EUCAP NESTOR

Trying to Steer Out of the Doldrums

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A Somali government soldier walks next to some overturned pirate skiffs

Sammanfattning

Europeiska unionens råd gav i juli 2012 grönt ljus för lanseringen av EU:s uppdrag för regional maritim kapacitetsuppbyggnad på Afrikas horn (EUCAP Nestor). Missionens målsättning är att bistå ett antal länder i östra Afrika och västra Indiska oceanen att stärka sin kapacitet när det gäller maritim säkerhet. EUCAP Nestor bröt ny mark då det var den första gången EU lanserat en regional civil insats inom EU:s gemensamma säkerhets- och försvarspolitik (GSFP). Efter mer än ett år befinner sig insatsen dock på många sätt fortfarande i en uppstartsfas. Denna rapport tittar på varför så är fallet, och vilka lärdomar – positiva och negativa – som kan dras från EUCAP Nestors första år. Studien behandlar bl.a. omfattningen av politiskt stöd i de länder som insatsen initialt planerade att stödja, dess stödfunktioner, och frågor relaterade till samordning.

Nyckelord: Europeiska unionen, EU, GSFP, EUCAP Nestor, Afrikas horn, Djibouti, Kenya, Seychellerna, Somalia, Tanzania, kapacitetsuppbyggnad, sjöröveri, maritim säkerhet.

Summary

In July 2012, the Council of the European Union gave the green light to set up the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR). The mission's objective is to enhance maritime security by supporting capacity building in a number of countries in East Africa and the western Indian Ocean. EUCAP NESTOR marks a new step for the EU. It is the first civilian EU Common Security and Defence Policy (CSDP) mission to assume a regional approach. However, more than one year after its launch, the mission is still in many ways in its start-up phase. This study aims to explain why this is the case, and on the lessons to be learned from setting up EUCAP NESTOR and its first year. Issues addressed include the level of political backing found in the countries that were originally intended to receive support from the mission, the mission's support functions and personnel, and issues related to coordination.

Keywords: European Union, EU, CSDP, EUCAP NESTOR, Horn of Africa, Djibouti, Kenya, Seychelles, Somalia, Tanzania, capacity building, piracy, maritime security, Horn of Africa.

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Acronyms and Abbreviations

CMC	Crisis Management Concept
CMPD	Crisis Management Planning Directorate
CONOPS	Concept of Operations
CSDP	Common Security and Defence Policy
CTL	Country Team Leaders
DG DEVCO	Directorate General Development and Cooperation – EuropeAid
DG ECHO	Directorate General for Humanitarian Aid and Civil Protection
DG MARE	Directorate General for Maritime Affairs and Fisheries
DG HOME	Directorate General for Home Affairs
DG MOVE	Directorate General for Mobility and Transport
EDF	European Development Fund
EEAS	European External Actions Services
EU NAVFOR	European Union Naval Force
EU OPCEN	The EU Operations Centre
EUPM BiH	European Union Police Mission in Bosnia and Herzegovina
EUTM	European Union Training Mission in Somalia
FGS	Federal Government of Somalia
HoM	Head of Mission
ICT	Information and Communication Technology
MARSIC	Programme for enhancing maritime security and safety through information sharing and capacity building
MASE	Programme to promote Regional Maritime Security
OHQ	Operation Headquarters
OPLAN	Operations Plan
RMCB	Regional Maritime Capacity Building
PSC	Political and Security Committee
PMPF	Puntland Marine Police Force

SOMA	Status of Mission Agreements
TAM	Technical Assessment Mission
TFG	Transitional Federal Government

1 Introduction

The European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR) marks a new step for the EU. The aim of EUCAP NESTOR is to help enhance maritime security in East Africa and the western Indian Ocean. It is the first civilian EU Common Security and Defence Policy (CSDP) mission to take a regional approach, providing support to a number of countries in a region. It is a mission dedicated to security sector capacity building. This is an approach that has gained increasing traction in military interventions in recent years, and which has also been embraced by the EU – as is reflected in its recent missions. The focus on maritime security – in line with EUCAP NESTOR's sister mission, the European Naval Force Somalia: Operation ATALANTA (EU NAVFOR ATALANTA), as well as ongoing EU Commission programmes – has received growing attention as a possible niche area for the EU. It has, for instance, recently initiated programmes to improve maritime security in the Gulf of Guinea.[1] EUCAP NESTOR has had a sluggish start, however, for a range of reasons – many of which were beyond the control of the mission. This study sets out to address those reasons and examine why the mission has failed to live up to all the, albeit high, expectations.

