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Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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NOTE

From : Politico-Military Group
To : Political and Security Committee

Subject : Co-ordination and coherence between the EU Special Representative (EUSR), the EU military operation (EUFOR - Althea) and the EU Police Mission (EUPM) in Bosnia and Herzegovina (BiH): Case study and Recommendations for the future

Following PSC tasking on 17 November and on the basis of the CIVCOM advice 15940/06 of 28 November and EUMC advice 16034/06 of 30 November, delegations will find hereafter the paper as agreed by the PMG on 13 December on the topic mentioned under Subject.

PMG invites PSC to note the document and to endorse its recommendations on the last page.

While Civil-Military Co-ordination covers also co-operation with the Commission, this case study and recommendations are limited to assessing the relations between CFSP/ESDP actors in Bosnia and Herzegovina and does not touch upon co-ordination with the Commission delegation.

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I. - Scope

Co-ordination and coherence between CFSP/ESDP actors in BiH (the EUSR, EUPM and EUFOR) have been developing well. This paper aims to outline practical lessons on the co-ordination and coherence between these three actors. Drawing on this specific experience, the paper outlines recommendations with a view to achieving optimal co-ordination/coherence in situations where at least two EU actors (EU Special Representative, EU military operation and/or EU civilian crisis management actor) are active in the same country. The paper draws on the document 'Civil-Military Co-ordination: Framework paper of possible solutions for the management of EU Crisis Management Operations'¹, as far as its CFSP/ESDP aspects are concerned.

II. - Lessons

Throughout the study period, coherence among the concerned EU actors in BiH has improved and is satisfactory thanks to the progressive introduction of practical co-ordination in the field, but efforts should continue. This paper identifies four key recommendations whose endorsement and implementation would further improve co-ordination and coherence in BiH as well as in other and future theatres where such EU actors are/could be deployed at the same time.

Co-ordination is in the Union's interest, as is the value of speaking externally with one voice. Even so, co-ordination among the EUSR, EUPM and EUFOR remains *ad hoc* to a large extent. Co-ordination with EU partners is a core part of the EUSR's mandate. In the case of EUFOR and EUPM, co-ordination with EU partners has often been perceived as an additional task (i.e. in addition to mission specific tasks). Furthermore, the EUSR, EUFOR and EUPM have, at times, adopted different approaches when they have had to deal with the same issues. This underlines the importance of prior consultation and systematic co-ordination. In order to achieve full co-ordination and coherence, a stronger emphasis on pre-deployment briefings on EU objectives, clear guidance and co-ordinating instructions, a strong role for the EUSR and systematic consultation practices are all essential.

¹ 8926/06, noted by PSC as a living document on 2 May 2006.

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1. High level briefings for key staff, including designated EUSRs, Heads of EU missions and Commanders, prior to deployment.

The EU approach to co-ordination and coherence is demanding. Personnel serving in EU missions may be insufficiently aware of what is required. Co-ordination and coherence among different EU actors would facilitate a better knowledge of each other's respective roles and responsibilities, from middle-management level upwards. Many intermediate and senior staff in EUPM and EUFOR were deployed with minimal advance briefing on the responsibilities of other EU actors and on the EU's overall objectives in the country. "Key leader trainings" under EUFOR auspices have helped cover some of this ground. Most of the EUSR's international staff passed through Brussels for briefings in the Secretariat shortly after being selected.

Conclusion on point 1. It is recommended that briefings be organised for EUSRs, Heads of Mission and Commanders, as well as for their senior staff, prior to their deployment in theatre (including political advisors and public information officers), to the extent possible². Such briefings, set up by the Secretariat, would focus on the EU objectives in the country, including co-ordination and coherence requirements. Consideration will be given to whether the European Security and Defence College could play a role in this respect. The Commission should be associated. Overall, the goal is to create a culture for co-ordination within the EU community of actors.

2. Precise guidance and coordinating instructions to each actor

a. Guidance (Crisis Management Concept)

The Althea Crisis Management Concept contained general guidance on co-ordination/coherence between the already existing EU concerned actors (EUSR, EUPM) and the one due to be deployed (EUFOR)

Future Crisis Management Concepts could include, without prejudice to chains of command, the following:

² In case of rapid response operations, such briefings may be difficult to organise.

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(i) the general principle underlining the importance of coherence of EU activities in the field, and effective co-ordination between various EU actors;

(ii) the task assigned to the EUSR to ensure that approaches developed by ESDP actors are consistent with one another and to reconcile potentially differing approaches;

(iii) guidance upon which two ESDP actors would draw to delineate their respective tasks under the aegis of the EUSR (for instance designating a 'lead actor' or outlining a 'supporting/supported' arrangement).

