

COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEE ON SECURITY AND DEFENCE

- THE SECRETARIAT -

SUMMARY OF PUBLIC HEARING AND SPEECHES

LESSONS LEARNT FROM ESDP OPERATIONS

Date: 9 October 2006, time: 15:00 to 18: 30

Structure

1. Introduction.....	2
1.1. Mr Karl von Wogau, (Chairman of the Subcommittee on Security and Defence) .	2
1.2. Mr Mika Markus Leinonen, (Chairman of CIVCOM, Finnish Presidency).....	2
2. Decision making in ESDP missions: legal versus operational requirements?.....	2
2.1 Mr Pedro Serrano, (Director of DE9, Civilian Crisis Management, EU Council), .	2
2.2 Lieutenant-General Jean-Paul Perruche, (Director General, EU Military Staff)	3
2.3 Dr Antonio Missiroli, (Chief Policy Analyst at European Policy Centre)	5
3. Financing ESDP civilian and military missions: what lessons?	5
3.1 Mr Juha Auvinen, (Head of Unit CFSP/RRM Unit, DG Relex, Commission).....	5
3.2. Mr Pedro Serrano, (Director of DE9, Civilian Crisis Management, EU Council) ..	5
3.3 Lieutenant-General Jean-Paul Perruche, (Director General, EUMS)	6
4. ESDP military missions: operational lessons	7
4.1 Lieutenant-General Jean-Paul Perruche, (Director General, EUMS)	7
5. Police, Rule of Law, Monitoring & Security Sector Reform missions under ESDP	9
5.1 Ms Sylvie Pantz, (Former Head of the EUJUST THEMIS Mission in Georgia)	9
5.2 -Mr Pascal Schumacher (Former Head of Operations, EUBAM Rafah, Palestine)	10
6. Questions and Answers session.....	13
7. Annexes	16
Annex 1: Opening Speech by Mr Karl Von Wogau.....	16
Annex 2: Opening Speech by Mr Mike Markus Leinonen	17
Annex 3: Speech by Dr Antonio Missiroli.....	20
Annex 4: Speech by Mr Juha Auvinen.....	23

1. Introduction

1.1. Mr Karl von Wogau, Chairman of the Subcommittee on Security and Defence of the European Parliament, opened the hearing by describing its key aims and by providing an overview of the 16 different types of ESDP missions that have been conducted since 2003. (see Mr Karl von Wogau's speech in Annex 1)

1.2. Mr Mika Markus Leinonen, Chairman of CIVCOM, Finnish Presidency, explained that there is no formal and structured "lessons learnt process" available in the Council Secretariat for civilian crisis management but that nevertheless lessons have been learnt. Mr Leinonen described the reasons why there is at present no formal, structured and automatic lessons learnt process in place in Brussels. He outlined three lessons that have been identified and these concern: human resources, training and recruitment, visibility. (see Mr Leinonen' speech in Annex 2)

2. Session: Decision making in ESDP missions: legal versus operational requirements?

2.1 Mr Pedro Serrano, (Director of DE9, Civilian Crisis Management, EU Council),

Mr Serrano affirmed that he did not see any contradictions between legal and operational requirements. In his view ESDP is firmly established within a legal framework in the EU Treaty although it could benefit from further legal developments.

According to him, it is clear that the decision-making powers for ESDP remain in the Council and that the Joint Actions establish the legal basis for ESDP operations. Any decisions prior to the launching of an operation (formulation of Concept of Operations etc) and during the life of an operation remain under the control of the EU Council. He stressed that international actors do see the EU as a civilian crisis management actor. In fact the EU has already intervened several times on behalf of the United Nations in areas of civilian crisis management. The most important ESDP civilian operation in this area will be the decision to take over some of the functions of UNMIK in Kosovo, after the end of the negotiations on the status. In his view, the EU would not be given such a task if it had not lived up to international expectations in the past.

He explained that at the beginning of 2000 there was no clear concept of what 'ESDP civilian missions' were to look like. Rather there were only some generic indications. So instead of a clear predefined concept, having attached to it an amount of money available to carry it out, ESDP civilian missions grew organically. Hence ESDP civilian missions have been about a constant 'lessons learnt' process.

He argued that one of the key lessons learnt has been the importance of an internal chain of command structure and the control of missions from Brussels. In that regard, before the summer, Mr Solana made clear suggestions about how to improve the planning and conduct of

operations. Mr Solana identified the importance of having a 'civilian commander' in Brussels because there has to be a stronger link between the operation in the field and Brussels to ensure that the mandate of the mission is being implemented. This has also contributed to giving the EU an ability to react more quickly to political difficulties that might arise. This is why there is now a 'civilian strategic headquarters' based in Brussels with 50 members of staff. He saw this as an example of organic growth, as he had previously mentioned.

He pointed out that there is a strong level of cooperation with the Commission in the area of ESDP civilian missions. There are generic concepts of planning operations which have been worked out between the Commission and the Council. For each ESDP civilian missions there are preparatory missions in which both the Commission and the Council send a team to the country in which the operation is envisaged to evaluate what can be undertaken with Council and-or Commission's instruments. Mr Serrano said that they have a mission going on at present in the Democratic Republic of Congo to see if they can be more active in the area of Security Sector Reform after the election.

Mr Serrano explained that the following lessons have been learnt:

1. the importance of a comprehensive study of what other regional or international organisations are doing on the ground.
2. in the area of management: The Council is trying to extract knowledge from previous operations to see how benchmarks can be strengthened. An importance experience has been the fight against organised crime in the Balkans.
3. rapid deployment: This year, the Council will finalised the training of civilian response teams. This is an identified pool of up to 100 experts in all different fields of civilian crisis management that Member States will make available for the planning phase of ESDP civilian operations but also perhaps for a preliminary pre-deployment phase. They will be ready to be deployed in five days notice.
4. better cooperation with the new Gendarmerie Force
5. human resources: this is a key issue which stems from the fact that capabilities for civilian crisis management were developed nationally to deal with domestic issues and not to be deployed abroad. Mr Serrano argued that there was a need for a change in thinking at the national level on that issue.

2.2 Lieutenant-General Jean-Paul PERRUCHE, (Director General, EU Military Staff)

General Perruche emphasised that in contrast to ESDP civilian crisis management there has been very clear procedures in place to deal with decision-making in the area of ESDP military crisis management. All of the references to the decision-making processes and structures are covered in Title 5 of the EU Treaty which grants a central role to the Political and Security Committee (PSC) in order to guarantee the political control and strategic direction of ESDP military operations, without prejudice to Article 207 of the EU Treaty and respecting the role

of the Commission and that of COREPER.