1.1 Purpose

More than one year after the Council in July 2012 gave the green light to set up EUCAP NESTOR, the mission is still in many ways in its start-up phase. This study aims to shed some light on why this is the case, and on the lessons to be learned from setting up EUCAP NESTOR and its first year. What has worked well or worked less well? Which experiences – positive as well as negative – can inform EUCAP NESTOR as it moves forward, and possibly guide other CSDP missions so that mistakes are not repeated and successful policies and activities can be replicated where appropriate?

1.2 Method and Sources

This study is limited to addressing EUCAP NESTOR at the policy level. The more practical nuts and bolts of the mission, such as the operational day-to-day work of country offices, are not examined. Instead, we highlight and analyse the most important challenges that EUCAP NESTOR has faced and which stood out during the research – political buy-in; support functions and personnel; and coordination. The matters addressed in this study were identified and analysed

[1] See e.g. European Commission, "New EU initiative to combat piracy in the Gulf of Guinea", press release, 10 January 2013.

through a literature review of related policy documents, analyses and media coverage, as well as during interviews. Given that EUCAP NESTOR at the time of writing was still to some extent being established, the number of relevant research studies analysing the mission is limited. Consequently, this study has benefited greatly from the semi-structured interviews held in person and over the telephone with staff of EUCAP NESTOR, the various EU institutions working with the mission and the Swedish Government Offices. It should be underlined though that the scope of the study has not allowed for interviews with recipient or potential recipient countries, nor all country teams of EUCAP NESTOR or partners such as Member States and other organisations active in the Horn of Africa. For a detailed list of the interviews conducted see p.51.

1.3 Structure of the Report

Chapter 2 discusses the decision-making process leading up to the establishment of EUCAP NESTOR. An illustrative timeline is provided to highlight the key dates and events, after which the mission's mandate and organisation are described. The report then addresses key challenges faced by EUCAP NESTOR. Chapter 3 analyses the level of political backing found in the countries that were originally intended to receive support from the mission, and suggests reasons for the varying level of demand for support from EUCAP NESTOR in the various countries. Chapter 4 discusses issues related to the mission's support functions and personnel. While some of these are recurring themes for EU missions, some are specific to EUCAP NESTOR or were more pronounced given the particular characteristics of EUCAP NESTOR. Chapter 5 highlights issues related to coordination. The chapter looks at coordination between the European External Action Service (EEAS) and the European Commission. The potential for the Delegations to play a role in enhancing coordination in the field is discussed, as is the activation of the European Operations Centre (EU OPCEN) and its implications. In addition, issues related to the divide within the EU between civilian and military structures and operations are addressed. Finally, chapter 6 looks forward to what the future might bring for EUCAP NESTOR, and the lessons to be learned for both EUCAP NESTOR and other EU CSDP missions.

2 Setting Up EUCAP NESTOR

EUCAP NESTOR is a part of the EU's larger engagement in the Horn of Africa (Horn of Africa), contributing to a comprehensive approach to security in the region. This chapter provides a contextual backdrop to why and how the mission was set up. A step-by-step timeline is provided to show how EUCAP NESTOR was established, the political decision-making process is discussed in detail and the mission's organisation and objectives are described.

2.1 Timeline

The timeline below provides an overview of the major events in the history of EUCAP NESTOR.

Date	Event
8 December 2008	EU NAVFOR ATALANTA is launched;[2] discussion of the possibility of deploying a regional maritime capacity-building mission starts around this time
The autumn of 2009	First option paper on regional maritime capacity-building (RMCB) mission sent to the Political and Security Committee (PSC), after which a number of option papers are discussed
June 2011	The PSC tasks the EEAS with producing a Crisis Management Concept (CMC)
September 2011	Fact-finding mission to the region led by the Crisis Management Planning Directorate (CMPD)
14 November 2011	The EU adopts a Strategic Framework for the Horn of Africa[3]
8 December 2011	Council Decision appoints a European Union Special Representative for the Horn of Africa[4]
16 December 2011	The Council approves the CMC
February 2012	Technical Assessment Mission (TAM)
March 2012	First Concept of Operations (CONOPS)
23 March 2012	Council Decision on the activation of the EU Operations Centre[5]

