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About the Author

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Abstract

The complex challenges posed by stabilization and reconstruction undertakings today require an unprecedented degree of coordination among both civilian and military tools of conflict response. Harnessing civilian resources has grown increasingly important to filling the gap between military intervention and sustainable peace. Policymakers within the European Union (EU) and the United States (U.S.) continue to adapt their respective crisis management concepts and approaches to meet these challenges more successfully. In light of the rising attention paid to this policy area, EU-U.S. cooperation in Civilian Crisis Management (CCM) has been deemed by one official interviewed as “an idea whose time has come”.¹ A joint Work Plan recently signed by EU and U.S. officials and the U.S. contribution to the civilian mission of the European Security and Defense Policy (ESDP) in Kosovo (EULEX Kosovo), the first case of U.S. participation in an ESDP mission, embarks on a new chapter in bilateral security relations. The partnership has been facilitated by the growing EU expertise in the field and the creation of the Office of the Coordinator for Reconstruction and Stabilization (S/CRS) in the U.S. Department of State. Pledging to work together in areas from dialogue to personnel training to country analysis, both actors seek to improve their concepts and approaches and aim to partner in efforts on the ground. While cooperation has come underway in recent months, attempts in formalizing relations endured several years of efforts by policymakers.

This paper asks to what extent the policy conceptions and approaches of the EU and U.S. in the area of non-military conflict response converge, why EU-U.S. cooperation in CCM has come so cautiously and how it is likely to develop in the future. I argue that the EU’s ‘comprehensive approach’ and the U.S.’s ‘whole of government’ approach are near equals in the integrated responses they aim to deliver. However, the development of EU-U.S. cooperation in this policy area has been confronted by the limitations of the larger transatlantic security relationship vis-à-vis the North Atlantic Treaty Organization (NATO). A warming of attitudes toward a bilateral security relationship will likely continue, but looking to the U.S. contribution to EULEX Kosovo as an indicator, I would argue that the relationship will face institutional complications and continue to struggle to strike a balance alongside the role of NATO in the task of confronting today’s complex crises.

¹ Interview with U.S. official, Political-Military Affairs Unit, U.S. Mission to the EU, Brussels, 7 April 2008.

1. Introduction: "An Idea whose Time Has Come"

The lessons of Afghanistan, Iraq, the Balkans and nearly all other conflicts played out in the post-Cold War era call in chorus for improved capacities in non-military means of crisis management. The full range of tasks required to fill the gap between military intervention and those civilian resources needed to stabilize and reconstruct an ailing society demand an unprecedented degree of coordination across government agencies and a fundamental shift in traditional policy approaches to the world's trouble spots. Following the September 11th terrorist attacks and those in Madrid and London, harnessing such crisis management capabilities has become a strategic imperative in Brussels and Washington. As indicated by both the EU and U.S. in their respective security strategies, the threat posed by instability emanating from failing states tops the list among security concerns.² Amid increasingly transnational challenges and the long-term, tedious nature of stability and reconstruction undertakings, there is "no alternative to collective action".³

It follows then, that one official would describe EU-U.S. cooperation in civilian crisis management (CCM)⁴ in an emphatic tone, declaring it as "an idea whose time has come".⁵ The EU and U.S. have ventured extensively into other realms of collaboration, from coordinating diplomatic efforts on international issues to enhancing partnership in homeland security. However, bilateral⁶ cooperation in the field of CCM has not easily fallen in line behind those other points finding their way into the pages of annual EU-U.S. summit statements and onward into meaningful action. The merits of working together in an area pressing for attention and offering a tool with which to more effectively

² Council of the European Union, "A Secure Europe in a Better World – The European Security Strategy", Brussels, 12 December 2003, pp.1-14.; President of the United States of America, "The National Security Strategy of the United States", Washington, D.C., March 2006, pp. 1-54, retrieved 2 March 2009, <http://www.whitehouse.gov/nsc/nss/2006/nss2006.pdf>.

³ J. Dobbins, "New Directions for Transatlantic Security Cooperation", *Survival*, vol. 47, no. 4, Winter 2005-2006, p. 40.

⁴ A number of labels are used to describe the non-military means of conflict response. Broadly speaking, the EU references this concept as civilian crisis management (CCM) while U.S. officials, government agencies and scholars employ the term stabilization and reconstruction (S&R). The official language in the EU-U.S. joint work plan employs the phrase "civilian aspects of crisis management and conflict prevention" as the area in which cooperation will occur. Because this terminology is most similar to that used by the EU and for the sake of consistency, CCM will be the term used throughout this paper. Council of the European Union, "Work Plan EU-U.S. Technical Dialogue and Increased Cooperation in Crisis Management and Conflict Prevention, (16055/07)", Brussels, 3 December 2007 (hereafter cited as "Work Plan").

⁵ Interview with U.S. official, USEU, *op.cit.*

⁶ While use of the term 'bilateral' in describing the EU-U.S. relationship can be considered incorrect on the grounds that the EU is itself a regional organization of many members, I will use this term throughout the paper as a means of distinguishing the primary focus of this paper – EU-U.S. cooperation – from other forums of cooperation such as EU-NATO.

address complex crises appear clear and beneficial. Yet the last several years of attempts in formalizing cooperation have found policymakers treading beyond the long-held confines of transatlantic security relations within NATO and met with obstacles and reservations on both sides of the Atlantic.

Only recently have officials witnessed the tangible results of several years of efforts. A joint Work Plan⁷ was signed by EU and U.S. officials in late 2007, offering a foundation and framework for EU-U.S. dialogue and combined action in the field of CCM. A breakthrough on many levels, the Work Plan is the first case of security cooperation between the U.S. and the EU outside the scope of NATO, opening a new door in transatlantic relations. A second initiative also bodes well for future collaboration in this area. The U.S. contribution of personnel to the EU mission in Kosovo (EULEX Kosovo) takes an unprecedented step in cooperation, the first-ever U.S. participation in an ESDP mission. Though running on a separate storyline as the Work Plan, the developments together attest to the current attention paid by each actor to the growing demand for civilian aspects of conflict response and the need for collective action. These efforts, although in merely the first stages of conception and implementation, comprise a unique opportunity in a policy area which both the EU and U.S. are continuing to define at home.

Given the inaugural nature of the Work Plan and U.S. participation in EULEX Kosovo, these recent initiatives merit a closer look. Efforts in civilian crisis management and stabilization and reconstruction (S&R), the terms employed by the EU and U.S. respectively for this policy area, are relatively new. In an analysis of cooperation between two actors often mused as being as distant as 'Mars and Venus' in their foreign policy approaches, finding common ground can be fundamental to success. Acknowledging the novelty of this policy area, do the EU and the U.S. share similar conceptions and approaches in the field of non-military conflict response?

Just as common conceptions of a policy area are essential for successful common action, the will for cooperation plays an equally fundamental role. With questionable progress in Afghanistan and other crises tempting to increase the fragility of already unstable regions, the prospect of cooperation in developing urgently needed civilian capabilities should have elated policy-makers. Why has EU-U.S. cooperation in CCM come so cautiously and how is it likely to develop in the future?

I argue that the EU's 'comprehensive approach' and the U.S.'s 'whole of government' approach are near equals in the integrated responses they aim to deliver. However, the development of EU-U.S. cooperation in this policy area has been confronted by the limitations of the larger transatlantic security relationship vis-à-vis

⁷ "Work Plan", *op.cit.*

NATO. A warming of attitudes toward a bilateral security relationship will likely continue, but I would argue, looking to the U.S. contribution to EULEX Kosovo as an indicator, that the relationship will face institutional complications and continue to struggle to strike a balance alongside the role of NATO in the task of confronting today's complex crises.