Lieutenant-General Perruche explained that the procedural aspects of military operations have also been subject to an official document that has been approved in July 2003. The document is called "*Suggestions pour les procédures cohérentes et complètes de management de crises de l'UE*". This document is based on Treaty provisions and takes into account the specific arrangements between the EU and NATO, particularly as far as the Berlin Plus agreement is concerned.

He explained the process that is followed during the decision to launch an ESDP military operation. Normally the EUMS follows potential points of crisis which develop in the world, and, thanks to an intelligent system co-ordinated in the EU Situation Centre, which works closely with the unit of intelligence in his own centre, it creates a "scoreboard" of crises. When they have signals of an escalating crisis, they might be directly asked by PSC or by the Secretary General to start thinking about a possible crisis management scenario if the EU were to be engaged. When this happens, this is the beginning of a number of phases.

Phase I

From that moment, they identify, together with the Council Secretariat and the Commission, the interest of the EU and the potential desirable final scenario and they proceed to evaluate the risks and to define the legal and political aspects of eventual actions of the EU. They also begin looking at the different possible strategic options to conduct an effective operation. During this phase the PSC plays a key role. The Secretary General and the Commission are informed. The Military Committee is involved for the military aspects and CIVCOM for the civilian aspects. At the end the EUMS arrives at an aggregated concept that is sent to the level of the PSC and then to the EU Council.

Phase II

Then they follow the next phase that involves the approval of the concept of crisis management and the development of strategic options that is based on more details. The EUMS determines the political and military objectives, the final military situation it would like to see, the role and tasks of the military components. They list the problems that need to be resolved on the ground. They also take a look at the potential military contributions. They end this phase with a number of recommendations.

Phase III

This phase passes through the PSC and the EU Council and ends with a decision by the EU Council about the preferred option on which the EUMS then determines all of its work.

Between Phase III and the beginning of the operational phase

Between phase III and the beginning of the operational phase, there is a specific role for the EUMS which consists in writing the "Initiating Military Directive". This process allows the transformation of a political-military document into a military document that military staff can use to plan operations. This gives the concrete signal for initialising military operations. Since the EU does not have a standing operational command structure, the EUMS needs first of all to create a chain of command. This can be done together with NATO using the Berlin Plus

Arrangement, as it has been the case with Althea in Bosnia-Herzegovina or it can be done using the 'Framework Nation' Concept. In that case they work together with the headquarters declared available to the EU. (Five Member States have declared such headquarters). Two examples are the operation Artemis, conducted using the headquarters in Paris and the current EUFOR Congo operation conducted through the headquarters in Postdam, Germany. From next January, there will be a third option that will be based on activating an operation centre within the EUMS. This will allow the undertaking of either civilian or military operations directly from Brussels.

Starting an operation on the Ground: approval of OPLAN and CONOPS

The real start of an ESDP military operation on the ground occurs when the CONOPS, the concept of operations, and the OPLAN, the plan of operations, are approved by the EU Council. This is the final phase before the actual operation begins on the ground. Depending on circumstances, they can change the timing of operations and go faster. They envisaged that once the battlegroups are ready the process can last 15 days. They have already experimented in so doing during the launching of operation Artemis because it took them only three weeks to plan the operation.

General Perruche explained that it is not absolutely mandatory for the EUMS to make everything clear and definite before it moves to the operational plan. If necessity imposes it, the EUMS can skip one stage and go straight to another. This allows the EUMS to move rapidly in a crisis. He emphasised that nation states are constantly informed about the stages of decision-making at the European level. He admitted that the fast nature of decision-making at the EU level might cause problems for some Member States because they have difficulties in obtaining parliamentary approval for an operation in a short-time frame but some Member States have already taken steps to deal with that issue.

2.3 Dr Antonio Missiroli, Chief Policy Analyst at European Policy Centre, provided a comparative analysis of ESDP civilian and military operations. (see Dr Missiroli's speech in Annex 3)

3. Financing ESDP civilian and military missions: what lessons?

3.1 Mr Juha Auvinen, (Head of Unit CFSP/RRM Unit, DG Relex, European Commission) (see Mr Auvinen's speech at Annex 4)

3.2. Mr Pedro Serrano, (Director of DE9, Civilian Crisis Management, EU Council)

Serrano added some points to the presentation made by Mr Auvinen. First, he stressed that the Council has introduced a procedure to transfer goods from one mission that has ended to another. For example it has transferred goods from the ending of operation Proxima in FYROM and made it available for the start up of the EU operation in Kosovo (EU Planning Team). Second, he explained that framework contracts are becoming a reality in ESDP missions and he said that the EU Council is undertaking work to standardise per diem. He emphasised that experts need to be adequately paid to go on such ESDP missions. There is a problem with payments because the EU pays lower rates to international experts than the UN and the OSCE.

Serrano argued that the use of money for ESDP missions has been cost-effective. He backed this statement by pointing out that in the CFSP budget an annual average of 40 million euros has been spent on ESDP civilian missions. However, he admitted that this level of budget might have to increase rapidly because the EU is planning a comprehensive mission in Kosovo for which more than 1000 people are going to take part and for which equipment will be needed it.

He addressed the question of whether the EU is going all over the world with its ESDP civilian missions, with no overall strategic objectives. In his view this was not the case. To support his argument he pointed out that, excluding EU Security Sector Reform activities, the EU has undertaken from 2003 until now 6 ESDP civilian missions in the Balkans, 3 in Africa, 3 in the Middle East, one in Georgia and one in Aceh. Hence, he concluded that ESDP civilian missions have been concentrated in key areas of geographical interest.

He mentioned the reasons why the decision was taken to have an operation in Aceh (Indonesia). One of the reasons was that a bilateral mission was unacceptable for the Indonesia government and so was the role of other international and regional organisations (NATO, OSCE). He defended the decision to undertake such an operation by stressing that it has contributed to achieving the pacification of an area that had been in civil strife for more than a decade.

3.3 Lieutenant-General Jean-Paul PERRUCHE, Director General, EUMS

General Perruche explained the rules that govern the financing of ESDP military operations. The rules are governed by Art 28, paragraph 3, of the EU Treaty and the funding is taken on by Member States on a pro-rata basis, according to the GDP, unless the EU Council decides otherwise. When an ESDP operation is launched, Member States can decide not to participate and thereby they can be dispensed from contributing financially to the operation. EU Member States that participate in an operation are those who pay for it through the Athena mechanism.

Since 1st March 2004, Athena is the standing mechanism to cover for the common cost of EU operations having security or defence implications. The Athena is a permanent mechanism managed by a special committee made up of Member States participating in the funding of an ESDP military operation. Third countries contributing to an operation may sit on the Committee but they do not have voting rights. The Commission attends these meetings.