[2] EU Council Joint Action 2008/851 and EU Council Decision 2008/918, 8 December 2008.
[3] 16858/11
[4] 2011/819/CFSP
[5] 2012/173/CFSP

9 July 2012	Revised CONOPS
16 July 2012	Council Decision establishes a Regional Maritime Capacity Building Mission in the Horn of Africa (EUCAP NESTOR)[6]
17 July 2012	Admiral (2s) Launay appointed Head of Mission (HoM)
September 2012	First staff deployed to mission (HoM and his enabling team)
Autumn 2012	First Operations Plan (OPLAN)
December 2012	Revised OPLAN
July 2013	Ambassador de Poncin appointed new HoM

Source: Unless other sources are given, the timeline is based on interviews, Council Decision 2012/389/CFSP and EUCAP Nestor's official website.[7]

2.2 The Decision-Making Process

In December 2008, the EU launched the European Union Naval Force (EU NAVFOR) Somalia – Operation ATALANTA – within the framework of the CSDP. Realising that ATALANTA would not address the root causes of piracy in the Gulf of Aden and the western Indian Ocean, discussions commenced on deploying a regional maritime capacity building (RMCB) mission to the Horn of Africa to complement ATALANTA.

As a first stage, different options were discussed in the Political and Security Committee (PSC) and the crisis management structures of the EEAS produced a number of option papers.[8] Initially, the emphasis was on setting up a military mission. However, focus later shifted from a military solution to a civilian mission with military expertise. Piracy was seen as a regional issue and the need for a regional approach was recognised quite early on in the discussions. Eight countries were considered as potential recipients of capacity-building support. [9] The EEAS visited these countries to assess their needs and the appetite for participating in an EU RMCB mission, which varied in the different countries.[10] In June 2011, the PSC tasked the EEAS with developing two of the options into a Crisis Management Concept (CMC).[11] The EEAS provided the PSC with a draft CMC in October 2011.

[6] 2012/389/CFSP
[7] *Council Decision 2012/389/CFSP*, 16 July 2012; EUCAP NESTOR (2013), official website, http://www.eucap-nestor.eu/ [accessed May-September 2013].
[8] Interviews in Brussels, 4–7 June 2013.
[9] Somalia, Djibouti, the Seychelles, Kenya, Tanzania, Mozambique, Yemen and Mauritius.
[10] Interviews in Brussels, 4 and 6 June 2013.
[11] Interviews in Brussels, 4 and 5 June 2013.

Before the CMC was approved, in November 2011 the EU adopted a strategic framework for the Horn of Africa.[12] This framework underlined the importance of addressing the Horn of Africa as a regional issue and noted the comprehensive toolbox available to the EU. The strategic framework stipulated that the EU's involvement should focus on the development partnership, the political dialogue, crisis management and the trade relationship. It also stated that the EU should strengthen its partnerships with the international and regional organisations present in the area,[13] and stressed the importance of the EU's comprehensive approach to crisis management. It recommended that an EU Special Representative (EUSR) should be appointed to strengthen the coherence and quality of the EU's multifaceted actions in the Horn of Africa.[14] The appointment of an EUSR for the Horn of Africa, Alexander Rondos, was agreed by the Council in December 2011.[15]

The CMC was endorsed by the PSC in December 2011 and agreed by the Council the same month. The geographical scope of the mission was eventually limited to five nations: Somalia, Djibouti, the Seychelles, Kenya and Tanzania. The mission was to assist with improving the capacity of these countries to control their territorial waters.[16] It would also support the development of maritime elements of the rule of law sector in Somalia with the aim of fighting piracy.[17] At the same time as endorsing the CMC, the PSC asked the Civilian Planning and Conduct Capability (CPCC) to start operational planning and to develop a Concept of Operations (CONOPS).