Such elements are relevant to situations where several ESDP actors are deployed at the same time. They should be included, as guidance, in future Crisis Management Concepts (CMC) since the CMC is the only holistic planning document, containing general guidance relevant to, in the case of BiH, primarily EUFOR but also the EUSR and EUPM. These elements would then be reproduced and detailed in the subsequent planning documents or in instructions specific to each actor.

b. Co-ordinating instructions (Specific mandates)

On the basis of the guidance included in the Crisis Management Concept:

- co-ordinating instructions should systematically be included in the mandates of the various EU concerned actors. Experience in BiH shows that the general direction for coordination given in the CMC needs implementing instructions;

- such co-ordinating instructions should of course be fully consistent with one another and should be updated when a new actor is deployed and, if appropriate, following regular mission reviews and when the mandate of an actor is extended.

Conclusion on point 2. Initial Guidance and Mandates are the starting point. Optimally, the mandates and plans would be developed simultaneously and coherently. This (eg BiH), may not always be possible but every effort should be made, when new mandates are developed, to make them coherent with existing mandates. If necessary, existing mandates should be amended.

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3. A strong coordinating role for the EUSR

The objective would be to enable the EUSR to resolve potential difficulties at theatre level on issues that could have a political impact.

As mentioned above (see 1. a.) the CMC should define the EUSR's task to ensure coherence between ESDP actors. Such a task could then be specified in the EUSR Joint Action (JA). For instance, the EUSR BiH Joint Action was updated on 30 January 2006 to include, inter alia, a new provision entrusting the EUSR with the role to co-ordinate and direct 'EU efforts in tackling organised crime'. This new provision acknowledged the need for a sound basis upon which the EUSR could firmly base the role he had started playing in September 2005 to ensure better co-ordination and coherence between EUPM and EUFOR.

In the future, should the EU deploy in the same theatre several ESDP actors whose mandates overlap to an extent, one might consider it essential to ensure the early establishment (i.e. prior to the deployment of the instruments) of a delineation of tasks on the basis of the co-ordinating instructions included in respective mandates. This practical delineation of tasks would be agreed by heads of mission in the field and facilitated by the EUSR, as it was the case for the 'Common Operational Guidelines' agreed by EUPM and EUFOR in May 2006. Consequently, current co-ordination arrangements between EUPM and EUFOR work well.

HR/SG Solana and Commissioner Rehn's report to the October 2006 GAERC on a reinforced EU role in BiH in the context of the closure of the OHR recommended further strengthening the EUSR's role in this regard. It includes: 'The EUSR should be mandated to ensure coherence between ESDP actors in theatre. The EUSR will offer political guidance to the Commander of EUFOR on military issues which have a political aspect, inter alia, sensitive military operations, relations with local authorities, and relations with the local media. The mandate would be designed to ensure maximum coherence without prejudice to the military chain of command. In case of disagreement between the EUSR and the Commander of EUFOR, the latter would refer the matter to his military chain of command'.

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Conclusion on point 3. The EUSR should be given a strong coordinating role designed to achieve greater coherence. The objective is to enable him to resolve potential difficulties at theatre level, without prejudice to chains of command. In addition, the EUSR should offer political guidance to the EU Force Commander on military issues which have a political aspect, inter alia, sensitive military operations, relations with local authorities and relations with the local media. Lastly, in the absence of an EUSR, the HoM holding the local Presidency, in liaison with the Heads of Mission and the EC Delegation, could assume the co-ordinating functions of the EUSR³.

4. Consultation between military and civilian actors

a. Based on the BiH experience, consultation would mainly be required in the following areas: sensitive military operations and relations with the local authorities and with the local media.

(i) Sensitive military operations

EUFOR is the only EU actor in BiH whose mandate includes the ability to deploy troops to conduct operations. Based on the intelligence it gathers, EUFOR has been conducting discrete operations. Some operations are politically sensitive given the nature of the targets (PIFWCs⁴, PIFWC support networks, military facilities, organised crime networks or figures) and given the fact that local authorities are sometimes involved in the operations (the local police supported by EUFOR). Prior consultation with other EU actors on these types of operation is essential. .

Such consultation should address the objectives of the operation, its timing and the modus operandi. The aim of the consultation is, first, to check whether or not the operation would have an adverse impact on the EUSR's actions and, second, to gather the views of the EUSR on the political context of the operation and its potential impact. On many occasions, EUFOR took the initiative to consult with the EUSR and his staff on planned discrete operations, particularly those designed to disrupt PIFWC support networks. In addition, EUPM has also been consulted on many occasions on EUFOR planned discrete operations in support of the local police.

³ As noted in 'Civil-Military Co-ordination: Framework paper of possible solutions for the management of EU Crisis Management Operations'.

⁴ Persons Indicted for War Crimes

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In order to generalise such useful consultation practices, it is recommended that the co-ordinating instructions given to the EU Force Commander by his chain of command include that he will consult with the EUSR on military operations likely to have political implications, wherever possible⁵. In addition, he should consult with the Head of the EUPM on military operations in co-operation with the local police. Such instructions should be mirrored in the directions issued to the EUSR and the Head of the Police mission (the EUSR offering guidance and the Head of the Police Mission offering advice to the EU Force Commander).