He outlined the types of costs that are covered by the Athena mechanism. These were described as: travel and lodging costs to allow for fact-finding missions as well as for the preparation of a military operation. He explained that after the Commander has been funded, the Athena Special Committee looks at the costs of headquarters, as well as infrastructure costs, other essential equipment costs and also the costs of medical evacuation for the whole force in question. The EU Council also decides for each operation whether transport and lodging costs should be jointly funded or not. With the exception of the responsibility of the Council to decide whether to pay for common transport and lodging costs, which he noted has not been the case until now, the Athena Special Committee can decide on a case-by-case basis on the common funding of other expenditure elements of an ESDP military operation.

Athena has managed the common cost of Operation Althea in Bosnia and also the cost of the support given by the EU to Operation Amis in Sudan. The common costs for operation Althea in 2006 came to approximately 42 million euros. In 2005, the Athena mechanism financed the common costs of the first two months of the reform of the payment chain of the Congolese police in the Democratic Republic Congo.¹ This was financed initially by 6 EU Member States, until the project was then financed by the budget of Security Sector Reform. The overall size of the project was approximately one million euros.

The Athena paid for aspects of the EUFOR Congo mission. The Commander proposed the joint funding of camp, preparation work and also for rebuilding and refurbishing building. The Committee gave the green light to this recommendation.

As far as the funding of the Battlegroups is concerned, Athena has a provisional budget of approximately 10 million euros. 17 EU member states have agreed to this and seven others stated they would come up with their share within a period of 5 days if there were to be an emergency. This mechanism has already been used many times. There are provisions in Athena mechanism to ensure that funding is reviewed every 18 months.

General Perruche stressed that having common funding will improve the availability of EU to rapidly react to crisis, by deploying rapid reaction forces.

4. - ESDP military missions: operational lessons

4.1 Lieutenant-General Jean-Paul PERRUCHE, Director General, EUMS

General Perruche explained that there is an ongoing process of evaluation of operations. A stock check of an operation is taken at a system level once the operation has ended, involving both the political and military aspects. This is carried out respectively by the EU Council Secretary General and the EU Military Staff. The military review process is under the leadership of the Military Committee. Data is collected at all levels from the field to Brussels. They are analysed and validated by Member States at a political level, so as to constantly maintain a process of political validation.

The EU Military Staff keeps the "memory" of this exercise and they follow up the measures agreed, which can be of an internal organisational nature or involve changes in the undertaking of operations or the acquisition of equipment. The EUMS puts specific emphasis on the security of their personnel when involved in operations.

The specific lessons that have been drawn are presented in documents that are classified but General Perruche gave an overview of the key lessons learnt from the operations conducted.

¹ It appears that the Congolese authorities experienced problems in paying for their own police forces and this is why the EU took over the task of directly paying for the Congolese police that was newly being established.

Concordia mission in FYROM, 2003:

There were lessons drawn about the requirements for cooperation between EU and NATO actors since this was the first operation that relied on the Berlin-Plus agreement. Lessons were drawn about the nature of the cooperation between EU and NATO commanders on the ground. Another lesson concerned the need for privilege channel of communication between players in the EU and NATO. Lessons were learnt about the importance of having different ways of coordinating ground troops which respect both to the needs of the European forces and the importance of maintaining the established chain of command.

Artemis in DRC, 2003

800 personnel were involved in operation Artemis and this demonstrated that the planning of an operation could be undertaken quickly. There were lessons drawn about the need for good liaison between the Operation Headquarters and other country's contributing forces. He mentioned that this aspect is today better taken into account in their generic model for the headquarters. Another two lessons were learnt: 1. the importance of having a common European approach to the use of force, which has since been agreed. 2. the establishment of the concept of Battlegroups. He argued that Artemis contributed to the growth of capabilities for rapid reaction.

Althea (Bosnia-Herzegovina), 2004 ongoing

He described this operation as one of the most important at present with approximately 6000 troops deployed and is based on cooperation with NATO.

The most important lessons concerned the need for a clearer division of tasks between the EU and NATO. This exercise was concluded in 2004 and General Perruche argued that it would have been better if it had started earlier in the planning phase. There was a lack of planning capabilities within the EU Council and the Secretariat particularly for the management of airspace. (Hence, EU member states have recently expressed a desire for a study on the EU's air capabilities, which is at present underway). There were problems about the exchange of information between the EU and NATO on access to the classified database for SFOR. These difficulties emerged because there were not sufficient flexible rules to implement the security agreement between the EU and NATO at that time. In summary, the key lessons related to the successful implementation of the Berlin-Plus agreement.

EUFOR Congo operation , 2006 ongoing

Since the operation is recent, it was launched on 30 June 2006, there has been less time to undertake a process of "drawing lessons learnt". Nevertheless, in his assessment the operation has already proved its utility and the type of operational planning undertaken for the force has proved to be in line with the mission. He described the structure of the force that is composed of 2500 men and women.

He argued that in undertaking this operation a new type of relationship has been established with the UN. This is because the EU is not purely taking over an UN operation so as to later reinforce the UN, as it happened for Artemis. Rather the EU works next to the UN. There are two separate chains of command that coordinate closely. Through this experience the EUMS has learnt considerably how to organise themselves internally in order to work with the UN in

the future.

Specific provisions taken to ensure that the operation was well coordinated with other actors on the ground has proved to work. Lessons have been learnt in the area of communication and operational planning and the use of the French Force Headquarters and German Operation Headquarters have also proved to be successful. In his view, the success of the EUFOR Congo operation confirms that the EU should be able to launch military autonomous operation.

5. Police, Rule of Law, Monitoring and Security Sector Reform missions under ESDP

5.1 Ms Sylvie Pantz, (Former Head of the EUJUST THEMIS Mission in Georgia)

Ms Pantz explained her experience in managing the first EU 'rule of law' mission: EUJUST Themis. The aim of the mission was to help the Georgian authorities to reform their criminal justice system. The mission was not about fighting organised crime. The operation was based on the principle of Georgian ownership.

Ms Pantz outlined how the operation was decided and undertaken in a relatively short period of time, less than one year, more precisely between July 2004 and July 2005, just after the Rose Revolution. The mission was suggested by the Lithuanian government in February 2004. A fact finding mission was undertaken in May 2004 and a Joint Action was adopted on 28 June 2004. The operational planning was adopted on July 15. Twenty eight people were deployed from EU countries.

