

# Management of Regional and International Crises by the European Union

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**Abstract:** *One of the European Union's main goals is to be an important actor in the field of international peace and security and, with this in mind, it has developed a number of military and civil capacities. With these capacities the EU has launched and contributed to a great number of peace missions on different continents. And, by capitalizing on the experience gained during these peace missions, a general improvement of the standards of the EU peacekeeping missions can be achieved. And with the lessons learned and the actions that have been taken by the EU in its military, civil and mixed operations it could also make use of its normative power in order to consolidate the respect and protection of the fundamental rights of different populations around the world.*

**Keywords:** *European Union, crisis management, Petersberg tasks, peacekeeping, civil and military crisis management.*

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## Introduction

Internal and international armed conflicts have not always been managed in an adequate way on the international arena and for this reason constant violations of the fundamental human rights have taken place and have endangered the regional and international security and stability.

Considering this problem that the international society is facing, it has to be asked: Has the participation of the EU been appropriate in terms of strengthening regional and international security? Has the European Union contributed to the creation of a climate of regional, national and international stability with its Petersberg tasks given the globalized and interconnected world in which we live?

In order to answer these questions we have structured this investigation in two parts. In the first section we will study the role of the EU in the area of regional peace and security. In the second section we will discuss the role of the EU in the area of international peace and security.

This research wants to: 1) foster the debate about the role that the EU has assumed in order to contribute to regional and international peace and security; 2) reaffirm the importance of strictly observing European and international laws; 3) establish that the

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actions of the European Union should be in line with the rules and principles that have been embedded in the Charter of the United Nations; 4) disseminate the lessons learned by the European Union with regards to regional and international peace and security.

Finally, we should note that this research uses a multidisciplinary approach, where theory and practice are combined, in highlighting the various experiences of the European Union in the promotion of regional and international security. The sources that were used are official national documents and other documents with supranational character.

### **1. The EU's Crisis Management Efforts in Regional Peace and Security**

With the Treaty of Amsterdam the European Union had at its disposal a number of mechanisms that allowed it to develop a more important role in the area of regional peace and security. The EU wanted to become a more important player in the international society.<sup>2</sup>

The Treaty of Amsterdam helped it in certain ways to reach this objective by transferring the Western European competences to it that had been linked to the tasks of Petersberg.<sup>3</sup> However, for a long period of time the Member States debated on the need to approach the development of the Petersberg tasks with low or high intensity. With the adoption of the Global Objective of Helsinki, it was decided that the EU would obtain a major capacity to develop the whole range of missions mentioned before. The reference made in Article 17.2 TEU also caused some controversy between the Member States because of the possibility that the EU could use combat forces to manage certain crises. This led to the refusal of some Member States because it could lead to peace enforcement operations<sup>4</sup>.

In this regard it has to be said that the initial rejection of the Petersberg tasks by some EU members has been overcome by missions of low intensity (humanitarian missions, maintaining traditional peace). However it still remains with respect to peace enforcement missions<sup>5</sup>. At the same time, the EU has continued to develop its "Common European Defence Policy" and with the management of military crises, the management of civil crises and the prevention of conflicts it continues to try to uphold regional stability with

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<sup>2</sup> Koops, Joachim & Macaj, Gjovalin. *The European Union as a Diplomatic Actor*, Basingstoke: Palgrave Macmillan, 2014.

<sup>3</sup> The Petersberg tasks are a set of humanitarian and rescue operations, as well as activities for peacekeeping and peace restoration, which were established in the framework of the Western European Union, after the adoption of the Declaration of Petersberg on June 19, 1992. Vid. Hill, C., "The EU's Capacity for Conflict Prevention", *European Foreign Affairs Review*, Vol. 6, 2001, pp.315-333; Consejo de Ministros de la UEO, Declaración de Petersberg, Bonn, 19 de junio de 1992; Oreja, M., *El Tratado de Ámsterdam de la Unión Europea. Análisis y comentarios*, Mc Graw-Hill, Madrid, 1998, pp. 366-374.

<sup>4</sup> Vid. Oust-Heiberg, E., Security implications of EU expansion to the North and East, in K.A. Eliassen (Ed.). *Foreign and Security Policy in the European Union*, London, Sage, 1998, p.185. Citado por Natividad Fernández Sola, "La Política de Seguridad y Defensa como elemento constitucional de la Unión Europea", *Revista General de Derecho Europeo*, No.2, octubre 2003, pp.1-36.

