the basis of a common strategic analysis and vision, in order to make the EU external policy and action in conflict or crisis situations stronger, more coherent, more visible and more effective”.⁹⁸

The EU’s normative framework

The EU’s peacebuilding approach and main concepts are reflected in the Union’s policy framework on peacebuilding that has been formalized since the establishment of the 2007 Lisbon Treaty that provided that “The Union shall define and pursue common policies and actions, and shall work for a high degree of cooperation in all fields of international relations, in order to preserve peace, prevent conflicts and strengthen

94 Fiara, 2014, 13.

95 Rosgaard, 2008 in Fiara, 2014.

96 Consortium of Particip et al., 2011, 76.

97 European Commission, 2013, 3.

98 Ibid.

international security, in accordance with the purposes and principles of the United Nations Charter, with the principles of the Helsinki Final Act and with the aims of the Charter of Paris, including those relating to external borders” (Article 21.2c).⁹⁹ As mentioned before, the EU adopted a mosaic of disperse policy documents since the Treaty of Lisbon, conceptualizing the Union’s principles and objectives, and capturing its tools and methods regarding peacebuilding.¹⁰⁰ Key policy documents in the field of peacebuilding have been the ‘Communication from the Commission on Conflict Prevention’ (2001), the ‘EU Programme on the Prevention of Violent Conflicts’ or so-called ‘Gothenburg Programme’ (2001), the ‘Thematic Evaluation of European Commission Support to Conflict Prevention and Peace Building 2001 – 2010’, the ‘Concept on Strengthening EU Mediation and Dialogue Capacities’ (2009), the 2011 ‘Council Conclusions on Conflict Prevention’, the ‘Council Conclusions: Increasing the Impact of the EU Development Policy: an Agenda for Change’ (2012), the ‘European Council Conclusions on CSDP’ (2013), and the ‘Joint Communication from the Commission on the EU’s comprehensive approach to external conflict and crises’ (2013).¹⁰¹ In addition to these general key documents, the EU also adopted a whole series of specific policy documents guiding its policies relevant to peacebuilding, covering peacebuilding topics such as: electoral assistance and observation; governance and state institutions; governance of natural resources; children and gender issues in the context of conflicts; small arms and light weapons; security sector reform (SSR); disarmament, demobilization and reintegration (DDR); state fragility; security-development nexus; and mediation.¹⁰²

When focusing on the EUPF, it becomes clear that there has been significant progress in the EU’s framework and instruments towards a CA to fragile and conflict environments.¹⁰³ These policy documents underline that “the EU is well equipped to address both security and development challenges of post-conflict environments

99 Treaty of Lisbon, 2007.

100 Natorski, 2011, 1.

101 European Peacebuilding Liaison Office, 2015, 53.

102 Natorski, 2011, 1.

103 Fiara, 2014, 5.

comprehensively given its wide array of policies and instruments”.¹⁰⁴ By way of illustration, both the ESS in 2003 and its 2008 implementation review outline the very ideas of the EU’s CA to peacebuilding and emphasize that “the challenge now is to bring together the different instruments and capabilities such as the European assistance programmes, the European Development Fund, military and civilian capabilities from MSs and other instruments”.¹⁰⁵ The discussion on the need for a CA in crisis and conflict situations regained new momentum in the EU with the recent Council Conclusions on the Communication on the Comprehensive Approach in May 2014. The Council Conclusions invited the HR and EC to present an Action Plan to the EU’s MSs before the end of the first quarter of 2015 on how to implement an EU CA. This Action Plan “should outline how key actions set out in the Joint Communication and the Council Conclusions, in close cooperation with the EU’s MSs, and based on concrete country and regional cases, will be taken forward, implemented and reported, with identified lead structures”.¹⁰⁶

1.2.2 From reality to rhetoric: EU peacebuilding practices since the 1990s

The previous sections not only raise the question how the Union has applied its concept of peacebuilding in practice, but also how EU peacebuilding operations have contributed to the evolution of the concept over the years. It should be noted that this section will only discuss the most prominent operations of the EU or significant operations in which the MSs have been involved since the 1990s.

After the post-Cold War, there was a rapid increase in the number of UN peacekeeping missions in countries such as Namibia (1989), El-Salvador (1991), Cambodia (1992), and Mozambique (1992).¹⁰⁷ The general success of these missions was soon overshadowed by the heavily criticized UN missions in the former Yugoslavia (since

104 Fiara, 2014, 2.

105 European Council, 2003, 13.

106 Helly and Galeazzi, 2015, 2.

107 United Nations Peacekeeping, available at:

<http://www.un.org/en/peacekeeping/operations/surge.shtml>, accessed on 3 May 2015.

1992), Somalia (1992) and Rwanda (1993) in the mid-1990s. The unsatisfactory outcomes of the traditional peacekeeping missions of the UN led to the set-up of a High Level Panel on UN Peace Operations in which the record of UN peacekeeping so far was critically and extensively assessed, including a debate on the ‘rightful role of military force in missions’.¹⁰⁸ This process culminated in the previously discussed Brahimi report in which the idea of ‘robust peacekeeping’ was largely set aside.¹⁰⁹ Furthermore, the tarnished reputation of UN peacekeeping caused reluctance to start new UN operations at the second half of the 1990s. However, the SC authorized UN peacekeeping operations in Angola (1995), Bosnia and Herzegovina (1995), Croatia (1996), the Former Yugoslavian Republic of Macedonia (FYROM) (1995), Haiti (1997), Sierra Leone (1998), Congo (1999), and Kosovo (1999). In the 2000s, the shortcoming and ‘failures’ of the previous UN operations led to severe criticism on the liberal model of conceptual sequencing that was applied in these missions.¹¹⁰ This can be seen as an example of the decreasing prominence of the liberal peace paradigm since the turn of the century as the main theoretical underpinning of peacebuilding operations by the international community.¹¹¹

In other words, the problematic record of peacebuilding during the 90s chipped away the enthusiasm about underlying liberal rhetoric of the peacebuilding discourse with democratization and marketization as ‘magical formulas’ for peace in war-torn states.¹¹² Without further elaborating on the operational details of these missions, it suffices to say that the UN shifted its missions from traditional missions, involving generally observational tasks performed by military personnel such as in Somalia and Rwanda, to complex ‘multidimensional enterprises’ in countries like Kosovo and East-Timor where other peacekeeping elements such as the rule of law, de-mining, and humanitarian issues became more important.¹¹³ During the post-Cold War period, European countries

108 Jenkins, 2010, 7.

109 Ibid.

110 Ibid.

111 Paris, 2010, 2.

112 Ibid.

113 United Nations Peacekeeping, available at:

<http://www.un.org/en/peacekeeping/operations/surge.shtml>, accessed on 3 May 2015.

played a relevant role in these UN missions, supplying more than 40% of the ‘UN blue helmets’.^{114,115} European countries contributed most of the troops to UN missions in European countries (in geographical terms), such as Bosnia and Herzegovina.¹¹⁶

The emergence of the ESDP: the EU’s civilian and military missions

In 1999, the European Security and Defense Policy (ESDP) was adopted at the Cologne European Council Summit, as a means to establish the EU as an international power.¹¹⁷ This policy consisted of two missions: civilian and military crisis management, and conflict prevention.¹¹⁸ As a response to the large number of Yugoslav conflicts during the 90s, the EU put the concept of conflict prevention high on the agenda of its newly established CSDP at the turn of the century.¹¹⁹ Four years after the establishment of the CSDP, the EU embarked on its first operation: the EU Police Mission in Bosnia and Herzegovina in January 2003.¹²⁰ The fact that the first independent mission under the CSDP was a civilian mission shows the importance of the civilian dimension within the CSDP framework.^{121,122} The operation took over the responsibility of the UN International Police Task Force Mission that was created with the Dayton Peace Accord in November 1995. It was mandated to establish sustainable policing arrangements under national ownership, in accordance with European and international standards. Within this mandate, two concepts were central: sustainability (local actors have to be prepared to work on their own) and local ownership (by which local authorities are to be

114 Jenkins, 2010, 7.

115 Nowadays, less than 7 percent of the peacekeeping troops is delivered by the EU, which shows a decreasing EU involvement of the EU in UN peacekeeping missions.

116 Ibid.

117 It should be noted that the term ESDP later changed into the Common Security and Defense Policy (CSDP), which will be referred to from now on.

118 Pourcher-Portalier, 2005, 23.

119 Blockmans et al., 2010, 5.

120 European Union External Action Service, 2012, available at:

http://www.eeas.europa.eu/csdp/missions-and-operations/eupm-bih/pdf/25062012_factsheet_eupm-bih_en.pdf, accessed at 20 May 2015.

121 The police mission in Bosnia and Herzegovina was an assistance mission to the Bosnian police forces with no executive power. It was composed of around 530 police officers, 80% from the 15 EU member states and the rest from 18 third countries.

122 Tardy and Windmar, 2003, 12.

in charge).¹²³ This mandate raised the dilemma of the constant search for a balance between providing advice and guidelines to local authorities and allowing for ‘home-grown’ ideas and concepts. In other words, the mission entailed a tension between imposition and local engagement.¹²⁴

A second relevant civilian mission to shed light on is the EU police mission EUPOL in Afghanistan, established in 2007. The mission mainly focused on institutional reform of the Ministry of Interior and the professionalization of the Afghan National Police through the development of local training capacity and institutions.¹²⁵ The training mission delivered police and rule of law experts from different MSs who worked closely together with the Afghan government and a number of local and international partners.¹²⁶ In addition, the EU also delivered peacebuilding and post-conflict reconstruction within the framework of this civilian mission. It can be argued that EUPOL in Afghanistan shows the ability of the EU as a relevant international security provider.¹²⁷ On the other hand, the mission has also been criticized for the extensive decision-making power of the international officials, despite the mission’s emphasis on capacity-building at the local level.¹²⁸

Last, the EU Rule of Law Mission in Kosovo, EULEX Kosovo, is the largest and most ambitious civilian mission launched thus far by the CSDP.¹²⁹ EULEX was intended to substitute the rule-of-law functions of the UNMIK that was based on SC Resolution 1244 under Chapter VII of the UN Charter. The (ongoing) mission not only attempts to create and strengthen various rule of law dimensions in the context of peacebuilding, such as police, justice and customs components, but it also focuses on practices of state-building. EULEX Kosovo is mostly known for its high investment in money and

123 Tardy and Windmar, 2003, 9.

124 Ibid.

125 European Union External Action Service, EUPOL Afghanistan: Mission Description, available at: http://eeas.europa.eu/csdp/missions-and-operations/eupol-afghanistan/mission-description/index_en.htm, accessed on 24 May 2015.

126 Ibid.

127 Blockmans et al., 2010, 325.

128 Paris, 2010, 9.

129 Blockmans et al., 2010, 397.

personnel (2500 staff) and for its assisting and supporting role vis-à-vis the Kosovo authorities in the rule of law area by advising, monitoring and mentoring the authorities.¹³⁰ Another remarkable feature of this mission is the controversy (hotly disputed within the SC itself) whether EULEX was authorized by Resolution 1244.¹³¹ Although no one disputed that the Resolution would remain in force, there was no consensus on whether it provided a basis for the introduction of EULEX alongside UNMIK.¹³²¹³³ Moreover, there has been a lack of political consensus on the independence of Kosovo among the EU's MSs during this mission, which led to further complications and delays.¹³⁴ This internal division reflects the difficulty for the EU to act as a single foreign policy actor. On the other hand, it is important to underline that this lack of political consensus did not lead to a deadlock of the mission, which shows the EU's strength as well.¹³⁵

In addition to the civilian missions of the EU, the Union also carried out seven military missions over the years. Operation Concordia was the first military operation of the EU, deployed in FYROM, on the basis of an invitation of its authorities.¹³⁶ The operation took over the North Atlantic Treaty Organization (NATO) operation 'Allied Harmony' and started in March 2003. Concordia was composed of 350 personnel, coming from 27 countries, of which 13 MSs of the EU.¹³⁷ It should be noted that this military mission not only aimed to create a more stable situation in the country, but is also included institution building programmes and the establishment of the rule of law.¹³⁸ Concordia has been succeeded by police operation EUPOL that was launched in December 2013.¹³⁹ Another prominent military operation of the EU was Operation Artemis: deployed in the city of Bunia in the north-eastern part of the DRC between June and

¹³⁰ Blockmans et al., 2010, 354.

¹³¹ Wet, de, 2009, 85.

¹³² Ibid.

¹³³ Here, the EU's MSs and the US took the position that EULEX was grounded in Resolution 1244, whereas Russia maintained that it was not covered by any mandate of the SC (Ibid.).

¹³⁴ Blockmans et al., 2010, 398.

¹³⁵ Ibid.

¹³⁶ Tardy and Windmar, 2003, 7.

¹³⁷ Ibid.

¹³⁸ Ibid.

¹³⁹ Ibid.

September 2003.¹⁴⁰ The mission was mandated to contribute, in close coordination with the UN operation MONUC, to the stabilization of the security conditions and the improvement of the humanitarian situation in Bunia. The mission was composed of 1800 personnel, with France acting as the framework nation, providing the bulk of the forces.¹⁴¹ Unlike Bosnia and Herzegovina and FYROM where the EU took over the mission from other organizations such as the NATO or UN, this mission was initiated by the EU in indirect support of a UN mission.¹⁴² The mission conveyed the message that Africa is also an area of possible deployment for the Union and that the EU's role is a global one.^{143,144}

The third military mission that is noteworthy is the Atalanta Operation EUNAVFOR in Somalia, launched in 2008 (and extended in 2012). It should be mentioned that this has been the first naval mission of the EU within the framework of the CSDP.¹⁴⁵ The mission emerged in response to the rising levels of piracy and armed robbery off the Horn of Africa and in the Western Indian Ocean.¹⁴⁶ The mandate of the mission mainly focuses on the protection of vessels of the World Food Programme, the AU mission in Somalia (AMISOM) and other valuable vessels.¹⁴⁷ In addition, troops have been deployed to further contribute to the deterrence, prevention and repression of acts of piracy and armed robbery in the region, including through the use of force if necessary.¹⁴⁸ As with Operation Artemis, France took the lead in attempting to form a multinational EU force to combat piracy.¹⁴⁹ One major feature of Operation Atalanta is the close cooperation between the EU, the EU's MSs and other countries such as China, India, Japan, Turkey, and Russia. Here, the EU has mainly been at the forefront in the

140 Ibid.

141 Ibid.

142 Tardy and Windmar, 2003, 8.

143 Ibid.

144 It should be noted that the military operations in both FYROM and Congo have been limited in length (a few months) and not very complex (Tardy and Windmar, 2003, 8).

145 Trott, 2013, 26.

146 Ibid.

147 European Union External Action Service, EU NAVFOR Somalia, available at: <http://eunavfor.eu/mission/>, accessed on 3 May 2015.

148 Trott, 2013, 26.

149 Trott, 2013, 25.

field of communication and cooperation between the countries involved.¹⁵⁰ The role of the EU in this mission sheds light on the civilian power of the EU that has been discussed before. Moreover, it shows that there has been little sense of desire for unilateral action on the side of the EU and that collaboration has rather been central in this effort.¹⁵¹ The EU also carried out military missions within the framework of the CSDP in Bosnia (EUFOR 2004), Congo (EUFOR RD 2006), and Chad and the Central African Republic (EUFOR RCA 2008).

The Sahel strategy: 'avant la lettre'

In 2011, the EU set up a new 'Strategy for Security and Development in the Sahel' which can be seen as a good practice of the CA, despite the fact that the CA Communication was not yet adopted by then.¹⁵² The Sahel strategy is therefore also referred to as the CA '*avant la lettre*'.¹⁵³ There are four lines of action ('interconnected policies') that are mentioned in this strategy: development, good governance and internal conflict resolution; political and diplomatic action; security and the rule of law; and countering violent extremism and radicalization.¹⁵⁴ Since the establishment of this strategy, EU civilian missions have been deployed in Niger (2012), Mauritania (2013), and Mali (2014) alongside forces of the UN, the AU, and France. EUCAP Sahel Niger and Mali can be seen as important elements of the 2011 CA strategy, complementing other European instruments for development and stability as well.¹⁵⁵ The Sahel strategy not only reflects the variety of the EU's MSs involved, but also the commonality of their visions and interests.¹⁵⁶ For example, the analysis underpinning this strategy mainly emerged from one or two sources and was then shared with a core group of EU actors.¹⁵⁷ Since then, the development of a shared analysis has happened through the

150 Ibid.

151 Trott, 2013, 26.

152 Helly and Galeazzi, 2015, 2.

153 Helly and Galeazzi, 2015, 3.

154 European Union External Action Service, 2013.

155 European External Action Service, 2014.

156 Helly and Galeazzi, 2015, 3.

157 Ibid.

work of coordinating bodies.¹⁵⁸ One of these bodies is *Groupe de travail interservices* with the mandate to put forward propositions for a better integration of EU and MSs initiatives with the goal to adopt a CA in the field of regional security.¹⁵⁹

The EU mission EUCAP Sahel Niger gives advice and training to support Nigerien authorities' efforts to strengthen their security capabilities. As part of this mission, more than 50 international experts have been permanently deployed in Niger.¹⁶⁰ It should be noted that the majority of these experts are from European security forces and European justice departments. So far, EUCAP Sahel Niger's experts have trained more than 3000 members of the country's internal security forces, armed forces and judiciary.¹⁶¹ Here, the emphasis has been on training trainers so that the knowledge and skills acquired can be sustained.¹⁶² In 2014, the Council of the EU decided to update and extend the mandate of the EUCAP civilian mission in Niger with two more years.¹⁶³ It should be noted that the updated civilian mission in Niger aims to increase its cooperation with nearby CSDP missions, such as EUCAP Sahel Mali and more recently EUBAM Libya.