This paper will examine these questions by first more clearly defining the often blurry policy area surrounding non-military aspects of crisis management. It will then go on to discuss EU conceptions and development of CCM and U.S. conceptions and development of S&R policies, providing a comparison of both actors' approaches. Finally, the paper will offer an overview of the Work Plan and important events and shifts in attitudes which allowed for its finalization. With the U.S. contribution to EULEX Kosovo as a test case, the paper will analyze potential obstacles to future cooperation.

2. Defining the Policy Area

2.1 What Needs?

What needs are the EU and the U.S. seeking to meet? Prompted by the shortcomings evident in post-invasion Afghanistan and Iraq, conversation has buzzed about composing a suitable formula of how best to approach conflict management and state reconstruction. The inherent difficulties lay in the reality that this is a policy area where "the agendas of security and development studies have increasingly converged."⁸ Stabilizing and rebuilding a society plagued by both violence among domestic groups and the ineptitude of state institutions to maintain order or retain citizens' confidence designates a role to nearly every part of the patron government. Agriculturalists, economists, police and others must join ranks to forge a holistic approach to the mission at hand. The merits of integrating security and development policies more effectively are largely acknowledged by international actors. However, built-in bureaucratic and operational obstacles to an ad hoc formation of various government agencies inhibit successful coordination and implementation of reconstruction efforts. Configuring appropriate strategies and logistics still perplex officials in capitals and personnel on the ground. The EU and U.S. have encountered, to varying degrees, such hurdles in developing their approaches and capacities in this field.

Recognizing these needs and challenges, policymakers and academics have sought to carve out the fundamental, core conditions necessary for further reconstruction efforts to take hold.

⁸ R. Dannreuther, *International Security: The Contemporary Challenges*, Cambridge, Polity, 2007, p. 158.

2.2 Preconditions for Development

In the discourse on conflict management and reconstruction, a central and essential element remains predominant in addressing the needs of weak, conflict-stricken nations. The establishment of “state structures and institutions that can underpin successful, lasting market economy and democratic systems” and prevent the reoccurrence of violence lay at the foundation of sustainable reconstruction.⁹ Rule of law entails what Mary Kaldor terms “the reconstruction of legitimacy”, the principle that, through successfully operating within a set of laws, state institutions gain the respect and consent of citizens.¹⁰ A precondition for further development, rule of law involves the deployment of a fusion of policemen and trainers, judges, prison officers and others to restore order and security to an instable environment, allowing the society and its citizens to function and begin rehabilitation.¹¹ The central role of international civilian police (CIVPOL) in UN peacekeeping missions demonstrates the long-recognized merits of rule of law efforts.

However, policing activities in conflict zones varying in degrees of violence can simultaneously lend to the blurring of lines between military and police functions. Peacekeeping literature grapples with the challenge of how to fill the “enforcement gap” and strike an effective balance between military intervention and unarmed civilian police activities in addressing transitional societies.¹² Indeed, disagreements arose throughout the Balkan wars on the degree of enforcement power to divest to peacekeeping missions and how to coordinate military and civilian police activities.¹³ These themes persist as ethical and institutional dilemmas facing EU and U.S. officials tackling the formulation of policy designed to meet rule of law needs in zones of conflict. As a central instrument in securing stability and initiating reconstruction, much of the discussion of EU-U.S. cooperation in CCM will revolve around policies and conceptions pertaining to rule of law and related tasks.

⁹ “Towards More Effective Peace Building: a Conversation with Ronald Paris”, Interview, *Development in Practice*, vol. 15, no. 6, 2005, p. 769.

¹⁰ M. Kaldor, *New and Old Wars*, 2nd ed., Cambridge, Polity Press, 2006, p. 121.

¹¹ Some actors consider rule of law to include policing and others discuss them separately. Regardless, they are mutually reinforcing aspects of stability operations. M. Dziedzic, “Introduction”, in Robert Oakley et al. (eds.), *Policing the New World Disorder: Peace Operations and Public Security*, Washington, D.C., National Defense University, 1998, p. 9.

¹² *Ibid.*

¹³ Powers range from training to mentoring to advisory to executive. (These terms vary throughout peacekeeping literature.) J. Dobbins et. al., *America’s Role in Nation-Building from Germany to Iraq*, Rand, Santa Monica, CA, 2003, p. 96.

2.3 What Is in a Name?

Given the inherent complexities of a policy area where the lines between security and development increasingly merge, it is appropriate in the context of a discussion on EU-U.S. cooperation in this field to beg the question whether either actor has solidified their understanding of the non-military means of conflict management. Does the EU have a harmonized conception of CCM throughout its institutions? Have various U.S. agencies within the federal government embraced the policies of stabilization and reconstruction (S&R)? One may argue that even the international community, a veteran of intervention in the world's trouble spots, is far from having a unified approach in such a blurred policy area. "For the international community in general, the concept of failed states represents a coming together of distinct communities – the humanitarian, human rights, development and security – but it means very different things to each of these communities, undermining the dialogue on approaches and response."¹⁴ The implications of such confusion and inconsistency on the ability of actors, national or multinational, to cooperate can inhibit effective responses in addressing the needs of weak states. A discussion of EU-U.S. cooperation in CCM, then, must be preceded by an evaluation of both actors' work in this area. How has the concept developed and what do the EU and U.S. understand CCM and S&R, respectively, to entail?

3. EU and U.S. Conceptions and Approaches

3.1 EU Developments and Approaches: Civilian Crisis Management

The Union's endeavors in the field of civilian crisis management are, as one author suggests, "a central feature of the EU's identity and profile as an international actor".¹⁵ The EU has gained recognition through its CCM undertakings in recent years, prompting many to assert that the Union has developed an expertise in the field.¹⁶ The EU has been deliberate in recognizing that the tools necessary to meet the needs of conflict

¹⁴ Crisis Management Initiative, "Transatlantic Cooperation in Civilian Crisis Management: Best Practices in Building Capabilities and Planning for Action", Workshop background notes, Brussels, 8 November 2007.

¹⁵ K. Möttölä, "The European Union and Crisis Management", in H. Gärtner & I. Cuthbertson (eds.), *European Security and Transatlantic Relations after 9/11 and the Iraq War*, Basingstoke, Palgrave MacMillan, 2005, p.183.

¹⁶ e.g. A. Nowak, "Introduction", in A. Nowak (ed.), *Civilian Crisis Management the EU Way*, Chaillot Paper, no. 90, Paris, EU Institute for Security Studies, 2006, p. 9.

management and reconstruction cover a vast spectrum. Giovanna Bono even argues that there is “a widespread perception of ‘uniqueness’ in the ‘European approach’”.¹⁷

The ‘European Approach’

For an entity often viewed as what François Duchêne long ago branded a ‘civilian power’, the EU’s strides in the area of *civilian* crisis management should flow naturally from its identity as such.¹⁸ An essential element of ‘civilian power’, as it is commonly considered, is the deployment of non-military, especially economic, instruments in addressing issues of international security.¹⁹ Indeed, prior to the inception of the European Security and Defense Policy, the EU relied solely on the scarce ‘civilian’ tools in the competence of the European Commission in its early attempts to tackle the conflicts in the Balkans. From the origin of the ESDP under the Franco-British initiative in 1998, attention has been devoted in equal measure to the development of both military and civilian capacities for conflict management.

