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Note from the Editors

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In this issue we have what will be the final report on an EU Presidency and the CFSP. Johansson examines the Swedish Presidency as the final act before the new chairing arrangements under the Lisbon Treaty came into force. We also have an article by Peen Rodt examining what might be the appropriate criteria for judging success in EU military conflict management operations. The final piece is a research note by Petrov reporting ongoing research on the EULEX operation in Kosovo.

We would like to extend our thanks to Emma Stewart who has completed her term as co-editor of *CFSP* Forum and wish her the best for the future. We welcome your comments at cfspforum@lists.bath.ac.uk

Contents

'Success' in EU military conflict management operations: What is it?

Annemarie Peen Rodt, Exeter Centre for Ethno-Political Studies (EXCEPS)

Academic interest in the international role of the EU has been revived in recent years. A reoccurring theme in the current debate is whether the EU can play a meaningful part in conflict management beyond its borders. Since the Union established the European Security and Defence Policy (ESDP) in 1999, its endeavours in military conflict management have rapidly developed. So far the EU has launched five military operations to help manage conflicts in Macedonia, Bosnia and Herzegovina, the Democratic Republic of Congo, Chad and the Central African Republic. As these operations have been undertaken in the field, corresponding case studies have examined their achievements. Despite this academic interest, a theoretically grounded understanding of how to define success in these operations has

yet to be developed. This article posits that it is important to fill this gap in the ESDP literature because in order to achieve success it is crucial to know what it is. Moreover, to accurately evaluate and explain success in past operations and to predict success in future operations a theoretically sound understanding of what constitutes success is required. The purpose of this article is to encourage a scholarly debate concerning the notion of success in EU military conflict management. This would advance not only the theory and practice of the ESDP, but add a new dimension to contemporary debates on military intervention, conflict management and international peacekeeping.

The state of the debate

The conceptual discussion of success in the ESDP literature is limited at best. It is assumed that success is obvious. One knows it when one sees it. Consequently, success in EU military conflict management operations is evaluated on an *ad hoc* basis rather than systematically examined according to theoretically sound criteria. An evaluation framework for success in EU military conflict management operations does thus not yet exist. This article suggests that such a framework should be constructed. In order to accurately evaluate, explain and predict success in EU military conflict management operations, what is meant by the term success must first be defined.

Generally speaking, success means to reach a desirable outcome. The question in this context is: desirable to whom? This issue is at the heart of EU military conflict management, yet it is hardly discussed in the ESDP literature. On the contrary, the definitions of success, which are implicit rather than explicit in the literature, vary considerably. The notion of success itself has not been subject to much in depth debate in the study of the ESDP. Scholarly perspectives from the study of international peacekeeping, conflict management, military intervention and foreign policy analysis can complement the ESDP literature in this regard.[1] This literature is useful, because the problem of which perspective to adopt when defining success is not confined to the evaluation of EU military conflict management operations. Pushkina and Baldwin have highlighted academic disputes concerning whether to evaluate success from the perspective of the policy actor, the target or according to theoretically defined standards or principles in the study of international peacekeeping and foreign policy analysis.[2] This same problem

[1] Daniel Druckman et al., 'Evaluating peacekeeping missions', *Mershon International Studies Review*, 31:1(1997), pp. 151-165; Lawrence Freedman, 'Interventionist strategies and the changing use of force', in Chester A. Croker, Fen Osler Hampson and Pamela Aall (eds), *Turbulent peace: The challenges of managing international conflict* (Washington, D.C.: United States Institute of Peace Press, 2006), pp. 309-321; Richard N. Haas, 'Using force: Lessons and choices', in Chester A. Croker, Fen Osler Hampson and Pamela Aall (eds), *Turbulent peace: The challenges of managing international conflict* (Washington, D.C.: United States Institute of Peace Press, 2006), pp. 295-307; Lise Morje Howard, *UN peacekeeping in civil wars* (Cambridge: Cambridge University Press, 2008); Oliver Ramsbotham, Tom Woodhouse and Hugh Miall, *Contemporary conflict resolution* (Cambridge: Polity, 2005); Mark Howard Ross and Jay Rothman, *Theory and practice in ethnic conflict management: Theorising success and failure* (Basingstoke: Palgrave, 1999); Taylor B. Seybolt, *Humanitarian military intervention: The conditions for success and failure* (Oxford: Oxford University Press, 2008).

