Military crisis management: The challenge of inter-organizationalism

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MILITARY CRISIS MANAGEMENT:
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Joachim A. Koops (ed.)

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UN-EU RELATIONS IN MILITARY CRISIS MANAGEMENT: INSTITUTIONALISATION AND KEY CONSTRAINTS*

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In the crisis management area, the decade that followed the end of the Cold War was characterised by rising needs for crisis management tools, a fundamental evolution of the UN as the main peacekeeper, and the emergence of regional actors, among which was the European Union (EU). The UN-EU relationship started at the intersection of these three trends. From the very beginning, this relationship has been shaped by a presumption of a mutually beneficial cooperation between two natural partners on the one hand, and the inherent limitations to cooperation between two security actors on the other hand. Overall, ten years of UN-EU interaction in the crisis management field have led to some substantial cooperation. The UN and the EU have displayed a will to cooperate, have to a certain extent conceptualised and institutionalised their relationship, and have cooperated on a certain number of crisis management issues and operations.

At the same time, inter-institutional cooperation has been constrained by the two organizations’ own structures or cultures as well as by the effects of implicit competition. Crisis management is a highly politicised and complex activity that the UN and the EU do not necessarily approach with the same vision, know-how and capacities. The two institutions are also going through a period of transition as crisis management actors, leading them to naturally focus on internal reform and performance and to see partnerships as a second-rank priority.

This paper aims to analyse the UN-EU relationship in crisis management, with particular attention paid to the military aspects, for which cooperation has been so far the most visible. The paper starts by laying out the political context of the relationship and some elements of convergence between the two institutions. It then looks at some of the achievements and the extent to which the relationship has been institutionalised. Finally, some key political and structural constraints to UN-EU cooperation are identified.

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1. ELEMENTS OF CONVERGENCE BETWEEN THE UN AND THE EU

The UN and the EU are often presented as “natural partners”\(^1\) in crisis management and there is a presumption of a mutually-beneficial relationship between the two institutions.

For the UN, as noted in the 1992 *Agenda for Peace*, and since then in a series of documents\(^2\), the rising role of regional organizations is welcomed as these institutions can share the burden of the maintenance of international peace and security. Regional organizations can also be seen as responses to some of the operational challenges with which the UN is confronted. In the early 2000s, the UN was launching the reform of its peace operations through the Brahimi Report process at a time when the EU was laying the foundations of ESDP. This created a theoretical convergence between a form of demand on the UN side and a form of supply on the EU side. The UN lacks some “enabling capacities” for its own peace operations and the EU is developing such capacities, while asserting that: “The efforts made will enable Europeans to respond more effectively and more coherently to requests from leading organizations such as the UN”\(^3\).

In return, the UN is an inevitable partner for the EU in crisis management, in the sense that it provides legality and legitimacy for EU activities. The EU recognizes the centrality of the UN in the international security architecture. The 2003 *European Security Strategy* stated that: “The fundamental framework for international relations is the UN Charter” and that: “The UN Security Council has the primary responsibility for the maintenance of international peace and security.” In the same vein, the UN is at the centre of the concept of “effective multilateralism”, linking the two institutions at the strategic level. For the EU, partnering with the UN can even be a way to assert itself as a security actor.

It follows that the EU accepts its legal subordination to the United Nations. In the crisis management field, it has been assumed that any EU-led military operation that would imply a chapter VII mandate would have to be legally endorsed by a UN Security Council resolution. Beyond the legal basis provided by the resolution, the

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\(^{[1]}\) See *The Partnership between the UN and the EU. The UN and the European Commission working together in Development and Humanitarian Cooperation*, UN, 2006, p. 6.


EU is also interested in the legitimacy that the association with the UN produces. In places where the EU might be seen as politically biased or simply where the local context is difficult, acting at the request of the UN or on its behalf is of key importance. At the same time, one could note some ambiguity on the propensity of the EU to systematically go to the UN Security Council to legalise its own peace operations. The subordination of EU policy to a Security Council vote potentially gives non-EU members (Russia and China in particular) a veto right over EU operations, which is difficult to square with the EU aspiration to be a full-fledged security actor. Here the EU touches, as does any other security actor, the tension between abiding by international law and asserting its power.

Moreover, the UN and the EU share some common features that reinforce the presumption of mutually-beneficial relationship. The two organizations are different in terms of membership, general mandate, degree of autonomy vis-à-vis their member states, internal politics or functioning. Yet, they do share some characteristics as security actors: they have similar aspirations to play a wide-ranging and ambitious role in crisis management; they share a common approach to threat assessment, as illustrated in the High-Level Panel Report and in the European Security Strategy\(^\text{[1]}\); they place the same premium on the articulation between security, development and human rights\(^\text{[2]}\); they can even be seen as sharing certain values, such as the belief in the virtues of international law and multilateralism, a preference for the peaceful settlement of disputes and a related uneasiness with the use of force. As a consequence, there is *prima facie* a compatibility between the two institutions, between the two forms of multilateralism, that derives from the nature of the organizations, their liberal conception of peace and security, and their inclusive approach to crisis management.