The newly-established civilian mission in Mali has a similar mandate that focuses on support for the internal security forces of the country. More specific, the mission delivers strategic advice and training to the three main internal security forces in Mali: the police, *Gendarmerie* and *Garde Nationale*. Furthermore, EUCAP Sahel Mali can be seen as an additional contribution to the EU's overall support to stability, institutional reform, and the full restoration of state authority throughout the country.¹⁶⁴ This objective refers to the EU training mission for Malian armed forces, the EUTM in Mali that was launched in 2013 with an initial mandate of 15 months. In addition, just like the EUCAP Sahel Niger, the mission coordinates with international partners and in particular with the UN mission MINUSMA (the UN Multidimensional Integrated

158 Ibid.

159 Ibid.

160 European External Action Service, 2014, 1.

161 Ibid.

162 European External Action Service, 2014, 2.

163 European External Action Service, 2014, 1.

164 European Union External Action Service, 2013.

Stabilization Mission in Mali).

Mauritania can also be seen as a significant partner in the EU's strategy for security and development in the Sahel. The EU has already been involved in Mauritania since the elections in 2006-2007 in which the EU offered the country political and financial support to help its transition to democracy.¹⁶⁵ Within the framework of the Sahel strategy, the EU supported the holding of legislative and presidential elections in 2013 by sending electoral expert missions and technical assistance.¹⁶⁶ It should be noted that coordination among EU actors has been easier than in Niger and Mali since there are less MSs involved and represented permanently in the country – only Germany, Spain, and France.¹⁶⁷ The latter country chose to play a brokering role between the Mauritanian government and the EU institutions.¹⁶⁸ It should be noted that there is an increasing number of joint strategies for development cooperation ('joint programming'), initiated and developed by the EU and its MSs involved in Mauritania.

When looking at the civilian missions as part of the Sahel strategy, it becomes apparent that the strategy mainly built on existing engagement in the region.¹⁶⁹ In addition, the strategy shows attempts to connect other EU initiatives existing in the field of security and development at the national level and to link its activities to EU missions in other countries of the region.¹⁷⁰ The Sahel strategy can be seen as a model of regional action to achieve development and security objectives in an integrated manner, implemented via 'national pillars' in Niger, Mauritania and Mali. In order to achieve this comprehensive objective, there is a high level of cooperation, coordination and information-sharing between the staff of the EU, France, and UN military operations in Mali.¹⁷¹ At the regional level, the EU Special Representative had been appointed to identify regional priorities, to ensure coherence between effort of different EU and non-

¹⁶⁵ European Union External Action Service, available at: http://eeas.europa.eu/mauritania/index_en.htm, accessed on 8 May 2015.

¹⁶⁶ Ibid.

¹⁶⁷ Helly and Galeazzi, 2015, 8.

¹⁶⁸ Ibid.

¹⁶⁹ Helly and Galeazzi, 2015, 3.

¹⁷⁰ Ibid.

¹⁷¹ Helly and Galeazzi, 2015, 5.

EU actors, and to bring synergies within the framework of the Sahel strategy.¹⁷² Other examples of comprehensiveness in these three countries are joint missions, co-locations and liaison offices, joint dialogue, joint programming, and planning and implementation between security, development and humanitarian experts and coordination bodies in the countries.¹⁷³ Furthermore, a report of the European Centre for Development and Policy Management states that a substantial part of EU actors in these countries seem to have ‘internalized’ that development and security cannot be treated separately. As a consequence, these actors have been open to work together across EU entities and with MSs of the Union.¹⁷⁴ However, despite the fact that many elements of the CA can be recognized in the Sahel, it should be kept in mind that the Sahel strategy has been the forerunner of the CA.¹⁷⁵

Towards civil-military synergies

Having discussed the EU peacebuilding practices since the 1990s, it becomes clear that the EU increasingly focuses on civilian missions (such as police and rule of law training missions; civil protection; SSR and monitoring missions), rather than military missions.^{176,177} Whereas conflict prevention was high on the EU’s agenda after the Yugoslav Wars, the concept of crisis management appeared on the agenda in 2008 after the first few years of deploying CSDP missions. Civilian missions of the EU such as the (police) training mission in Afghanistan not only increased the prominence of the concept of peacebuilding on the Union’s agenda¹⁷⁸, but also contributed to a growing belief that greater local ownership of the peacebuilding process was needed.¹⁷⁹ This realization is for example reflected in the 2009 UN ‘Report of the Secretary-General on peacebuilding in the immediate aftermath of conflict’ that points out that “local and traditional authorities as well as civil society actors, including marginalized groups,

¹⁷² Ibid.

¹⁷³ Helly and Galeazzi, 2015, 11.

¹⁷⁴ Helly and Galeazzi, 2015, 13.

¹⁷⁵ Helly and Galeazzi, 2015, 12.

¹⁷⁶ Pietz, 2013, 3.

¹⁷⁷ It should be noted that 17 out of 24 CSDP operations of the EU have been civilian missions.

¹⁷⁸ Blockmans et al., 2010, 5.

¹⁷⁹ Paris, 2010, 9.

have a critical role to play in bringing multiple voices to the table for early priority-setting and to broaden the sense of ownership around a common vision for the country's future". It can be argued that this report inspired the EU 'Council Conclusions on Conflict Prevention' in which the Union underlines the same issue.¹⁸⁰

It can be argued that the increasing number of civilian mission and the EU's Sahel strategy have contributed to more attention for the creation of civil-military synergies as part of the peacebuilding approach, the so-called 'civic aspect'.¹⁸¹ More specifically, it seems that the EU's peacebuilding practices in Niger since 2012 have contributed to the establishment of the 2013 Communication on the Union's CA in which the link between security and development plays a central role. Furthermore, the majority of the EU's peacebuilding practices in the Sahel region in the past few years can inform the steps that the EU institutions and the EU's MSs have to take in order to implement the 2013 Communication on the CA. These practices might serve as a 'lesson learned' when formulating the future Action Plan for this Communication.¹⁸²

1.2.3 The institutional framework of EU peacebuilding

Peacebuilding within the broader EU framework is made up of disparate activities by disparate bodies. By way of illustration, security, policing, and the promotion of the rule of law are taken care of by the CSDP missions; democracy, welfare and human rights are promoted by the EC; and the diplomatic role of the HR is placed in the context of the CFSP.¹⁸³ This section does not aim to extensively discuss all actors of the EUPF, it rather focuses on the key EU institutions that play the most significant role within this framework. It should be noted that the institutional framework of the EU significantly changed with the advent of the 2007 Lisbon Treaty, which will now briefly be discussed.

¹⁸⁰ Harvey et al., 2012, 53.

¹⁸¹ It should be noted that the idea to integrate the EU's civilian and military crisis management at the strategic planning level was already agreed upon by the European Council in 2008 (European Peacebuilding Liaison Office, 2009, 1).

¹⁸² Helly and Galeazzi, 2015, 11.

¹⁸³ Richmond et al., 2011, 10.

The EU's institutions and their activities before Lisbon

In the period before the establishment of the Lisbon Treaty, the institutional framework in the field of EU external relations showed several institutional overlaps. This institutional barrier can mainly be attributed to the previously discussed pillar structure of the EU before the Lisbon Treaty. As a consequence, there was an overlapping post of HR for CSDP and the Commissioner for External Relations. The pillar structure also led to a gap between short-term crisis management of the second pillar and long-term peacebuilding activities of the first pillar.¹⁸⁴ This gap caused an overlap of tasks that were performed by both the EC and the Council. In addition, the pre-Lisbon institutional framework lacked internal coordination and coherence among the direction and management bodies that were concerned with the EU's external relations and external action.¹⁸⁵ These two dimensions of the EU were dealt with by staff from different directorate-generals (DG) at the headquarters of the Union, such as DG Development, DG External Policies, and DG External Relations. The lack of cooperation and communication among these different DG's can be seen as the most pressing issue of the pre-Lisbon period. In addition, the European foreign policy was not properly and clearly linked to the EU institutions.¹⁸⁶ Furthermore, the delegations solely represented the Commission rather than the EU in general before Lisbon. According to a report of the European Peacebuilding Liaison Office (EPLO), this specific role of the delegations often led to confusion abroad, especially regarding the issue of diplomatic protection to EU citizens.¹⁸⁷

The EU's institutions and their activities after Lisbon

First of all, the Lisbon Treaty merged the overlapping posts of HR for the CFSP of the Council and the Commissioner for External Relations, in order to create the position of

184 European Peacebuilding Liaison Office, 2009, 4.

185 Moran and Canto, 2004, 5.

186 Ibid.

187 European Peacebuilding Liaison Office, 2009, 5.

the HR for CFSP/Vice-President of the Commission (Article 26 of Lisbon).¹⁸⁸ Together with the President of the European Council and the President of the EC, this position (currently held by Federica Mogherini) became part of a new informal EU troika. The HR is responsible for managing, implementing, and representing CFSP decisions.¹⁸⁹ Secondly, the Lisbon Treaty also created the EEAS to implement the external policy of the EU and to assist the HR to execute its mandate.¹⁹⁰ Furthermore, in cooperation with the Commission's services, the EEAS is involved in the programming, planning and management of relevant funding instruments, such as the Instrument for Stability (IfS) and the European Instrument for Democracy and Human Rights (EUIDHR).¹⁹¹ An important ad hoc member of the EEAS regarding peacebuilding is the Directorate for Conflict Prevention, which includes the Conflict Prevention, Peacebuilding and Mediation Division that supports geographic services, EU Delegations, EU Special Representatives and the EEAS senior management charged with taking decisions in the pursuit of peace, peace mediation and conflict prevention.

Another significant directorate of the EEAS in the field of peacebuilding is the directorate for Crisis Management Planning Directorate that is responsible for the politico-strategic planning level of CSDP civilian missions and military operations, as well as for their strategic review.¹⁹² It is important to note that the structure of the EEAS reflects a concept of 'institutional merger' between the EC and the Council of Ministers: one-third of the personnel of the EEAS is drawn from the Commission, one-third from the secretariat of the Council of the EU, and one-third is seconded from the national diplomatic services of the MSs.¹⁹³

Third, the EC can also be seen as a very important actor in the EU's external action, despite the fact that some institutional changes that have been introduced by the Lisbon

188 European Peacebuilding Liaison Office, 2009, 2.

189 Ibid.

190 Balfour et al., 2012, 2.

191 European External Action Service, available at: http://eeas.europa.eu/what_we_do/index_en.htm, accessed on 30 March 2015.

192 European Peacebuilding Liaison Office, 2012, 1.

193 Balfour et al., 2012, 3.

Treaty reduced its ‘control’ over the CFSP.¹⁹⁴ The EC retains the right to jointly (together with the HR/VP) submit to the Council proposals on the EU’s external action. The Commission’s strong interest in peacebuilding (especially of the DG Development) increased since the EU concluded that there is a link between armed violence and poverty.¹⁹⁵ Another key actor is the European Council, the body that defines the principles and general guidelines of the CFSP and the common strategies in areas where the MSs have important interests in common.^{196,197} The fifth actor of the Union’s institutional framework that plays a significant role is the Council of Ministers: a primary forum for developing political consensus and direction regarding issues of the Union’s foreign policy.¹⁹⁸ The Council of the EU meets in different configurations in the policy area of external action; the configurations with competence on CFSP are the Foreign Affairs Council and the General Affairs Council.¹⁹⁹

EU delegations - under the authority of the HR/VP since the Treaty of Lisbon –also play a key role in presenting, explaining and implementing the EU’s foreign policies, including the Union’s peacebuilding policies. In addition, the EU delegations analyse and report on the policies and developments of their host countries and conduct negotiations in accordance with given mandates.²⁰⁰ In addition, they are increasingly responsible of local coordination with the diplomatic missions of the EU’s MSs, multilateral organizations on the ground, and external representation of the EU’s foreign policy with third countries.²⁰¹ The EU delegation’s staff does not only come from a number of different departments of the EEAS and the EC, but also exists of local employees with valuable expertise on the ground and diplomats and experts from the

194 Ibid.

195 Duke and Courtier, 2009, 29.

196 Ibid.

197 The EC is responsible for drafting the proposal for the EU budget, including the allocations for CFSP. Commission and the EEAS jointly plan overall spending strategies on the Union’s external relations budget. The funding instruments are jointly programmed (with leading roles for either the Commission or the EEAS depending on the instrument) but implemented solely by the Commission (Duke and Courtier, 2009, 29).

198 Ibid.

199 Ibid.

200 European Union External Action Service, available at:

http://eeas.europa.eu/delegations/index_en.htm, accessed on 20 April 2015.

201 European External Action Service, 2013, 7.

MSs. As mentioned before, after Lisbon the EU delegations became so-called ‘Union delegations’: presenting the positions of the EU instead of solely presenting the position of the Commission.²⁰² This change shows the increasingly important role of the delegations within the EU’s institutional framework of external action.

Last, it is noteworthy that the Lisbon Treaty increased the role of the EU’s MSs in the field of the Union’s future peacebuilding operations. The Treaty includes the innovation that (after unanimous approval of the Council) a group of at least nine MSs are allowed to pursue ‘defence projects’ within the framework of the EU - drawing upon the support of its own institutions and without the participation of all the MSs.²⁰³ In other words, the Treaty enables a group of MSs to enter into a so-called ‘permanent structured cooperation’.^{204,205} However, it seems that many MSs have forgotten about the Treaty’s mechanism ‘Permanent Structured Cooperation in Defence’ or that they consider it as too ambitious and complicated in practice.^{206,207} Moreover, there is an ‘exclusive flavour’ of this mechanism, favouring those MSs that spend the most on defence while others are relegated to a secondary role.²⁰⁸ It should be noted that since its inclusion in the Treaty of Lisbon, the defence mechanism has been in the process of being rethought as a more inclusive mechanism.²⁰⁹

Operational dimension of the EUPF: instruments and tools

When focusing on the financial instruments for peacebuilding, it becomes apparent that

202 Moran and Canto, 2004, 6.

203 European Peacebuilding Liaison Office, 2012, 8.

204 Article 44 and 46 of the TEU.

205 This innovation can be seen as a response to the ‘highly frustrated MSs’ since most decisions related to CFSP have to be adopted unanimously, which generally causes inaction and delay of the Union when it comes to peacebuilding operations (European Peacebuilding Liaison Office, 2015, 7).

206 Biscop and Coelmont, 2010, 1.

207 The mechanism for example applies strict participation criteria. Moreover, participating MSs have to enter in binding commitments in the field of defense and allow an EU body, the European Defence Agency, to assess their performance.

208 Ibid.

209 Biscop and Coelmont, 2010, 2.

the IfS is one of the key instruments.²¹⁰ This instrument has been deployed since 2007 and is conceived as the Commission's response to the demands of the greater EU's involvement in conflict prevention and peacebuilding activities.²¹¹ It should be noted that this is not an exclusive peacebuilding instrument, but it refers in its objectives and applicability to a wide range of activities related to peacebuilding.²¹² It can be argued that the IfS is one of the first instruments in the EU context that has consciously tried to include peacebuilding aspects. The IfS has both short and longer-term dimensions but the main emphasis is upon securing the necessary conditions to permit the implementation of longer-term EU development assistance.²¹³ According to the EEAS, the focus of this instrument is upon "situations of urgency, crisis and emerging crisis, situations posing threats to democracy, law and order, the protection of human rights and fundamental freedoms, the security and safety of individuals, or on situations threatening to escalate into armed conflict or severely to destabilise the third countries or country concerned".^{214,215} The IfS can be seen as a thematic instrument of the EU's foreign policy because it specifically deals with crisis and its immediate aftermath.

The other thematic instrument in the field of peacebuilding is the European Instrument for Democracy and Human Rights, following from the European Initiative for Democracy and Human Rights in 2007. This instrument aims to provide support for the promotion of democracy, rule of law, human rights and fundamental freedoms in non-EU countries.²¹⁶ In addition, there are also a few geographical instruments for EU peacebuilding. In contrast to the thematic instruments, these instruments do not directly deal with civil society organizations but they emerge from negotiations between the

210 It should be noted that the IfS is succeeded by the Instrument contributing to Stability and Peace in March 2014.

211 Natorski, 2011, 1.

212 Duke and Courtier, 2009, 25.

213 Duke and Courtier, 2009, 16.

214 Ibid.

215 Noteworthy is the integral component of the IfS: the Peacebuilding Partnership, designed to assist in the development and dissemination of the 'best practice' regarding peacebuilding and in rapid access to qualified human resources, as well as the provision of technical and logistical support (Duke and Courtier, 2009, 25).