The Union’s ‘uniqueness’, however, does not stem simply from the Union’s commitment to CCM but more distinctively from its emphasis on a ‘comprehensive approach’²⁰ which fuses military and civilian instruments. The importance which EU policymakers have placed on this ‘comprehensive approach’ is manifest in multiple EU documents and especially in the 2003 European Security Strategy (ESS): “In contrast to the massive visible threat in the Cold War, none of the new threats is purely military; nor can any be tackled by purely military means. Each requires a mixture of instruments.”²¹ One author suggests such a ‘mixture’ lay at the core of EU efforts: “The coordination of civil and military instruments in crisis management operations is being planned and prepared as an integral element of the operational culture underlying the ESDP.”²²

With the aim to maximize complementarity among the Union’s instruments, EU policymakers pursue a holistic policy, seeking coordination of crisis management tools across the institutional pillars.

¹⁷ G. Bono, “The Role of the EU in External Crisis Management”, *International Peacekeeping*, vol. 11, no. 3, 2004, p. 395.

¹⁸ F. Duchêne, “The European Community and the Uncertainties of Interdependence”, in M. Kohnstamm & W. Hager (eds.), *A Nation Writ Large? Foreign Policy Problems Before the European Community*, London, MacMillan, 1973.

¹⁹ M. Merlingen & R. Ostrauskaite, *European Union Peacebuilding and Policing: Governance and the European Security and Defence Policy*, New York, Routledge, 2006, p. 14.

²⁰ The term ‘comprehensive approach’ is also employed by NATO, but the term arguably has different implications for the Alliance, which does not have its own civilian crisis management capacities, but only those of national capacities.

²¹ “The European Security Strategy”, *op.cit.*

²² Möttölä, *op.cit.*, p. 190.

Developing Conceptions

The first definitions of CCM emerged alongside the concept's debut into EU policy via ESDP. The items included in a mid-1999 inventory of the civilian tools available from each Member State provide insight into the initial conception of CCM. Resources spanned from civilian police, humanitarian assistance, administration and legal rehabilitation to search and rescue, electoral and human rights monitoring.²³ The framing of CCM into four policy areas at the June 2000 Feira summit did not respond to a policymaker analysis of likely peacebuilding scenarios, but rather reflected the fields in which Member States had accumulated substantial resources.²⁴ These priority areas include policing, rule of law, civil administration and civil protection.

The area of policing undertook a leading role in CCM in the face of the frustrations Member States experienced in stabilizing Kosovo. The early goal of 5,000 available police officers for ESDP missions was pledged quickly by Member States. With particular concern for a rapid reaction element to their efforts, officials assigned 1,000 policemen to deployment within 30 days. Capabilities in policing were developed with the intention to be available across a range of powers, from advising to assisting and later to executive powers.

Member States were encouraged to similarly refine their national arrangements for selecting resources in the area of rule of law, namely judicial and penal system experts, for contribution to Union efforts in the field. Intended to support and temporarily substitute for the local judiciary and legal authorities, a pool of 200 experts has been gathered for deployment within 30 days.

Civil administration and civil protection have received less attention from EU policymakers but also aim to fill the gaps where indigenous authorities are weak. Tasks in civil administration range from election, taxation and social services to infrastructure backing such as providing electricity and rebuilding bridges.²⁵ Civil protection was designed to aid victims of "natural, technical, and environmental disasters in situations marked by political violence".²⁶

Keeping pace with the deepening complexities of conflict and the varying dynamics of each conflict situation, policymakers have recently focused more intensely on pursuing an 'integrated' approach to crisis management. The 2004 Action Plan for the Civilian Aspects of ESDP was heralded as a 'breakthrough' for CCM and is

²³ J. Howorth, *The Security and Defence Policy in the European Union*, Basingstoke, Palgrave MacMillan, 2007, p. 55.

²⁴ Merlingen & Ostrauskaite, *op.cit.*, p. 45.

²⁵ S. Keukeleire & J. MacNaughtan, *The Foreign Policy of the European Union*, New York, Palgrave MacMillan, 2008, p. 181.

²⁶ Merlingen & Ostrauskaite, *op.cit.*, pp. 47-49.

pinpointed as a moment of doctrinal shift in EU peacebuilding.²⁷ The Civilian Headline Goal (CHG) 2008 crafted in 2004 embodied this shift. As one author notes:

It emphasizes the importance of moving beyond the existing compartmentalized approach to peacebuilding and to develop the capacity to deploy multifunctional or modular peacebuilding packages (...) Allied to this new, modular thinking, the Union has been moving from a supply-driven approach to capability development to a needs-driven approach based on strategic assessments of the demand and nature of future interventions.²⁸

The Union sought to draw upon, as needed, a wide-range of instruments which spread across the Council, Commission and Member States in a way which was proactive, not simply reactive.

The 2004 reassessment of post-enlargement capabilities which accompanied the Action Plan saw two additional areas included among the EU's priorities in CCM: mentoring capabilities and support for Commission missions in third countries and EU Special Representatives (EUSR). In addition the Union pursued work in the field of both security sector reform (SSR), involving short-term capacity-building measures for armed services in conflict situations, and disarmament, demobilization and reintegration (DDR).²⁹ Perhaps the most successful incarnation of the Union's modular, peacebuilding packages thinking is the development of both rapidly deployable integrated police units (IPU), capable of performing executive policing tasks, and civilian response teams (CRT), composed of 100 experts from an array of fields able to provide an initial presence in a conflict situation.

In Practice

Beyond action plans and headline goals, the Union has proved relatively capable of employing its range of civilian instruments. A majority of ESDP operations to date have drawn upon the civilian functions of ESDP. Multiple police missions beginning with the EU Police Mission (EUPM) in Bosnia and Herzegovina and ranging to Afghanistan and the Democratic Republic of the Congo (DRC) demonstrate the central role of policing within CCM. Other missions have extended activities to monitoring in Aceh, Indonesia and border assistance in Gaza. In Georgia the Union deployed its first rule of law mission, and in Iraq the Union employed a somewhat modular approach, labeling its

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ M. Freire, "ESDP: History, Structures and Capabilities", in M. Merlingen & R. Ostrauskaite (eds.), *European Security and Defence Policy: An Implementation Perspective*, New York, Routledge, 2008, p. 16.

undertakings there as an 'integrated' rule of law mission.³⁰ In Iraq and Indonesia the EU sent its first 'packages' of experts as part of assessment missions to lay the groundwork for future operations.³¹ In sum, the variety and geographical reach of these missions, in the least, confirms some degree of the Union's civilian operational capacity. However, room for improvement remains. It is important to note that some of the Union's operations, for example its rule of law mission in Georgia, contain less than 20 personnel. In addition, as EU Foreign Ministers noted in their November 2008 Council Conclusions on civilian capabilities, improvements are needed in several areas, including rapid reaction, the development of national strategies which facilitate EU civilian deployments and coherence between ESDP missions and other EU instruments.³²

3.2 U.S. Developments and Approaches: Stabilization & Reconstruction

An evaluation of U.S. efforts in meeting the call for non-military means of conflict management and reconstruction presents a wholly different narrative than that of the EU. Whereas EU CCM together with its policies, institutions and operations was *created* in response to the needs manifest in destabilizing conflicts along its borders, the U.S., with its pre-existing government agencies and policy history had to *adapt* to meet the needs of modern security challenges in the post-Cold War era. As one author points out in contrasting EU security priorities to those of the U.S., "war fighting and global power projection are not the functions of ESDP, but stabilization and peace enforcement with the capability to operate beyond Europe are".³³ Dissecting the diverging strategic cultures of the EU and U.S. does not serve the purpose of this piece, but this fundamental underlying point should not be overlooked. With this difference in mind, U.S. efforts in its mission to adapt deserve ample attention in the context of the larger discussion of EU-U.S. cooperation in CCM.