[2] David A. Baldwin, 'Success and failure in foreign policy', *Annual Review of Political Science*, 3 (2000), pp. 167-182; Darya Pushkina, 'A recipe for success? Ingredients of a successful peacekeeping mission', *International Peacekeeping*, 13:2(2006), pp. 133-149.

characterises the emerging scholarship of EU military conflict management.

Internally defined success

In practice, a narrow definition of success reflecting the interests and intentions of the policy actor is often applied. In the military, operational success is simply understood as mandate fulfilment.[3] This perspective has been adopted by the EU with regard to its ESDP military conflict management operations. The Council evaluates success in these operations according to its own aims and objectives.[4] In effect, EU representatives often claim that all the operations to date have been successful.[5] Although a mandate may include considerations on behalf of the target, this understanding of success is internally defined, in the sense that the success criteria are decided upon by the EU alone. It is important not to automatically equate self-defined interest with self-interest; however, it is equally important to recognise that internal success criteria reflect self-defined goals. This notion of success as defined by the intervener itself can thus be referred to as internal success. According to this definition, whether an operation is a success is ultimately assessed according to whether it has reached its stated objectives. This logic suggests that the EU should be judged on its own merits alone and that whether an ESDP military conflict management operation is a success depends on whether it has fulfilled its mandate.

Internal success is an important part of an overall success. However, as a stand-alone definition internal success is problematic for three key reasons. Firstly, it suggests that an operation is successful when its outcome is compatible with the intentions and interests of the intervener (EU), disregarding that these do not necessarily reflect the needs of the target (the conflict) or indeed the overall purpose of the operation (conflict management). Secondly, assessing the operation solely according to whether it has met its stated objectives is risky, as this logic suggests that success can be ensured by a vague mandate aiming to do very little (or nothing at all). Alone this definition of success would mean that an EU military conflict management operation could be declared a success even if the conflict situation it left behind was less secure than when the operation was launched, as long as the operation fulfilled its specific mandate – however narrow this may have been. Although this is common practice, it is not an appropriate way to evaluate success. To illustrate why, it is useful to draw a comparison to medical practice: would it be right to declare a medical operation a success, even if, after the operation, the patient was still dying? This demonstrates how the absence of outright failure does not necessarily equal success. Finally, the internal

[3] Paul F. Diehl, *International peacekeeping* (London: Johns Hopkins University Press, 1994) pp. 33-61.
[4] Interview with the author, retired General from the British Army, 4 November 2008; Interview with the author, national defence representative to the EU, 9 June 2009; Interview with the author, representative from EU institution, 6 May 2009.
[5] Javier Solana (2009) 'Ten years of European Security and Defence Policy', *ESDP Newsletter*, No 9(2009), pp. 8-11. Available at http://www.consilium.europa.eu/uedocs/cmsUpload/ESDP%20newsletter%20-%20Special%20issue%20ESDP@10.pdf [Accessed: 3 December 2009]; Haakon Syren, 'ESDP 2009 – The military dimension', *Interparliamentary conference on ESDP*, Stockholm, 9 November 2009. Available at http://consilium.europa.eu/uedocs/cmsUpload/091109_Interparliamentary_Conference_ESDP.pdf [Accessed: 3/12/2009].

definition of success does not sufficiently evaluate the means by which the intervener attempts to reach its goals. It simply suggests that an operation is a success, if its implementation went according to plan, without evaluating the plan itself. To carry on the medical analogy, one could then declare an operation a success if a patient's toe stops hurting, even if this was achieved by amputating his whole leg. It is important to recall that a fundamental premise to the legitimate use of force, according to Just War Theory, is that one must:

> Consider most carefully and honestly whether the good we can reasonably expect to achieve is large enough – and probable enough – to outweigh the inescapable harm in loss of lives, damage and disruption […] It cannot be right for a leader, responsible for the good of all the people, to undertake – or prolong armed conflict, with all the loss of life or other harm that entails, if there is no reasonable likelihood that this would achieve a better outcome for the people than would result from rejecting or ending combat and simply doing whatever is possible by other means.[6]

This principle must be reflected in the understanding of success in EU military conflict management operations. Although internal success is an important part of a broader definition of success, an internal success does not necessarily constitute an overall success. Therefore, this article rejects an actor-specific definition of success based exclusively on the internal goals and intentions of the EU.