The CPCC did not have sufficient in-house capacity, in particular maritime or coastguard expertise,[18] to plan the RMCB mission. It therefore requested support from the EU Military Staff (EUMS) and asked some EU member states to provide additional experts. In February 2011, the CPCC led a one-month Technical Assessment Mission (TAM) to the countries identified in the CMC. The team was made up of 15–20 experts in three areas: politico-strategic expertise, operational experts and mission support, including security and

[12] EU (2011), *A Strategic Framework for the Horn of Africa*, adopted at the 3124th Foreign Affairs Council meeting, 14 Nov 2011, doc. 16858/11.
[13] EU (2011), *A Strategic Framework for the Horn of Africa*, adopted at the 3124th Foreign Affairs Council meeting, 14 Nov 2011, doc. 16858/11, pp. 5 and 11.
[14] EU (2011), *A Strategic Framework for the Horn of Africa*, adopted at the 3124th Foreign Affairs Council meeting, 14 Nov 2011, doc. 16858/11, p. 3.
[15] EU (2011), "Council Decision 2011/819/CFSP of 8 December 2011appointing the European Union Special Representative for the Horn of Africa" in *Official Journal of the European Union* (2012), 9 Dec 2011, pp. 62-65.
[16] *Council Decision 2012/389/CFSP*, 16 July 2012.
[17] The Transitional Federal Government (TFG) as well as the autonomous regions of Somaliland, Puntland and Galmudug.
[18] There is no common EU definition of a coastguard and Member States have different institutional set-ups. Sometimes the coastguard is divided between separate agencies, sometimes it is part of the navy and sometimes it is a separate civilian agency.

logistics. The aim of the TAM was to assess technical needs and opportunities, and to anchor the RMCB mission politically in the host countries.[19] The TAM visited both political and operational stakeholders in the identified countries, concluding that the conditions and needs were different in all five. As is noted in Chapter 3, discussions with the Seychelles, Djibouti and Somalia's Transition Federal Government (TFG) went relatively well but the appetite for an EU RMCB mission was not as clear in Kenya and Tanzania.

In March 2012, the EU OPCEN was activated in support of the CSDP missions and operations in the Horn of Africa: Operation ATALANTA, the European Union Training Mission in Somalia (EUTM Somalia) and the planned RMCB mission.[20] The tasks of the EU OPCEN included support for operational planning, facilitating the exchange of information and improving coordination between the three missions. Furthermore, the EU OPCEN was to support the Crisis Management and Planning Directorate (CMPD) and reinforce the linkages between the Brussels-based institutions and the missions in the Horn of Africa. Finally, the EU OPCEN was to strengthen civil-military synergies between the missions.[21]

The CONOPS was presented in March 2012 and revised in July 2012. The formal Council Decision to deploy the EU RMCB mission – EUCAP Nestor – was taken on 16 July 2012.[22]

2.3 Mission Organisation and Objectives

EUCAP NESTOR received a two-year mandate and a budget of almost EUR 23 million for the first 12 months. French Admiral (two stars) Jacques Launay, who had recently retired from the French Navy, was appointed Head of the Mission (HoM). The geographical focus of EUCAP NESTOR was limited to Djibouti, where the mission's main headquarters was located, the Seychelles, Somalia and Kenya. The mission was to deploy to Tanzania on receipt of a letter of invitation.[23]

The Council Decision stated that EUCAP NESTOR should not have any executive function, but instead assist the host countries to develop a "self-sustainable capacity for continued enhancement of their maritime security,

[19] Interviews in Brussels, 4, 5 and 6 June 2013.
[20] Council Decision 2012/173/CFSP on *the activation of the EU Operations Centre for the Common Security and Defence Policy missions and operation in the Horn of Africa*, 23 March 2012, pp. 66-68.
[21] Council Decision 2012/173/CFSP on *the activation of the EU Operations Centre for the Common Security and Defence Policy missions and operation in the Horn of Africa*, 23 March 2012, pp. 67.
[22] *Council Decision 2012/389/CFSP*, 16 July 2012.
[23] Ibid.

including counter-piracy and maritime governance".[24] Moreover, the mission was to build on existing initiatives in order to avoid duplication. The mandated tasks can be divided into three different areas:[25]