### 2. INSTITUTIONALISATION AND ACHIEVEMENTS

The UN-EU relationship in crisis management started in earnest less than ten years ago, and has since gone through a process of institutionalisation that has no equivalent with other regional organizations. The first steps took place in the early 2000s, soon after the EU framed ESDP. At this time, apart from the cooperation that the UN and the European Commission had established in the development and humanitarian fields, the two institutions had hardly any contact with each other in the security domain.

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\(^\text{[1]}\) The EU talks about a “Common Assessment of Threat”; see *Paper for submission to the High-Level Panel on Threats, Challenges and Change*, p. 12, approved by the GAERC, 17-18 May 2004.

In 2000/01, a series of documents (mainly initially on the EU side)\(^1\) and meetings between high-ranking UN and EU representatives called for increased communication and cooperation. Some guiding principles for the relationship were laid down, points of contact were established, and a desk-to-desk dialogue was initiated. A second phase started with the first ESDP operations in 2003, two of them leading to direct inter-institutional cooperation: the EU Police Mission (EUPM) in Bosnia-Herzegovina taking over the UN International Police Task Force, and operation Artemis in the DRC acting as a “bridging operation” for a reinforced MONUC. These developments led to the September 2003 *Joint Declaration on UN-EU Cooperation in Crisis Management* that welcomed existing cooperation and called for its further institutionalisation. A “joint consultative mechanism” (so-called Steering Committee) was established at the working level, aimed at examining ways to enhance UN-EU cooperation in the four areas of planning, training, communication and best practices.

Following the first ESDP operations in Bosnia-Herzegovina (2003) and in the DRC (2003), subsequent EU operations led to significant cooperation with the UN. In 2006, at the request of the UN, the EU launched an operation in the DRC to assist MONUC during the election process. EUFOR DRC acted as a “strategic reserve”, or an “over-the-horizon” force, in support of the MONUC. Furthermore, in 2007-08, the UN and the EU created and deployed simultaneous operations in Chad and the Central African Republic: MINURCAT is a civilian operation mandated to train and monitor national security forces while EUFOR Chad/CAR is a military operation mandated to contribute to protecting civilians (refugees and displaced persons) and UN personnel, and to facilitate the delivery of humanitarian aid. The EUFOR is a “bridging operation”, deployed for one year before the UN takes over (planned for March 2009). In the civilian field, the EU presence in the DRC through different civilian missions (EUPOL Kinshasa, EUSEC RDC and EUPOL RDC) together with the MONUC, as well as the EU take over of the UN mission in Kosovo, have also led to substantial cooperation between the two institutions. In June 2007, a second UN-EU joint declaration was signed, at the initiative of the German Presidency of the European Union, and was meant to place the inter-institutional debate at a more political level.

These different cases of UN-EU cooperation cover a wide range of scenarios or interaction patterns. In most cases, the EU acts in support of the UN. These scenarios have been by and large identified by the two organizations, in the military sphere in particular. In the meantime, a significant amount of measures has been taken to operationalize and institutionalize the UN-EU relationship in crisis management. The two institutions

know each other better, channels of communication are in place, and mechanisms for cooperation have been established, tested, and further adapted to the needs.

3. KEY CONSTRAINTS

In this largely positive context, the UN-EU relationship is shaped by constraints that come into play at different levels and with various impacts. These constraints can be divided into three categories: first there are constraints of a political nature that may impede inter-institutional cooperation at a strategic/systemic level or in a particular case. Second, there are constraints that have to do with the two institutions’ respective structures, crisis management cultures and procedures. Third, there is the general constraint coming from a lack of knowledge of the other.

3.1. Inter-institutional competition, diverging political agendas, and dependency

Overall, close to ten years of UN-EU interaction in the crisis management field have demonstrated that the two institutions are generally willing to cooperate. This being said, one key characteristic of inter-institutional interaction is that institutions do compete with each other, in a way similar to how ministries of a given country or how departments of the same administration will compete. As institutions, international organizations must permanently demonstrate that they fulfil the functions for which they were created, or that they can adapt to the new needs. They must display a certain number of comparative advantages, as well as ensure their visibility and efficacy as security actors. Therefore they develop their own agenda, interests and objectives. These imperatives are not, by nature, conducive to inter-institutional cooperation and may, on the contrary, create conditions for competition.