Externally defined success

The alternative practice to assessing an intervener on its own merits (internal criteria) is to define success according to a set of theoretical principles reflecting the perceived interests of the target (external criteria). With regard to military conflict management the interests of the target are usually associated with peace, justice and reduction of human suffering.[7] This suggests that success should be defined according to standards determined externally to the intervening actor. It is disputed, however, what these external criteria should be. To give but a few examples of external success criteria presented in the peacekeeping literature, Stedman and Downs have argued that a successful operation must end violence and leave behind a self-sustaining cease-fire;[8] Diehl has suggested that success is when an armed conflict is limited and an operation facilitates conflict resolution;[9] and Howard evaluates the legacy of operations after their departure incorporating aspects of maximalist standards of institution-building and positive peace, but does not go so far as to say that all missions that do not result in just, stable market economies are

[6] Charles Guthrie and Michael Quinlan, *Just war: The just war tradition: Ethics in modern warfare* (London: Bloomsbury, 2007), pp. 20-21 and p. 31.

[7] Druckman et al., *Evaluating peacekeeping missions*, op. cit., pp. 151-165.

[8] George Downs and Stephen Stedman, 'Evaluation issues in peacekeeping', in Stephen Stedman, Donald Rothschild and Elizabeth Cousens, *Ending civil wars: The implementation of peace agreements* (Boulder: Lynne Rienner, 2002).

[9] Diehl, *International peacekeeping*, op. cit., pp. 33-61.

failures.[10] These different external criteria underline a continued difficulty in defining success in military conflict management and international peacekeeping.

The conceptual problem of defining success causes further problems in the evaluation of success. Depending on which definition one applies, the level of success varies significantly. Where the internal definition arguably asks too little for an operation to succeed, the external perspective evaluates success according to an ideal state of peace (the exact characteristics of which have not been conclusively determined). Both definitions reflect misconceptions of the purpose of military conflict management operations. This causes observers to allocate the forces too little or too much responsibility – accrediting or blaming the intervener for developments to which it is neither the only nor often the decisive actor. The internal criteria set the bar too low, whereas external criteria for success, by definition, often make it all but impossible for an operation to succeed. This problem is mirrored in the ESDP literature. One should expect an EU military conflict management operation to have a positive impact on the management of the conflict. However, one should not expect an operation to resolve the underlying conflict. This is normatively unfair, analytically unsound and academically unproductive. The definition of success must correspond with the theoretical purpose of military conflict management; namely, to militarily manage the violent aspect of a conflict. Conflict management must not be confused with conflict resolution. The resolution of a conflict is dependent on the actions of domestic, regional and international actors engaged in the conflict and its regulation, not simply the presence of an EU force.[11] Therefore, this article rejects definitions of success, based solely on either internal or external criteria. Neither internal nor external success alone constitutes an overall success in EU military conflict management operations. The understanding of success must incorporate both internal and external perspectives on success, so as to reflect the interests of the intervener (EU), the target (the conflict) and the theoretical purpose of the operations (conflict management).

Conclusion

Violent conflict and military conflict management are both complex phenomena. In effect, success in military conflict management operations is a complex issue to define, let alone to evaluate, explain and predict. Because of this complexity, this article proposes that the notion of success in military conflict management operations must be based on a theoretically grounded understanding of success and a sound analytical framework for its evaluation. This is particularly important if scholars seek to compare the success of several operations or to draw lessons from completed operations to future operations and to the study of military conflict management more generally. Paris and Bures have called for more theoretically oriented research in the

[10] Howard, *UN peacekeeping in civil wars*, op. cit., p. 7.

[11] Robert C. Johansen, 'UN peacekeeping: How should we measure success?', *Mershon International Studies Review*, 38:2(1994), pp. 307-310.

study of international peacekeeping.[12] Likewise, Joergensen and Heider have pleaded for more theory-driven evaluation of the CFSP and the ESDP, respectively.[13] This article concurs with the need for more theoretically grounded research in this realm. It contends that scholarly debate and conceptual refinement concerning how to define, evaluate, explain and predict success in EU military conflict management is a vital part of such theory development. Failure to appropriately address these issues may lead to analytical misunderstanding, misguided policy prescription and in the worst case to less than successful operations. The EU has an interest in succeeding in these operations, but it is important to recall that failure in military conflict management has serious implications also for the soldiers who implement the operations and for those who live in the conflicts they seek to manage. This is why systematic scrutiny of success in EU military conflict management operations is important – not only in theory, but also in practice. This article cannot claim to be the end point of a comprehensive study of success in EU military conflict management, but hopes to be the beginning. ◊

[12] Oldrich Bures, 'Wanted: A mid-range theory of international peacekeeping', *International Studies Review*, 9(2007), pp. 407-436;Roland Paris, 'Broadening the scope of peace operations', *International Studies Review*, 2:3 (2000), pp. 27-44.