The operation was based on the principle of "colocation" that is of sending international experts to work in top management positions in the institutions that form part of a justice system of a country undergoing transition or coming out of a conflict. Experts were "co-located" in the following institutions in Georgia: the Ministry of Justice, the Court of Appeal, the Ministry of the Interior, the police academy and the general prosecutors' office, the Council of Justice and in the public defence office. All EU experts were assisted by Georgian legal assistants who were trained young lawyers. The result was a twenty-eight page report for reform that was approved by the Georgian government on 28 May 2005.

In Ms Pantz's view the key lessons learnt were the following:

- that it is easier to deploy soldiers or police officers rather than to deploy judges, prosecutor and lawyers;
- the experts sent to this mission need not purely to be good lawyers but also have to have excellent communication and interpersonal skills, "they have not to consider younger lawyers as inferior";
- the head of missions has to have a good link with a political adviser in Brussels;
- it is at time difficult to assess what the key value of the mission might be;
- experts have to be given substantial time to become knowledgeable about the legal system present in the country to which they are being sent;
- for the reform of a judicial system of a country emerging from conflict, it is important

that there is a general national ownership of the process or reform. This implies that the experts have to stay in the background.

- coordination with other international actors in the rule of law on the ground is important (OSCE, Council of Europe, American Bar Association).
- there were problems with the starting up of the operation because of lack of equipment such as computers, telephones etc.
- there are difficulties for EU judges to leave to go abroad because it is then difficult for them to be re-employed at home. She argued: "It should not be so difficult to leave and to return".
- in order to have a sustainable reformed judicial system, one needs to stick to the history, traditions of the country that the EU is supposed to help. She stated: "It is not worthwhile to try to impose a common law system in a country which is a civil law country".

5.2 -Mr Pascal Schumacher (Former Head of Operations, EUBAM Rafah, Palestine)

Mr Schumacher spoke about his experience as Chief of Operations from the European Union Border Assistance Mission in Rafah, Gaza Strip, EUBAM. He argued that the Mission has operated successfully for over 10 months, and in doing so the EU has gained a great deal of experience.

In his analysis, by opening the border between Egypt and the Gaza Strip, the EU has acted in the interests of Israel which, after the disengagement had no alternative but to accept a third party presence. The operation has also been in the interests of the Palestinian population because it satisfies the humanitarian need of crossing in and out of the Gaza Strip. He argued that the crossing point also alleviates the security situation inside the Gaza Strip by decreasing the existing pressure.

He pointed out that since 25 June 2006, the day when an Israeli soldier was abducted at the Gaza Green line, there has been a worsening humanitarian situation in the Gaza Strip.

Mr Schumacher traced the evolution of the EUBAM Mission. At the end of November 2005, after preparation for the mission which took place in CIVCOM, the PSC and the EU Council General Secretariat DG 9, a small team established the mission at short notice. In his view, an exceptional investment and intense team spirit allowed for a quick start without major problems. However, the performance of the mission could have been enhanced by having a common one-day preparation in Brussels.

The logistical start-up was possible due to the immediate contributions of EU Member States and the intervention of US technicians and donations. Although the opening would not have been realistic without US rapid intervention, some problems emerged because of dependence on the United States. He stated: "The limits of the data and video transfers are still topics of discussion between the parties and the fact that the United States doesn't allow their technicians into the Gaza Strip anymore creates considerable maintenance problems."

Mr Schumacher stressed some aspects of the EUBAM mandate and its consequences for the operations. In his view there are some problems with the mission because it was based on an exchange of letters with the Government of Israel rather than a Memorandum of Understanding. This has resulted in numerous problems like difficulties with import of weapons or refund of VAT. Moreover in his view, the EUBAM Rafah was deployed at very short notice and before some relevant agreements had been signed. As he stated

"They still have not been signed. The security protocol is still to be accepted and the customs agreement is awaiting signature. All of these inconsistencies have often meant that EUBAM has been in a difficult position and have influenced the operations in a negative way."

In his view, a legal framework should definitely be set up before the launching of missions so as to prevent many obstacles from arising at a later stage.

Schumacher explained that the EUBAM is a monitoring mission with a mandate to monitor and evaluate, and also to mentor and provide some capacity building. It has no executive mandate, and can only report and give advice. He pointed out that

"The Government of Israel has on many occasions indicated that it would be more comfortable should EUBAM Rafah have a more robust mandate with some executive powers, but this would not be appropriate and caused considerable practical and operational difficulties like becoming a long lasting mandate until the end-goal is reached or create considerable security problems in this area."

He explained that the Liaison Office is located on Israeli territory in Kerem Shalom. It is the operational core element that brings the parties together in order to solve problems and build up confidence. In the Liaison Office all issues are discussed and resolved. In his analysis, after all the problems faced since the 25th of June, the Liaison Office needs to be replaced as the centre of the decision processes. Moreover, the leading role of the EU should be clearly understood, and conflict-resolution mechanisms agreed and respected. As he stressed:

"This is a crucial point, and one, which should be, addressed in future mandates of EUBAM Rafah and indeed any other similar missions. If one of the parties does not respect the international agreements or does not fulfil international standards, the only sanction (other than closing the crossing) available to monitors is the serving of Non-Compliance Reports. These are sent to both parties in an impartial manner. The problem is this: Non-Compliance Reports are only of any use if the Parties take them seriously and take the necessary follow-up action. This follow up action should either be to change procedures in order that they comply with the agreements, or to take disciplinary action against officers or officials who breach agreements. So far there has been some evidence to suggest that the Non-Compliance Reports have the desired effect for the missions, and any future mandate should reflect a working mechanism, which ensures that Non-Compliance Reports are acted upon."

He emphasised that there were no Non-Compliance Reports issued concerning control or security following the deployment of the Presidential Guard belonging to President Abbas. They were deployed in April 2006 after the election. In his analysis, the deployment of the Presidential Guard was a factor in the overall improvement of standards and the subsequent decrease in Non-Compliance Reports. However, he also pointed out that

"although the Presidential Guard is working with high professional standards, EUBAM must be aware that Presidential Guard's individual members are able to obtain personal gains, e.g. smuggling of family members, illegal import of goods. On the other hand it must be stressed that despite the humanitarian crisis created by the Israeli closure of the Rafah Crossing Point, the Presidential Guard, under EUBAM coordination, blocked attempts by armed Palestinian individuals to dig holes in the wall along the Egyptian border and prevented infiltrations across the border."