<sup>5</sup> Vid. Bono, G. "The role of the EU in external crisis management", *International Peacekeeping*, Vol. 11, No.3, 2004, pp. 395-403; Acosta, M., "La evolución de las operaciones Petersberg de la UE - Operación Althea en Bosnia-Herzegovina", *Revista de Derecho Comunitario Europeo*, Vol. 10, No.23, 2006, pp.47-86.

the coordination and systematic utilisation of the instruments that it has been given. It makes efforts towards identifying the causes of the conflict and trying to help resolve them in a peaceful manner. It is also improving the capacity to intervene in the early stages of a conflict and to promote international cooperation in this field. To date, the EU has deployed several operations which enabled it to contribute to the maintenance of international peace and security. Thus, the European Union has helped neutralise certain ideological extremes that exist in society and endanger certain nations and regions.

In this regard, it should be noted that through the concept of crisis management, the European Union covers a rather wide range of situations and activities, but the concept is usually identified with a series of interventions that are aimed at putting an end to armed conflicts in order to protect civilian populations and to rebuild the devastated areas through a combination of military and civilian means.

With new threats emerging for the regional and international security, the European Union has continued to develop a number of mechanisms to help it deal with such situations. The European Union and other regional organizations took over the challenge to manage crisis, given the fact that with this it tried to keep international peace and security<sup>6</sup>.

In this context the European Union has decided to participate in the area of crisis management of military and civil nature with the objective to assume a more preponderant role and in accordance with its position as an important actor in the international society<sup>7</sup>. It makes sense to observe that the European Union has to overcome several problems in the area of crisis management: firstly, it is necessary to create a general policy that is applicable for all cases in which a crisis management is carried out, independently of the organisations that do that; secondly, if this general policy will prove unsuccessful, it has to be determined if the European Union has strayed too far from the United Nations' framework in regards to the development of its instruments for crisis management, and, thirdly, to single out contradictions that can exist between the instruments that have been adopted for crisis management and the dispositions present in the Charter of the United Nations.

It has to be noted that within the framework of the United Nations there are several instruments for crisis management and this universal organisation does not have or claim the monopoly for neither one of them, thus the European Union is free to use them. Among these instruments we can mention the preventive diplomacy, the establishing of peace, peacekeeping, consolidation of peace, the disarmament, the sanctions and the peace

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<sup>6</sup> Vid. Manrique de Luna, A., *Las operaciones de mantenimiento de la paz de las organizaciones regionales de carácter internacional*. Editorial Dykinson, Madrid, 2013; Manrique de Luna, A. "Las operaciones de mantenimiento de la paz de la Unión Europea". In: Tremolada, E. (Ed.), *Los procesos de integración como factor de paz*. Ed. Publicaciones de la Universidad del Externado de Colombia, 2014.

<sup>7</sup> Tuomas, Iso – Markku, "Europe's changing security landscape: What role will the EU play in security and defence?", *FIIA Briefing Paper* 165, December 2014, pp. 1-8.

enforcement<sup>8</sup>. In this sense, the European Union has developed instruments of political-diplomatic, economic, military and civil character to contribute to crisis management.

Now after having presented a few key elements of the EU's approach and efforts in the field of crisis management, it has to be noted that until now it was not possible to design a general policy applicable to crisis management, given the sheer number and complexity of the different instruments that have been adopted with the objective to solve such crises. A number of disagreements have risen and have been generated with regard to the opportunity to carry them out and to the powers that can implement them. The role assumed by the European Union in crisis management continues to be a very interesting one since through its experience it contributes to the discussion and development of possible tools for the future control of such crises, And, as a consequence,, it makes for an important contribution in designing of an international system firmly established and experienced in crisis management and where peace and regional and international security are promoted.<sup>9</sup> Furthermore, the EU has developed certain instruments for crisis management that are wider than those envisioned by the United Nations, but they are at all times in accordance with the provisions of the United Nations Charter.

Thus, we can conclude that the European Union seeks to implement an effective operational capacity that allows solving the various problems that may arise and affect international peace and security and the full respect of human rights. The success for this mainly depends on the ability of the institutions involved in peacekeeping – political structures, regional and international organizations – to identify and designate an efficient functioning<sup>10</sup>.

So, regional organizations that were created for economic purposes (like the EU) had to adapt to the new requirements that the international society presented to them, and thus, had to understand that peace, security and the promotion and the respect for the fundamental rights and freedoms are essential to maintain national, regional and international stability given the global context in which we live. The European Union has developed a series of military and civil capacities to preserve peace and security. Now we are going to develop on each one of them.