Responding to the Call

For a nation often dismissed as unwaveringly committed to 'hard power', recent U.S. efforts in developing non-military crisis response capabilities are significant. A formidable constituency has gained momentum throughout the past several years advocating a

³⁰ A. Nowak, "Civilian Crisis Management within ESDP" in Nowak, *Civilian Crisis Management the EU Way, op.cit.*, p. 34.

³¹ *Ibid.*

³² Council of the European Union, General Affairs and External Relations Council, Council Conclusions on Civilian Capabilities, Brussels, 11 November 2008, http://www.consilium.europa.eu/uedocs/cmsUpload/PESD_EN-civilian_capabilities.pdf.

³³ J. Vogler & C. Bretherton, *The European Union as a Global Actor*, New York, Routledge, 2006, p. 209.

restructuring of American civilian resources for stabilization and reconstruction efforts. Prominent research organizations have joined ranks alongside former ambassadors, military leaders, bipartisan efforts in Congress and high-level campaigns in the Bush and now Obama Administrations. Such an impressive and overwhelming backing, spanning the executive and congressional branches and party lines has proved a notable feat in Washington.

President Bush's 2007 State of the Union address called for the creation of a Civilian Reserve Corps (CRC)³⁴, providing substantial momentum and visibility for the administration's initiative. Then Secretary of State Condoleezza Rice championed the cause as a central aspect of her 'transformational diplomacy' initiative. Pairing with Senator Richard Lugar, Rice issued a powerful Washington Post op-ed piece in December 2007 endorsing legislation to create and provide funding for a CRC to address the security threats of weak states: "Responding to these challenges is a job for civilians", they declared.³⁵ But perhaps the most outspoken advocate of radical improvement in the capacity of U.S. civilian instruments of statecraft is the U.S. Secretary of Defense, Robert Gates. In his prominent speech at Kansas State University in November 2007 Gates preached the need for civilian capabilities and new institutions for the 21st century. "We must focus our energies beyond the guns and steel of the military, beyond just our brave soldiers, sailors, Marines, and airmen. We must also focus our energies on the other elements of national power that will be so crucial in the coming years."³⁶ Secretary Gates' speeches and policy line continue to urgently press this message as he continues to serve as Defense Secretary in the Obama Administration today.

The Path to S/CRS

America, however, has not just made its introduction to this policy realm. The U.S. participated heavily in the multitude of multinational peacebuilding operations conducted throughout the 1990s, including taking the lead on interventions in Somalia, Haiti, Bosnia and Kosovo. U.S. contributions to international civilian police (CIVPOL)

³⁴ "Such a corps would function much like our military reserve. It would ease the burden on the Armed Forces by allowing us to hire civilians with critical skills to serve on missions abroad when America needs them. It would give people across America who do not wear the uniform a chance to serve in defining the struggle of our time", President George W. Bush, "State of the Union 2007", The White House, 23 January 2007, <http://www.whitehouse.gov/news/releases/2007/01/20070123-2.html>.

³⁵ Richard Lugar & Condoleezza Rice, "A Civilian Partner for Our Troops: Why the U.S. Needs a Reconstruction Reserve", *The Washington Post*, 17 December 2007.

³⁶ Robert Gates, U.S. Secretary of Defense, "Landon Lecture at Kansas State University", U.S. Department of Defense, 26 November 2007, <http://www.defenselink.mil/speeches/speech.aspx?speechid+1199>.

missions began in 1994 in Haiti and the U.S. has now become the largest contributor to CIVPOL missions. Independent U.S. initiatives in civilian police training and rule of law efforts in post-conflict countries are evident as early as the late 1980s with police training in Latin America. Thus, recognition of the role of policing and rule of law has long existed within the U.S. government but the organization of these responsibilities across departments points to the major struggle which the U.S. has encountered in this field. With capacities spread from the Justice Department to the U.S. Agency for International Development (USAID), American efforts in this arena have proved ad hoc “with little interagency planning and coordination and often the U.S. military in the lead”.³⁷ In addition, personnel for such CIVPOL or police training activities were often sourced from pricey private security contractors such as DynCorps, and not within the government.

International engagement quickly took center-stage in the Bush administration’s first term facing a dramatically altered security environment in the wake of the September 11th terrorist attacks. Amid the aftermath of a swift military victory in Afghanistan and Iraq, the glaring insufficiencies of U.S. capabilities in reconstruction and stabilization shone bright. Administration officials, Congressmen and the think tank community grappled to offer remedies to the evident, systemic problem within the U.S. crisis management structure. While individual agencies sought to improve their part in stabilization and reconstruction efforts, “each department’s failures are magnified by the overall lack of coordination and strategy with the government as a whole”.³⁸ An attempt to provide coordination and initiate greater changes in U.S. capacities manifested itself in the form of the Office of the Coordinator of Reconstruction and Stabilization created within the State Department in July 2004 by a Congressional mandate. As described by the first Coordinator for S/CRS, Ambassador Carlos Pascual: “The office was created with the mandate to lead, coordinate and institutionalize U.S. government civilian capacity to prevent or prepare for post-conflict situations, to help stabilize and reconstruct societies in transition from conflict or civil strife.”³⁹ Advocates of such reforms praised the creation of the new office, a long needed aid in healing the ad hoc nature of U.S. efforts past.

³⁷ N. Serafino & M. Weiss, “Peacekeeping and Conflict Transitions: Background and Congressional Action on Civilian Capabilities”, RL32862, Congressional Research Service, The Library of Congress, 18 September 2006, p. 3.

³⁸ F. Barton et al., “A Steep Hill: Congress and U.S. Efforts to Strengthen Fragile States”, Center for Strategic and International Studies, Washington, D.C., 20 March 2008.

³⁹ Carlos Pascual, “Stabilization and Reconstruction: Building Peace in a Hostile Environment”, delivered to the Senate Committee on Foreign Relations, Washington, D.C., 16 June 2005.

U.S. Conception of Stabilization and Reconstruction

As laid out in National Security Presidential Directive 44 (NSPD-44) which mandated S/CRS in December 2005, the Bush Administration sought to apply a 'whole of government' approach, placing the Secretary of State at the helm of efforts to coordinate and integrate the resources of U.S. Departments and agencies to conduct S&R operations with or without the military.⁴⁰ The Secretary is also tasked with harmonizing S&R efforts if a military operation is planned or ongoing.⁴¹ Department of Defense Directive 3000.05 commits the Defense Department to develop its functions for S&R, in complement to NSPD-44.⁴² The S/CRS office has already sought to embrace this 'whole of government' concept by detailing staff from State, USAID, Defense, Treasury, Justice, Homeland Security, the CIA and others. As former Secretary Rice noted in a 2006 speech at Georgetown University, "we envision this office assembling and deploying the kinds of civilians who are essential in post-conflict operations: police officers and judges and electricians, bankers and economists and legal experts and elections monitors".⁴³ In complement to this 'whole of government' approach, a community of Administration, Congressional and think tank supporters have coined the term 'smart power' which advocates the "integration and appropriate application of all the tools of statecraft".⁴⁴ A series of Congressional hearings on 'smart power' were initiated under then Senator Joe Biden's chairmanship of the Senate Foreign Relations Committee, signaling a growing interest and concern for S&R efforts within the U.S.

The intended deployment capacity of S/CRS consists of three tiers of Civilian Response Corps (CRC) to be organized and operated from S/CRS for S&R purposes. An Active Component of optimally 250 rapid responders will be federal employees⁴⁵ employed solely to the purposes of S&R, including training and immediate deployment.