In his evaluation of the Palestinian Authority's (PA) performance, which he saw as a key factor for an exit of the EU monitoring Mission, he argued that the performance of the PA has been an average one. He made the following suggestions to improve performance:

- there is a need for advisory concepts for the capacity building of the PA Police, Presidential Guard and Customs officers should be rescheduled in a very short time as soon the Rafah Crossing Point would reopen on a regular basis.
- there is a crucial need for specific equipment whose delivery has to be expedited. When this equipment is delivered it will take some weeks to train PA officers on how to use it in a proper way. The capacity building throughout equipment delivery is of paramount importance. EUBAM Rafah has neither the resources of the mandate to supply equipment to Rafah Crossing Point. This is done by ECTAO/International Management Group. USAID have been involved with all the data equipment and indeed many other items. EUBAM does have some funds available in in-kind contributions from Member States. An analysis of how to set up a coherent action between different European bodies on the ground could improve EUBAM's credibility towards their counterparts. In fact the Palestinian Authority cannot understand the different competencies between EC, International Management Group and the EU. Such a unitary approach would have created a far more efficient operation and also provided the PA with only one point of contact for all aspects of the Rafah Crossing Point. The current lack of and/or outdated x-ray equipment and other devices needed for security screening has currently an important impact on the operations and the security conditions.

He argued that once all this equipment has been delivered and the advisory concepts carried out, EUBAM would need an additional period of 3 to 6 months to evaluate the Palestinian Authority and to deliver the next assessment. He also pointed out that there were problems with the international standards. It is not clear to the personnel involved in EUBAM where these standards are defined. EUBAM tried to work with the Schengen standards which have been created to deal with the EU area and there is a problem on how to apply these standards to the area of the Middle East.

Mr Schumacher made the following additional suggestions:

- there is a need for a constant review by the Operations Department Missions personnel about how it can improve the Missions performance and the aims set by the legal framework.
- 'a EU rapid mechanism' could be of tremendous help at the early stages of the operation.

6. Questions and Answers session

Many questions were put to the panel and below are summaries of some of the questions and answers.

Should there be an external evaluation of ESDP missions?

Answer by General Perruche: In his view there is no need for an external evaluation of ESDP military missions because there is already both internal and external control in the sense that internally he reports on the technical aspects of military operations and the findings of his staff are forwarded to the people who exercise supervisory control.

Answer by Mr Serrano: He argued that there is a constant demand for internal reports, also Member States are constantly asking questions about what is being done and there is quite a lot of transparency. Independent organisations have asked the EU Council to help them with research and the EU Council has provided such support. An example is the work published by the International Crisis Group. In his view, there is no lack of information of what is being done.

How should parliamentary scrutiny of ESDP mission work?

Answer by General Perruche: In General Perruche's view, since ESDP decisions are governed by intergovernmental decision-making, it is up to each EU Member States to provide control over the mission. ESDP missions should only be transparent as far as it concerns the member states. He argued "If information does not go to the Parliament that is a task for the Member States to resolve". He admitted that for the deployment of Battlegroups, rapid decision making is required and that this might cause problems for Parliaments. He stated:

"In some EU member states sending soldiers abroad requires parliamentary approval and that of course is going to create a problem with the battlegroups because you have one or two weeks to obtain formal approval of most of the measures needed to deploy military staff in an external theatre." (English translation of original statement given in French)

He pointed out that some states have already taken measures by allowing the executive to send people to an external theatre provided that the decision goes before the Parliament within 30 days. General Perruche said that this issue was not in his field of expertise and therefore he could not judge it. He knew that it was under discussion among Member States.

How much does the EU pay NATO for the use of its infrastructure?

Answer by General Perruche: General Perruche confirmed that NATO lends some of their installations to the EU. He stated "NATO lends its means and when something is financed out of the NATO budget, then there is a repayment as it is the case in Bosnia-Herzegovina at the moment. But we are not paying NATO back, we are just giving them back what the EU borrowed. We are not paying for NATO services."

How does cooperation with NATO on the civilian-military question work?

Answer by General Perruche: General Perruche explained that the question of civil-military relations belongs to the EUMS. There is a specific mandate about the synergy to be achieved when the EUMS starts planning for missions. The EUMS only gets in touch with NATO for joint planning requirements: clarification, adjustment with various other NATO structures. Hence, there are no particular provisions covering the aspect of cooperation between the EU and NATO in civilian-military relations.

Should the EU change the way in which it finances ESDP military operations?

Answer by General Perruche: General Perruche stated that if one has to have a rapid response force, then there should be a rapid financing mechanism in place. The area of strategic transport is one in which there should be common financing. Other issues are however of a political nature and it was the role of EU Member States to look into such issues.

How is one going to finance the Battlegroup?

Answer by General Perruche: General Perruche stressed that the Battlegroups are already up and running. They are going to be fully operational in the 1st January in 2007 but the EUMS has been working already with one battlegroup since 2005, which is ready for deployment. On the question of financing, he argued that the Athena principle states it clearly: costs of ESDP military operation lie where they fall. It is something that is being looked in each Member States and in the Committees.

Responsibility of Member States in the chain of command of EU-led military operations

Answer by General Perruche: General Perruche explained that multinational headquarters are different from national headquarters because the forces that they deploy belong to different Member States and they are run by the same rules of procedures so every time the EUMS has rules of engagement then a number of caveats or reservations might be expressed by Member States. This might occur because, for example, sometime it is not possible for a nation state to deploy their national forces under national law under certain conditions. These caveats are normally integrated by the force commander right from the start of the operation and it does not influence the conduct of operation too much.

How does Civil-military cooperation for the evacuation of refugees work?

Answer by Mr Serrano: Mr Serrano argued that, as the evacuation of the refugees from Lebanon has demonstrated that the EU is able to use a civilian protection mechanism in the Commission or in the Council. He explained that as the situation stands there would be some activities that could be undertaken in coordination with the military staff, but on the civilian side the existing mechanism is a Commission's run mechanism for the coordination of civil

protection. This mechanism agreed in 2001 foresees the eventuality of the mechanism being used outside of the EU and there was an agreement with the Council. There were joint declarations, dating from 2003, which regulate the way in which the mechanism can be used in any ESDP or security context, which gives the Presidency a role in the coordination of activities. The Commission has been working on developing teams that could be ready to be deployed. He did not know where that work had led and he was not properly speaking about an ESDP civilian action. In his view, a civilian action would become ESDP when there are security elements and in the Lebanon case there were security elements. He stated:

"Theoretically, an independent ESDP civilian protection operation could be established. But on the other hand we have a mechanism in the Commission and therefore we should concentrate on that first."

Is the EU developing a standing army through the development of its own headquarters in Brussels?