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<sup>8</sup> The first three instruments of crisis management can only be used with the consent of the parties of the conflict in question. Sanctions and peace enforcement are coercive measures, so, by definition, they do not require the consent of the parties concerned, but the authorisation of the United Nations Security Council. Meanwhile, disarmament can be carried out by agreement or in the context of coercive measures as regulated in Chapter VII of the Charter of the United Nations. Vid. United Nations, Supplement to an Agenda for Peace, Document A/50/60-S/1995/1, 25 January 1995, paragraphs 23-24.

<sup>9</sup> Brodersen, D, "Konfliktvorbeugung und Krisenbewältigung", *Europäische Sicherheit*, (45. Jg., Nr. 6, Juni 1996), s. 50-52.

<sup>10</sup> Vid. Ekengren, M. and Rhinard, M., European Union Crisis Management (EUCM): the interface between Union institutions and EU member states, ECMA Conference "Future challenges for crisis management in Europe" 3-5 May 2006, Stockholm, Sweden.

## 1.1 The European Union and its military capacities to manage the crisis

In order to ensure that the European Union could play a complete role on the regional and international level and thus overcome its apparent inability to manage crises of a military nature, just as it happened during the conflicts in Bosnia-Herzegovina and Kosovo<sup>11</sup>, it was decided to equip it with a number of instruments and resources to enable it to assume its responsibilities with regard to European security policy and common defence with autonomous action, backed up by credible military capabilities and with appropriate decision making bodies<sup>12</sup>.

Also, to this end, it was established that there is a need to develop a cooperation framework between the European Union and the Organization of the North Atlantic Treaty<sup>13</sup>, under which the European Union could choose according to the circumstances between the missions that it would lead, using the means and resources of NATO and the missions that it would use without the support of NATO<sup>14</sup>. Such a horizontal cooperation between the EU and NATO should avoid any double use of forces in crisis management and it was claimed that a special attention should be given to what has been established with respect to this by NATO<sup>15</sup>.

Later it was given deeper consideration to the idea that the capacity was created to take an autonomous decision (headline goal), which would allow the European Union to carry out its missions in order to respond to international crises taking place<sup>16</sup>. It was also established that there is a need for new organs and structures of political and military nature to allow the European Union to ensure the political guidance and strategic direction to such operations while respecting the institutional framework that had been set up.<sup>17</sup>

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<sup>11</sup> Treacher, A., "From civilian power to military actor: the EU's resistible transformation", *European Foreign Affairs Review*, No. 9, 2004, pp. 49-66.

<sup>12</sup> European Union, European Council of Cologne, 3 - 4 of June 1999

<sup>13</sup> Van Willigen, Niels and Koops, Joachim, "The European Union's Relationship with NATO and the OSCE", in K. Jorgensen, A. Aarstad, E. Drieskens, K. Laatikainen, B. Tonra (eds.) *The SAGE Handbook of European Foreign Policy*, SAGE: 2015.

<sup>14</sup> In the framework of the Berlin Plus agreements it was a commitment adopted for a strategic partnership in crisis management, under which the EU could conduct operations of peacekeeping, using the assets and capabilities of NATO. The EU could also have access to planning capabilities of this regional organization and its military assets and capabilities. Vid. Al Tal, Baider, *EU-NATO Relations: Military Missions in the Western Balkans and the Berlin Plus Agreement*, Lambert Academic Publishing, 2013.

Thus, two modalities were established with respect to peacekeeping missions led by the EU. So, first the missions were established where the EU used assets and capabilities of NATO and second peacekeeping missions were addressed where the European Union did not use the means and capabilities of NATO.

<sup>15</sup> After the coming into vigour of the Lisbon Treaty, it was sought to define a stronger cooperation with NATO. In this context, it was established that a Common Security and Defence Policy effectively helps to increase the security of European citizens and contributes to peace and stability of the environment and for the world. Vid. Conclusions of the Presidency of the European Council of Brussels, 19-20 December 2013

<sup>16</sup> Vid. Conclusions of the Presidency of the European Council of Helsinki, 10-11 December 1999.

<sup>17</sup> Tamminen, Tanja, "Towards efficient early action: The EU needs a regional focus and proactive tools to prevent and manage conflicts", *FIIA Briefing Paper* 113, September 2012, pp.1-9.