216 European External Action Service, available at: http://eeas.europa.eu/what_we_do/index_en.htm, accessed on 30 March 2015.

state, local actors and the EC.²¹⁷ The European Neighbourhood Policy Instrument (ENPI) has been the most important financial geographical instrument, succeeded by the European Neighbourhood Instrument (ENI) since 2014.²¹⁸ These instruments aim to provide support to 16 partner countries in the East and South of the EU's borders.²¹⁹ The strategic objectives of the ENPI/ENI are support for democratic transition and the promotion of human rights; transition towards the market economy; and the promotion of sustainable development. The instrument also includes policies of common interests, for example in the field of antiterrorism, the proliferation of weapons of mass destruction, conflict resolution, the rule of international law, etc.²²⁰

Both thematic and geographical instruments of external assistance offer different kind of peacebuilding tools, including 'both short term tools for immediate conflict management as well as medium and long term tools that are designed to promote 'structural stability'.'²²¹ While the short term tools are mainly programmes that focus on security and state institution issues in response to crisis, the long term tools consist of social, economic, and political reform programmes to prevent the outbreak of future conflicts.²²² In the 2013 Joint Communication, it is stated that it is important to coordinate and where possible to combine both short and long term EU tools of peacebuilding, in the field of "political dialogue, conflict prevention, reconciliation, programming of development assistance and joint programming, CSDP missions and operations, conflict prevention and stabilization, support to DDR and support to justice and SSR processes".²²³ However, except for some separate peacebuilding guidelines, it should be noted that there is no 'fixed toolbox' (official strategy) for EU peacebuilding.

217 Ibid.

218 EU Neighbourhood Info Centre, available at: http://www.enpi-info.eu/main.php?id=27348&id_type=1, accessed on 18 April 2015.

219 Ibid.

220 European Commission, available at: https://ec.europa.eu/europeaid/funding/european-neighbourhood-and-partnership-instrument-enpi_en, accessed on 28 April 2015.

221 It is important to note that the EU's peacebuilding tools are mainly focused on institutional and civil arenas rather than hard power and security (Al-Momani and Rennick, 2011).

222 Al-Momani and Rennick, 2011, 1.

223 Consortium of Particip et al., 2011, 5.

1.2.4 The institutional barriers of the EUPF

Challenging the liberal peace(building) consensus

As mentioned before, the EUPF is mainly based on the principles of democratization and marketization: central principles of the liberal peace consensus.²²⁴ This consensus represents the dominant paradigm of contemporary peacebuilding since it has been shared by the UN system, donors, NGOs and other actors in the field of peacebuilding. The pro-liberal consensus started to dominate the peacebuilding discourse in the early-to-mid 1990s, when democratization and marketization were portrayed as ‘magical formulas for peace’ in post-conflict states.²²⁵ The EU’s peacebuilding consensus can thus be seen as an extension of the international consensus on liberal peacebuilding.²²⁶ But what exactly does the liberal peace consensus refer to? The core assumption of the liberal peace consensus is that strong political democratic institutions that ensure political representation and a market economy guarantee sustainable economic growth and provide basic public goods, which are necessary conditions for establishing durable peace. This consensus thus prioritizes state-building through law and order institutions as well as democratic governance and market economy.²²⁷

In a nutshell, this linear formula of peacebuilding consists of a first phase in which external peacekeepers provide for security as emergency relief is delivered; a second phase of transition in which elections are organized; and a third phase in which a continued international presence assists in the amelioration of root causes of conflict through economic development and further political liberalization.²²⁸ In the past decade, there has been an increasing number of scholars who started to question the effectiveness and the legitimacy of peacebuilding missions on the basis of the liberal peace consensus.²²⁹ Many of them point at the record of disappointing peacebuilding

224 Richmond et al., 2011, 5.

225 Paris, 2010, 2.

226 Richmond et al., 2011, 10.

227 Natorski, 2011, 1.

228 Richmond et al., 2011, 14.

229 Paris, 2010, 1.

and the destabilizing side effects of the promotion of liberal democratic governing systems and market-oriented economic growth.²³⁰ Although I do not agree with the ‘hyper-critical’ school of scholars and commentators who view liberal peacebuilding as fundamentally destructive or illegitimate, some fundamental aspects and underlying principles of the consensus can be questioned.^{231,232}

First of all, this thesis questions the underlying assumption that a market democracy is the most appropriate political system for peace and stability. How valid is the argument that the model of liberal democracy is most suitable for every society?²³³ Furthermore, there is a persistent lack of consensus regarding the question of what model qualifies as a democracy.²³⁴ There is no consensus on how to measure, identify or define a democracy.^{235,236} When comparing the political systems of democracy and autocracy, it becomes clear that democracies can still engage in conflict. Looking back at the past decades, it can also be argued that democracies not only tended to fight imperial wars, they also initiated wars with autocracies (e.g. Iraq in 2005).²³⁷ By way of illustration, countries that are rated as the countries with the ‘highest level of democracy’ according to the parameters of the 2005 report of the Freedom House, such as Mexico, Brazil and India, face many important internal problems such as insurgencies, organized crime, and high levels of violent conflicts.²³⁸ From a cultural and ideological perspective, the model of liberal peacebuilding is criticized for not taking into the possible value and

230 Ibid.

231 Some of these scholars argue that the post-conflict operations of the past two decades have done more harm than good. Other scholars even go a step further and argue that these operations can be seen as a form of Western (or liberal) imperialism that seeks to exploit or subjugate the societies in which the mission takes place (Paris, 2010, 2). Pugh, for example, argues that liberal peacebuilding is part of a larger hegemonic project which “ideological purpose is to spread the values and norms of dominant power brokers” (Pugh, 2005).

232 However, it should be clear that I do not reject the EU’s liberal peacebuilding approach, nor do I reject the broadly liberal orientation of previous and current peacebuilding missions.

233 Tziarras, 2012, 1.

234 Tziarras, 2012, 6.

235 Tziarras, 2012, 5.

236 Although it should be noted that the Freedom House developed some parameters to evaluate the democracy level of countries, such as political rights and social freedoms (Freedom House, Karatnycky, A. and P. Ackerman, 2005, available at <http://www.freedomhouse.org/uploads/pdf/Charts2006.pdf>, accessed on 24 March 2015).

237 Doyle, 1986, 1166 in Tziarras 2012, 4.

238 Tziarras, 2012, 5.

effectiveness of other political systems in different cultural (post-conflict) settings. Especially when looking at (semi) authoritarian countries that have no experience with a democratic political system, such as the majority of the countries in the Middle-East and North-African region. Without further touching upon the debate whether democracy is ‘the best’ political system, it suffices to argue that it should not be taken for granted that democracy is the most suitable model of governance of the global system.

Secondly, the EU conceives peacebuilding as a process within the so-called ‘logic of modern liberal states’.²³⁹ This logic is based on the underlying assumption of the liberal peace consensus that both democracy and a market economy will lead to peace and to a stable country. Here, the liberal peace consensus takes the existence of institutions for granted.²⁴⁰ In line with Paris, it can be argued that there might be reduced probability of civil-war in well-established market democracies, but this logic does not apply to countries in transition to a democratic system. In his book ‘At War’s End: Building Peace after Civil Conflict’, Paris presents this particular flaw in the liberal peace model when applied to post-conflict societies.²⁴¹ He argues that post-conflict states are often faced with pathologies that arise during the transition process because the actual process of transforming a country into a market democracy is tumultuous and conflictual.²⁴² In other words, Paris argues that the transition to a democratic system is not suitable for establishing peace in the short term in a post-conflict environment.²⁴³ Rather than establishing democratic and market-economy structures in a post-conflict country in the short run, as the liberal peace consensus implies, Paris proposes the concept of ‘Institutionalization before Liberalization’. According to this strategy, international actors in the field of democratization should first build effective state structures and institutions which can minimize the pathologies before promoting political and economic freedoms. Paris states: “The international community should therefore completely take over government of the country, create capable state institutions and

239 Natorski, 2011, 29.

240 Paris, 2004, 157.

241 Paris, 2004, 179.

242 Paris, 2004, 156.

243 Paris, 2004, 158.

subsequently hand over the tasks to the local people”.²⁴⁴ Without further elaborating on this proposed strategy of Paris, it is important to underline the significant argument that it is unlikely that the liberal peace consensus is effective for countries in political transition which is often the case in post-conflict situations.

Thirdly, the central role and the timing of elections in post-war societies - as a consequence of conceptual sequencing of the liberal peacebuilding model – can be criticized. The most clear example of this argument is the peacebuilding operation in Bosnia. EU peacebuilders ‘rushed ahead’ with elections without taking the time to establish an electoral system that would encourage inter-factional compromise.²⁴⁵ As a consequence, ethnic divisions in the country aggravated and the power of the most nationalist and recalcitrant leaders only became stronger.²⁴⁶ Chandler and other scholars argue that in the Bosnia case, peacebuilders have done little to foster genuine political participation within society.²⁴⁷ It can be argued that a state-building process should have preceded the struggle for power in this country.²⁴⁸

Last, the liberal peacebuilding consensus mainly focuses on leaders and ‘high politics’ as the central targets, at the expense of local civil society participation.²⁴⁹ There is insufficient local ownership over the strategic direction and the daily activities of peacebuilding missions.²⁵⁰ This argument is in line with Richmond et al. who point out that “liberal peacebuilding cannot succeed unless it achieves a broad consensus among its target population”.²⁵¹ Related to this argument, it can also be argued that the liberal approach does not adequately empower civil society in post-war societies.²⁵² The most striking example of the lack of local legitimacy and involvement in peacebuilding is the

244 Paris, 2004, 187.

245 Battelini, 2013, 33.

246 Ibid.

247 Paris, 2010, 23.

248 Battelini, 2013, 34.

249 Andrieu, 2010, 537.

250 Paris, 2010, 15.

251 Richmond et al., 2007, 461.

252 Paris, 2010, 29.

EU mission in Kosovo.²⁵³ Here, external actors (such as the EU and the UN) determined Kosovo's constitutional framework, the country's international status, and its official economic development.²⁵⁴

Criticizing the ambitious comprehensive approach

The current comprehensive peacebuilding approach of the EU requires political will and commitment, both from the Union as a supranational organization and from its MSs.²⁵⁵ On the one hand, it can be argued that there is no real commitment within the EU institutions to take the CA forward and develop a pragmatic CA strategy.²⁵⁶ This lack of commitment can be illustrated with the failure of the EU institutions to come up with an Action Plan that was requested by the Council in late 2007.²⁵⁷ It can be argued that the lack of the establishment of an Action Plan (also referred to as an 'operational plan', a 'common strategy' or a 'civilian-military strategy') hinders the EU from playing a significant role in (post-) conflict situations because the creation of such a plan for a possible mission might take months at that particular moment.^{258,259} Another example of the lacking EU commitment is the fact that the 2013 Joint Communication on the EU's CA underlines the necessity of bringing together different EU civil and military instruments, but subsequently, the document does not link these instruments to any specific objectives. Neither does the Joint Communication identify the means and conditions on how to achieve the integration of both instruments.²⁶⁰ In addition, it should be noted that there is scepticism among scholars and practitioners about the will of the EU institutional actors to work more jointly as the CA requires.²⁶¹

253 Pugh, 2005, 3.

254 Pugh, 2005, 5.

255 Fiara, 2014, 4.

256 Fiara, 2014, 9.

257 Ibid.

258 Biscop and Coelmont, 2011, 77.

259 However, it should be clear that this thesis does not argue that a common strategy in itself is a guarantee for political willingness to act, although it might create the framework within it will at least be more easy to generate the political will of the MSs to 'mandate action under the EU aegis' with the next conflict (Biscop and Coelmont, 2011, 77).

260 Fiara, 2014, 12.

261 Biscop and Coelmont, 2011, 78.

On the other hand, critics argue that the development and implementation of the CA also depends on the MSs and they are sceptical about their commitment to a ‘whole-of-EU approach’.²⁶² The extent to which the EU’s MSs are willing to work in a more comprehensive way at the EU level and with other MSs as well is strongly determined by their overall foreign policy, their willingness to mobilize their military to intervene in conflict situations, and their so-called ‘strategic culture’ for international engagement.²⁶³ Another determining factor is the willingness of the MSs to politically integrate within the Union and to hand over its external action responsibilities to the higher institutional level of the Union.²⁶⁴ Despite that many MSs recognize that a CA of peacebuilding is needed - which explains their creation of national frameworks and concepts that enable their national institutions to work more comprehensively and to connect with other MSs on issues of joint interest - there is still very limited preparedness to overcome the currently fragmented EU-wide comprehensiveness and move towards a real comprehensiveness coordinated by a political leadership from within the EU institutions.²⁶⁵ Moreover, the extent to which the MSs are willing to contribute to more comprehensive action in the field of peacebuilding greatly differs. There is lack among the EU’s MSs of joint thinking and agreements about the purposes for which the EU should promote the CA of peacebuilding.²⁶⁶ In other words, the Union’s MSs formulate different positions on the mobilization of military and civil peacebuilding missions and why, when and how to use them.²⁶⁷ For instance, there exist considerable differences between Germany and the United Kingdom (UK), while France, Denmark, the Netherlands and Sweden are somewhere in between.²⁶⁸

When focusing on the diverse national interests of the EU’s MSs, there are a few conclusions that can be drawn. First of all, France has a culture of using force more readily compared to other MSs of the Union, especially when these MSs follow its

262 Fiaria, 2014, 9.

263 Fiara 2014, 14.

264 Fiara 2014, 15.

265 Fiara, 2014, 14.

266 Fiaria, 2014, 15.

267 Fiaria, 2014, 16.

268 Koenig, 2011, 12.

lead.²⁶⁹ Secondly, Germany takes a different stance and has a strong sentiment against military engagement among much of its population – due to its history.²⁷⁰ Although Germany shows a strong interest of promoting European political integration, there is no strong support for joint military action at the EU level. Neither does Germany has a strategic culture and thinking about how to engage in external action and conflict situations.²⁷¹ Third, the Netherlands considers the EUPF as a ‘multiplier’ to support and promote its national interests, which makes the country a long-standing contributor to the peacebuilding missions of the Union.²⁷² Fourth, Denmark has the option to stand aside from European military action, which is based on an exemption from military obligations that has been negotiated with the Union in 1999.²⁷³ Last, Sweden only aligns with peacebuilding missions of the EU when they are covered by a UN mandate.²⁷⁴ This stance can be explained on the basis of its preference to maintain neutral. Although these diverging national positions regarding the EU’s peacebuilding missions not easily change, it is difficult to anticipate the positions that the Union’s MSs will take in future debates on principles, ideas, and proposed actions that are enshrined in the previously mentioned 2013 Communication.²⁷⁵ These diverging positions and national interests - hindering a united position of the EU regarding peacebuilding - will again become apparent when looking at the case of Libya in the second part of this thesis.