As an example, the form that UN-EU cooperation could take was not clear in the early 2000s, and EU efforts to assume a greater role in the security arena initially led to some concerns within the UN Secretariat that EU assets would be reserved for EU-led operations at the expense of UN operations. The question was raised whether building regional crisis management capabilities would enhance or weaken UN peacekeeping.[1]. Having two institutions doing the same thing may create synergies, but it may also mean overlap or fewer resources, and therefore competition.

Second, as inter-governmental bodies, international institutions’ policies are defined by their member states whose agendas may vary from one institution to the other; this is reinforced when institutions have different membership, as in the UN-EU case. At a strategic level, states that are members of both organizations may want to give priority to one over the other, and therefore develop capacities or provide resources to the favoured institution at the expense of the other. Such is the case for most EU member states that tend to favour the EU as a crisis management channel rather than the UN.

Furthermore, the UN-EU relationship somehow reflects a general polarisation within the “international community” between the North and the South. This polarisation finds an expression in the crisis management field as most UN troop contributing countries (TCCs) come from the South while northern countries are globally absent from UN-led operations. The fact that northern countries are involved in crisis management through other institutions, such as the EU or NATO, tends to accentuate the divide. For the main UN TCCs, though the role of the EU is generally welcomed, it is also viewed with some degree of scepticism, and this directly impacts on UN-EU cooperation. For example, the fact that the UN, i.e. the main TCCs, are supposed to take over the EUFOR in Chad after the one-year bridging operation, and therefore allow for the EU withdrawal on the EU’s own terms, is not always well received by the TCCs. If, to put it bluntly, the EU does crisis management where, when and how it wishes while the UN does what others do not want to do, wherever and whenever, then the UN-EU relationship does not develop on a sound basis.

By the same token, UN-EU cooperation can be hindered by diverging political agendas within the UN Security Council. This has been the case with Kosovo and with Georgia, where the EU-Russia opposition negatively impacted UN-EU cooperation. In the Kosovo case, divergences delayed the Security Council’s endorsement of the EU-led civilian mission and complicated UN-EU cooperation on the ground as well as the UN handover to the EU. For Georgia, endorsement by a Security Council resolution of the EU Monitoring Mission was never envisaged, given the civilian nature of the mission and also because of the Russian opposition at the Security Council.

Finally, political agendas come into play as each organization has its own conception of a particular operation, its mandate or the division of tasks it implies. When the two organizations are simultaneously deployed, strategic objectives may diverge based on each actor’s conception of its own role. This was illustrated in Chad when the mandates of EUFOR and MINURCAT were initially defined, with the expecta-
tion on the UN side that the EUFOR would act as a kind of military component of the UN mission while the EU had a different vision about its own mandate and its position vis-à-vis the UN and MINURCAT. UN-EU cooperation in strategic and operational planning was hampered by these divergences.

A third source of tension between the UN and the EU comes from a certain inequality in the relationship. Any relationship between two international organizations implies the idea of primacy, of priority of one over the other; there is inevitably the idea of rank between several institutions that operate in the same field and this may act against the establishment of partnerships between allegedly equal institutions[1].

For example, the UN wishes to retain a certain degree of primacy in its relations with regional organizations, in the legal field, but also in the political/operational field (definition of relations with regional organizations, definition of standards, subordination to the UN by the Chapter VIII regional arrangements, etc.). In practice however, the comparative advantages of the UN and the EU lead to a relative unequal relationship, in the sense that the EU tends to dominate and define the agenda while the UN is often on the receiving end, getting what the EU is willing to give. In most scenarios of UN-EU cooperation, it is the EU that supports the UN so as to palliate an alleged or real weakness of the UN (lack of rapid reaction force, difficulty to conduct robust peacekeeping, lack of tactical air support, finance, etc.). In this “demand versus supply” relationship, what the EU is ready to bring is the result of an internal EU decision-making process and does not necessarily match what the UN would like to get.

3.2. EU member states’ policies and EU autonomy

A second set of political constraints comes from the EU and EU member states’ policies in relation to the UN. The UN-EU relationship is directly shaped by two aspects of the EU and its member states’ policies vis-à-vis UN-led peace operations. One is the general absence of EU member states as troop contributing countries to UN-led operations; the other is the importance that the EU gives to its autonomy of decision when it comes to military assets.

The UN-EU relationship has developed on the assumption that EU member states do not contribute troops to UN-led operations. All scenarios are based on this

assumption. Since the mid-1990s, European states have by and large ceased to contribute troops to UN-led operations, while financing approximately 40% of the peacekeeping operations budget. This general absence raises a lot of questions, ranging from the ability of the UN to run complex military operations without the assets of Western states to the development of the so-called “two-speed crisis management”, with the dichotomy between UN peace operations, mainly run by developing countries, and EU or NATO operations.