## 1.2 The European Union and its civil capacities to manage crisis

Since some fears were expressed by some of the Member States (especially the Scandinavian countries) pointing to the fact that the European Union would suffer as a result of its potential militarization, it was suggested during the European Council of Cologne the need that the EU should also assume a role in civil crisis management<sup>18</sup>. Later, this approach was formalised by the European Council in Helsinki, where it was stated that “a mechanism for handling non-military crisis to coordinate and to make more effective the various civilian means and resources would be established in parallel with the military means, that were available to the European Union and its Member States.” Finally, through the European Council in Santa Maria de Feira, which was held from 19 to 20 June 2000, a number of tasks were established with regard to police activities, restoring the rule of law, civil administration and civil protection in full respect of the principles of the United Nations Charter<sup>19</sup> and with the aim of contributing to building a European Security and Defence Policy, which could strengthen the external action of the European Union with the development of a military crisis management capability as well as the development of a civil capacity. Of the tasks mentioned before, which started to be conducted, in order to contribute to the management of civil crises, we should note the tasks which are linked to police activity. Later, an action plan for the development of a European police force<sup>20</sup> was initiated through the Göteborg European Council.

Regarding the fulfilment of the objectives in the field of civilian crises management, it should be noted that under a voluntarily assumed commitment of the Member States, these goals have been achieved and the deepening of these capabilities is being taken into consideration.

On a practical level, the EU experience in the autonomous management of peacekeeping in the region dates back to 2003, when it launched the Operation Concordia in the former Yugoslav Republic of Macedonia (first operation of military peacekeeping nature, which was established by the Council Joint Action 2003/92 / CFSP of 27 January 2003), and the police mission of the EU in Bosnia and Herzegovina (first peacekeeping of civil nature, which was established by the Council of Joint Action 2002/211 / CFSP of 11 March 2002). Later, the Operation Althea in Bosnia and Herzegovina (which was established by the Joint Action Council of 2004/570 / CFSP of 12 July 2004), the EU NAVFOR – Operation ATALANTA in Somalia (which was established by the Joint Action Council of 2008/749/CFSP of 29 September 2008)<sup>21</sup>, among others.

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<sup>18</sup> Vid. Conclusions of the Presidency of the European Council of Cologne, 3-4 June 1999.

<sup>19</sup> According to the Council in Santa Maria de Feira, the civil capacity of the EU should be developed in four areas: police, strengthening the rule of law, strengthening civil administration and civil protection. Vid. Conclusions of the Presidency of the European Council of Santa Maria de Feira, 19-20 June 2000.

<sup>20</sup> Vid. Conclusions of the Presidency of the European Council of Goteborg, 15-16 June 2001.

<sup>21</sup> On 21 November 2014 the Council of the EU extended the Mandate of Operation ATALANTA until December 2016.

## 2. The EU's Crisis Management Efforts in Peace and Security at International Level

The development of the EU activities abroad has raised the need to address issues related to: the geographical scope of the European Security and Defence Policy; the comparable advantages of the deployment of a peacekeeping mission of this organisation to solve a crisis; determining if it is required to have a prior green light from the United Nations; the limits in terms of the intensity of the operation and the way that an intervention is done<sup>22</sup>. As concerns the first aspect mentioned before, it can be said that through its actions, the EU has proven its will to develop and to interact as a global actor in the area of peacekeeping and international security, and for this reason it has deployed its peacekeeping missions not only in Europe, but also in Africa (the Artemis Operation, the Police Mission of the European Union in Kinshasa and the Help Mission of the EU for the African Union in Darfur), in Asia (with the Observation Mission of Aceh in Indonesia) and in the Middle East (with the EUPOL COPPS Mission and the EU Border Assistance Mission Rafah in the Palestinian Territories), among others.

Then, regarding the advantages of deploying an out-of-the-area mission of the EU, it is worth mentioning the fact that there exists an important level of acceptance for this kind of operations, which do not present any difficulties in regards to obtaining the agreement of the states in the territory of which the deployment of a peacekeeping mission takes place. Which is being carried out by the EU either in an autonomous way or in application of the Berlin Plus Agreements. But we have to indicate that the EU still depends on the cooperation of NATO in order to realise missions of higher risk intensity or more complex operations. However, with respect to the missions of low intensity and complexity, the European Union can deploy in an autonomous way.