Related to the lack of a consensus among the EU’s MSs about the Union’s engagement in peacebuilding practices and missions, it can be argued that there are also other national preferences that play a role in the difficulty to establish and implement the CA of the EUPF. Smitt argues that MSs always respond differently to international issues because they are affected by them with different extents.²⁷⁶ Moreover, he states that the EU’s MSs seek to protect their national interest in the first place. Smitt calls this the ‘logic of diversity’ and argues that this can be seen as a major problem for the

269 Smith, 2013, 123.

270 Ibid.

271 Ibid.

272 Smith, 2013, 124

273 Ibid.

274 Ibid.

275 Fiara 2014, 17.

276 Helly and Galeazzi, 2015, 10.

coherence of the EUPF.²⁷⁷ This argument reflects the theory of political realism since it points at the prominence of national interests. Here, it is important to note that the EU has shared competences in the field of peacebuilding, which has resulted in a peacebuilding policy that is closely connected to national foreign policies of the Union's MSs.²⁷⁸ Article 3 (a) of the TEU states that 'The Union shall respect (member states') essential state functions, including enshrining the territorial integrity of the State, maintaining law and order and safeguarding national security'.²⁷⁹ The Union's peacebuilding policy can only be decided when there is a large intersection of common interests from the MSs.²⁸⁰ It can be argued that shared competences make the Union's peacebuilding policy ineffective and weak because it always represents the 'lowest common denominator'.²⁸¹ The division of shared competences between the EU and its MSs can be explained on the basis of the MSs reluctance to 'surrender' further core areas of sovereignty to the supranational level of the EU.²⁸²

From a realist perspective, the EU's foreign policy can rather be seen as a result of power political considerations and negotiations.²⁸³ Consequentially, there is a parallelism of national, coordinated, and common foreign policies - such as the peacebuilding policy - within the EU.²⁸⁴ This phenomenon can be linked to Koenig's concept of vertical coherence, which means the degree to which the policies and activities of MSs are in line with and reinforce the EU's response to conflict situations.²⁸⁵ In the EU context, it can thus be argued that there is a clear lack of vertical coherence between the EU and its MSs. Due to the division of shared competences between the EU and the MSs, EU institutions have so far played a subordinate role to the interests of the Union's MSs. Or in the words of Jopp and Schlotter: "Common policies such as the EU's peacebuilding policy are always endangered by single MSs

277 Schmitt, 2013, 13.

278 Ibid.

279 Menon, 2011, 82.

280 Cladi and Locatelli, 2012.

281 Helly and Galeazzi, 2015, 10.

282 Schmitt, 2013, 9.

283 Ibid.

284 Cladi and Locatelli, 2012.

285 Koenig, 2011, 20.

stepping out of line”.²⁸⁶ Although this thesis will not further elaborate on this matter, it raises the question whether the MSs are the most important actors of the CFSP, covering the peacebuilding policy, or whether there is indeed a common foreign policy which bears the name its justification.²⁸⁷

Operational and institutional constraints

In addition to the previously discussed lack of political willingness and coherence among the EU’s MSs regarding the EU’s peacebuilding activities, there is another important constraint of the EUPF: the lack of capability of the EU. The incapability of the EU can be explained at two levels: the operational and the institutional level. First of all, despite significant amounts of money that EU’s MSs spend on the EU’s defence budget, it can be argued that the material resources in the field of peacebuilding are limited.²⁸⁸ By way of illustration, the EU often faces a personnel shortfall, shortages of trainers (such as in the case of Afghanistan), a lack of military hardware, and chronic shortages of airlift capacity (e.g. causing delay of EU deployment in Chad) that all limit the operational capacity of the EU.²⁸⁹ It should be noted that shortcomings are mainly problematic in the context of military interventions. In addition to these shortcomings, the deployable forces of the EU have difficulties to effectively work together.²⁹⁰ The fact that there are different national systems at work and the lack of a common operational network cause an additional problem at the operational level.²⁹¹ Moreover, it should be mentioned that the EU does not have a permanent operational headquarters.²⁹² As a consequence, the Union cannot quickly produce specific plans when a conflict arises.²⁹³ For this reason, the EU is obliged to outsource the conduct of an actual operation to either an EU member state or to NATO.²⁹⁴

286 Jopp and Schlotter, 2007, 18.

287 Schmitt, 2013, 14.

288 Duke and Courtier, 2009, 5.

289 Schmitt, 2013, 14.

290 Biscop and Coelmont, 2011, 79.

291 Ibid.

292 Ibid.

293 Ibid.

294 Ibid.

Secondly, the incapability of the EU also refers to the inconsistency and incoherence of the EU's institutional framework on peacebuilding.²⁹⁵ Scholars often point at the rivalries between different EU institutions that are involved in the shaping of the foreign policy, including the peacebuilding policy. These rivalries can take many forms. The most well-known rivalry is the one between the EC and the European Council because their competences in relation to external affairs (including peacebuilding) occasionally overlap.²⁹⁶ In addition, the EC has the preference to use 'community tools' such as development aid or technical assistance to address security concerns, while the Council has a more tradition approach.²⁹⁷ As a consequence of the disconnect between the Commission and the Council, tools are not carried out in an integrated manner to the crisis prevention, crisis management and peacebuilding activities of the Union.²⁹⁸ It should be underlined that the Lisbon Treaty attempted to overcome the internal inconsistency of the EU's institutions and especially to improve the relation between the EC and the European Council. As discussed before, the Treaty therefore set up the EEAS and created the new post of HR for the Union's foreign policy. Although the point of creating the EEAS was mainly to overcome the 'turf wars' between the Commission and the Council, scholars and practitioners argue that the institutional frictions that have hampered EU action have not gone away. Both institutions still try to ensure the greatest possible influence for themselves in the new structures.²⁹⁹ In other words, it seems that both EU institutions still aim to play the leading role in the EU's action in the field of peacebuilding.³⁰⁰

Related to the 'internal competition' within the EUPF is the institutional obstacle of overlapping peacebuilding activities of different EU institutions. To put it differently, there is an absence of effective synergies between the actions of different EU actors

295 Ironically, capability and coherence were the two key security ambitions of the 2007 Lisbon Treaty.

296 Menon, 2011, 77.

297 Duke and Courtier, 2009, 18.

298 Ibid.

299 Menon, 2011, 78.

300 Menon, 2011, 77.

(also referred to as institutional incoherence).³⁰¹ A clear example of the overlapping objectives and activities among the EU's institutions can be found in the related areas of EU development assistance and EU peacebuilding. Within the EU context, peacebuilding and development are still largely seen and implemented as separate endeavors within the framework of the EU's Foreign Policy. It seems that the different EU institutions that are involved in the field of development and peacebuilding have not realigned their policies and activities in such a way to effectively integrate development and peacebuilding in practice. An example of the overlapping EU agendas of development and peacebuilding can be found in one of the common objectives of both agendas: tackling insecurity. In the February 2013 Communication 'A Decent Life for All' and in the ensuing Council Conclusions, the EU stated five building blocks for a post-2015 development agenda. The fifth pillar of this Communication is 'Tackling insecurity and state fragility which impede sustainable development'.

At the same time, tackling structural sources of security risks is an important objective of the EU peacebuilding agenda. The processes of DDR and the SSR can even be seen as central and indispensable pillars of the EUPF.³⁰² In this way, it becomes unclear whether a programme such as the security, protection, and stabilization programme in Libya (initiated in 2012) falls within the EU's development or peacebuilding mandate. This issue becomes even more complex when taking into considering that there are some financial instruments of the Union - such as the IfS, EIDHR and the ENP - that provide funds for activities and programmes of both endeavors.³⁰³ Another example is the overlapping objective of capacity-building of civil-society organizations, in order to either resolve/manage conflict or to change and resolve differences.³⁰⁴ It seems that the current ambition of the Union to implement a comprehensive peacebuilding approach – including the three D's 'defense, diplomacy, and development' – will only lead to more

301 In order to get a better understanding of the concept of institutional incoherence, it is useful to look at Koenig's definition of institutional coherence: "The interaction between the different institutional actors that share responsibility for the EU's crisis response". (Koenig, 2011, 17).

302 Knight, 2009, 30.

303 European Commission, available at: https://ec.europa.eu/europeaid/funding/funding-instruments-programming/funding-instruments_en, accessed on 2 May 2015.

304 European Peacebuilding Liaison Office, 2011, 1.

overlapping agendas of both endeavors. It can be argued that the overlapping agendas of some EU institutions cause a more complex framework for the Union to operate in.

1.3 A comparative study of the EU's and the UN peacebuilding system

1.3.1 Similar institutional challenges

First of all, when comparing the UN and EU's peacebuilding system, it becomes clear that the peacebuilding operations of both the UN and the EU in the past few years have largely been influenced by neoliberal values of the liberal peace paradigm, despite recurrent calls of both actors for a more locally rooted approach of peacebuilding.³⁰⁵ As a consequence, the overarching aim of these peace operations has been to transform war-torn countries along liberal lines, in both economic and political spheres.³⁰⁶ Despite the fact that several fundamental aspects and underlying assumptions of the liberal peace model have been questioned in the previous section, it needs to be re-emphasized that this model - as the groundwork of both organizations - should not be abandoned either.

Secondly, it can be argued that both peacebuilding systems have problems of coordination, faced by the coordinative institutional mechanisms of both systems: the EEAS and the PBC. The so-called 'coordination dilemma' refers to the dilemma of achieving strategic coordination when politics, resources, and strategies significantly obstruct the task.³⁰⁷ In the context of the current international tendency towards a more comprehensive, coherent and coordinated peacebuilding approach, the coordination dilemma seems the key problem of both systems. Especially because both systems are dependent on the willingness of its (EU or UN) MSs to cooperate with one another. To put it differently, it can be argued that both the EU's and the UN system of peacebuilding face similar issues in terms of institutional and vertical incoherence.³⁰⁸

305 Andrieu, 2010, 537.

306 Ibid.

307 Koenig, 2011, 16.

308 Koenig, 2011, 13.

However, generally speaking, it can be argued that many nation states simply do not want coordination since there is no incentive for them to do so. Without further elaborating on the reasons for this lack of willingness to coordinate, it suffices to say that it relates to issues such as sovereignty, national history matters, the political climate of a country and so on.³⁰⁹ Related to the coordination problem of both the PBC and the EEAS is the fact that there is a lack of clarity about what both institutions are able to provide in terms of authorities, tools and resources.³¹⁰ From this point of view, scholars often argue that the creation of the UN PBA has in fact mainly contributed to a more complex UN institutional framework for peacebuilding, rather than to a better functioning UN system for peacebuilding. The same argument applies to the general perception of the EEAS within the EUPF.

The third similarity is that both systems face institutional tensions that hinder the effectiveness of both organizations. Here, the previously discussed ‘internal rivalry’ between the EC and the European Council can be compared with the relation between the SC and the PBC in the UN context. According to the 2015 review of the UN’s peacebuilding architecture, the level of trust and close working relations between the PBC and the SC is relatively limited, despite recent efforts to strengthen ties.³¹¹ The review report describes that the SC never adopted its initially intended proactive overview role. In fact, the report argues that the SC’s interests in the PBC had waned over the years. Given its mandate to advise the SC on progress in peacebuilding, the PBC feels ‘marginalized’ from the Council’s deliberations. The review report even states that some members of the SC remain unconvinced of the ‘added-value’ of the PBC and the impact of its advice to UN leaders in the field. In this way, it seems that the relationship between these key bodies of the UN system of peacebuilding rather hinders than promotes peacebuilding activities of the UN. Although the institutional tension between the EC and the European Council is of different nature, it can be argued that these kind of ‘troubled institutional relations’ form a serious internal obstacle for the functioning and effectiveness of both peacebuilding systems.

309 Martinas et al., 2010, 29.

310 United Nations Peace Building Commission, 2014.

311 Ibid.

Fourth, both systems still lack an official peacebuilding strategy despite the fact that both systems reached a consensus on the importance of a comprehensive peacebuilding approach. The possible adoption of a common framework for a general strategy for peacebuilding is often described as a major benefit for peacebuilding efforts, especially because it will lead to an improved strategic coordination and coherence between international donors in peacebuilding.³¹² Such a common framework should include an understanding of its own general objectives of peacebuilding; criteria against which it determines whether to get involved in a peacebuilding intervention; peacebuilding priorities; a strategy to ensure that its internal interdepartmental coordination can meet the needs of multidimensional interventions; and components of evaluation of peacebuilding projects.³¹³ The formulation of such a strategy seems necessary given the variety of policy actors, instruments, projects and actions of both the UN and the EU. It can be argued that is important that all these tools pull in the same direction.³¹⁴

1.3.2 The different ‘strategic cultures’ of the UN and the EU

First of all, there is a normative difference between both peacebuilding systems, referring to the more ambitious policy framework of the EU peacebuilding system compared to the UNPF. The EUPF increasingly emphasises the rights and needs of people in a social and cultural context as an important pillar of EU peacebuilding.³¹⁵ This transcends the security and institutional aspects of the persistent global liberal peace project because it reflects a concern with civil society, social justice and social inequality, rather than focusing on freedom and self-help.³¹⁶ According to Richmond et al., this fourth generation approach that is currently claimed by the EU is especially ambitious because ‘it values difference rather than integration and assimilation’.³¹⁷ The UNPF seems more realistic by mainly focusing on security and development issues:

312 Ibid.

313 Ibid.

314 Ibid.

315 Richmond et al., 2011, 450.

316 Ibid.

317 Ibid.

areas in which the UN has sufficient expertise and capacity.

Secondly, it can be argued that the UN system is a few steps ahead of the EU when it comes to the realization of a CA to peacebuilding. Whereas the CA has been widely accepted, reaffirmed, and supported by the UN, the EU still struggles to define its understanding of a comprehensive peacebuilding approach. In the EU context there seems to be a paradox between the EU's ambition to realize a comprehensive peacebuilding approach on the one hand, and a lack of commitment within the EU institutions to take the CA forward and to further develop such an approach into an official peacebuilding strategy.³¹⁸ In addition, it can also be argued that the UN system focuses more on the promotion of (social, economic and political) development than the EUPF.³¹⁹ The UN appears to be placing an increasing emphasis on the post-conflict stabilisation role following the cessation of hostilities.³²⁰ UN peacebuilding operations do not only focus more on development issues, but also on security when comparing it to the EU's peacebuilding operations.³²¹ Despite the EU's position as the biggest donor in development aid, the particular development dimension receives relatively little attention within the Union's peacebuilding discourse.³²²

Another difference is the fact that the UN has a much stronger military/peacekeeping capability compared to the EU's system. As been discussed before, the EU has a lack of integrated military capacity, which is one of the reasons why the EUPF mainly focuses on non-military policies and activities.³²³ The EU's security strategy can be seen as an example of an EU policy document that mentions the EU's emphasis on negotiation, persuasion, and the rule of law in post-conflict situations.³²⁴ It can be argued that both peacebuilding systems have different 'strategic cultures', which makes the UN a 'hard

318 Fiaria, 2014, 1.

319 United Nations Peace Building Commission, 2014.

320 Tschirgi, 2004, 6.

321 Ibid.

322 Berenskoetter, 2005, 15.

323 Richmond et al., 2011, 16.

324 European Council, 2003.

power' and the EU a more 'soft/civilian power'.³²⁵ The lacking military capacity of the EU's system, especially compared to the UN system, might be seen as the main reason why the EU is not recognized as a credible international actor such as the UN.³²⁶ However, it should be taken into account that military operations are a relatively new field of expertise for the EU, compared to the military peacebuilding activities of the UN system. Although the CSDP was established in 1999 as an important part of the Union's foreign policy, the EU launched its first autonomous military operation in 2003.³²⁷ Therefore, it is not surprising that the EU's system lags behind the military capacity of the UN that implemented its first armed peacekeeping operation in 1956 to address the Suez crisis.³²⁸ Ironically, it should be mentioned that EU's MSs provide the largest number of troops in various missions that are embedded in larger political stabilization and peacebuilding efforts, be it under the auspices of the UN, under NATO or under EU command.³²⁹

In conclusion, it can thus be argued that despite the different 'strategic cultures' of peacebuilding of the UN and the EU, both organizations face similar institutional challenges due to their similar peacebuilding architecture and underlying philosophy. The second part of this thesis will discuss the way the EU's peacebuilding model – with its institutional limitations - has influenced the Union's role in Libya since the 2011 armed conflict.

325 Berenskoetter, 2005, 15.

326 Berenskoetter, 2005, 17.

327 Börzel and Risse 2007, 22.

328 Grevi et al., 2009, 394.

329 Börzel and Risse 2007, 24.

Part II – The EU’s response to the Libyan crisis

“As Libya vividly demonstrates, being able to do more not only requires having the right institutional arrangements, it also requires having muscles and the willingness to use them”

(Brattberg, 2011, 4)

In order to explore how the EU’s underlying philosophy and the institutional limitations of peacebuilding have influenced the EU’s role in the case of Libya, a historical understanding of the pre-conflict situation is first needed. This thesis does not aim to provide a comprehensive conflict analysis of the Libyan crisis, it will rather focus on a few peculiar characteristics of Libyan history that are essential for the argument of the thesis.³³⁰ These significant characteristics not only shaped the Libyan social context that existed before the 2011 revolution, but they also help to understand and explain why several EU peacebuilding activities did not have the desired impact.³³¹

2.1 Specific characteristics of Libyan history

2.1.1 The political order of Qaddafi

The first specific characteristic of Libyan history is the political order that colonel Qaddafi and his associates set up in the 1970s, also referred to as the ‘Qaddafi’s dictatorial power structure’.³³² By the time Qaddafi and his regime, the Revolutionary Command Council, staged a coup against the monarchy in 1969, there was a high level

³³⁰ Annex 4 provides a timeline of the course of the Libyan conflict and its aftermath.

³³¹ Smits et al., 2013, 23.