It follows that the development of the UN-EU relationship has taken place with the assumption that the EU and EU member states would support UN operations short of contributing to them. Yet, the relationship would be fundamentally modified if EU member states participated significantly in UN operations, in Africa in particular. The very question of the need to create distinct EU operations in the DRC in 2003 (Artemis) and 2006 (EUFOR DRC) and in Chad and CAR in 2007 (EUFOR Chad/CAR) would be posed in different terms had EU member states been present in MONUC and MINURCAT. One could even argue that operations Artemis and EUFOR DRC became necessary because of the absence of EU member states in MONUC.

A related constraint comes from the conception that the EU has of its own role as a security actor, articulated around the concept of autonomy. Autonomy of action and decision is consubstantial to CFSP and the aspiration to be a global player. This imperative finds expressions at different levels: at the institutional level, it explains the reluctance of the EU to be a regional arrangement in the sense of Chapter VIII of the UN Charter, as autonomy is difficult to reconcile with the subordination to the UN that a Chapter VIII status implies. At a political-operational level, autonomy is reflected in the necessity to have any EU-led operation put under the political control and strategic direction of the Political and Security Committee (PSC). This explains the impossibility for an EU military operation to be placed under UN command, and therefore to achieve unity of command in a hypothetical UN-EU operation.

3.3. Structural differences

Thirdly, at the operational level, significant constraints on UN-EU cooperation stem from the differences in the structures and functioning of both institutions. To start with, the mix of intergovernmental and supranational approaches within the EU — i.e. the combination of ESDP and Commission activities — tends to complicate cooperation with the UN as it adds to the number of players and confuses UN interlocutors as to what the EU is and how it works. Secondly, different working methods
in the areas of financing or logistics have impeded cooperation, while information sharing has remained a politically and technically difficult issue with inherent limits that can only be addressed on a case-by-case basis. Thirdly, the operations in the DRC in 2006 and in Chad as of 2007/08 have revealed key differences in the respective decision-making, planning and command processes and structures.

Insofar as decision-making is concerned, although the EU was able to decide upon and deploy in less than a month the operation Artemis in the DRC in 2003, in general terms, the EU process tends to be heavier and more closely supervised by member states than the UN decision-making process. This has a direct impact on the way the UN and the EU plan operations. Two differences can be identified here. One is reflected in the differences in sequencing during the planning phase, and consequently in the difficulty to synchronise UN and EU planning in the case of parallel mission start-up (as in the case of Chad). At the UN, most of the planning, including operational planning and part of force generation, is done before the decision to launch the operation is taken, while for the EU, operational planning and force generation can only start after the adoption of a Joint Action by the Council, which usually follows the UN Security Council resolution. In the case of an EU operation in support of an existing UN mission, the problem is less acute as the UN planning related to the adjustment of the mission would take place after the UN Security Council resolution.

The second difference stems from the respective planning responsibilities. At the UN, planning does not make the clear-cut distinctions between the different layers of the planning process that the EU does. Furthermore, most of the planning is done by the UN Secretariat that hands over to the operation’s leadership at a late stage, once operational planning is completed. In contrast, the distinction between strategic and operational planning is very clear at the EU, with the latter being conducted by the operation leadership (in the Operation Headquarters, OHQ), which reports to Brussels but is functionally separate.

Finally, the UN and the EU differ on HQ organizational structures, the main difference being in the location and responsibilities of the different layers of command. At the UN, the operation HQ and Force Commander are in the field, and enjoy a significant delegation of responsibilities. Things are different at the EU where command of the operation at the military strategic level lies in the Operation Headquarters (OHQ), located either in one of the five national OHQs, in SHAPE or within the EU Operations Centre. The EU also makes a clear distinction between the OHQ and the Force HQ that commands the operation on the ground with little autonomy given to the Force HQ.
3.4. Lack of mutual knowledge

Finally, the UN-EU relationship is complicated by a general lack of communication or mutual understanding of the respective structures, working methods and institutional cultures. As previously stated, the UN and the EU were unfamiliar with each other when they initiated cooperation in 2000. Nine years later, things have changed and through the work of the Steering Committee and field interaction, mutual knowledge and understanding have improved, particularly in the categories of staff that interact. However, given the complexity of the institutions and the amount of information that needs to be digested, mutual knowledge at the working level is still limited.

4. CONCLUSION

The UN and the EU are both going through a period of transformation and adaptation to the evolving security environment. In this context, the two institutions have managed to develop and institutionalise their relationship in a manner that has not been observed between the UN and any other regional actor. The quality of the relationship stems from a certain degree of convergence of the two institutions insofar as their conception of security management is concerned, but also from a certain complementarity at the operational level. Yet, the UN-EU relationship in crisis management remains constrained by political, structural and cultural obstacles that can only be overcome to a certain extent. Cooperation is crucial and recognised as such on both sides, but comes second for institutions that are constantly struggling for their own comparatives advantages, visibility and identity.
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