⁴⁰ "National Security Presidential Directive 44: Frequently Asked Questions", U.S. Department of State, Office of the Coordinator for Reconstruction and Stabilization, retrieved 10 June 2009, <http://www.crs.state.gov/index.cfm?fuseaction=public.display&shortcut=49QT>.

⁴¹ The White House, "Management of Interagency Efforts Concerning Reconstruction and Stabilization", National Security Presidential Directive 44, 7 December 2005.

⁴² U.S. Department of Defense, "Managing Support for Stability, Security, Transition and Reconstruction Operations", Department of Defense Directive 3000.05, 28 November 2005.

⁴³ Condoleezza Rice, "Transformational Diplomacy", speech delivered at Georgetown University, Washington, D.C., 18 January 2006, U.S. Department of State, <http://www.state.gov/secretary/rm/2006/59306.htm>.

⁴⁴ General A. Zinni, USMC & Admiral L. Smith, USN "Smart Power: Building a Better, Safer World," Joint Testimony before the U.S. Senate Foreign Relations Committee, 5 March 2008.

⁴⁵ The CRC has recently formalized into a partnership of eight departments and agencies including the Department of State, USAID, the Department of Agriculture, the Department of Health and Human Services, the Department of Homeland Security, the Department of Justice and the Department of the Treasury. "Introduction to the Civilian Response Corps", US Department of State, Office of the Coordinator for Reconstruction and Stabilization, retrieved 10 June 2009, <http://www.crs.state.gov/index.cfm?fuseaction=public.display&shortcut=4QRB>.

This 'cadre of specialists' would assess the needs of the situation on the ground and provide logistical guidance.⁴⁶ The Standby Component comprises full-time government employees who have certain expertise and skill-sets and have volunteered to undergo training and be considered for deployment within 30 days for six months. A database would track this pool; S/CRS has requested funding for 2,000 Standby members.⁴⁷ The Reserve Component seeks to cover the broad range of expertise needed for successful S&R activities, expertise which may not always be available on staff. A pool of, ideally, 2,000 non-U.S. government employees such as city planners, civil engineers or police trainers would train similarly to the National Guard.⁴⁸ A list of 121 career skill categories have been identified as necessary for S&R activities, a majority of which fall in the areas of public security and rule of law.

In Practice

Though created in 2004, only in July of 2008 did S/CRS receive a substantial budget for its activities and only with the impetus of this budget was the Civilian Response Corps formally launched that same month. Funding has provided enormous momentum to the office's work and has afforded the CRC the attention of federal employees across government agencies. S/CRS has hired individuals for both the Active and Standby Components of the CRC which now number 113 and 500, respectively.⁴⁹ S/CRS has sent members of its office and members of the Active Component to Afghanistan, Haiti, the Eastern Congo and Sri Lanka to lead small assessment teams to determine what S/CRS, and more broadly what U.S. government resources can bring to the improve the situation. Members of the Standby Component have also been deployed; in one case a foreign affairs officer in the State Department was deployed for 90 days to Afghanistan with the objective of enhancing civil military cooperation at the brigade level. While these events indicate a degree of deployability with regard to U.S. S&R capabilities, the CRC is undoubtedly still in its early days of development.

⁴⁶ Interview with U.S. official, USEU, *op.cit.*

⁴⁷ John Herbst, Coordinator S/CRS, "Stabilization and Reconstruction Operations: Learning from the Provincial Reconstruction Team (PRT) Experience", Statement before House Armed Services Subcommittee on Oversight and Investigations, 3 October 2007, p. 4.

⁴⁸ Interview with U.S. official, USEU, *op.cit.*

⁴⁹ "Report to Congress on Implementation of Title XVI of P.L. 110-417, the Reconstruction and Stabilization Civilian Management Act of 2008", U.S. Department of State, Office of the Coordinator for Reconstruction and Stabilization, retrieved 10 June 2009, <http://www.crs.state.gov/index.cfm?fuseaction=public.display&shortcut=CDFI>.

3.3 Convergence or Divergence? EU-U.S. Conceptions and Approaches

A striking resemblance between EU and U.S. perceptions of CCM and S&R appears throughout an examination of each actor's developments in the field. Though vastly different narratives – the EU one of *creating* policies and institutions and the U.S. one of *adapting* existing agencies and policies – the need for civilian capacities has gathered similar support and momentum in both the EU and U.S. The experiences of each actor also demonstrates that acquiring the necessary tools to confront instability in conflict situations today is still a relatively new challenge to which each continues to take steps to confront. This theme can be seen in the coinciding shifts that occurred in the EU and U.S. somewhat recently. The 'breakthrough' in the EU with the 2004 Action Plan and the 2004 creation of S/CRS within the State Department both refocused the attention of policies to better address crisis management.

A similar recognition and appreciation for the complexities present in stabilization and reconstruction undertakings offers perhaps the greatest area of convergence. The EU may have framed such tasks in the form of CCM priority areas or operational labels (police missions, border assistance missions, etc.), while the U.S. has sought to harness existing civilian resources across government agencies, but nonetheless their conceptions embrace a wide understanding of the tools necessary for the job. The idea of an 'integrated' response lay at the core of EU and U.S. policy. Their operational goals both consist of developing the capacity to shoulder a mission that can address the variety of needs which societies emerging from conflicts will bring forward. S/CRS plans for a three tiered civilian response corps greatly resemble the Union's CRTs and overall modular/package approach. One EU official even suggests that there was a "certain amount of inspiration" taken from the EU in developing the parameters of the U.S. CRC.⁵⁰ In addition, the policing and rule of law activities which have taken priority in EU CCM are also present in a central way in U.S. plans for the CRC.

In addition, both have acknowledged that their efforts face a "spectrum of conflict",⁵¹ necessitating responses ranging from military intervention to unarmed civilian monitoring. In its 'comprehensive approach' the EU seeks to integrate both military and civilian responses catered to the intensity of the conflict. Likewise NSPD-44 plans for scenarios in which the civilian resources will be deployed both independently and in "harmonization with planned or ongoing U.S. military operations".⁵² The rhetoric of each actor, however, lacks backing by substantial operational experience in applying this

⁵⁰ Interview with EU official, Directorate of Civilian Crisis Management, Directorate General E-9, Council of the European Union, Brussels, 30 April 2008.

⁵¹ The White House, National Security Presidential Directive 44, *op.cit.*

⁵² *Ibid.*

civ-mil approach. Successful integration of both military and civilian ESDP capacities on the ground still confronts EU policymakers as one of the biggest shortfalls in their professed expertise in the field. For Washington, the introduction of a strong civilian agency presence alongside troops in the field will likely face the challenge of carving a role for itself among those S&R tasks traditionally dominated by the military and take time to evolve into practice.⁵³ Both actors also face parallel obstacles to their rapid response aspirations and in securing their aspired number of personnel. While the EU struggles to obtain necessary resources from Member States, U.S. officials have turned from former habits of recruiting through pricey private contractors to now struggling to coordinate and train to capacity U.S. government employees.

In sum, as one U.S. official suggests, U.S. endeavors in S&R have “the same intellectual approach as the EU”.⁵⁴ Upon deeper comparison remarkable similarities in EU CCM and U.S. S&R may prompt observers to suggest that the ‘comprehensive approach’ which lay at the heart of the EU’s policy in CCM and the ‘whole of government’ approach which forms the foundation of U.S. policy in this field are nearly equals. Though basic institutional differences between the EU and U.S. naturally affect the way in which this policy is pursued and the challenges this policy will face, the common intellectual underpinning, I argue, exists.