³³² International Crisis Group, 2011, available at: <http://www.crisisgroup.org/en/regions/middle-east-north-africa/north-africa/libya/107-popular-protest-in-north-africa-and-the-middle-east-v-making-sense-of-libya.aspx>, accessed on 20 May 2015.

of resentment among the Libyan population: accusing the monarchy of elitism and corruption.³³³ Moreover, there was no well-established state, but only a few administrative institutions.³³⁴ Against the backdrop of the disconnection between the monarchy and its population, Qaddafi came to power and created a new regime.³³⁵ In 1975, Qaddafi wrote the Green Book in which he provided an alternative for capitalism and Marxism, the so-called 'Third Universalist Theory'.³³⁶ In this book, he did not portray himself as the head of state, but rather as the leader of the revolution. The state was in charge of all the social and economic activities in the country; there was no political representation of the Libyan population because political parties were not allowed; civil society did not exist; and formal state institutions were not established.^{337,338} The country was characterized by a patronage system of resource distribution where patronage was used as a means to consolidate a support base and to buy off possible sources of opposition.³³⁹

In addition, Qaddafi did not trust the national army and saw the army as a potential threat to the regime.³⁴⁰ Therefore, Qaddafi never assigned security tasks to the regular armed forces. The national army was deliberately kept weak, undermanned, ill-equipped, and de-politicized.^{341,342} Qaddafi and his accomplices were supported by a number of security state institutions that used repression to ensure regime survival.³⁴³ In other words, real power was in the hands of informal structures of authority and citizens were completely reliant on the state: Qaddafi's personal rule.³⁴⁴ By way of illustration,

333 Wood, 2012, 13.

334 Ibid.

335 Ibid.

336 Ibid.

337 Companies of Qaddafi took over the private sector and therefore thousands of valuable private sector entrepreneurs left the country (Smits et al., 2013, 8).

338 Ibid.

339 Smits et al., 2013, 5.

340 Wood, 2012, 13.

341 Ibid.

342 The weakness of the regular army became especially apparent when the conflict erupted in September 2011 (Smits et al., 2013, 19).

343 Gaub, 2013, 3.

344 International Crisis Group, 2011, available at: <http://www.crisisgroup.org/en/regions/middle-east-north-africa/north-africa/libya/107-popular-protest-in-north-africa-and-the-middle-east-v-making-sense-of-libya.aspx>, accessed on 20 May 2015.

justice was ruled by the inner circle of Qaddafi, composed of family and close friends that together formed the ‘Revolutionary Committee’.³⁴⁵ The Qaddafi-period is perhaps best described as a period of ‘institutionalized statelessness’.³⁴⁶ The absence of formal state institutions not only sheds light on the urgent need for state-building in the aftermath of the Libyan conflict, but it also explains the high level of reliance on tribal/communal solidarity among the Libyan population, both before, during and after the Libyan conflict.³⁴⁷

2.1.2 The importance of tribal alliances

When looking at the importance of tribal loyalty within Libyan society, it should first be mentioned that Libya’s history has always been ‘a story of regions’.³⁴⁸ For centuries, the three provinces of Libya – Tripolitania, Fezzan and Cyrenaica – shared little physical contact.³⁴⁹ This regional division allowed local authority structures to act semi-autonomously, which preserved local values and tribalism in these regions.³⁵⁰ Although the emergence of the monarchy in 1951 brought all three provinces together, the ‘new Libya’ did not contribute to an increasing level of national consciousness and national identity of the Libyan people.³⁵¹ During the Qaddafi regime, tribal networks became even more important for access to social, economic and political opportunities.³⁵² The strong identity of Libyans with their tribal networks can be seen as the second specific characteristic of Libyan history. The importance of tribal relations cannot only be seen as a driver of the Libyan conflict, but also as relevant factors that shaped the course of the conflict, and as significant resources for peacebuilding in the aftermath of the conflict.^{353,354} It is therefore important to look at the main ethnic groups that are present

345 Ibid.

346 Smits et al., 2013, 8.

347 International Crisis Group, 2011, available at: <http://www.crisisgroup.org/en/regions/middle-east-north-africa/north-africa/libya/107-popular-protest-in-north-africa-and-the-middle-east-v-making-sense-of-libya.aspx>, accessed on 20 May 2015.

348 Smits et al., 2013, 9.

349 Smits et al., 2013, 16.

350 Smits et al., 2013, 9.

351 Ibid.

352 Wood, 2012, 10.

353 Wood, 2012, 10

in Libya.

Apart from the Arab-Berber tribal network in Libya, consisting of no less than 140 tribes all over Libya, there are three significant ethnic groups in Libya: the Western Amazigh, the Tuareg that predominantly live in the South West of Libya, and the Tabu in the South and South East of the country.³⁵⁵ It is important to note that the Amazigh were culturally and politically marginalized during Qaddafi's rule.³⁵⁶ This explains why the Western Amazigh played a key role on the pro-revolution side during the 2011 conflict.³⁵⁷ The Tuareg, a nomadic pastoralist group, were closely affiliated with the regime of Qaddafi. This, in turn, explains conflict between many Tuareg tribes and anti-Qaddafi Arab-Berber communities since the end of the Libyan conflict.³⁵⁸ Just as the Western Amazigh, the black African tribe the Tabu experienced cultural and political marginalization under Qaddafi's regime. The Tabu's ongoing feelings of discrimination by several Arab-Berber communities and concerns of the latter that the Tabu's would acquire local political/cultural dominance after the conflict caused serious clashes between both ethnic communities in the immediate aftermath of the conflict. The different tribal alliances thus not only strongly influenced the conflict dynamics (both fighting each other and fighting together against Qaddafi), but also the post-conflict political transition of the country. An example of the latter mentioned is the exclusion of several tribal groups that have been loyal to Qaddafi, such as the Qadhadhfa, Magraha, Warfalla, Worshefena, and Tarhouna tribes, from the post-conflict 'new political order': the National Transitional Council (NTC) and later on the General National Congress (GNC).³⁵⁹ This led to increasing resentment among these tribal groups that was exploited by forces of the Islamic State that quickly filled up the security vacuum

354 More specifically, tribal groups can be seen as a resource of peacebuilding because of the penetration of tribal groups across different geographical areas on the one hand and because the tribes have tribal processes for settling conflict such as the 'Committee of Elders' (Wood, 2012, 10).

355 Wood, 2012, 11.

356 Ibid.

357 Ibid.

358 Ibid.

359 Wood, 2012, 10.

during Libya's political transition.³⁶⁰ Here, the third specific characteristic of Libyan history comes in: the presence of suppressed Islamist groups under Qaddafi's rule.

2.1.3 The presence of suppressed Islamist groups

In order to better understand the rise and the influence of extremist Islamist groups in the run-up to, during and especially after the Libyan conflict, one should go back to the 80s.³⁶¹ In the 1980s, several individuals from the East of Libya – that had been the center of Jihadists activities for decades - travelled to Afghanistan to fight forces of the Soviet Union.³⁶² These individuals banded together and formed the Libyan Islamic Fighting Group that soon took up arms against Qaddafi and his regime.³⁶³ Qaddafi immediately crushed their uprising and incarcerated many of them in Tripoli's notorious Abu Salim prison.³⁶⁴ Years of suppression and marginalization of Islamist groups in the East of Libya and Qaddafi's dictatorial regime turned many moderate Islamists into extremists such as Jihadists or Salafists.³⁶⁵ The extremist Islamist groups saw the 2011 revolution as a possible opening to an Islamic state under Sharia law.³⁶⁶ Therefore, many of these groups supported the rebels in the run-up to the conflict. When the revolt was over, many extremists retained well-armed militias and took advantage of the complete absence of government security forces.³⁶⁷ Although the number of Islamist extremists in Libya is not large, it can be argued that they heavily complicate the post-conflict process of peacebuilding and stabilization.³⁶⁸ Unlike armed groups and tribal militias in the country that support their political allies, these extremist Islamist groups

360 Carnegie Endowment for International peace, Wehrey, 2015, Rising Out of Chaos: The Islamic State in Libya, available at: <http://carnegieendowment.org/syriaincrisis/?fa=59268>, accessed on 3 May, 2015.

361 It is important to make the distinction between moderate and more radical Islamist groups. The first group maintained relations with the Western-backed Libyan government (such as the group Libya Shield One), whereas the latter mentioned can be seen as extremist, anti-state Islamist groups, like the Salafists or the Jihadists of Ansar Al-Sharia and Rafallah Al-Shati in Benghazi (Chivvis and Martini, 2014, 25). This thesis will use the term 'extremist Islamist groups', when referring to different extremist Islamist forces.

362 Chivvis and Martini, 2014, 25.

363 Ibid.

364 Ibid.

365 Blanchard and Zanotti, 2011.

366 Chivvis and Martini, 2014, 26.

367 Ibid.

368 Ibid.

mainly aim to overhaul the precarious political system in Libya in order to establish an Islamic state.

Since the end of the Libyan conflict, a number of attacks by national extremist groups took place that undermined the process of establishing a central state apparatus, such as the spate of bombings in Benghazi and Derna, the structured targeting of state security bodies in 2013, and recently even capturing the eastern city of Derna (January 2015).^{369,370} One of the current concerns regarding extremist Islamist groups is that they increasingly strengthen their ties with the mainstream Islamist militias, which makes them an even more serious security threat for the peacebuilding process in Libya.³⁷¹³⁷² The security vacuum after the fall of Qaddafi opened opportunities for Al-Qaida affiliates from the Maghreb, the Sahel, the Arab Peninsula and Pakistan to pursue their interests on the Libyan territory.³⁷³ Furthermore, the risk that international extremist Islamist organizations become embroiled in violent clashes and competition between different Libyan armed groups should also be taken into account.³⁷⁴ Without further elaborating on the issue of transnational extremism, it suffices to say that links with transnational extremism take on different characters in the country, mainly in East-Libya: the historic stronghold of the extremist Islamist groups.³⁷⁵

2.2 The EU's peacebuilding strategy and practices in Libya: no European boots on the ground

2.2.1 The diplomatic and humanitarian dimension of the EU's involvement

First of all, the EEAS spearheaded a political partnership with the NTC. On 22 May

369 Smits et al., 2013, 47.

370 Pack and Barfi, 2012, 5.

371 Ibid

372 Another concern regarding the rise of these extremist armed Islamist groups is that they attract more and more international support in terms of foreign fighters and material assistance (Pack and Barfi, 2012, 5).

373 Ibid.

374 Smits et al., 2013, 52.

375 Smits et al., 2013, 53.

2011, the EU HR for Libya, Catherine Ashton, opened an EU office in Benghazi in order “to support the nascent democratic Libya in border management, security reform, the economy, health, education, and in building civil society”.^{376,377} Subsequently, on 31 August, a mission of the EEAS was launched to prepare the ground for the opening of an EU delegation and to cooperate with the members of the TNC.³⁷⁸ After the fall of Qaddafi in November 2011, Ashton opened another EU office in Tripoli.³⁷⁹ As a result of the EEAS’s political partnership with the NTC, the EU won the favour of the NTC and the Libyan people.³⁸⁰ Therefore, Libya invited the EU to assist and monitor the 2012 elections and to help on subsequent stages of the transition.³⁸¹ In addition to these diplomatic efforts, the EU implemented the sanctions of the SC’s Resolutions: imposing an arms embargo against Libya, a visa ban, and an asset freeze to key persons related to the Qaddafi regime.³⁸²

Moreover, the EC launched two of the major emergency instruments of its DG for Humanitarian Aid and Civilian Protection: humanitarian assistance and the civil protection mechanism.³⁸³ It should be mentioned that the EU and its member states provided over 152 million Euros for humanitarian aid and civil protection which made the EU the biggest humanitarian donor to Libya.³⁸⁴ On 1 April, the Council adopted a decision on EUFOR Libya: a military mission to solely support the EU’s humanitarian efforts. However, the mission has never been deployed to Libya because the UN’s Office for Coordination of Humanitarian Affairs did not request its activation.³⁸⁵ Here,

376 Politico, Vogel, 2011, available at: <http://www.politico.eu/article/eu-opens-office-in-benghazi/>, accessed on 3 May, 2015.

377 It is important to note that the establishment of an EU office in (rebel-held) Benghazi indirectly recognized the rebel Libyan NTC, which can be seen as a sign of ‘choosing sides in the Libyan conflict’ (Smits et al., 2013, 55).

378 Koenig, 2011, 14.

379 Seeberg, 2014, 125.

380 European External Action Service, 2012, available at:

http://eeas.europa.eu/eueom/missions/2012/libya/pdf/eueat-fact-sheet-21062012_en.pdf, accessed on 31 May, 2015.

381 Ibid.

382 Koenig, 2011, 15.

383 Ibid.

384 European Commission, 2012, available at:

http://ec.europa.eu/echo/files/aid/countries/libya_factsheet.pdf, accessed on 28 April, 2015.

385 Koenig, 2011, 16.

it should be noted that many scholars and practitioners argue that everybody in Brussels already knew that the EU's request to the UN's Office for Coordination of Humanitarian Affairs was never going to materialize.³⁸⁶ From this point of view, EUFOR can be perceived as a symbolic gesture, rather than a real response to the needs of the UN.³⁸⁷

2.2.2 Military operations and the EU: standing on the side-lines

Despite the EU's role as diplomatic and humanitarian player, the Union did not deploy a military mission in Libya, although the EU could have taken the lead. In principle, the conditions for a military operation were favourable: Resolution 1973 authorized the use of force (normally the most difficult precondition to fulfil); it was clear that the United States (US) was not willing to take the lead in Libya; and there was regional support from the Arab League given its request for intervention.³⁸⁸ Instead of taking the lead through its CSDP, the EU stood on the side-lines when a broad coalition of North-American, European and Arab countries started military operations in Libya with the participation of Belgium, the Netherlands, Spain, Italy, Sweden and Denmark.³⁸⁹ It can thus be argued that the picture of the EU's role in Libya is mixed: European countries were in lead, but the EU was not.³⁹⁰ However, it should be noted that the EU gradually came back into the picture when setting up and implementing a broad range of long-term peacebuilding activities in the aftermath of the Libyan conflict.³⁹¹

2.2.3 The EU's response on the civilian side

As mentioned in part one, the EU's approach to peacebuilding evolved into a large number of activities over the years, such as dialog and mediation, law enforcement and reform of the justice sector, tackling transregional and cross-border threats such as

386 Biscop and Coelmont, 2011, 78.

387 Koenig, 2011, 22.

388 Biscop and Coelmont, 2011, 75.

389 Ibid.

390 Biscop and Coelmont, 2011, 80.

391 Biscop and Coelmont, 2011, 81.

terrorism, illegal immigration, trafficking of drugs and arms and human trafficking, piracy, democratization, elections and electoral reform, human rights, security aspects of climate change, and governance of natural resources in conflict.³⁹² As mentioned by HR Ashton, the EU's peacebuilding programme (to the value of 130 million Euros) in post-conflict Libya mainly focused on support for local democratic elections and national parliamentary elections, the building of civil society and public administration (especially in education and health), and support for border management.³⁹³ All these peacebuilding programmes have been directed towards a long-term democratic transition and reconstruction of Libya.³⁹⁴ It is important to take into account that the establishment of EU presence on the ground has been the direct result of the diplomatic efforts of the EEAS during the first stages of the conflict.³⁹⁵ When the conflict ended in October 2011, the EU became the *de facto* contact reference for the Libyan government.³⁹⁶

First of all, the EU was present in the stage of the transition after the end of the Libyan conflict, supporting the execution and monitoring of the first democratic elections in Libya – both at the local and at the national level. Here, the EU used the EIDHR to support democracy and reconciliation efforts in the country. The Union sent equipment to support local elections in Benghazi in May and in Zawiya in July 2012.³⁹⁷ The equipment was purchased through the SUDEL project that supported various other local elections by means of equipment and various opportunities for dialogue and training.³⁹⁸ A significant EU project of the EIDHR that has been carried out before the first elections in Libya in 2012 is a project focusing on the empowerment of women as actors of change in Libya. The aim of this project was to support women to effectively participate in the construction of a democratic Libya.³⁹⁹ This project has been

392 European Union External Action Service, available at: http://eeas.europa.eu/libya/index_en.htm, accessed on 8 May 2015. Also see Natorski, 2011, 2.

393 Seeberg, 2014, 125.

394 Kostanyan and Blockmans, 2014, 2.

395 Battellini, 2013, 50.

396 Ibid.

397 Battellini, 2013, 50.

398 Ibid.

399 Ibid.

implemented by the National Consortium of Libyan Women, which shows the EU's current focus on local ownership of its peacebuilding activities. According to the Commission's fact sheet of the Libyan crisis, this project has contributed to the election of several female candidates in the country's local elections.⁴⁰⁰ For the elections of the Libyan Parliament, the GNC, the EU sent an EU Election Assessment Team to monitor and undertake assessments regarding the 2012 elections.⁴⁰¹ In its final report, the EU Election Assessment Team qualified the GNC elections positively in almost all areas: access of women to vote, transparency, and freedom of press.⁴⁰² The peaceful handover of the TNC to the GNC can be seen as a remarkable feat the EU has been involved in, especially considering the lack of democratic history of Libya.⁴⁰³

Secondly, despite the fact that Libyans did not have experience of living in a democracy and enjoying the rights of a free society, the EU introduced a broad range of initiatives to empower Libya's civil society during and after the conflict (using the IfS and the ENPI) (see Annex 5).⁴⁰⁴ At the same time, the EU launched a wide range of projects to support vulnerable groups, such as disabled persons, unemployed people, and women and children.⁴⁰⁵ On the political level, the EU advocated legislation in respect of civil society.⁴⁰⁶ In contrast to the EU's support for the Libyan government that started after the first national election, it can be argued that the Union's support for civil society has been relatively continuous.⁴⁰⁷ By way of illustration, in the first five months of the conflict, a two million programme was underway to strengthen the capacity of the new emerging civil society organizations and NGOs in the country.⁴⁰⁸ Another example is the three million funding from the EU for the programme 'Civil Initiatives Libya' that created training facilities in Tripoli, Benghazi, Misrata and Sabha. The programme also

400 Ibid.

401 European External Action Service, 2012, available at: http://eeas.europa.eu/eueom/missions/2012/libya/pdf/eueat-fact-sheet-21062012_en.pdf, accessed on 31 May, 2015.