[13] Tobias Heider, 'Evaluating the CFSP/ESDP: A plea for theory-driven comparative studies', *Eyes on Europe*, 11, 3 December 2009. Available at http://eyesoneurope.eu/2009/12/evaluating-the-cfspesdp-a-plea-for-theory-driven-comparative-studies/ [Accessed: 3/12/2009]; Knud-Erik Joergensen, 'The European Union's performance in world politics: How should we measure success?' in Jan Zielonka (ed.), *Paradoxes of European foreign policy* (London: Kluwer Law International, 1998), pp. 87-102.

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The Foreign Policy of the Swedish Presidency – A Case of Nordic Efficiency?

Anna Maria Johansson, University of Bristol

When Sweden took over the chairman's gavel from the Czech Republic on 1 July 2009, it took over the Presidency of a European Union (EU) faced with an ongoing economic crisis and bogged down in a constitutional morass. In addition, the Swedish EU Presidency (SPEU09) was faced with the huge challenge of climate change as the UN Copenhagen Climate Conference (COP15) was to take place in December 2009.

Sweden's Presidency came third in the trio of Presidencies consisting of France, the Czech Republic and Sweden. In contrast to its trio-colleagues, and a majority of the EU Member States, Sweden is not a member of NATO, but rather has a long tradition of military non-alignment. Nor is Sweden a member of the Eurozone. These singularities might be thought to hamper Sweden's work in the area of the Common Foreign and Security Policy (CFSP) and weaken its commitment to the European Security and Defence Policy (ESDP). But quite to the contrary, Sweden has been one of the most active Member States in this area.[1] In the following piece the SPEU09's priorities and performance in regards to foreign and security policy will be discussed.

As with most Presidencies, quite a few items on the agenda were inherited from previous Presidencies,[2] and Sweden, a fairly small, Nordic country, started out with a rather full plate. The `Work programme for the Swedish Presidency´ sets out its six main priorities, namely `Economy´, `Climate´, `the Stockholm Programme´, `the Baltic Sea Strategy´, `the EU and the world´ and finally `the Lisbon Treaty´.[3] Already in the programme, the first two, `Economy´ and `Climate´, were singled out as most important for the Presidency. Due to developments around the Lisbon Treaty (LT), the treaty ratification process became more prominent, not to say overshadowing, than was perhaps originally anticipated.

The Lisbon Treaty

In the eleventh hour of the Czech Presidency, and after a year of negotiations, the treaty ratification process finally regained momentum. The Council agreed on the Irish Treaty terms. These contained some concessions and safeguards notably regarding Irish military neutrality. Apart from the outstanding Irish ratification, only two other Member States, Poland and the Czech Republic had yet to ratify the Treaty. Here the respective Parliaments had already ratified, but the Presidents were holding out signing the Treaty. It was generally expected that the Polish President Lech Kaczynski would sign if the Irish voted yes, whilst the Czech President Vaclav Klaus was considered to be more unpredictable. The second Irish referendum on the Lisbon Treaty took place on 2 October and the Irish voted yes with a resounding majority of 67 percent.[4] A week after the Irish referendum, the Polish President signed the Treaty as

[1] F. Lee-Ohlsson, `Sweden and the Development of the European Security and Defence Policy´, *Cooperation and Conflict*, 44:2(2009), p. 123.
[2] J. Tallberg, `The Power of the Presidency´, *Journal of Common Market Studies*, 42:5(2004), pp. 999-1022.
[3] 'Work programme for the Swedish Presidency of the EU', available at: http://se2009.eu/en/the_presidency/work_programme/work_programme_for_the_swedish_presidency_of_the_eu.
[4] See BBC News, 'Ireland backs EU's Lisbon Treaty', 3 October 2009, available at: http://news.bbc.co.uk/1/hi/8288181.stm.

expected, whilst his Czech counterpart still refused.

President Klaus, a well-known Euro-sceptic, claimed that the Treaty violated the Czech constitution despite the fact that the Czech constitutional court judged them as fully compatible. In October, intense negotiations took place between Klaus and Fredrik Reinfeldt, and the Swedish Prime Minister opted for a diplomatic strategy, rather than the hard-line approach advocated by some Member States. Reinfeldt himself described his method a one of 'getting close to Klaus and surprise him by actually listening to him'.[5] The low-key diplomacy gave results, and on 3 November the deadlock was finally broken and Klaus signed.

The SPEU09's handling of the Czech situation gave a quick and fairly painless result and ended years of constitutional uncertainty. The Swedish Prime Minister was widely praised for his diplomatic skill and expert management of the situation. As it were, Klaus' bickering did not encourage any other Member States to try for further opt-outs.