4. The Emergence of Cooperation: Time Is Ripe

While the U.S. and EU appear on the same page in their strides to develop policy in CCM and S&R, practical cooperation in the area has faced the realities of the deep-set paradigm of NATO primacy which has long governed the transatlantic security relationship. Since ESDP’s beginnings U.S. policy toward the Union’s endeavors have been one of hesitancy to engage and endorse ESDP and insistency that NATO remain the forefront actor in transatlantic security. The gradual emergence of a bilateral relationship has appeared only recently and discretely.

The long-running debate triggered in Washington by the creation of the ESDP, as one author notes, has cooled to the credit of the rising significance of integrated, civilian post-conflict capacities and American recognition of growing EU expertise in the field.⁵⁵ The mounting transformation underway in the U.S. offers the greatest impetus for cooperation. Growing in popularity, ‘smart power’ has become the buzz word in

⁵³ N. Bensahel et al. , *Improving Capacity for Stabilization and Reconstruction Operations*, RAND National Defense Research Institute, Santa Monica, 2009, p. 7.

⁵⁴ Interview with U.S. official, USEU, *op.cit.*

⁵⁵ E. Brimmer, *Seeing Blue: American Visions of the European Union*, Chaillot Paper, no. 105, Paris, EU Institute for Security Studies, 2007, p. 19.

Washington, and S/CRS stands as the most practical incarnation of these efforts. The creation of an office charged with the task of harnessing the civilian capacities of the U.S. government made, for the first time, cooperation with international partners in this field possible. Mandated specifically to ‘leverage international resources’ and pursue coordination with foreign partners, a clear path was paved for S/CRS to knock at the door of the EU.⁵⁶ Indeed, in 2005 the first S/CRS head Carlos Pascual, who an EU official recalled as “very vocal” and “very interested”, set out on this path, approaching his EU counterparts.⁵⁷

The time proved ripe, however, for reasons on both sides of the Atlantic. While the U.S. became positioned, both institutionally and philosophically, to cooperate, the EU also became poised for courtship by the U.S. Launching its first ESDP mission in only 2003, the Union had yet to solidify its legitimacy as an actor in international security and defense. As one U.S. official notes, the Administration viewed ESDP deployment, in its early days, as merely a testing mechanism for European integration.⁵⁸ With a mission or two under its belt, the EU was simply “checking a box”.⁵⁹ As ESDP activities extended in size and scope, and ventured to situations which saw EU personnel in conditions involving actual risk, Washington regarded ESDP endeavors with greater seriousness. “Curious,” as one EU official suggests, and recognizing the competence the EU had acquired in CCM, U.S. officials, and certainly S/CRS, felt there were lessons to be learned from their partners across the Atlantic.⁶⁰

4.1 Comprehensive Approach

However, attempts by EU and U.S. officials to include a pledge to pursue cooperation in the area of crisis management within the 2005 EU-U.S. Summit statement were a “flop”.⁶¹ At the core of what would become a nearly three-year effort by policymakers to formalize a partnership lay the two words ‘comprehensive approach’. EU officials insisted on the inclusion of this phrase, the concept which lay at the heart of ESDP. Not simply a ‘civilian power’, the Union views civil-military synergies as inseparable and foundational to successful engagement in failed states. Though purporting an integrated, ‘whole of government’ approach themselves, dabbling into the realm of

⁵⁶ Interview with EU official, Directorate Transatlantic Relations, Directorate General E, Council Secretariat, Brussels, 27 March 2008.

⁵⁷ *Ibid.*

⁵⁸ Interview with U.S. official, USEU, *op.cit.*

⁵⁹ The interviewee added, “some police missions were smaller than even the U.S. Army Band”.
Ibid.

⁶⁰ Interview with EU official, DGE-9, *op.cit.*

⁶¹ *Ibid.*

bilateral military cooperation with the EU triggered a red light for U.S. officials. Meanwhile, EU officials were staunchly resisting being placed “in a civilian box.”⁶² Though grateful for the possibility of cooperation, EU policymakers would not compromise the foundational concepts of ESDP. In 2005, “we couldn’t get around the civ-mil knot” as one individual describes.⁶³ Jeopardizing NATO primacy played nowhere in the cards as U.S. interagency officials made clear by putting a hold on 2005 efforts.

Thereafter “ideas filtered slowly,” according to one individual involved, and in the 2006 summit statement reference was included to “positive and mutually beneficial dialogue” in ‘crisis management’.⁶⁴ Regular consultation was established between EU representatives and S/CRS. Cooperation began to manifest itself in subtle ways, with EU participation in two Multinational Exercises conducted by the U.S. and NATO in addition to other countries.⁶⁵

The 2007 summit statement heralded a breakthrough in efforts. In what many interviewees expressed as an arduous ongoing debate, the concluding paragraph of the joint statement awarded policymakers the fruits of their endurance: recognition that “modern crisis management requires a comprehensive approach”.⁶⁶ Though quickly followed by a reiteration of commitment to NATO, officials obtained their mandate to move forward on a work plan. Softened to acceptability with a careful balance of ‘civilian’ references and commitment to enhancing multilateral efforts through NATO, the UN and other forums, the Work Plan was released in December 2007. “The actors still hold their understanding of [comprehensive approach]”, as one official suggests, but most agree the intellectual approaches of the Union and those that are embodied by S/CRS are in reality quite comparable.⁶⁷ Another notes “the fact that we could come to this agreement reflects that our perspectives are growing ever-closer together”.⁶⁸

⁶² *Ibid.*

⁶³ *Ibid.*

⁶⁴ The White House, “2006 U.S.-EU Summit Progress Report on Political and Security Issues”, 21 June 2006, <http://www.whitehouse.gov/news/releases/2006/06/20060621-4.html>.

⁶⁵ These Multinational Exercises (MNE 4 and MNE 5) are three week long exercises which aim at closer cooperation and practice in performing post-conflict stability and reconstruction missions. V. Crawley, “Multinational Exercise Aims to Improve Post-conflict Teamwork”, U.S. Mission to the EU, 14 February 2006, retrieved 19 March 2008, <http://useu.usmission.gov>.

⁶⁶ The White House, “2007 EU-U.S. Summit Promoting Peace, Human Rights and Democracy Worldwide”, 30 April 2007, <http://www.whitehouse.gov/news/releases/2007/04/20070430-13.html>.

⁶⁷ Interview with EU official, DGE-9, *op.cit.*

⁶⁸ Interview with a U.S. official, Bureau of European and Eurasian Affairs (EUR/ERA), U.S. Department of State, 2 May 2008.

4.2 The Work Plan: Thematic and Continual Cooperation

Centered on “thematic and continual cooperation”, the provisions prescribed in the Work Plan – in its full title “EU-U.S. Technical Dialogue and Increased Cooperation in Crisis Management and Conflict Prevention” – are described by one official as “not very sexy”.⁶⁹ While cooperation may in the future manifest itself in country- or conflict-specific collaboration, the Work Plan’s primary aim is to create a relationship through which European and American policymakers can together develop and better their approaches to meeting the security challenges emanating from crises. Several main areas for cooperation, areas in which joint efforts have already begun, demonstrate the nature of the work EU and U.S. officials have set out to do.