Answer by General Perruche: General Perruche explained that for each civilian or military operation one always needs three levels in the chain of command. The centre in Brussels would be a clearing house for any chain of command. The political and military level would be Mr Javier Solana, the High Representative for CFSP, and then there is an intermediary level: the strategic command. This could be SHAPE or it could be the headquarters in Paris or Postdam, if one were to use the Framework Nation concept. In the future, General Perruche argued that they will not have a Strategic and Military Headquarter in Brussels. Rather what the EUMS would do is to activate, at a short notice, a strategic and military headquarter of that nature putting in the lines of communication in place and earmarking a certain number of people who have to join the headquarters as rapidly as possible if the Council wants to decide to go for that solution. This is something new and it is called an operation centre. This will be working from the 1st of January next year.

What resources are needed for ESDP military crisis management?

Answer by General Perruche. General Perruche explained that apart from the resources made available through the Helsinki Headline Goal, the key issue for Member States is how rapid the forces are. He stated:

"We now have five scenarios that cover the full spectrum of possible EU operation. We have a 'Catalogue of Requirements' and a 'Catalogue of Forces' and in the next months or years ahead we will draw up a 'Progress Catalogue' to fill in the gaps, e.g. strategic transport."

Should the EUBAM operation have a more robust mandate?

Mr Serrano: Mr Serrano explained that the agreement cannot be changed unless both parties agree to it. Their assessment is that the mandate has worked well.

Is EUBAM involved in preventing the smuggling of weapons?

Answer by Serrano: Mr Serrano replied that this is part of the activities of the EUBAM, which has to ensure that the Palestinian authorities are carrying out all the appropriate checks to

prevent the smuggling from taking place. When illegal traffickers have been detected, they have been stopped. He stated: "Of course the Rahaf Crossing Point is only one point in the 'Philadelphi Corridor' and everybody knows that smuggling of weapons has taken place in that border, even when it was under Israeli control." But he argued that

"It should be clear that the mandate of the EU mission was limited to only that crossing point and directly from Gaza into Egypt."

How are funds for EU Civilian mission audited and controlled?

Answer by Mr Auvinen: Mr Auvinen explained that the Commission has its own framework contract for audits and they use Framework Contract six or seven times per year to audit CFSP actions and ESDP actions are also audited due to their large budget. The auditors visit the missions to check the control mechanism in place, the accounting system and the regularity and eligibility of expenditure. The Commission also conducts controls in the field during the lifetime of an operation and after. The Court of Auditors has always the possibility to visit the accounts of a CFSP action. There is a requirement for keeping the documents seven years after the operation and there is still a possibility for the Commission or the Court of Auditors to audit the accounts.

7. Annexes

Annex 1: Opening Speech by Mr Karl Von Wogau

Since 2003 the EU has launched 16 operations under the European Security and Defence Policy (ESDP) and the demands for such operation are increasing. Today, we have 10 ongoing operations: 3 in the Balkans, 3 in sub-Saharan Africa, 3 in the Middle East and one in Aceh (Indonesia).

Given this significant new development in the history of EU foreign, security and defence policy, we have organised this hearing with three key aims in mind:

- first, we want to understand what lessons have been learnt from ESDP operations that have been undertaken until now;
- second we want to discuss some of the financial, operational and decision-making issues that have emerged,
- third, and taking into account the possibility that soldiers will die in the name of ESDP, we want to highlight the importance of parliamentary control over ESDP operations. We need to address whether there are any ways to increase the powers of parliaments in this area.

May I remind everybody that the EU Council decides when to launch and put an end to an ESDP operation but there is no collective body of parliaments, neither the EP nor EU national parliaments, with the collective powers to approve an ESDP operation or to put an end to an ongoing ESDP operation. There is an acute problem of parliamentary control over ESDP civilian and military operations.

Even the ways decisions are taken are far from clear. What criteria have been used to decide whether to undertake one specific operation rather than another? Therefore, we would like to know whether any lessons have been drawn from the perspective of decision-making.

We know that ESDP operations that have been carried out until now have had different mandates.

Some ESDP operations have been about 'peace-keeping' or 'post-stabilisation', undertaken under Chapter VII of UN Charter, for example operation EUFOR Althea in Bosnia-Herzegovina or Operation Artemis in the Democratic Republic of Congo. Others have been undertaken to reform the police or the judiciary in countries coming out of conflicts. These operations, also known as 'Security sector reform', are at times both civilian and military in nature. A small number of ESDP operations have been about border control or peace monitoring.

The command and control of ESDP operations has also varied. Some ESDP operations have been undertaken in close cooperation with NATO, others have been undertaken autonomously, making use of the concept of 'Framework Nation'.

For ESDP operation of a purely military nature, what lessons have been drawn in terms of Command and Control? Does the relationship between the Headquarters of a Framework Nation and the EU Military Staff in Brussels work well?

For MEPs involved in understanding the recent decision to launch ESDP operation EUFOR DR Congo, it has not always been clear who was responsible for deciding about the Rules of Engagement and the Draft Operational Plan.

For ESDP civilian operations that is police, rule of law or border control operations what have been the most important lessons that could be applied to future missions? What benchmarks have been used to assess the performance of these missions? How is the assessment undertaken and at which phases of the missions?

On financing. ESDP Civilian operations are paid from the CFSP budget and at times also from the EDF budget, whereas the operations of a purely military nature are paid according to the principle of the "costs lie where they fall basis" and any agreed common costs are managed under an intergovernmental mechanism known as Athena. Does this arrangement work well? But what about Parliamentary control of this way of financing operations? Is this Athena mechanism going to be reviewed?

These are some of the questions that we would like to address in this hearing.

Annex 2: Opening Speech by Mr Mike Markus Leinonen

Mr. Chairman,

I am very pleased to have been invited today to make the opening remarks on behalf of the Finnish Presidency in this public hearing.

Time is short so if you allow me I will go directly to the point.

Before I do so, I would just like to point out that my remarks relate only to Civilian Crisis Management.

The subject we have been given today is "Lessons Learnt in ESDP Missions"

Before offering some observations on the subject itself, let me first dwell a few moments on the title of this session.

Taking the title "Lessons Learnt from ESDP Missions" at face value, one could be led to think that there is a formal, structured and automatic lessons learnt -process undertaken following each Civilian Crisis Management operation. One could also be led to think that this would yield results that could be easily comparable and that could easily be put into practice when planning for future operations.

Well, this is not exactly the case. There are efforts undertaken, sometimes during an operation and after an operation to try to identify lessons, at Brussels Committee level. In parallel, the support structures in Brussels, namely the Council Secretariat and its personnel learn by doing and a wealth of lessons is little by little accumulating inside it thus helping to turn the lessons identified into lessons learned when planning a new crisis management mission. This, to a certain extent, compensates for the non-existence of a formal and structured lesson learnt process.

You might ask why there is no formal, structured and automatic lessons learnt process then?