A New Parliament, President, `Foreign Minister´ and Commission

The Treaty ratification process was not the only institutional issue to make demands on the Swedish Presidency. The European Parliament (EP) elections in June 2009 meant that Sweden took over an EU with an inexperienced EP. The constitutional question marks also affected the EP as the new Treaty would reduce the overall number of parliamentarians, adding to the MEPs feeling of uncertainty. Furthermore, the Commission's tenure was up. In the wake of the implementation of the LT, the old Commission had to keep business running. This meant that quite a few Commissioners were suffering from occupational fatigue and were already busy looking for new jobs, a far from ideal situation.

The Lisbon Treaty created two important new offices: the office of a semi-permanent `President of the European Council´, and the office of `High Representative of the Union for Foreign Affairs´, the so called `Foreign Minister´ of the EU. Even before the ink had dried on the Treaty, negotiations started and candidate names were eagerly discussed both by Member States and by the media. Notably the larger Member States were proposing candidates, including prominent names such as the UK's Tony Blair, Spain's Felipe Gonzalez, Sweden's Carl Bildt and Finland's Olli Rhen. At that point, the negotiations seemed to be run before open screen, and yet at the extra Informal Summit of 19 November the actual results came as quite a surprise to most people.

The Belgian Prime Minister Herman Van Rompuy landed the Presidential office and Britain's Trade Commissioner Catherine Ashton bagged the post of `Foreign Minister´. Both were virtually unknowns and a media storm broke out on their nomination. Epithets such as 'two mediocre mice'[6] were brandished about in the press. Their competence and experience were questioned as both had only been a year in their previous positions. The media was especially harsh on Baroness Ashton, as she had never held an elected office, plus had very limited foreign policy experience. Van Rompuy had, on the other hand, in his year as Prime Minister managed to unite a severely divided Belgium.

[5] Author's translation, original Swedish quote to be found in Dagens Nyheter, 'Europa på väg få ny roll i världen', 22 December 2009, available at www.dn.se/nyheter/valet2010/europa-pa-vag-att-fa-ny-roll-i-varlden-1.1017901.

[6] See The Economist, 'Europe's motley leaders. Behold, two mediocre mice', 26 November 2009, available at www.economist.com.

Whilst being lauded for its general management of the wider Lisbon Treaty process and the smooth transition, the Swedish Presidency's leadership of the nomination process was weaker. The SPEU09 allowed the process to be hijacked by the big three, who had been at logger heads over the issue from the start. The Swedes seemed left doing all the foot work. Furthermore, despite the media circus, the nomination end-game lacked transparency, a concept central to Swedish EU policy, and there was no proper job description. It has to be remembered though that the election of a Council President and a `Foreign Minister´ was an issue that was always going to be tricky because of its impact on the balance of power within the EU. As it was, the Council went for two consensus-minded nominees rather than for high profile politicians who could potentially threaten the foreign policy influence of the EU Heads of State. In addition, the `double-hatted´ nature of the `Foreign Minister's´ role also meant that Ashton would be both a Commissioner and chair the Foreign Affairs Council. This could potentially end up increasing the Commission's power rather than that of the Foreign Affairs Council's.

Enlargement

Traditionally Sweden has been one of the staunchest proponents of enlargement in the Union, and during its 2001 Presidency it was considered a crucial priority. The Council decision at the Gothenburg Summit to accept ten new members in 2004 was hailed as its major success. Rather surprisingly, in 2009 enlargement was not a priority policy area, but rather a sub-heading to `the EU in the world´. The lack of emphasis on enlargement led to some disappointment domestically, but Sweden did succeed in driving the enlargement process forward in several respects after a more or less total standstill during the Czech Presidency.[7]

In fact, the Swedish Presidency received two membership applications. The first was submitted by Iceland on 23 July. The Icelandic application was fast-tracked through the EU system mainly thanks to the assistance of a Swedish Presidency hastening to help a fellow Nordic country to join the EU family. The second application was submitted by Serbia on 22 December. In addition, Serbia, Macedonia and Montenegro were granted visa exemptions from the 19 December and Albania and Bosnia were lined up for similar exemptions. Furthermore, the Presidency arbitrated in the border conflict between Croatia and Slovenia. The parties' agreement made it possible for Croatia's accession negotiations to enter their final stages.[8]