402 Battellini, 2013, 50.

403 Ibid.

404 Battellini, 2013, 52.

405 Ibid.

406 Ibid.

407 Ibid.

408 Ibid.

organized training workshops in more remote locations in the country, covering a range of issues such as effective dialogue, public service, and management.⁴⁰⁹ To date, the Union has provided more than 25 training sessions that are used to train Libyan people who will travel throughout the country to train civil society organizations and NGOs.⁴¹⁰

Thirdly, the EU launched several institution-building projects, supported Libyan authorities and the public infrastructure (especially in health and education) (see Annex 6).⁴¹¹ Here, it is important to note that many of these EU projects were launched after the elections of the Libyan Parliament in July 2012. At the request of the GNC itself, the EU organized a series of sessions (November 2012) with the aim to make the Libyan Parliament more effective: training Libyan parliamentarians in the areas of parliamentary work, ranging from law-making to communication with the Libyan population.⁴¹² The most important contribution to the Libyan authorities was the ‘Public Administration Capacity-Building Facility’. This programme, launched in 2011, aimed to reform the public sector and to support Libyan state institutions such as the GNC.⁴¹³ The table of Annex 7 shows the different methods (workshops, seminars, etc.) and the focus areas of this programme, ranging from internal administration and salaries to election preparation and implementation.⁴¹⁴ Over time, the EU also made a variety of instruments available (mainly the ENPI) to fund projects focused on public infrastructure in the areas of education and health, such as ‘Technical Vocational Education and Training’ and ‘Libya Health System Strengthening’.⁴¹⁵

Fourth, when looking at the broad range of programmes that have been implemented in the aftermath of the Libyan conflict, it becomes apparent that security has been the key

409 Battellini, 2013, 51.

410 Battellini, 2013, 53.

411 Battellini, 2013, 40.

412 Ibid.

413 European Commission, 2012, available at:

http://ec.europa.eu/echo/files/aid/countries/libya_factsheet.pdf, accessed on 28 April, 2015.

414 Battellini, 2013, 51.

415 European Commission, 2012, available at:

http://ec.europa.eu/echo/files/aid/countries/libya_factsheet.pdf, accessed on 28 April, 2015.

pillar of EU engagement.⁴¹⁶ Here, security has been mainly related to EU activities of border management and migration, rather than addressing the militias and other armed forces in the country.⁴¹⁷ Only in January 2013, after several episodes of violence and clashes, the EU launched a programme to address the militias and to promote DDR.⁴¹⁸ The programme, ‘Strengthening Democracy, Good Governance and Civilian Culture in the Security and Justice Sector’ aimed to make the security sector more effective and accountable, and to provide support for concrete steps for the DDR process.⁴¹⁹ Between 2011 and 2014, the EU assisted Libya in its efforts to manage migration flows across the country and to assist migrants by means of six programmes (for a total of 30 million Euros). In September 2012, the IfS started to fund a project to improve Libyan border security (and to support SSR) by means of collaboration between Libyan authorities and INTERPOL (the International Criminal Police Organization).⁴²⁰

In May 2013, the EU launched the EU Integrated Border Management Assistance Mission (EUBAM Libya) to provide a border security capacity to the Libyan authorities through the delivery of expertise, training and advice. It is important to underline that EUBAM Libya started as an official civilian CSDP mission with a two-year non-executive mandate, at the request of the Libyan government during the G8 Compact.⁴²¹ EUBAM Libya involved the training of 500 Libyan military personnel in Italy.^{422,423} Here, the controversy of the EU’s civilian mission should be underscored: EU assistance of Libyan police forces and authorities as the core of the mission on the one hand and repeated human rights violations of these Libyan actors in the context of dealing with migration flows in the Mediterranean on the other.⁴²⁴ Due to the deteriorating political and security situation in the summer of 2014, EUBAM Libya was

416 Lavallée and Giumelli, 2013, 369.

417 Ibid.

418 Battelini, 2013, 54.

419 Battelini, 2013, 55.

420 Lavallée and Giumelli, 2013, 369.

421 E-International Relations, Paleologo, F.V., available at: <http://www.e-ir.info/2014/03/30/the-eclipse-of-europe-italy-libya-and-the-surveillance-of-borders/>, accessed on 16 May 2015.

422 Ibid.

423 While officially funded by the EU, the project fit within the bilateral cooperation agreement on defence between Italy and Libya, as spelled out in the Memorandum of Understanding signed in Rome on the 28th of May 2012 (International Security Information Service, 2013).

424 Ibid.

forced to relocate its international staff from Tripoli to Tunisia.⁴²⁵ In October 2014, EUBAM Libya – operating from Tunisia - was downsized to 17 international mission members which shows the limited capacity of the current mission in Libya.⁴²⁶

2.3 The EU's institutional barriers in the context of Libya

2.3.1 The lack of 'institutionalization before liberalization'

In the immediate aftermath of the Libyan conflict, the EU started to focus on the organization of elections despite the fact that formal state institutions were extremely weak or completely lacking.⁴²⁷ The EU's lack of focus on institution-building in the first instance is remarkable given the previously discussed underlying liberal rhetoric of peacebuilding of the Union that in fact prioritizes state-building. In addition, immediate action against militias, especially the activity of disarmament, was necessary before the EU's entrenched itself in the Libyan political and social system. Despite having launched a programme to support SSR and DDR in 2013, it can be argued that the timing has not been right given the fact that the application of the project began well after several grave episodes of violence took place in the country.⁴²⁸ In other words, the most urgent needs immediately after the conflict were security needs and institution-building, rather than the organization of elections.⁴²⁹ These needs can be explained on the basis of the lack of formal state institutions in the country, both during Libya's monarchy and during Qaddafi's rule as mentioned before. Here, it is important to note that the EU's activity in the field election preparation has strongly been influenced by the UN mission UNSMIL that set up Libya's future roadmap in the first place. The Secretary-General's special representative in Libya and head of UNSMIL, Ian Martin,

425 Kostanyan and Blockmans, 2014, 2.

426 According to a mission statement of EUBAM Libya in April 2015: "The mission remains engaged and ready to continue to support the Libyan border management authorities once the situation on the ground permits" (European Union External Action Service, available at: http://eeas.europa.eu/libya/index_en.htm, accessed on 8 May 2015).

427 When mentioning (formal) state institutions, this thesis uses the following definition of Paris: 'the formal apparatus of the state: constitutions, executives, legislatures, bureaucracies, and the like' (Paris, 2004, 173).

428 Battellini, 2013, 55.

429 Pack, 2012, 2.

argued on 26 October 2011 that the NTC had to move rapidly to the next phase of political transition in the timetable they had set out by setting up an interim government in 30 days; establishing an electoral body in 90 days; and setting a timeline to hold national congress elections in 240 days.⁴³⁰ It can be argued that the focus on post-conflict elections rather undermined the stability of the country in the precarious aftermath of the conflict. In fact, the elections made the country only more competitive, which increased the risk for another outbreak of violence.

Although the EU and other international actors deserve credit for the free and fair election in July 2012, it should also be underscored that the election exacerbated various local, tribal, and religious cleavages.⁴³¹ This situation in which democratic elections in fact fostered social competition among factions and groups in Libya has also been seen in the case studies of peacebuilding in Rwanda and Bosnia.⁴³² In both cases, democratic elections polarized the electorate; exacerbated existing societal conflicts; weakened the prospects for further democratization; and even precipitated large-scale violence.⁴³³ Furthermore, the continued activity of Libya's militia after the 2012 election undermined the power and legitimacy of the newly chosen political actors in the country. After the election in the summer of 2012, Libya was stranded between competing regional and ideological factions and faced with a total loss of sovereignty and the lack of a formal state structure.⁴³⁴ The case study of Libya does not only demonstrates that elections do not necessarily facilitate post-conflict social cohesion and security. It also challenges the often-cited assumption of the liberal peace paradigm that elections in and of themselves are 'causal drivers of democratization'.⁴³⁵

As mentioned before, not enough attention has been paid to state-building in the immediate aftermath of the Libya conflict, which was necessary since formal state institutions were largely lacking because of the dictatorship of Qaddafi before the

430 O'Brien and Gowan, 2011-2012, 17.

431 Chivvis et al., 2012, 2.

432 Paris, 2004, 163.

433 Ibid.

434 Pack and Haley, 2015, 176.

435 Ibid.

conflict.⁴³⁶ By way of illustration, the country did not even have a constitution, let alone state institutions with the responsibility to implement or reinforce the law.⁴³⁷ When looking at the 2012 elections, there was for example no constitutional court to resolve possible disputes surrounding the election. Neither was there a reliable, Libyan police force to maintain internal order before, during and after the elections.⁴³⁸ When looking at the main pillars of the EU engagement in Libya - border management, security reform, and capacity-building of civil society – it becomes clear that state-building was not one of them.⁴³⁹ In line with Paris' criticism on the liberal peace consensus and his theory 'Institutionalization before Liberalization', it can be argued that the absence of institution-building activities in the immediate aftermath of the conflict hindered the overall transition of Libya. On the other hand, it should be recognized that state-building would have been almost impossible in the immediate aftermath of the conflict given the lack of security in the country.⁴⁴⁰

2.3.2 National interests versus common interests

As mentioned before, the EU did not deploy a military mission in response to the Libyan crisis, which can mainly be attributed to the lack of political agreement on intervention in Libya. When looking at the political division among the MSs, it is important to briefly take a closer look at the French, British, German and Italian national policies. In striking contrast to the attitudes of France and the UK, Germany was reluctant to support military intervention in Libya.⁴⁴¹ One of the reasons why Germany has been against the military intervention is the issue of costs, based on the so-called 'Athena mechanism': a mechanism (established by the Council of the EU in 2004) to administer the financing of common costs of operations having military or

436 Pack and Haley, 2015, 180.

437 Ibid.

438 Ibid.

439 European Commission, 2012, available at:

http://ec.europa.eu/echo/files/aid/countries/libya_factsheet.pdf, accessed on 28 April, 2015.

440 Chivvis et al., 2012, 4.

441 Menon, 2011, 88.

defence implications.⁴⁴² More specifically, this formula states that MSs should contribute financially according to their gross domestic product.⁴⁴³ Therefore, Germany – that pays most under the gross domestic product scale – has been extremely reluctant to deploy a mission in Libya.⁴⁴⁴ Especially because there are no political priorities for Germany to get involved in Libya.⁴⁴⁵

In line with Germany, Italy did not want to act either. On 20 February, the Italian Prime Minister Silvio Berlusconi told the press that he had not called Qaddafi because ‘he did not want to disturb him’.⁴⁴⁶ Although there are divergent opinions about the underlying reason for the passive attitude of Italy, it is most likely that the country’s reluctance to militarily act in Libya can be explained because of Berlusconi’s personal ties to Qaddafi and Italy’s strong economic interests in Libya.⁴⁴⁷ It should be noted that Italy is the largest trading partner and largest importer of Libyan oil.⁴⁴⁸ In contrast, France and the UK – the leading military powers in the EU – shared the belief to deploy a military force in Libya.⁴⁴⁹ The willingness of both countries to militarily intervene in Libya can be attributed to a combination of security, economic, and political interests of both countries. France and the UK are for example huge foreign investors in Libya’s oil and gas sector, which makes a stable Libya extremely important for these countries.⁴⁵⁰ By way of illustration, France is heavily dependent on Libya’s petroleum products that approximately account for 11 percent of French consumption.⁴⁵¹

The case of Libya thus shows that public disagreement between leading European nations can lead to a situation in which a military mission is not even considered within

442 European Commission, available at: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/139880.pdf, accessed on 3 April 2015.

443 Menon, 2011, 84.

444 Biscop and Coelmont, 2011, 75.

445 Ibid.

446 Koenig, 2011, 20.

447 Ibid.

448 Lutterbeck, 2009.

449 Menon, 2011, 88.

450 Lutterbeck, 2009.

451 Pack, 2012, 16.

the framework of the CSDP.⁴⁵² Due to the EU's political system of shared competences in the field of its foreign policy, different national interests hindered political agreement at the EU level and thus collective EU action in Libya. Here, the theory of political realism comes in again. It can be argued that this theory largely explains the EU's inaction in Libya.

It is remarkable that even the common interests of the EU did not outweigh the different national interests of the Union's MSs in deciding whether or not to militarily intervene in Libya. The most dominant common motive of the EU to intervene in Libya has been security. The EU's security interests do not only refer to migration management issues in the Mediterranean Sea, but it also refers to the fact that Libya could be a valuable partner of the Union in its fight against terrorism.⁴⁵³ In addition, economic interests of the Union are also at stake, especially referring to the oil and gas sector.⁴⁵⁴ The EU does not only import energy - in particular petroleum (products) - from Libya, but the Union also exports machinery and transport equipment, fuels, mining products, and agricultural products to Libya.⁴⁵⁵ It should be taken into account that the strained relationship between national interests and common interests at the EU level in which the first has been more dominant than the latter does not only explain the EU's role in the case of Libya, but it also characterizes the EU's foreign policy in general.⁴⁵⁶

2.3.3 A lack of military hardware and 'institutional turf battles'

First of all, it can be argued that the 'uncomplicated operational barrier' played a role given the Union's lack of military hardware that was required for an effective EU military intervention in Libya. According to NATO head Rasmussen, the EU countries lacked military technical capacity such as smart munitions, transport planes, air-to-air refuelling, intelligence surveillance and reconnaissance assets, and skilled personal to

452 Menon, 2011, 86.

453 Lutterbeck, 2009.

454 Council of the European Union, 2014.

455 Seeberg, 2014, 122.

456 Schumacher, 2011, 115.

operate such equipment.⁴⁵⁷ Such military capabilities and support were in Libya mostly provided by the US' military, Rasmussen said.⁴⁵⁸ The underlying reason for this institutional barrier can again be found at the level of the EU's MSs and their lacking political willingness to invest in security and defence mechanisms. This argument has also been emphasized by Rasmussen who spoke at the EU Summit on defence in December 2013: "If European nations do not make a firm commitment to invest in security and defence, then all talk about a strengthened European defence and security policy will just be hot air".⁴⁵⁹ The head of NATO also pointed to another reason for the limited set of military hardware of the EU's MSs: the financial crisis since 2008. He stated: "Given the financial crisis, it is too expensive for any individual EU country to buy the hardware that NATO needs Europe to have to deal with security challenges on Europe's doorstep and to help manage crises further away that might affect us here at home".⁴⁶⁰ In addition, as mentioned in part one, the EU does not have a permanent operational headquarters. Therefore, the Union could not quickly develop an operational strategy that could immediately be carried out in the Libyan context.⁴⁶¹ This can be seen as another operation barrier that delayed the EU response to the Libyan conflict. An example of the delayed response of the EU is the belated decision on the 1st of April 2011 to approve the military support mission EUFOR to support humanitarian assistance in Libya.⁴⁶²

The Libyan case has also shown some institutional barriers that not only delayed the EU's response to the crisis, but that also limited the size of the EU's peacebuilding contribution. First of all, it took almost a month following the initial outbreak of the crisis to pull together an emergency meeting in Brussels to discuss the Union's course of action.⁴⁶³ Even after this meeting, EU leaders remained at odds with each other on how to best address the situation and whether or not to recognize the opposition in

457 EU Observer, Rettman, A., available at: <https://euobserver.com/defence/120046>, accessed on 25 April 2015.

458 Ibid.

459 Ibid.

460 Ibid.

461 Biscop and Coelmont, 2011, 79.

462 Menon, 2011, 75.

463 Brattberg, 2011, 1.

Libya.⁴⁶⁴ Secondly, the creation of an operational plan on a possible mission for Libya almost took months as mentioned before, which already set back the whole EU mission in the first place.⁴⁶⁵ It can be argued that there have been some ‘institutional turf battles’ among EU institutions – the EEAS, the Commission and the Council - about the design and the implementation of a possible intervention in Libya.⁴⁶⁶ One of the EU’s institutional elements that hindered the creation of an operation plan was the fact that MSs are also represented in the EEAS: the EU institution that plays an important role in the development of such a plan.⁴⁶⁷ Therefore, the EEAS ‘failed’ to take adequate action and the HR was pulled in different directions by national figures.⁴⁶⁸ This shows that the previously discussed political barrier also contributed to the institutional shortcoming of the Union in the case of Libya. Moreover, it has been argued that the EEAS has not been able to significantly contribute to the inter-institutional coherence in the case of Libya (for which it was initially established).⁴⁶⁹