This is due to many reasons. Any formal, standardised process is not easily applicable to the field of Civilian Crisis Management where the size, scope and in particular nature of the missions varies so greatly. Also, we should not forget that the first ESDP mission, the European Union Police Mission EUPM in Bosnia and Herzegovina, was launched only in 2003. Most of the ten or so Civilian Crisis Management missions established since 2003 are still ongoing and hence the lessons learnt are still to be addressed.

There is however another precision that needs to be made concerning the title.

One can seek to identify and /or learn lessons from different levels. The process of identifying lessons may bring different kind of results depending on whether one identifies them here in

Brussels, at a strategic level, compared to those drawn from the field where the ESDP mission takes place.

Obviously I will concentrate only on the strategic, Brussels level lessons identified.

All in all, I am not saying that we should not aim to identify lessons and then try to learn them. In Civilian Crisis Management, I am merely pointing out some limitations.

In this light, Mr Chairman, I will not offer Lessons Learnt as such but I would tend to be less ambitious and call them Lessons identified. And the following 3 Lessons identified at Brussels level that are attributable only to myself.

1) Human Resources

As we all know, there are various ESDP civilian crisis management operations currently ongoing. To call them "operations" may give the false impression that they are big ones, with hundreds or even thousands of personnel.

This is not the case, quite the contrary. I would say that a typical civilian ESDP operation consists of a few dozen persons. Not more. Exceptions to the rule are EUPM and the future operation in Kosovo.

Despite of the relative small size of the civilian ESDP missions, a hard fact, or lesson identified, is that many operations run undermanned because Member States find it difficult to fill all the posts with qualified seconded personnel.

In principle and on paper, Member States have committed themselves to providing thousands of policemen and hundreds of judges and other professionals but these are sometimes of short supply even in the Member State concerned.

In an effort to improve the situation, Member States have engaged in a similar process than on the military side, called the Civilian Headline Goal 2008. This is of course a lengthy process and so far the process has shed clarity on the shortfalls but real concrete measures to remedy the shortfalls are yet to be seen. The lesson has been identified but the learning part seems to take some time.

In a show of openness and partnership, the EU has approached several non-EU states and asked whether they would like to offer supplementary personnel to be deployed to EU led civilian crisis management operations. This might offer some capabilities with which the shortfall would be less felt. The Finnish Presidency expects non-EU states' replies by the end of its mandate. Another path to see whether capabilities could be harnessed for ESDP use is still uncharted and that is the Civil Society and NGO' s resources.

2) Training and link to recruitment

Another lesson identified is the link - the missing link - between training in civilian crisis management and recruitment to ESDP operations. Training is an essential factor in making the

ESDP operations a success. It provides the EU personnel with the practical tools and knowledge that make the difference and by which EU's efforts will be judged. Trained EU personnel in our operations will give more added value and will have better impact.

Various training activities are available to civilian personnel but, unfortunately those that have received EU training are not always recruited to ESDP missions. Surveys have shown that ESDP head of missions and the mission personnel themselves point out the need to better link the existing training and recruitment at Member State and EU levels.

3) Visibility

The third and last observation is essentially a personal one. Having been involved in the development and implementation of ESDP since Helsinki 1999, I cannot but continuously wonder why the Civilian Crisis Management activities get so little credit and visibility within and outside the EU.

Most of the past and current ESDP -operations are civilian by nature and good and tangible results have been achieved. But how many of us know about these efforts? In cases where there are civilian and military ESDP efforts going on, the military effort gets the lion share of the media's attention. I have nothing against military ESDP effort, it is an essential part of the EU ESDP effort, eg in the Democratic Republic of Congo. But who could tell the public that the civilian ESDP component that coordinates the work of the Congolese police units in Kinshasa is as important to keep the order as the military effort in support of the UN force (MONUC).

Soft power does not seem to catch the eye of the media nor the decision-makers either. There is a need to raise the profile but how, that is the thousand euros question.

Mr. Chairman,

Civilian ESDP operations are a growing area. There are many things we are doing for the first time. It is imperative that we try to identify lessons at all levels, officially or through other means and processes. This is key to ensuring that the EU remains competitive in the business of Civilian Crisis Management.

Annex 3: Speech by Dr Antonio Missiroli:

1. Let me start with a simple consideration: ESDP operations are based on *legal acts* – such are, in fact, CFSP Joint Actions. The EU is arguably the only major international actor to ‘do’ crisis management through legal acts: this bears both advantages and disadvantages. Very little (and virtually nothing in the military field, including fact-finding missions and preliminary deployment) can occur before the relevant Joint Action is agreed, translated into the 20 official languages of the EU, and published in the “Official Journal”: it spells out in excruciating detail mandate, goals and means, command structures and arrangements, funding, personnel, duration and review procedures of each and every operation.

The pros are self-evident: high legitimacy, full transparency, extreme predictability and, also, explicit collective commitment. The cons, however, are equally clear: slow preparation, complex deal-making, obligation to resort to ad-hoc and sometimes inconsistent arrangements (including creative accounting) in the up-stream stage, lack of flexibility and adaptability to changing circumstances and new contingencies. By comparison, an individual member State - even one with strict parliamentary oversight on its foreign and security policy - has much more leeway and latitude.

This said, over time the EU has significantly improved on its ability to ‘produce’ Joint Actions and launch operations in a relatively fast and efficient way. Since the essential contours of the mission were defined and agreed upon, for instance, the military operation now still underway in the Congo (EUFOR DRC) was put in place in approximately 10 days: not too bad, after all, for a 25-strong organisation. If problems emerged in the preparatory stages, they concerned mainly the availability of a sufficient amount of adequately trained troops at the EU level – but the current ‘overstretch’ of specialised military personnel across the EU is not at issue here today.

2. Since 2003, when the first ESDP mission was launched, EU crisis management operations have constantly grown in number and also scope - *functional* as well as *geographical* scope. In the military domain, we have had Berlin-plus based and autonomous operations, short-term ones like ARTEMIS and also long-term ones like ALTHEA. In the civilian domain, we have moved from ‘traditional’ police missions to rule of law ones like THEMIS, from border monitoring assistance to disarmament and security sector reform. Geographically speaking, the initial focus on the Balkans – the true *raison d’être* of ESDP – has soon been complemented by sub-Saharan Africa, Eastern Europe and the Caucasus, Gaza, and even Indonesia.

Some of these missions have been mainly symbolic, while others have been more substantial. All together, they have contributed to building an *acquis securitaire* that now, in turn, allows the Union to feel more confident for the future. Evaluations of past experiences have been systematically carried out, and some useful lessons learned. However, a degree of unpredictability, improvisation and singularity is there to stay: and it is, in part, linked to the very nature of the ‘beast’, namely crisis management proper.