Even the thorny issue of Turkey's accession negotiations was brought forward, despite deep divisions within the EU on the desirability of Turkish membership. This division was duplicated in the trio, with France fiercely opposing Turkish membership and instead favouring a `privileged partnership´, whereas Sweden was one of the most vocal proponents of full Turkish EU membership. These difficulties led to a general toning down of enlargement issues during eighteen months of coordinated leadership.[9] According to Prime Minister Reinfeldt, these differences were the main reason Sweden kept a low profile.[10] Despite the difficulties, the EU opened a new

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[7] See Tomas Weiss, `The Czech EU Council Presidency and Foreign Policy: A Productive Mess?´, *CFSP Forum*, 7:1(2009), p. 6.
[8] See 'Outcomes of the Swedish EU Presidency', available at: http://se2009.eu/en/meetings-neews/2009/12/16/outcomes_of_the_swedish_eu_presidency.
[9] In fact, 'The 18-month Programme', an 89 page log document, does not discuss enlargement. Available at http://se2009.eu/sv/ordforandeskapet/arbetsprogram/18-manadersprogrammet.
[10] See Dagens Nyheter, 22 December 2009.

chapter, the environment chapter, with Turkey towards the end of the Swedish Presidency.[11]

The Presidency's overall performance in the field of enlargement was quite impressive despite the initial low ambitions. Though some suspected a Nordic bias in the fast-tracking of the Icelandic membership application, the Swedes' low-key approach to enlargement was generally acknowledged as efficient, as it moved the process forward fairly smoothly.

Foreign and Security Policy under the Presidency

In contrast to its trio-colleagues, Sweden did not have to deal with any major international crises during its Presidency. However, the implementation of the Lisbon Treaty kept the Swedish Foreign Minister Carl Bildt rather busy, not least with the establishment of the European External Action Service (EEAS). The EEAS will be a joint diplomatic service, independent from other EU institutions. It will be the `Foreign Ministry´ running the day to day business. Notably enlargement and trade are not part of the `Foreign Minister's´ portfolio and are therefore not tasks for the EEAS. The Swedish Presidency worked hard on the preparations for the EEAS and produced the report that now governs the further development of the EEAS.[12]

In the area of the ESDP more specifically, SPEU09 focussed on two issues, on strengthening the EU's crisis management capabilities through improvement of coordination between civilian and military operations, and on creating conditions for greater flexibility for the EU battlegroups, so that they can be used outside the rapid response concept.[13]

The Middle East peace process, or rather the lack thereof, continued to be high on the EU's agenda during the Swedish Presidency. The Czech Presidency had high ambitions to improve EU-Israeli relationship, with the first ever EU-Israel summit in the pipeline. Unfortunately, the start of 2009 was dominated by the Israeli offensive in Gaza. The EU condemned the Israeli offensive, the summit was cancelled, and the EU-Israeli relationships deteriorated rather than improved. In contrast to the Czechs, who were said to originally favour Israel, the Swedes have been accused of being biased in favour of Palestine. During the Swedish Presidency, Israel reacted very strongly to some of the statements of the Swedish Foreign Minister Bildt, and even to some Swedish press coverage regarding the occupation, the settlement issue and Israel's Jerusalem policy.

In the day-to-day running of the EU's foreign affairs, the repeated violence against demonstrators, arbitrary detentions and other human rights breaches in Iran gave cause to great concern for the Swedish Presidency. Also the situation in Afghanistan called for a high level of engagement. Better coordination of EU policies and missions within Afghanistan as well as between Afghanistan and Pakistan was a priority for SPEU09, and in October a detailed strategy for a coordinated approach to both countries was presented. The Swedish Presidency also continued to pursue the Eastern Partnership, which started under the preceding Presidency, and launched a new regional initiative, the Baltic Sea Strategy, which was, in essence, an intra-EU affair since one of the most important Baltic Sea powers, Russia, was not party to the strategy.

[11] See EUobserver, 'Turkey opens environment chapter in EU accession talks', 21 December 2009, available at http://euobserver.com/15/29187.

[12] J. Gaspers,`European Diplomatic Service: Putting Europe First´, *The World Today*, (Chatham House, 2010), available at: www.chathamhouse.org.uk/publications/twt/archive/view/-/id/1983/.

[13] See `Outcomes of the Swedish Presidency´, op. cit.

The Baltic Sea Strategy was the one priority where the Swedish Presidency acted as agenda-setter rather than honest-broker.