However, it should be taken into account that the EEAS had been declared operational just one and a half months after the outbreak of the Libyan conflict.⁴⁷⁰ It is unreasonable to judge about the capacity of this new institutional structure EEAS, solely based on the case study of Libya.⁴⁷¹ Moreover, it should be mentioned that the EEAS and the EC communicated appropriately over the course of the Libyan conflict, due to the role of the HR as VP of the Commission (e.g. attending and participating in every college meeting of the EC).⁴⁷² The establishment of the EU offices in Libya can be seen as an example of the concerted effort by the two institutions.⁴⁷³

464 Ibid.

465 Koenig, 2011, 27.

466 Menon, 2011, 2.

467 Ibid.

468 Brattberg, 2011, 4.

469 Koenig, 2011, 18.

470 Ibid.

471 Ibid.

472 Battelini, 2013, 42.

473 Ibid.

2.4 A future perspective of the EU as a peacebuilder at the international stage

The mixed record of EU activities in Libya raises an important question regarding the future of the EU as a global peacebuilder.⁴⁷⁴ What are the implications of the EU's performance during and after the Libyan crisis for the kind of peacebuilding actor the EU should strive to be on the international stage? This question is in line with the academic debate among political science scholars on whether the EU should act as a civilian, military or normative power within the framework of the Union's foreign policy.⁴⁷⁵ This section will provide insight into how the EU could possibly position itself as a global peacebuilder to improve its peacebuilding engagement in the near future, by discussing three possible future scenarios.⁴⁷⁶

2.4.1 Towards the notion of 'civilian power Europe'

As mentioned in part one, the EU has the ambition to follow the footsteps of the UN and thus to pursue a CA of peacebuilding. It can be argued that this ambition seems unrealistic given the previously discussed institutional barriers and the fact that such an overarching approach includes various aspects such as military and civilian peacebuilding and development activities.⁴⁷⁷ Since it is likely that the MSs will remain divided on the use of force in the near future, the lack of vertical coherence can be seen as a persistent institutional barrier of the EU. Moreover, the political unwillingness and inability of the EU's MSs also contributes to the lacking military capacity of the Union in the framework of its foreign policy. Therefore, I argue that the HR and the EEAS should start exploring possible options for an EU engagement solely on the civilian side.⁴⁷⁸ In other words, the Union should prioritize civilian CSDP operations and

474 Brattberg, 2011, 2.

475 Trott, 2013, 2.

476 Richmond et al., 2011, 3.

477 It can be argued that this ambition only creates expectations at the international level that eventually might not be fulfilled. Unfulfilled expectations, in turn, only lead to a lot of unnecessary criticism –both at the academic and political level – which was the case in Libya.

478 Koenig, 2011, 26.

humanitarian assistance efforts that all MSs can support, at least in principle.⁴⁷⁹ In this way, the EU could bypass some of the previously discussed roadblocks experienced in Libya.⁴⁸⁰ But how do we define the notion of ‘civilian power’ Europe? The often-cited definition of Maull will be used here: “The acceptance of the necessity of cooperation with others in the pursuit of international objectives; the concentration of non-military, primarily economic means to security national goals, with military power left as a residual instrument serving essentially to safeguard other means of international interaction; and a willingness to develop supranational structures to address critical issues of international management”.⁴⁸¹ This definition not only implies the deployment of civilian means, but it also emphasizes a coordinative and assisting peacebuilding role.

It can be argued that the EU is well-positioned to provide civilian support since it has a longstanding experience and valuable expertise in civilian crisis management and post-conflict reconstruction.⁴⁸² The Union could take advantage of the ‘best practices and lessons learned’ from the first ten years of CSDP and the most recent case of EU engagement in Libya. More specifically, it can be argued that the EU should develop niche expertise in specific areas – in which the Union has previously played a key role – such as diplomacy, border management and police training.⁴⁸³ To put it differently, the EU should focus on specific peacebuilding activities where the Union can clearly provide an added-value to larger peacebuilding missions of other international and regional players, rather than trying to carry out a broad set of activities as is required for the CA of peacebuilding. As reflected in the definition of civilian power, the EU can also serve as a valuable player in the coordination of various peacebuilding efforts of different peacebuilding actors.⁴⁸⁴ As discussed in part one, the EU has shown to be capable of providing effective coordination and information-sharing between the staff of the EU, France, the UN military operations and local stakeholders in case of Mali for

479 Brattberg, 2011, 3.

480 Ibid.

481 Maull, 1990, 92-93 in Trott, 2013, 5.

482 Ibid.

483 European Peacebuilding Liaison Office, 2013.

484 Menon, 2011, 87.

example.⁴⁸⁵ It can thus be argued that the EU's peacebuilding support and its peacebuilding framework need to be refocused and redefined towards a more realistic notion of 'civilian power Europe'.⁴⁸⁶ Here, it should be underscored that the possible adoption of a 'soft security role' does not mean that it will play a less significant and less active role compared to other peacebuilding players on the international stage. In fact, it can be argued that the adoption of a more specialized and civilian role rather enables the EU to remain to be a pro-active and meaningful player in future crises.⁴⁸⁷

2.4.2 Integrating peacebuilding in development programmes

The second future scenario is derived from one of the previously discussed institutional barriers of the EU regarding overlapping activities of the Union's institutions in the areas of development assistance and peacebuilding. The crux of the problem of these overlapping activities can be found in the common goal of both activities: capacity building of society.⁴⁸⁸ Although it should be noted that the common goal is driven by a different rationale of both fields of expertise. Development actors of the EU aim to develop social, economic, and political processes to reduce vulnerability of the society, whereas EU actors of peacebuilding aim to create policies, strategies and actions to build capacity within society to manage and resolve conflict.^{489,490} However, it is clear that both fields of expertise are strongly interrelated. It can be argued that development assistance can contribute to sustainable peace and that peacebuilding, in turn, can contribute to development objectives.⁴⁹¹ By way of illustration, peacebuilding activities such as the SSR, reintegration of former combatants and control of small arms and light weapons all contribute to development objectives.⁴⁹²

The common objective and overlapping activities of development assistance and the EU

485 Helly and Galeazzi, 2015, 5.

486 Chivvis et al, 2012, 16.

487 Brattberg, 2011, 3.

488 European Peacebuilding Liaison Office, 2011, 2.

489 Ibid.

490 Ibid.

491 Ibid.

492 Ibid.

peacebuilding approach raise the idea of integrating peacebuilding activities in the Union's development programmes in the near future. The EPLO already made a similar suggestion in February 2011: "EPLO believes that the EU can increase its peacebuilding potential by aligning the Union's policies and systems of peacebuilding and development in order to integrate peacebuilding in development assistance in practice".⁴⁹³ It should be noted that conceptual and practical linkages between peacebuilding and development have been recognized in numerous EU policies and commitments, although plans to merge both fields of expertise have not been made concrete.⁴⁹⁴ A clear example of the Union's recognition of the link between peacebuilding and development is the EU's commitment to the CA of peacebuilding in which development is seen as one of the key pillars of the EU's peacebuilding approach. Besides the fact that a possible institutional merger will bypass the institutional and operational overlap between both fields of expertise, it will also enable the institutions of the EUPF to make use of the funds of the Development Cooperation Instrument which will strengthen the peacebuilding capacity of the Union.⁴⁹⁵

On the other hand, it should be taken into account that such an institutional merger also entails some practical implications and new challenges. One of the challenges that will arise when combining development and peacebuilding tasks is the fact that development projects mainly support the government, while peacebuilding activities are always focused on both sides of a conflict, trying to be as neutral as possible. This raises the question: how to reconcile both working approaches? Development actors should see their role as political and societal, rather than purely technical.⁴⁹⁶ Another practical challenge that will arise is that development actors need to develop a new kind of work approach, including specific peacebuilding objectives and activities.⁴⁹⁷ The 2011 EPLO working document refers to the development of so-called 'conflict-sensitive development policies' when discussing the possibility of including peacebuilding goals

493 Ibid.

494 European Peacebuilding Liaison Office, 2011, 2.

495 Trott, 2013, 22.

496 European Peacebuilding Liaison Office, 2011, 3.

497 European Peacebuilding Liaison Office, 2011, 2.

and activities in the EU development policy in the near future. In addition, the integration requires the development actors to expand their knowledge on peacebuilding, to reorganize themselves and to go in dialogue with peacebuilding actors to exchange ‘best practices’.⁴⁹⁸ Moreover, it should be taken into account that the ‘traditional development agenda’ will significantly broaden - including typical peacebuilding issues such as security, justice, and governance – which will lead to new difficulties in terms of implementation and coordination within the EU framework. It can thus be argued that even though this merger of activities might lead to an improvement of the peacebuilding capacity of the Union in terms of effectivity and efficiency, it should be taken into account that such an institutional merger also leads to new institutional challenges within the EU framework.

2.4.3 A ‘Schengen approach’ to defence integration

The last future scenario goes beyond the EU framework of action and focuses on collective defence regarding the Union’s Mss. There could be a shift towards partial integration of some MSs into a defence unit (also referred to as collective defence), which means a diminishing role for the EU as a global actor in the near future.⁴⁹⁹ Such partial mergers by way of integration could be implemented under the current treaties, making use of the previously discussed permanent structured cooperation, without obligations of the NATO Treaty or requirements of UN peacekeeping.⁵⁰⁰ In this way, one of the biggest roadblocks of the current CSDP will be bypassed: there will be no requirement anymore to unanimously decide whether or not to intervene, which has hindered and delayed most of the EU’s operations so far. One of the scholars in favor of this idea is Janning, who states that the existing EU structure in the area of peacebuilding – ‘a current mix of a few larger armies and many rather small ones’ - delivers too little effect and consumes too many resources.⁵⁰¹ Janning argues that a

498 Ibid.

499 European Council on Foreign Relations, Janning, J., available at: http://www.ecfr.eu/article/commentary_a_pragmatic_approach_to_building_a_european_army311571, accessed on 10 May 2015.

500 Ibid.

501 Ibid.

possible partial integration of some MSs into a defence unit will make it more attractive for the EU and its MSs to become more effective in the field of peacebuilding.⁵⁰² An example of the integration on troop level is the combination of the defense resources of smaller countries, like the Benelux countries, with the potential of larger neighbors such as Germany. This way, collective defense would become a joint operation under one command and a single political decision, not subject to a veto from one of the two parliaments.⁵⁰³ Such a mission would be funded from the national budget of the countries participating in the operation.

By way of illustration, Germany could propose to merge its defense in an integrated structure with Poland. France could participate in this German-Polish defense union, while maintaining its own nuclear deterrence and sizeable expeditionary forces to be deployed outside of the EU.⁵⁰⁴ It can be argued that fully merging the defenses of countries such as Belgium, the Netherlands and Luxembourg, or Spain and Portugal, or the Baltic states might not only enhance their security, but it might also contribute to a more effective performance of these countries outside of Europe.⁵⁰⁵ It seems likely that such a system of collective defense should focus on military integration of those MSs that are already engaged in deeper cooperation. It should be clear that this type of defense integration aims to strengthen and complement other regional organizations (such as NATO) to defend the Union's territorial integrity and the political and social order of the EU, rather than weakening these organizations as critical voices suggest.

It should be noted that this so-called 'Schengen approach to defense integration' - which is ambitious and pragmatic at the same time - exhibits a number of similarities with existing ideas of creating a European army. In March 2015, EC's president Jean Claude Juncker proposed to pool the military resources of the MSs.⁵⁰⁶ This proposal should mainly be understood in the context of the Russian annexation of Crimea (March

502 Ibid.

503 Ibid.

504 Ibid.

505 Ibid.

506 EurActiv, available at: <http://www.euractiv.com/sections/global-europe/juncker-nato-not-enough-eu-needs-army-312724>, accessed on 29 May 2015.

2014) and recent fighting in Eastern Ukraine. In an interview with a German newspaper, Juncker stated: “ You would not create a European army to use it immediately. But a common army among the Europeans would convey to Russia that we are serious about defending the values of the EU”.⁵⁰⁷ Despite the fact that Germany and Finland declared that they are on board with the idea, the UK immediately rejected Juncker’s proposal, “considering defense as a national responsibility rather than an EU issue”.⁵⁰⁸

It should be taken into account that both the proposal of a European army and the idea of defence integration in the context of the EU entail new challenges that should be addressed. The most pressing challenge will be the defence integration in political terms, also called ‘the Achilles heel of Juncker’s proposal’.⁵⁰⁹ Whereas NATO favours collaboration over integration, the EU needs to focus on integration which is much more difficult to realize in practice.⁵¹⁰ Tough, in case the EU wants to remain and even increase its military role at the global level, I argue that such a differentiated mode of defense integration inside the EU has at least the potential to be considered and discussed more seriously in the coming decade. In a future debate on this issue, there is a (relatively provocative) question that should be raised: is there really a substantial argument against the combination of the defense systems of different MSs?

2.4.4 Reflecting on the most feasible and effective scenario for Libya

Against the backdrop of the previously discussed specific characteristics of Libyan history, the needs of the country in the immediate aftermath of the conflict and the EU’s response to the Libyan crisis, it can be discussed which of the future scenarios would have been most feasible and effective in the case of Libya. In other words: should the EU have played its civilian, development or military card? Given the absence of a

507 British Broadcasting Corporation, available at: <http://www.bbc.com/news/uk-politics-31874418>, accessed on 28 May, 2015.

508 Ibid.

509 European Council on Foreign Relations, Janning, J., available at: http://www.ecfr.eu/article/commentary_a_pragmatic_approach_to_building_a_european_army311571, accessed on 10 May 2015.

510 Ibid.

political institutional framework and the security vacuum in post-conflict Libya, it seems that it would have been best for the EU to solely play a civilian role: focusing on soft power activities such as diplomacy, state-building, SSR, DDR, and capacity-building of the civil society in the country. In fact, it can be argued that the EU played such a role during and in the aftermath of the Libyan conflict, despite that the Union repeatedly proclaimed to be ready to play a more decisive role.

It seems that a possible military operation of a group of MSs would have not been able to bring the highly tense situation to an end. When looking at NATO's military intervention in mid-March 2011, e.g. providing military assistance to enable the rebels to capture and overthrow Qaddafi and his troops, it can be argued that such a military operation mainly magnified the conflict's duration and its death toll.⁵¹¹ Many scholars argued that NATO's intervention in fact exacerbated human rights abuses, humanitarian suffering, Islamic radicalism, and weapons proliferation in Libya and its neighboring countries.^{512,513} It seems plausible to argue that a possible military operation of an 'integrated defense unit' of a group of MSs would have had the same effect on the extremely instable country.

511 Belfer Center for Science and International Affairs, Kuperman, A., available at: http://belfercenter.ksg.harvard.edu/publication/23387/lessons_from_libya.html, accessed on 29 May 2015.

512 Ibid.

513 Although, it should also be noted that there are scholars and commentators who argue the opposite, praising NATO's 2011 intervention in Libya 'as a humanitarian success averting a bloodbath in Benghazi and helping eliminate the dictatorial regime of Qaddafi' (Belfer Center for Science and International Affairs, available at: http://belfercenter.ksg.harvard.edu/publication/23387/lessons_from_libya.html, accessed on 29 May 2015).

Conclusion

This thesis aimed to explore the institutional barriers of the EUPF and to explain how these limitations influenced the EU's role in Libya (from February 2011 until July 2014). Whereas the first part mainly focused on the development and the state-of-art of the EU model of peacebuilding, the second part discussed the EU's peacebuilding strategy and practices in response to the Libyan crisis and in the aftermath of the conflict. In this thesis, I have attempted to examine the peacebuilding capacity of the EU and its institutional barriers that hinder the Union from operating as an effective and meaningful peacebuilder at the international stage. As has been demonstrated, there is a tension between the EU's idealistically-driven and multi-faceted peacebuilding policy on the one hand, and its limited peacebuilding record and capacity on the other. In other words, it has been argued that there is a gap between the normative power and the actual performance of the Union regarding in the field of peacebuilding.