3. *Participation* in ESDP operations, too, has varied quite significantly over the past few years. CONCORDIA lined up basically all EU members and candidates, albeit mostly in symbolic numbers. In the same months, ARTEMIS was practically carried out by two EU members only, namely France and Sweden. By the same token, ALTHEA is quite well ‘attended’, while EUFOR DRC is limited, again, to very few countries. And similar variations apply to participating “third” countries – in terms of sheer number, relevance, diversity, and regional focus.

Moreover, different ‘coalitions of the willing’ have been led by different EU countries. In military operations, France and Britain have mostly acted – more or less explicitly – as the “framework nation”. In civilian ones, however, the spectrum is much wider, as there has been

room also for the Netherlands, the Nordic countries, even the new member States (especially, of course, in the post-Soviet regions). At times, such variety has even occurred in one and the same area - e.g. in Gaza, where two distinct civilian operations (EUCOPPS and EUBAM Rafah) have been carried out by quite diverse sets of national officials.

This may well be due to different political and geographical priorities in the various member States, and also to different capabilities: not all EU members, for instance, have deployable police forces or relevant equipment for long-range operations. Such variety, however, has generated a better internal balance and also some implicit trade-offs among the member States, whereby everyone has the opportunity to find its own 'niche' within the framework of the same common policy. As a result, EU crisis management now has a much larger number of "stakeholders" than initially imagined – and this is politically very positive.

4. There are also a few downsides to all this. Firstly, *parliamentary scrutiny* of ESDP ends up being a bit fuzzy at both the national and the EU level: 'scrutiny' is a more appropriate term here than 'control', which means too different things in different countries (with France and Germany, paradoxically, lying at the opposite ends of the EU spectrum). Civilian operations, in particular, tend to go unnoticed and unchecked at virtually all levels, due also to their lower budgetary impact and limited risks. Maybe the US practice of frequent *informal* briefings of parliamentary leaders can be looked into, adapted and possibly adopted at both the EU and (whenever appropriate) national level.

Secondly, *career incentives* for national officials are quite different between military and civilian operations. The former constitute a great opportunity for military officers to climb the career ladder, as there is now little experience and glory to collect from just "defending" one's own country domestically. By contrast, the latter often represent rather an impediment and a retarding factor than a booster for national officials, as the best policemen and judges are needed at 'home' and gain next to no career benefit by taking up an international assignment. This problem can hardly be tackled at the EU level only, but something should be done also in light of the growing number of ESDP civilian operations.

Thirdly, the current rules for involving "third" countries in EU crisis management may need revisiting. In fact, they were agreed at a time (late 2000) when the key issue still was the participation of non-EU European allies, and especially Turkey. They envisage an 'inferior' legal and political status for most "third" countries participating in ESDP missions, which may at times prove counterproductive - both politically and operationally. A case in point – though by no means the only one – was the launch of UNIFIL-II in Lebanon last summer, when one of the considerations that drove the EU member States to rule out an ESDP operation proper and opt instead for that formula was the willingness to have as many Islamic countries on board as possible (from both the region and elsewhere), and to have them as equal partners – which would not have been possible within the existing ESDP 'format'.

Fourthly and finally, some experts and MEPs see the risk of a certain "mushrooming" of missions and tasks that, in turn, may give the impression of a lack of focus and a creeping 'ad hoc-ery'. Such risk is still very low, in my view, as ESDP is still fledgling and trying to flex its

operational muscles. Yet I do see some risks in the lack of a more comprehensive and sustainable framework for the funding of all these operations, which in turn may end up affecting the degree of solidarity and shared commitment that must underpin EU crisis management.

Annex 4: Speech by Mr Juha Auvinen

Subject: Financing of ESDP civilian missions: what lessons?

Framework of financing

- ESDP civilian operations are financed from the CFSP budget, which is part of the Community budget (Title 19 03: “Common Foreign and Security Policy”)
- The financing of military operations is not allowed for from the Community budget according to Article 28(3) of the Treaty on European Union. Military operations are financed on “costs lie where they fall” basis and common costs are managed by the Athena Mechanism
- Commission is responsible for managing the CFSP budget
- Legal basis for each operation: Council Joint Action (Article 14 TEU)
- Joint Action is followed by Commission financing decision and commitment
- Heads of Mission sign a Special Adviser contract with the Commission and are responsible to the Commission for the management of funds assigned to the operation

Lessons learnt

- Based on 4 years of experience, since the establishment of EUPM in 2002
- Special requirement: reconciling speed and urgency with sound financial management
- At the beginning: delays in the financial decision making procedures before first payment; a long planning phase; delays in procurement of equipment due to lack of capacity/expertise in missions and to long procedures, conservative budget estimates and low consumption rates, due *inter alia* to slow recruitment of personnel and ambitious timelines in the concept of operations; undeveloped cooperation between 1st and 2nd pillar.
- Since then, the following improvements have been made or are planned:
 1. Financial decision-making

- Commission introduced sub-delegation and empowerment procedures: financing decision taken at the level of Director-General of External Relations
- Commission introduced shorter dead-lines and earlier start for Inter-Service Consultations for the financing decision

2. Planning/preparation phase

- Streamlining the preparation, e.g. joint Council SG-Commission Fact Finding Missions, standard documents such as Concept of Operations, Operational Plan (key role CIVCOM and Council SG)
- More systematic use of the preparatory measures budget line within the CFSP budget from 2007: financing of preparatory/start-up phase of civilian ESDP operations

3. Procurement of equipment

- In *crisis situations*, missions may use negotiated procedures with a single tender, after agreement by the Commission; formalised in EC Financial Regulation and its Implementing Rules
- Framework contracts being developed (jointly with Council SG) for the procurement of basic equipment; will help missions especially at the start-up phase

4. Budgeting

- Experience gained over time has enabled more accurate budgeting
- Savings through the recruitment of seconded experts from MS
- Recruitment of seconded staff will be facilitated by the establishment of a uniform system for allowances; will make costs more predictable for MS and assist in planning
- In 2004, Commission established a set of rules related to Special Advisers and their staff (seconded, international and local).

5. Cooperation between 1st and 2nd pillar

- Increased complementarity, e.g. EUPOL Kinshasa and RRM; Aceh Monitoring Mission and Community support to up-rooted people and reintegration of former combatants
- Information and coordination essential both in Brussels and in target countries, for ESDP missions financed from the CFSP budget.

In sum, financing of ESDP civilian operations has become more rapid and flexible without compromising on sound financial management of the Community budget. Extra-budgetary mechanisms are not needed for the financing of these operations.