Climate change

Fighting climate change was one of the Swedish top priorities, as well as being an area where the EU wants to 'play a leading role and contribute to reaching a global, ambitious and comprehensive agreement'.[14] In other words, the pressure on the Swedish Government was high. During the Presidency's seven high profile bilateral summits between the EU and the US, China, India, Brazil, South Africa, Russia and Ukraine,[15] climate change was at the top of the agenda. In fact, the EU had summits with all the major polluters during the Presidency. Some progress was made; at the EU-Russia summit, for example, Russia agreed to raise its emission targets ahead of COP15. Even so, it became clear during the autumn that a binding agreement would be hard to achieve and SPEU09 gradually lowered its expectations.[16]

Within the EU the crucial internal coordination worked well for the Presidency. Outstanding issues were solved during the autumn giving the EU a solid mandate for Copenhagen. At the October Council Meeting, it was agreed that the previous target to reduce greenhouse gas emissions by 20 percent by 2020, were to be raised to 30 percent provided that other developed countries made comparable offers. One question remained outstanding until the very last minute: how the costs of helping developing countries were to be distributed within the EU. Finally, at the December Council Meeting, when the Conference was already in full swing, the Swedish Presidency managed to broker a deal. The EU would contribute EUR 7.2 billion over three years, and the big three agreed to bear the brunt of the burden.

The external dimension, on the other hand, was more problematic for the Presidency. At COP15 the rift between developed and developing countries was growing rather than closing. To bridge the rift, the EU emerged as a spokesperson for developing countries and small island states, trying to help make their voices heard. But as key governments, such as China and India, did not want an agreement and the US was as usual crippled by its political system, the Conference yielded only minor results. The outcome of COP15, a non-binding political agreement, was for many a great disappointment and far less ambitious that the EU had hoped for. For the Presidency, COP15 was something of an ordeal. Whilst it managed the EU coordination well, and handled the bureaucracy of the Conference professionally, it would always be judged on factors over which it had minimal control. Despite all, SPEU09 managed to exert international leadership to some extent and the EU voice was heard, but it was not strong enough to make the other big players follow suit.

Conclusion

The Presidency has given Sweden's international reputation a boost. In an EU-wide survey undertaken by the French paper La Tribune, Prime Minister Reinfeldt was rated best performing EU Head of State by 27 European journalists.[17] This popularity might be

[14] Council of the European Union, 'Presidency Conclusions', 29-30 October 2009, p. 5.
[15] See 'EU Common Foreign and Security Policy during the Swedish Presidency – Priorities and Results, 1 July – 31 December 2009', p. 9, available at http://se2009.eu/en/meetings-neews/2009/12/23/eu_common_foreign_and_security_policy_during_the_swedish_presidency.
[16] See F. Langdal and G. von Sydow, *The Swedish Presidency – European Perspectives*, SIEPS (2009), p. 30, available at http://www.sieps .se.

[17] He was rated according to 'Leadership', 'Team spirit', 'Climate commitment', 'Financial regulation', 'Respect for the interior market', 'the Lisbon Treaty' and finally 'European Commitment'. La

generic to holding the Presidency rather than a reflection on his performance, but nevertheless it has helped put a virtually unknown politician on the European map. The impact on domestic politics has not been as straightforward. The centre-right government coalition has fallen behind in the polls, whilst Reinfeldt has enjoyed a remarkable rise in public confidence. Sweden is to hold general elections in September, but so far the SPEU09 does not seem to have been the election vehicle the government might have hoped for.

The overall impression of SPEU09 is that it was a Presidency characterised by commitment, consensus building, efficiency and diplomacy. It differed quite markedly from that of its trio-colleagues. It had none of the flamboyant, great power style of the French and, fortunately, it suffered none of the domestic difficulties that plagued Prague. Sweden performed the role of an honest broker well, whilst yet managing to achieve most of its Presidency priorities. The LT ratification and implementation processes went, all considered, smoothly and Sweden got the enlargement process back on track. The big stumbling block for Sweden, and the EU, was the COP15. Despite valiant efforts, the outcome was a disappointment and a missed opportunity.

As it turned out, SPEU09 was the last of the 'traditional' rotating Presidencies as the Lisbon Treaty came into force on 1 December. Spain, which took over in January 2010, faces a new situation, where the rotating Presidency has to cohabit with the new Council President and the new `Foreign Minister´. As the SPEU09's handling of COP15 shows, the EU can, at times, act unanimously and resolutely in foreign policy matters, but it also demonstrates that the EU still lacks clout on the global arena. Hopefully the new offices created by the LT will give the EU the international authority it needs. ◊

Tribune, 'Eurotribune 2009: le jury de La Tribune note les dirigeants de l'UE', 10 December 2009. Available at http://www.latribune.fr/blogs/le-blog-europe/20091210trib000451564/eurotribune-2009-le-jury-de-la-tribune-note-les-dirigeants-de-l-ue.html.