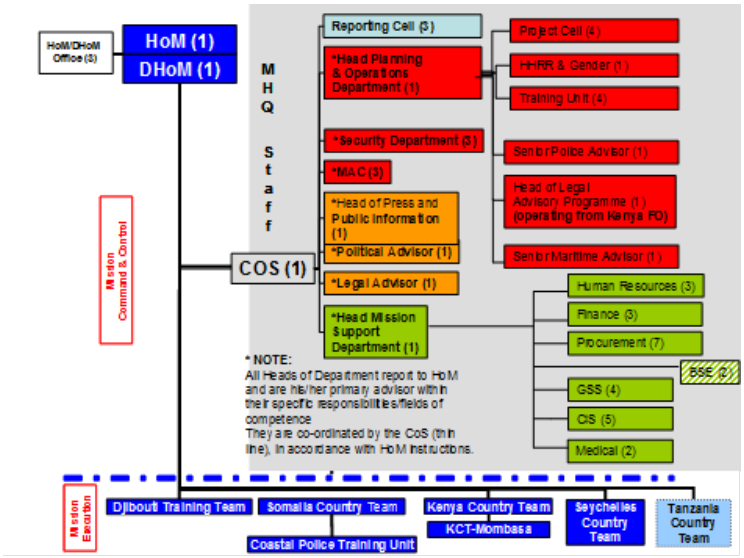
1. Strengthening the rule of law in the countries of operation.
2. Strengthening the sea-going maritime capacity of Djibouti and the Seychelles and, on request, in other countries – primarily Kenya and Tanzania.
3. Supporting the development of a coastal police force and the judiciary in Somalia.

Hence, the mission focused on advising, mentoring and training activities or, as it is often referred to, knowledge transfer.[26] One of the principal aims of EUCAP NESTOR is to bring lasting solutions to the piracy problem, and in that sense create an exit strategy for EU NAVFOR ATALANTA.[27]

The mission structure is depicted in Figure 1. All the recipient countries have different needs and set different preconditions for working with EUCAP NESTOR. The varied needs depended on what other training and maritime capacity building the countries were already receiving. The mission was to have its own relatively strong Country Teams with their own Country Team Leaders (CTLs) and Political Advisers.[28] The mission was planned to have 137 international staff and 39 local staff.[29] The first personnel of EUCAP NESTOR were deployed in September 2012. The initial deployment was to Djibouti and consisted of the HoM and his enabling team, who started to develop an Operation Plan (OPLAN) and to set up a working environment. By October the same year, some 20 people had been deployed to Djibouti and CTLs had been deployed to the Seychelles and Kenya.

[24] Ibid.
[25] EUCAP Nestor official website, http://www.eucap-nestor.eu/en/mission/general_overview/what_is_eucap_nestor/ (accessed on 8 July 2013).
[26] Interviews in Brussels, 4-7 June, 2013; Brooks Tigner (2012) "NESTOR mission is EU's exit strategy from Somali counter-piracy role" in *Jane's Defence Weekly*, 18 May 2012.
[27] Brooks Tigner (2012) "NESTOR mission is EU's exit strategy from Somali counter-piracy role" in *Jane's Defence Weekly*, 18 May 2012; Brooks Tigner (2012) "EU launches two new African missions" in *Jane's Defence Weekly*, 16 July 2012
[28] Interviews in Brussels, 4 and 5 June, 2013.
[29] *Council Decision 2012/389/CFSP*, 16 July 2012.

Figure 1: Organogram of EUCAP Nestor



Source: EUCAP NESTOR's official website[30]

The mission faced several challenges during its first year and in July 2013 it only comprised 45 international staff members, including personnel at the mission headquarters and country offices.[31] One main challenge concerned EUCAP NESTOR's ability to secure political buy-in in recipient countries, acquiring letters of invitation and the status of mission agreements (SOMAs). Many of the challenges related to the support functions of the mission – especially procurement and logistics. Furthermore, coordination within the regional mission as well as with various external actors posed a challenge. These issues are discussed in more detail in the following chapters.

[30] http://www.eucap-nestor.eu/data/file_db/mission%20structure/photo.PNG (accessed July 2013).
[31] EUCAP Nestor official website http://www.eucap-nestor.eu/en/mission/mission_facts_and_figures/ (accessed 9 July 2012).