Part one has shown that the EUPF cannot be understood in isolation since it has been built upon and totally dependent on the UN's framework of peacebuilding. It has been argued that the EU's understanding and practices of peacebuilding are heavily influenced by the UNPF. Although both peacebuilding systems have shown commitment to pursue the ambitious CA of peacebuilding, it has become clear that the EU lags behind the UN system when it comes to the implementation of such an overarching approach.⁵¹⁴ Despite the fact that the EU developed the concept of a CA of peacebuilding at a later stage and the fact that UN has a stronger peacekeeping capacity, a few institutional barriers have been discussed that explain the different peacebuilding role of the EU compared to the role of the UN. In this thesis, I have offered a three-layered critique on the EUPF: at the conceptual, political and operational/institutional level. First of all, it has been argued that the core assumptions of the EUPF are based on the liberal peace consensus. Several fundamental aspects of this consensus have been questioned, such as the assumption of a liberal market democracy as the most

⁵¹⁴ Although it should be noted that both systems still lack an official peacebuilding strategy which delays the quick response that is needed in cases of conflict.

appropriate political system for peace and stability; the fact that this consensus takes the existence of state institutions for granted; its idea of elections as a ‘magic formula’ for democracy; and its focus on the state level rather than on civil society. The important role of these fundamental aspects of the consensus should not be underestimated since they shape both the EU’s peacebuilding strategy and practices. In addition to these conceptual barriers, the lack of both institutional and vertical coherence within the EUPF has been elaborately discussed. The comparison between both peacebuilding systems has shown that the UN shares many aspects of the EU’s institutional and vertical incoherence, such as the PBC’s problem of coordination and institutional tensions between the SC, the PBC and other peacebuilding actors within the UN context. Third, it has been argued that the EU is facing a lack of capabilities that is caused by limited human and material resources, ranging from a shortage of military hardware and insufficient personnel to the absence of a permanent operational headquarters of the Union.

It is important to underscore the inhibitory role of the MSs within the EUPF, due to several factors such as varying national interests and priorities, the struggle for consensus among the MSs, and their influential position in the context of the EU’s foreign policy due to the Union’s system of shared competences. In this thesis, it has been argued that the lack of political willingness and ability of the EU’s MSs is a persistent and therefore crucial limitation of the EUPF that strongly undermines the EU’s peacebuilding capacity. In fact, it has been shown that the lack of vertical coherence underlies almost all shortcomings of the EUPF. The argument of vertical incoherence is in line with the theoretical perspective of political realism in the EU context of peacebuilding since this perspective centralizes the power of national interests. The institutional barriers not only show why the EU is not able to play a similar peacebuilding role as the UN, but they also touch upon the question of credibility.⁵¹⁵ Despite the fact that the EU has successfully constructed itself as a rising global actor in the field of peacebuilding, its credibility in the region has significantly

⁵¹⁵ Peace in Progress, Isaac, S.K., available at: http://www.icip-perlapau.cat/numero23/articles_centrales/article_central_5/, accessed on 11 June 2015.

been undermined by a combination of the previously discussed institutional shortcomings that have been reflected in the Union's peacebuilding operations, such as in Libya.⁵¹⁶

Although the EU's response to the Libyan crisis is often marked as the end of the CSDP and of the CFSP of which it is an integral part, the second part of this thesis has not only shed light on the weaknesses but also the strengths of the EU's role in Libya. On the one hand, the EU significantly helped on the democratic front by supporting democratic elections and democratic behavior in Libya's state institutions through trainings, workshops and conferences.^{517,518} In addition, it is important to emphasize the EU's quick and substantial delivery of humanitarian aid and its far-reaching sanction regime.⁵¹⁹ Moreover, the EU invested resources into consolidating the rise of civil society and enhancing the conditions for its flourishing.⁵²⁰ It has been argued that the EU's response has thus mainly been on the civilian side: focusing on the delivery of 'soft power initiatives'.⁵²¹

However, the EU's accomplishments on the civilian side have been dwarfed by the crucial constraint of vertical incoherence between the EU and its Mss, especially when focusing on the role of France, Italy, Germany and the UK.⁵²² When looking at other needs that urgently had to be addressed in the immediate aftermath of the conflict such as SSR and DDR, it has become clear that the EU has been less effective. It has been argued that the EU clearly set wrong priorities from the outset, leading to the Union's inactivity in the important area of Libya's internal security.⁵²³ In fact, the security situation in the country got even worse after the 2012 elections, which eventually escalated in a second civil war in the country in the summer of 2014.^{524,525} However, it

516 Ibid.

517 Ibid.

518 Battelini, 2013, 39.

519 Ibid.

520 Battelini, 2013, 66.

521 Brattberg, 2011, 2.

522 Koenig, 2011, 17.

523 Ibid.

524 Ibid.

would be wrong to only attribute ‘the blame’ of the EU’s limited peacebuilding role to the Union since the most crucial constraints of the EU’s involvement in Libya lie with the MSs. Although Libya might have been an unusual and extremely challenging case, it vividly demonstrates that the EU’s attempts to establish a democratic order and stability rather seem utopia than reality. Or is this statement too short-sighted?

Both the first and the second part of this thesis have shown that the EU is neither able nor willing to deliver in the field of ‘hard power’ given the current state of affairs of the EUPF. In fact, the Union’s lack of military action - such as in the case of Libya - undermines the EU’s power and credibility as a global peacebuilder and it overshadows its capacity to play a significant role as civilian power.⁵²⁶ Here, the famous metaphor on the transatlantic division of labour comes to mind: ‘NATO prepares dinner while the EU washes the dishes’.⁵²⁷ The EU should focus on the lessons learned from its previous peacebuilding practices, such as its role in Libya, in order to explore how it can be most effective and meaningful as a peacebuilder at the international stage. In other words, should the EU aim for a position as cook, waiter, or dishwasher? It is time for the EU to rethink its position in order to avoid further voices of criticism and disappointment regarding its role as a global peacebuilder.

525 Although the EU’s peacebuilding practices in Libya might have been ineffective, it should be clear that this thesis does not, in any way, link the EU’s limited peacebuilding role in Libya to the outbreak of the second conflict in the summer of 2014. The second eruption of violence should rather be seen as the result of a congregation of different kind of post-conflict dynamics.

526 Koenig, 2011, 29.

527 Ibid.

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Annexes

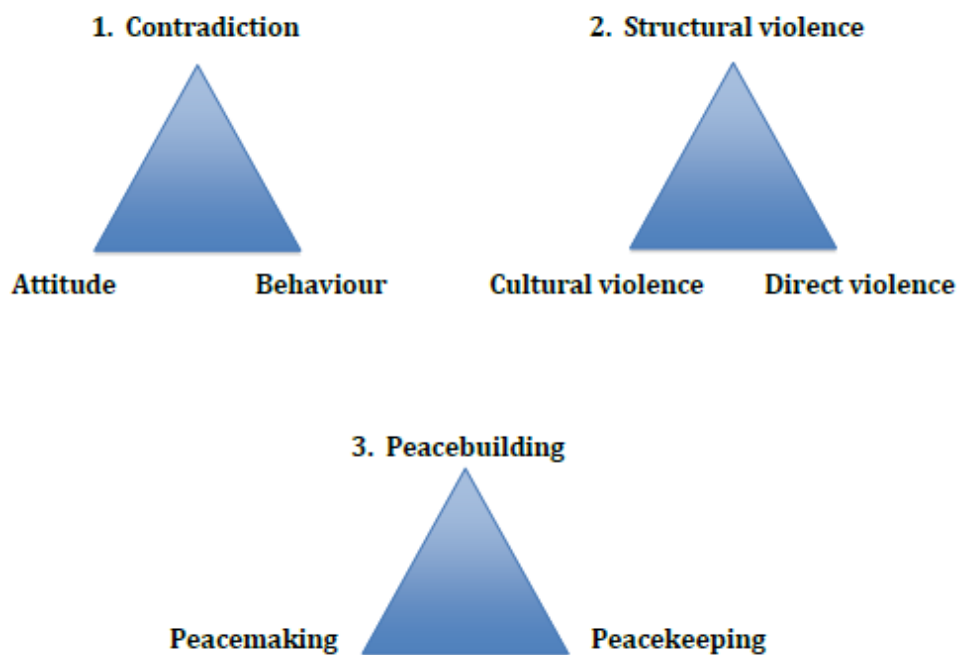
Annex 1 Map of Libya⁵²⁸



528 One World: Nations online, available at: <http://www.nationsonline.org/oneworld/map/libya-political-map.htm>, accessed on 15 July 2015.

Annex 2 Galtung's conflict triangles⁵²⁹

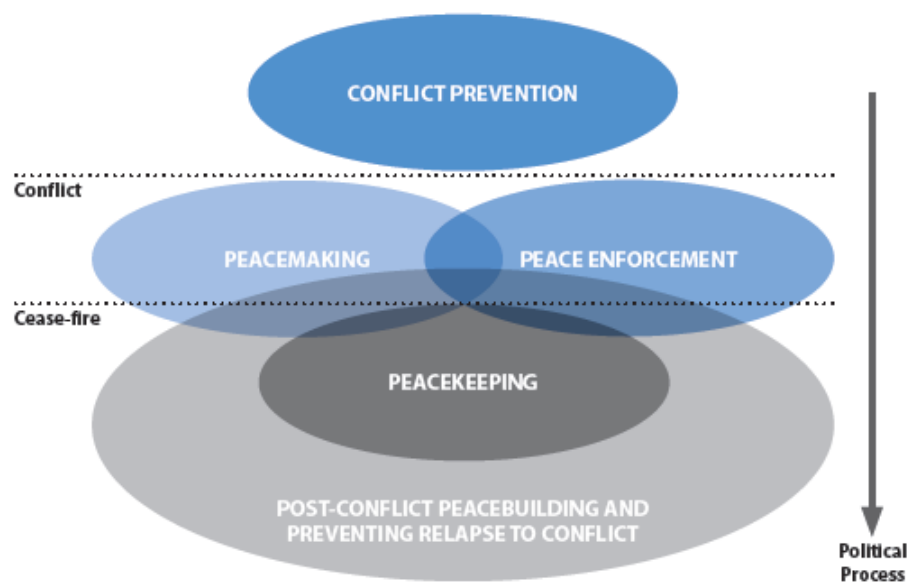
This Annex presents the three Galtung triangles. The first triangle highlights the link between stakeholders. Triangle two focuses on the link between structural, cultural and direct violence, while the third shows the interconnectedness of peacemaking, peacekeeping and peacebuilding. It should be noted that all triangles are interlinked. By way of illustration, peacemaking addresses attitudes; peacekeeping addresses behaviour; and peacebuilding addressed what Galtung calls conditions (represented in his triangle by 'contradictions').⁵³⁰



⁵²⁹ Galtung, 1996.

⁵³⁰ Wallis, 2010 in Tshiband 2010, 2.

Figure 1 Linkages and Grey Areas



531 Tshiband, 2010, 3.

Annex 4 Timeline of the course of the Libyan conflict and its aftermath⁵³²

2011

15 February

Anti-government demonstrations take place in Benghazi. As a consequence, Libyan security forces crack down on the protesters.

21 February

Rebels claim control of eastern Libya.

26 February

The UNSC imposes sanctions against Libya (Resolution 1970), including an arms embargo and asset freezes. It also refers Libya to the International Criminal Court for investigation of crimes against humanity.

28 February

The EU votes to impose sanctions against Libya, including freezing Qaddafi's assets and imposing an arms embargo.

8 March

The EU imposes sanctions on the Libyan Investment Authority

10 March

- NATO defense ministers meet in Brussels to discuss establishing a no-fly zone over Libya.
- Representatives of the Libyan opposition, Jebril and Essawi, meet with French president Sarkozy

17 March

- The UNSC votes to impose a no-fly zone over Libya and take 'all necessary measures' to protect civilians (Resolution 1973).

23 March

- Official start of NATO's Operation Unified Protector to enforce Resolution 1970 and 1973.

⁵³² It should be noted that this timeline is created on the basis of both academic sources and official EU documents that have been used in part two.

24 March

NATO agrees to take command of Operation Odyssey Dawn, enforcing a no-fly zone over Libya.

1 April

The EU Council adopts a decision on EUFOR Libya.

15 April

Qaddafi forces withdraw from Misrata.

22 May

Opening EU office in Benghazi.

1 June

NATO extends its mission in Libya for another 90 days.

21 August

Libyan rebels fighters enter Tripoli: home to Qaddafi and his regime.

25 August

An agreement is reached in the UNSC to release 1.5 billion in frozen Libyan assets to the country's rebel government.

September – October

Fighting continues across Libya, mainly concentrating in Sirte.

1 September

Libya's interim rulers meet world leaders of sixty countries in Paris to discuss the country's transition from Qaddafi's rule to democracy.

16 September

The UNSD unanimously adopts a resolution to establish a support mission for Libya for the next three months.

20 October

Qaddafi is killed after being captured by rebel forces in his hometown Sirte.

23 October

Libya's interim leaders declare the official end of the war in Benghazi, where uprisings against Qaddafi's regime started in February.

27 October

The UNSC votes unanimously to end military operations in Libya. This resolution cancels the NATO mission in Libya as of October 31, 2011.

31 October

NATO's Secretary General announces the official end of the NATO mission in Libya.

12 November

Opening EU office in Tripoli.

2012**8 June**

The European Union Election Assessment Team was established in Libya.

7 July

First democratic elections in Libya for a 200 member GNC, replacing the TNC.

8 August

NTC transfers power to newly elected GNC.

2013**22 May**

The Council of the EU gives green light for EUBAM Libya, a civilian mission under the CSDP.

2014**25 June**

Second democratic elections in Libya.

July

Almost all international organizations, including the EU, move their staff out of Libya.

28 August

Relocation of EUBAM Libya to Tunis, due to the deteriorating security situation in Libya.

Annex 5 Table concerning EU support to Libyan people and civil society⁵³³

Programme	Implementing agency	Amount (million EUR)	Duration (months)	Start Date
Initial Capacity Building programme for emerging institutions and civil society in Libya	Common Purpose Charitable Trust	2	20	June 2011
Civil Initiatives Libya	Agency for Technical Cooperation and Development - ACTED	3.1	24	January 2012
All inclusive Libyan Dialogue in the future	The Centre for Humanitarian Dialogue	1.7	15	January 2012
Stabilizing at-risk communities and enhancing migration management to enable smooth transitions in Egypt, Tunisia and Libya	International Organization for Migration (IOM)	9.9	36	January 2012
Support to torture victims and victims of enforced disappearance in post-Gaddafi Libya and advocate for an effective protection from torture	International Rehabilitation Council for Torture Victims (IRCT) and World Organisation against torture (OMCT)	1.499	24	February 2012
Protection and promotion of the freedom of information in Libya	Reporters without borders	0.47	18	April 2012
Won for Libya	Women Organizations' network towards building a new Libya and European Centre for Electoral Support (ECES)	0.356	10	March 2012
Supporting Democracy in Libya	European Centre for Electoral Support (ECES)(in consortium with IDEA, Club of Madrid, European Partnership for Democracy - EPD, Netherlands Institute for Multiparty Democracy - NIMD)	1.6	12	May 2012
Libyablog	Radio France international	0.34	18	June 2012
Enhancing human rights based reforms in Libyan detention system	Intercultural Institute of Timisoara	0.235	12	July 2012
Libya Meets Europe	Italian Cultural Institute	0.17335	12	January 2013
Libyan Street Theatre Workshops	British Council	0.15	12	January 2013
Asylum and Migration in Libya	Danish Refugees Council	1.44	18	November 2012
Security, Protection and Stabilization Program in Libya" (Protection and Demining Activities)	Folkekirkens Nodhjælp Fond	5	18	September 2012
Libyan Protection Governance Initiative (LPGI)	Mercy Corps	2.231917	18	July 2012

Source: European Commission (2013)

533 Battelini, 2013, 41.

Annex 6 **Table concerning EU funded projects in Libya: support to Libyan authorities**⁵³⁴

Programme	Implementing agency	Amount (million EUR)	Duration (months)	Start Date
Public Administration Capacity Building Facility Libya	The International Management Group - IMG	4.5	24	January 2012
Better Quality Education and increased inclusiveness for all children.	UNICEF	2.4	24	May 2012
Revitalisation, Regeneration and Strengthening of Rehabilitation Services for People with Disabilities in Libya	International Medical Corps UK (IMC)	2	30	March/ April 2012
Libyan-EU Partnership for Infectious Disease Control	Belgian Red Cross	3.9	42	October 2009
Support to Civil Society in Libya (institutional side)	The European Network of Implementing Development Agencies (EUNIDA)/Crown Agents	3	24	December 2011
Libya Health Systems Strengthening (LHSS) Programme	The European Network of Implementing Development Agencies (EUNIDA)/Crown Agents / GIZ	8.5	48	January 2013
Technical and vocational education and training (TVET) delivery and development	British Council	6.5	36	January 2013
Strengthening Democracy, good Governance and civilian culture in the security and justice sectors	The International Management Group - IMG	10	48	January 2013
Enhancing Local Risk Detection and Crime Investigation Capability	INTERPOL	2.2	18	September 2012

Source: European Commission (2013)

Annex 7 **Table concerning EU support for reform of public sector by the Public Administration Capacity-Building Facility**⁵³⁵

Methodology	Areas
Administrative and executive support	Internal administration and salaries
Workshops	Electoral and constitutional processes
Seminars	Public administration
Conferences	Budgeting
Exchanges and twinnings with EU and Arab partners	Public financial management, monetary policy and Central Bank management
	Local governance
	Elections preparation and implementation

Source: European Union (2011h)

534 Battelini, 2013, 40.

535 Battelini, 2013, 51.