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Research Note

The EU Rule of Law Mission in Kosovo (EULEX): Mission Impossible?

Petar Petrov, Maastricht University

I have recently returned from a field research trip in Pristina, where I conducted a wide range of interviews with international officials, local politicians, civil servants, NGO experts and civil activists. This was a pilot field trip aiming at mapping out the range of problems that surround the current EU presence in Kosovo and particularly the EU Rule of Law Mission 'EULEX Kosovo'. The research encompassed 15 semi-structured interviews with officials from the EULEX HQs, the International Civilian Office (ICO), the office of the EU Special Representative, the European Commission Liaison Office (ECLO), the OSCE, including civil servants from the Kosovo Ministry of Justice and the Agency for Coordination of Development and European Integration and, last but not least, representatives of the Kosovo civil society (The GAP Institute, Centre for Social Studies and the Vetevendosje Movement, Kosovo). The questions sought to cover a diverse set of issues such as:

- How is the coordination between EULEX (Head of Mission) and the International Civilian Office (ICR) organised on a daily basis?
- Is there a good coordination system operating in Kosovo among all international actors involved in security, institution building, rule of law and support for civil society?
- Did the delay in launching the EULEX mission affect the EU's effectiveness and legitimacy in Kosovo?
- How does the International Civilian Representative practically manage his double mandate as EU Special Representative given that the former operates under the Kosovo Constitution and the latter effectively falls under Resolution 1244?
- How does one assess the decision of the EU to deploy EULEX after it became clear that its original reason d'etre – the Ahtisaari Plan – was not endorsed by a UN Security Council Resolution?
- Has UNMIK legislation ceased to exist after the scaling down of the UNMIK mission and its overtake by the EULEX?
- Has the EU undertaken state-building functions in Kosovo that represent a step-too-far in its capacity to manage such a process? What should the EU do in order to succeed in this process?

This field trip is part of a project that aims at analysing the ability of the EU to build state institutions and working governance procedures in Kosovo. The main rationale behind this focus is the engagement of the EU in an unprecedented foreign policy activity – state-building – in the context of both internal European and external divisions on the status and legitimacy of the Kosovo state institutions. In this respect, the problem that this research investigates is the actual (and practical) ability of the EU to 'speak with one voice' and hence apply in coherent manner crisis management and pre-accession instruments. The proposed project offers original enquiry of a largely under-researched aspect of the EU foreign policy activity (state building) that promises to shed light on its strengths and weaknesses and thus make scholarly contribution in this growing field of EU studies.

Based on this field trip, the following preliminary findings can be presented. Almost 2 years after the start of the EU Rule of Law Mission in Kosovo, its legitimacy and role on the ground is still rather problematic. This is despite some of its proclaimed achievements such as:

full deployment throughout the whole territory of Kosovo; unanimous support for the mission by all 27 EU member states; well established links with the enlargement perspective for Kosovo. However, there are a number of challenges to the ability of the EU to act as a strong security actor in the context of the EULEX mission. These range from giving mixed messages on Kosovo's status recognition, fuelled by the internally conflicted double-hatted role of the EU Special Representative who also acts as International Civilian Representative; the dual discourse implied by the mission – presented in North Kosovo as 'acting under the status neutral framework of the UN', while seen in the South as a 'de-facto implementing the Ahtisaari Plan'; the internal divide among the member states over the recognition of Kosovo that fuels high levels of distrust among the population towards the mission; and last but not least, the difficulty in applying both pre-accession conditionality and crisis-management instruments in the context of uncertainty over the international recognition of Kosovo. It gradually becomes clear that unless the EU overcomes its internal divisions and manages to coherently apply the wide array of instruments at its disposal, the EULEX mission might turn into a failure and hence the EU credibility in Kosovo will greatly suffer.

This field trip is going to be followed by a second one. In March and April 2010, I will join forces with colleagues from the University of Manchester and the Université Catholique de Louvain to further explore some of the above identified research issues. The second field trip will aim at both deepening some of the initial findings and widening the scope of interviewees (e.g. by meeting with representatives of the Serbian municipalities in North Kosovo).

Last but not least, the findings of this project also aim at contributing to the work of a wider research initiative in which the Maastricht University actively takes part. This is in the framework of the Jean Monnet Multilateral Research Network: "The Diplomatic System of the European Union: Evolution, Change and Challenges", coordinated by Loughborough University, Maastricht University and Université Catholique de Louvain. ◊