3 Political Buy-in

EUCAP NESTOR is the EU's first regional civilian CSDP mission. This approach has naturally entailed a new set of challenges. One of the most obvious challenges for the mission is related to political buy-in in the recipient countries. This is illustrated by the fact that the mission, one year after its launch, had still not finalised a SOMA with either Kenya or Tanzania. This chapter discusses why political backing differs in the various countries. It should be underlined that the scope of this study has not allowed for interviews in the region or with the recipient countries. Instead, the chapter is based on information received from EU institutions.

3.1 Differing Political Support in Host Countries

Despite having been operational for one year, EUCAP NESTOR is still in many ways in its development phase. The reasons for this are many, and some are beyond the control of the mission. One of the main reasons for the somewhat sluggish start is that the necessary political backing has not been secured in all the countries which were intended to receive support. While it is up and running in the Seychelles and Djibouti, the mission does not have political agreements with Kenya and Tanzania, which prevents the mission from fully achieving its intended regional approach.[32] In Kenya, mission staff working with Somalia can operate to a limited extent thanks to an interim solution whereby staff members are co-located with the EU Delegation. Large parts of the planned programmes have not been launched due to the lack of political buy-in. As a result, EUCAP NESTOR had only spent 15 per cent of its first-year budget in its first 10 months of operation.[33]

The reasons for the lack of political support differ between the various host countries, as is elaborated in more detail below. Some more general issues can be highlighted here. As is described above, after the first discussions on the possibility of setting up an EU RMCB mission to the Horn of Africa, it took more than three years for EUCAP NESTOR to be launched. Hence, the EEAS had the opportunity to engage with potential participating states over a long period of time. Arguably, this makes it somewhat surprising that it had not been possible to secure political support in all the recipient countries by the time of deployment. However, one consequence of this relatively long time span was

[32] Brooks Tigner (2013) "EUCAP NESTOR chief outlines uneven progress on East African maritime security" in *Jane's Defence Weekly*, 18 March 2013.
[33] House of Commons European Scrutiny Committee "Eighth Report of Session 2013-14", HC 83-viii, 3 July 2013.

that it allowed a number of political developments to take place in those countries. More specifically, a number of critical developments occurred between the approval of the CMC, and the Council's decision on EUCAP NESTOR's mandate and the mission's deployment.

Some interviewees in Brussels suggested that the three years of discussions and planning had raised concerns in potential recipient countries that the EU was not serious about its plans to deploy an RMCB mission.[34] This could be one reason why Kenya and Tanzania have been more reluctant to cooperate with EUCAP NESTOR, especially given that both these countries were already receiving substantial maritime capacity support from elsewhere – support which they may not have wanted to jeopardise.

A number of interviewees stated that the TAM had not been able to cover all the aspects required to politically anchor the mission, or to identify the needs of the host countries and sufficiently describe the logistical and other support requirements before the mission could start operations.[35] The TAM visited five countries, where it faced different circumstances and different challenges. Even though it was one of the largest TAMs in the history of the CSDP, the task was immense. One result was that many of the first staff to be deployed found a situation that did not correspond with the information contained in the TAM report.[36]

3.1.1 Djibouti

EUCAP NESTOR's discussions with Djibouti were relatively straightforward. The EU Commission project "Enhancing maritime security and safety through information sharing and capacity building" (MARSIC) was already providing support to Djibouti, including to the Djibouti Regional Training Centre for maritime affairs.[37] A number of other bilateral donors, such as South Korea and Japan, were also providing support in the field of maritime security.[38]

The TAM identified that the new civilian coastguard, set up in 2011 under the Ministry of Transport, and the Navy both had weaknesses which could be addressed. There was room for improvement in both organisations and supporting both would avoid shifting the balance between them too much.[39]

[34] Interviews in Brussels, 4 and 5 June 2013.
[35] Interviews 6 June and 5 September 2013.
[36] Interviews 5 and 12 September 2013.
[37] http://www.edumar.org/, interview in Brussels, 4 June 2013.
[38] See e.g. Yoichi Kato, "SDF's new anti-piracy base creates a dilemma" in *The Asahi Shimbun*, 5 August 2011.
[39] Interview 6 June 2013.