Security Agreement and Exchange of Watch-Lists

The most notable feat accomplished by policymakers thus far has been the exchange of country watch lists: each actor’s internal report of countries which pose the greatest risks of instability. A security agreement signed early 2008 allowed for the exchange of classified documents, a crucial step, and significant advancement, in the relationship. The swap facilitates cooperation through both discussion of each actor’s methods for determining the list, which one official suggests vary greatly, and collaboration on where and how policymakers might add value in addressing a conflict situation. Selecting a handful of countries/conflicts EU and U.S. policymakers can consider a range of options – political engagement, development assistance, a civilian mission, etc. – and strive to coordinate the response deemed most suitable.⁷⁰

Best Practices, Lessons Learned, Training

As emphasized by several interviewees, the logistics behind recruiting for, coordinating and conducting civilian conflict response activities poses many difficulties for actors, far more complex than the military. In the rather entrepreneurial realm of dealing with civilian aspects of conflict management, the EU and U.S. continue to develop and refine their approaches and operational concepts. Dialogue on best practices and lessons learned will aim to augment the capacity of both parties to work effectively in the field. Recognizing EU expertise in the field, especially in police missions, U.S. policymakers are particularly interested in this facet of cooperation. Asking questions, exchanging ideas, planning exercises – these activities embody the larger aim of the Work Plan as the floor map for a forum in which the EU and U.S., acknowledging that

⁶⁹ *Ibid.*

⁷⁰ Interview with U.S. official, USEU, *op.cit.*

much remains to be explored in the field, can discover new methods and ideas together.

Multilateral Cooperation

“We are definitely not at the center of it all”, one official pointed out, “it’s fast-changing; everyone is setting the standards”.⁷¹ Empowering the UN, the OSCE, the G-8, certainly NATO and other international actors, policymakers have viewed this bilateral partnership in the bigger picture, recognizing the global effort in forming capacities for conflict prevention and crisis management. Particular emphasis is placed upon support for the UN Peacebuilding Commission. Both EU and U.S. officials noted the importance of multilateral initiatives, expressing interest in “seeing what we can do to reinforce these efforts.”⁷²

Policymakers involved in the Work Plan foresee a busy agenda for their work together, and one such opportunity has already presented itself as a forum for collaboration. Looking to U.S. participation in EULEX Kosovo as a test case will provide insight into potential obstacles the bilateral security relationship may face as cooperation, both on the ground and as called for in the Work Plan, comes under way.

5. The Kosovo Test Case: Looking to the Future

The U.S. contribution to the ESDP Mission in Kosovo, formally launched in December 2008, runs on a separate storyline as the Work Plan, but I argue there is a crucial connection between the two. Though cooperation in Kosovo “is not held hostage by the Work Plan,” as one official made a point to mention, the scenario can serve as a suitable sample case from which to anticipate where problems may arise in a more regular, continual relationship in the field of CCM as planned for the future.⁷³ Playing the role of a third-party contributor in an ESDP operation certainly is not the primary objective of U.S. engagement with the Union in CCM cooperation. Joint development of concepts and best practices alongside joint assessment of international conflicts will provide a platform from which combined efforts in the field will only later begin. The current EU-U.S. relationship remains in only the first stages of cooperation, while the Kosovo partnership is as one U.S. official describes, a “one off”.⁷⁴

The novelty of this development, however, deserves its due praise. The first instance of U.S. participation in an ESDP operation, the event speaks bounds to the

⁷¹ Interview with EU official, DGE Transatlantic Relations, *op.cit.*

⁷² Interview with U.S. official, EUR/ERA, *op.cit.*

⁷³ Interview with EU official, DGE Transatlantic Relations, *op.cit.*

⁷⁴ Interview with U.S. official, USEU, *op.cit.*

genuine cooling in U.S. perceptions of EU endeavors in the area of security and defense. Kosovo has long been the sight for a web of various international projects and activities. As the EU heads international efforts to maintain stability while Kosovar authorities transition their society to independence, the U.S. contribution of roughly 80 police officers and eight rule of law experts to EULEX Kosovo signals U.S. recognition of the Union's civilian operational capacity.⁷⁵ Though the implications of this unprecedented development prove positive for transatlantic security relations, working through the details and repercussions of such an arrangement may surface complications in this new area of cooperation.

Institutional Complications

Still in its infancy, S/CRS has only begun to take reign of interagency cooperation in the area of S&R, and thus the range of assets envisioned for various non-military operations span a handful of U.S. departments, from the Justice Department to USAID, and even other bureaus within the State Department. In EULEX Kosovo, for example, S/CRS will not "hold the line" on U.S. participation.⁷⁶ The creation of S/CRS in 2004 does not affect the functioning of any existing bureaus within the U.S. government, and as the CRC continues to develop, police recruitment for international civilian activities continues to fall to the Bureau of International Narcotics and Law Enforcement within the State Department, and thus responsibility for the contribution to EULEX Kosovo has fallen accordingly. EU officials involved in cooperation with the U.S. on CCM have pointed out that S/CRS "is not an exclusive partner" but that the Work Plan allows for cooperation across U.S. government agencies.⁷⁷ As the U.S. works to formalize and implement a 'whole of government' approach at home, confusion seems to linger among U.S. officials concerning the role and place of S/CRS in the development and operation of this approach.⁷⁸ The efforts of the U.S. government at home *and* cooperation with the Union may be impeded if EU policy makers bypass S/CRS and freely roam the directories of multiple U.S. government agencies.

At the same time the EU's multinational nature may burden its ability to be a viable partner in this policy area. In the case of EULEX Kosovo, deployment faced months of delay at the hand of Serbian concerns that the mission would not protect the

⁷⁵ Interview with U.S. official, Political Section, U.S. Mission to NATO, Brussels, 22 June 2009. The U.S. is the 5th or 6th largest contributor to EULEX Kosovo overall. Interview with U.S. official, U.S. Mission to the European Union, Brussels, 20 July 2009.

⁷⁶ Interview with U.S. official, USEU, 7 April 2008, *op.cit.*

⁷⁷ Interview with EU official, DGE-9, *op.cit.*; also reiterated by Interview with EU official, DGE Transatlantic Relations, *op.cit.*

⁷⁸ Interview with U.S. official, USEU, 20 July 2009, *op.cit.*

rights of Kosovo Serbs.⁷⁹ Originally agreed in December 2007, the rule of law mission did not deploy until December 2008 and only then began its work on the condition of neutrality to Kosovo's status. However, as EU officials adhered closely to the pledge of EULEX neutrality in press statements and interviews, former U.S. Assistant Secretary of State Daniel Fried announced without hesitation in an OSCE Ministerial Council meeting that the EULEX mission is "not status-neutral at all" but would "greatly strengthen Kosovo's territorial integrity".⁸⁰ While the EU must tread carefully, and sometimes at the detriment or delay of crisis management operations, on sensitive issues where Member States' national positions vary greatly,⁸¹ the U.S., by simple virtue of being a federal entity, can and will often act more boldly and with stronger policy positions and mandates. Likewise, U.S. stabilization and reconstruction capabilities, though still in the early stages of development, will be resourced from a single federal government and do not rely on national contributions, with personnel varying in degrees of training, as must the EU. If lengthy delays, weak mandates or inefficiencies in personnel numbers or competence become recurring themes in the EU's CCM endeavors the U.S. may well bypass cooperation with the Union and opt to act alone or through a coalition of the willing.

Pushing its Way In? U.S. Influence and Control

As a third-party contributor in EULEX Kosovo, the U.S. has acquired a seat on the Union's Committee of Contributors which periodically meets to obtain updates and discuss the operation. As Turkey has long complained, however, the Committee members hold no control over the political decisions taken on the mission. As one U.S. official put bluntly, "the U.S. won't sit still on this; we insist on having a meaningful voice in strategic decisions".⁸² Holding a hard line on augmenting their say as a contributor, U.S. officials suggested the U.S. would push for a 'mechanism' to have its views taken into account. The curiosity and open-mindedness of American officials, in particular those in S/CRS, in seeking out cooperation in an area the Union has considerable expertise will face reconciliation with Washington's desire to remain informed and in control of U.S. involvement abroad. A fear may develop on the part of EU policymakers that cooperation in CCM may become a facet through which Washington can "check in"

⁷⁹ "EU Launches Kosovo Police Mission", *BBC*, 9 December 2008, retrieved 10 June 2009, <http://news.bbc.co.uk/2/hi/europe/7772548.stm>.