Conversely, should the EUSR or the Head of the Police mission have to deal with a topic with a military aspect, they should consult with the EU Force Commander.

In any case, it must remain the responsibility of actors in the field to decide which specific operations warrant prior consultation with partners and which do not.

(ii) Relations with the local authorities and with the local media

EU coherence in these domains has been achieved when the EUSR and his staff have played the central co-ordinating role, for instance, by briefing the EU Force Commander on key political figures he was due to meet, co-ordinating an overall EU response to the local media and providing advice on proposed EUFOR media campaigns. Conversely, EUFOR has shared with the EUSR office information and intelligence about political and security events and media outlets. In addition, EUPM and EUFOR have co-ordinated directly media responses on matters involving their relations with the local police.

The benefits of such co-ordinating practices are evident and call for a systematic approach.

Conclusion on point 4 a. The EU military operation should systematically consult with the EUSR on topics with a political dimension or potential political impact and with the Head of civilian mission (on eg. police matters). Close and systematic consultation practices would not conflict with the military chain of command. Should the EU Force Commander disagree with the guidance offered by the EUSR, he should refer the matter to the EU Operation Commander.

⁵ The exceptions are situations where decisions have to be made urgently or where operational security is paramount.

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b. Triangular (EUSR, EUPM, EUFOR) co-ordination practices have been well established in two areas: the Mission Review process and the sharing of information designed to enhance each other's situational awareness.

- Mission reviews. Co-ordination on the EUPM and EUFOR six-monthly reviews works well between the EUSR office, EUPM and EUFOR. The fact that the timelines of both review coincide has facilitated coherence. Draft documents are exchanged and comments are duly taken into account. This serves the goal of in-theatre coherence. Good co-ordination practices have been developed following the precise coordinating instructions applicable to EUFOR's six-monthly reviews (adopted by the PSC in November 2004) and to EUPM's six-monthly reviews (included in EUPM's Joint Action).

- Situational awareness/exchange of information. This point has been covered in detail by the recent Finnish Presidency/Secretariat work, including an audit mission in BiH in September 06. Two points can be added:

Media Monitoring. Whilst each mission may have particular media monitoring requirements, much - perhaps 90% - is common. Duplication of effort could be eliminated and this common element can be done centrally. In BiH all actors want this, but the different and complex financial regulations make it difficult to achieve

The EU Monitoring Mission (EUMM). EUMM has offered to other second pillar actors operating in BiH the possibility to commission specific reports informally. The EUSR office and EUFOR used that possibility on several occasions, in order to enhance their situational awareness, and deemed the EUMM reports very useful and complementary to their SA sources.

Conclusion on point 4 b. Mutual coordination practices should be further developed between concerned EU actors when it comes to assessing the situation in theatre and reporting to the respective chains of command. The good triangular (EUSR, EUFOR, EUPM) coordination practices developed in these two areas should be further extended. For instance, EU partners in-theatre should systematically share their respective draft situation assessments (other than Mission Reviews) before they are presented to the PSC.

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Recommendations

In order to achieve optimal coordination/coherence in situations where at least two CFSP/ESDP actors (EU Special Representative, EU military operation and/or EU civilian crisis management actor) are active in the same country, the following recommendations should be adopted:

- High level briefings for key staff, including designated EUSRs, Heads of EU Missions and Commanders, prior to their deployment, whenever possible⁶. Briefing sessions, set up by the Secretariat, should focus on the EU objectives in the country, including co-ordination and coherence requirements. Consideration will be given to whether the ESDC could play a role in this respect. The Commission should be associated. The European Security and Defence College could also play a role in this respect.
- Clear 'coordinating instructions' for each actor based on overall guidance (in the relevant planning documents, especially the Crisis Management Concept) applicable to all actors, while respecting their respective chains of command. These coordinating instructions should be issued prior to the deployment of a new mission and, if necessary, following mission reviews and when mandates are updated.
- A strong coordinating role for the EUSR, designed to achieve greater coherence. The objective is to enable the EUSR to resolve potential difficulties at theatre level, without prejudice to chains of command. Having due regard to the role of the PSC, the EUSR will offer political guidance to the EU Force Commander on military issues which have a political aspect, inter alia, sensitive military operations, relations with local authorities and relations with the local media.
- the EU Force Commander will consult with the EUSR on topics with a political dimension or a potential political impact, wherever possible⁷. In the case of differing views between the two actors, the EU Force Commander should refer the matter to the EU Operation Commander. In addition, the EU Force Commander should consult with the Head of the EU Police mission on police matters. Conversely, should the EUSR or the Head of the Police mission have to deal with a topic with a military aspect, they should consult with the EU Force Commander.

⁶ In case of rapid response operations, such briefings may be difficult to organise.

⁷ The exceptions are situations where decisions have to be made urgently or where operational security is paramount.