As to whether the EU considers it necessary to have a mandate of the United Nations, before the deployment of its missions, it must be said that every time the EU has acted in accordance with the dispositions of the Charter of the United Nations, given the fact that it waited for the authorisation coming from the Security Council of the United Nations before it carried out missions with a military component; however, in the case of missions of civil character it has acted in a direct way and without any authorisation of the Security Council. It can be noted that this practice does not violate the dispositions of the Charter of the United Nations if it obtains the prior consent of the state on the territory of which the deployment will take place.

Regarding the intensity of the operation that the EU carries out, as previously noted, there is no consensus among the Member States with regards to the type of operations in which the EU would be willing to participate or not. And the same applies to the type of missions in which, considering their distance from the Union, the EU should decide whether to engage or not<sup>23</sup>. Finally, with regard to the way in which the interventions of the European Union happen, they were carried out for short periods of time and they

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<sup>22</sup> Vid. Bayles, A., "The Institutional Reform of ESDP and Post-Prague NATO", *The International Spectator*, Vol. XXXVIII, No.3, 2003, pp. 31-46.

<sup>23</sup> Vid. Miralles, D., "La Capacidad de Acción de la Unión Europea: Análisis de las Recientes Misiones de Gestión Civil y Militar de Crisis en el Marco de la PESD", *Revista General de Derecho Europeo*, No.3, enero 2004, pp. 1-14.

avoided participating in peace enforcement operations, with the exception of the Artemis Operation in the Democratic Republic of Congo.

Considering this special case, the European Council has repeatedly made references about the role of the EU in the DRC and to the new tasks that it had assumed in the Police Mission of the European Union in Kinshasa, which was deployed on June 8, 2005. Similarly, under the new requirements for international participation of the EU in civilian and military crisis management, it was decided to continue developing the military capabilities of the European Union in the area of battle groups and regarding the rapid reaction forces. Considering the civilian capabilities of the EU, it was decided to continue working on aspects related to strategic planning, stabilisation, reconstruction, conflict prevention, institutional development and support for humanitarian operations.<sup>24</sup>

Meanwhile, regarding the peace process in the Middle East, the European Union has reiterated the importance of supporting, through the deployment of the EU Border Assistance Mission Rafah, the monitorization process of the Rafah crossing between Gaza and Egypt. Also, efforts were made to strengthen the capacity of Palestinian border management. Finally, the EU has sought to strengthen its relations with Africa in the field of peacekeeping and international security. On this note, it has reaffirmed its commitment to continue supporting the missions of the African Union and other African organizations, taking into account the new tasks and the need to ensure a transition to peace and security in the region.

## Conclusions

On the international scene the European Union has established itself as an important actor in the area of regional and international peace and security. These efforts have been the product of a number of communitarian efforts, which, at least for the moment, provide an adequate protection, assistance and security to the peoples that live in our region or other regions in the world.

The incorporation of the Petersberg tasks in the regulatory framework of the European Union was a fundamental aspect from which both military and civilian missions have been carried out. Regardless of its military and financial capacity, it can be argued that the European Union has achieved a greater degree of acceptance by the different actors of the international society, to the extent that its actions generate less doubt about their objectives and legality. The fact that the actions of the European Union showcase an important degree of perceived fairness allows the EU to carry out the Petersberg tasks not only in our region, but also on a global scale.

With the lessons learned, the EU can provide to needing populations an adequate protection and humanitarian assistance through a range of activities. This outcome is possible because of its autonomous military missions or by using the military capabilities of NATO. Meanwhile, operations that are more linked to civilian activities have mainly been developed through the deployment of its police missions. However, the EU

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<sup>24</sup> Vid. Conclusions of the Presidency of the European Council of Brussels, 16-17 June 2005, paragraph 78-81.



continued to improve its military capabilities and, in that sense, it has created a European Defence Agency, through which it hopes to further develop and consolidate its defensive capabilities and the cooperation in armaments. It also wants to improve its technological development and do research in the field of defence, among others.

Regarding the civilian capabilities of the European Union for crisis management, it should be noted that this is the area in which it has developed its capacities in a very effective and autonomous way. It has carried out a number of troop deployments of police which allowed contributing to international peace and security. However, the European Union continues to forge partnerships with third party countries and (regional or global) organisations that share its values and principles; this way a high degree of cooperation in all fields of international relations that are linked to the maintenance of peace and security can be achieved. And the European Union is strengthening its relations with the United Nations in order to strengthen its role as an international player in peacekeeping operations and in world politics.

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