⁸⁰ Daniel Fried, Assistant Secretary of State, "Press Conference of Assistant Secretary of State Daniel Fried, OSCE Ministerial Council Meeting, Helsinki, Finland," 5 December 2008, retrieved 10 June 2009, http://osce.usmission.gov/media/pdfs/mc/pressconf_120508_fried_transcript.pdf.

⁸¹ Several EU Member States have not recognized Kosovo's independence.

⁸² Interview with U.S. official, USEU, 7 April 2008, *op.cit.*

on “what the Union is up to”.⁸³ If U.S. officials manage to obtain a higher position of influence than typical for third parties, Member States or other third-party contributors may complain that the U.S. has received special treatment.

Back to NATO

The EULEX Kosovo case also sheds light on the broader issue at play in the transatlantic security relationship: NATO dominance. As plans for the U.S. contribution were announced and began to formalize, U.S. policymakers took great care to reinforce the message that the contribution would be a ‘one-off’. One U.S. official recalls having to calm NATO partners with the assurance that the operation was *civilian* only.⁸⁴

As the operation has gotten underway, U.S. policymakers seem pleased with the state of cooperation at the institutional level and on the ground, so much so that one official suggests they have eased from the strict ‘one-off’ policy line regarding the U.S. contribution. At the signing of the official agreement on the participation of the U.S. in EULEX Kosovo in October 2008, Assistant Secretary Fried went so far as to suggest the U.S. contribution “establishes a precedent” for what he hopes “is a future cooperation between the U.S. and EU”.⁸⁵ U.S. officials admit that there are “practical and pragmatic”⁸⁶ cases where contribution to an EU mission, particularly in the present future as the U.S. finds itself overstretched in other parts of the world, could prove the optimal option for the U.S.⁸⁷ One U.S. official even admits some U.S. policymakers could see the logic in, on a limited, cautious basis and in a very practical sense, military-to-military cooperation with the EU.⁸⁸ The timing of positive results in cooperation with EULEX Kosovo around the same time as the EU took the lead in counter-piracy efforts off the coast of Somalia may certainly have the new U.S. Administration pondering its scope and manner of cooperation with the EU in the realm of security.

At the same time, however, those same policymakers are mindful of the effects of such actions on NATO. An influx of U.S. direct cooperation with the EU in civilian, and especially military, ESDP operations could pose an existential threat to the Alliance. With each instance of bilateral cooperation the U.S. fears “training the EU to bypass NATO” and come knocking directly at Washington’s door for material and personnel resources

⁸³ *Ibid.*

⁸⁴ *Ibid.*

⁸⁵ Daniel Fried, Assistant Secretary of State, “Assistant Secretary Fried Welcomes U.S. Participation in EULEX Kosovo Mission”, U.S. Mission to the EU, retrieved 20 July 2009, http://useu.usmission.gov/Dossiers/Balkans/Oct2208_Fried_EULEX_Statement.asp

⁸⁶ Interview with U.S. official, USEU, 20 July 2009, *op.cit.*

⁸⁷ Interview with U.S. official, USNATO, *op.cit.*

⁸⁸ *Ibid.*

for ESDP missions.⁸⁹ Bilateral cooperation also does not serve to better the state of NATO-EU cooperation, a partnership that officials on both sides of the Atlantic readily admit is flawed. Despite a significant warming of U.S. government attitudes toward ESDP the central fact remains: the U.S. is a member of NATO; it is not a member of the EU. Without a seat at the table, the U.S. simply lacks a significant degree of involvement in an operation, particularly in the planning process. As ESDP and NATO adapt and address future global crises, U.S. officials must weigh the benefits and drawbacks of bilateral cooperation with the EU and carefully develop a balanced way ahead. Likewise EU officials will have to consider exercising sensitivity to U.S. concerns and restraining themselves from too outwardly circumventing NATO, or the task of improving the NATO-EU relationship, and knocking directly at Washington's door.

6. Conclusion: Tackling Today's Complex Crises Together

This paper has investigated a twofold question. The first part of that question asked whether the EU and U.S. conceive and approach non-military conflict response in similar ways. I have argued that Americans and Europeans continue to cope with the reality that the burden of Afghanistan and, to a lesser extent now, Iraq has not yet been lifted from their shoulders. The challenges of stabilization and reconstruction continue to send policymakers grappling for answers and resources. As I have shown, both Washington and Brussels are looking in the same direction for remedies to their questions. Regardless of the name they prefer, be it 'whole of government' or 'comprehensive approach', the complex crises of today demand an integrated, holistic response, one which calls on the collective action of a range of civilian assets and the capacity to manage operations across the spectrum of conflict. Faced with tasks that require extensive planning, capable personnel and long-term political will, EU and U.S. officials have heard and heeded the call for collective action.

The second part of the question explored in this piece inquired why cooperation in CCM has come so cautiously and how it may develop in the future. I have argued that the years of efforts prior to the release of the Work Plan have signaled that EU-U.S. cooperation in CCM has intruded into a policy area formerly off-limits to bilateral action and reserved by NATO. The eventual success of those years of efforts has signaled that this partnership has accessed a new path for security relations and even contributed to a broader paradigm shift in the transatlantic security community. Looking to the case of U.S. participation in EULEX Kosovo, however, indicates that traditional NATO dominance

⁸⁹ *Ibid.*

over transatlantic security relations will likely linger as an obstacle to bilateral cooperation alongside other challenges such as institutional complications.

Nonetheless, the enthusiasm I gathered from both EU and U.S. interviewees suggests that a bigger prize lay in the initiatives begun by the Work Plan. As one EU official predicts, the efforts in CCM could well be a 'gateway' to deeper security ties and the key to a transformed EU-NATO-U.S. joint venture in confronting international security issues.⁹⁰ The optimal arrangement envisioned by one U.S. official would come when the EU, NATO and the U.S. could "sit around a table and ask: which organization is best suited to respond to this issue? What is needed and who will provide those elements?"⁹¹ Cooperation in CCM has taken the first step toward this "seamless relationship".⁹²

The election of President Obama and certainly his trips to Europe thus far have, as one journalist phrases it, "removed the bad taste of the last eight years".⁹³ At the same, at the annual Munich security conference where former Secretary of Defense Donald Rumsfeld had made his famous 'old' and 'new' Europe speech, Vice President Joe Biden this year stated U.S. support for "the further strengthening of European defense, an increased role for the European Union in preserving peace and security".⁹⁴ The mending of transatlantic ties and the warming of U.S. policy towards ESDP are trends that appear will continue in the months and years to come. With work initiated under the Work Plan and positive results from the first U.S. contribution to an ESDP mission, the EU and U.S. are well on their way to finding themselves side by side in confronting today's complex crises.

⁹⁰ Interview with EU official, DGE Transatlantic Relations, *op.cit.*

⁹¹ Interview with U.S. official, USEU, *op.cit.*

⁹² *Ibid.*

⁹³ M. Bergmann & J. Lamond, "Obama's NATO pragmatism", *The Guardian*, 6 April 2009, retrieved 10 June 2009, <http://www.guardian.co.uk/commentisfree/cifamerica/2009/apr/06/nato-barack-obama-afghanistan>.

⁹⁴ Joseph Biden, Vice President of the United States, "Remarks by Vice President Biden at 45th Munich Conference on Security Policy", Hotel Bayerischer Hof, Munich, 7 February 2009.

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