Diplomatic relations since deploying personnel to Djibouti have functioned well. There was a lengthy customs clearing process for the delivery of some mission equipment, including mission vehicles. Arguably of more concern was the arrest of an international staff member of EUCAP NESTOR in the spring of 2013.[40] According to one interviewee, substantial diplomatic efforts were required to have this staff member released, which calls into question the status and the power of the SOMA.[41]

3.1.2 Kenya

If the processes passed relatively smoothly in Djibouti, the opposite can be said for Kenya. Kenya is a large and politically complex country and there was never really a clear agreement with Kenya on the role EUCAP NESTOR might play. From the EU's perspective, Kenya was a key country for the mission, both politically and operationally. Kenya is an influential power in East Africa, and a majority of the organisations and agencies working in Somalia are based in Kenya. Hence, including Kenya in the mission was seen as essential.[42]

However, interest among Kenyan authorities in receiving support from EUCAP NESTOR has been lukewarm. One of the reasons mentioned by interviewees was that piracy is not necessarily seen by Kenya as a key national concern. In addition, given that many Kenyan officials are themselves well educated, and some have attended prestigious universities abroad, there was some scepticism about what EUCAP NESTOR could contribute in terms of knowledge transfer. Kenya was said to be more interested in receiving heavy equipment than skills and expertise.[43]

There were also practicalities standing in the way of smooth cooperation. One complicating factor in Kenya is that there is no separate coastguard agency. Traditional coastguard functions and responsibilities are divided between a number of different agencies, most notably the Navy.[44] This is being reviewed by the Kenyan Maritime Authority (KMA), however, which has been tasked with gathering all the coastguard functions into a more coherent organisation.[45] The projection made during the fact-finding mission by the CMC was that this work would have been completed by the time EUCAP NESTOR was deployed. Even though the TAM still had no single authority to speak with on coastguard issues,

[40] Interviews 4 and 6 June 2013.
[41] Interview 16 June 2013.
[42] Interviews 4 and 5 June 2013.
[43] House of Commons European Scrutiny Committee, "Eighth Report of Session 2013-14", HC 83-viii, 3 July 2013.
[44] The Kenyan coastguard functions are found under the following agencies/ministries: Navy, Port Authority, Fishery, Coastal Police, Wildlife, Customs and Transport.
[45] KMA's role is to regulate, coordinate and oversee maritime affairs.

and turf wars between the various entities involved were said to hamper efforts to unify the functions under one umbrella,[46] the TAM stuck to the plans made by the previous fact-finding mission. However, this work was still ongoing in September 2013. The fact that Kenya's Navy was already receiving support from the US added to the internal dynamics between agencies. It is said to have given rise to fears that any EU support would jeopardise that already being received from the US.

The lack of progress was also said to reflect political divergences within Kenya's coalition government, in which different parties had responsibility for different agencies and were unwilling to relinquish any power – which a reorganisation could entail.[47] This made it even harder for EUCAP NESTOR to determine who their main negotiating partner was.

Furthermore, Kenya's general election in early 2013 and the subsequent lengthy government creation process meant that the focus in Nairobi lay elsewhere. It also meant uncertainty over the EU's primary interlocutor, which was exacerbated by the International Criminal Court charging the elected President Uhuru Kenyatta and the deputy president William Ruto with crimes against humanity.

As of June 2013 there had still been no formal invitation from Kenya to deploy EUCAP NESTOR staff. The mission staff members in Kenya at this time were there under the auspices of the EU Delegation to Kenya.[48]

3.1.3 The Seychelles

The Seychelles is the country with which political dialogue has been the most straightforward. The country is highly dependent on fishing and tourism. Tourism accounts for some 25 per cent of GDP and 25 per cent of employment, while tuna fishing and processing generate close to five per cent of total GDP and around 35 per cent of exports.[49] Both industries have been adversely affected by the piracy problem and there was therefore a general recognition among the authorities in the Seychelles that fighting piracy was a top priority. By the same token, agencies there were interested in receiving support from the EU to enhance maritime security. As the country already received a lot of material and other support from various donors, EUCAP NESTOR's focus on capacity building in the shape of advising, mentoring and training was welcomed by the local authorities.[50] The country team suffered from a lack of equipment in the

[46] Interviews 5 June and 12 September 2013.
[47] Interviews in Brussels, 4 and 6 June 2013.
[48] Interviews 4 and 5 June, 12 September 2013.
[49] The World Bank, "Seychelles", http://www.worldbank.org/en/country/seychelles, accessed 22 September 2013.
[50] Interviews 6 June and 5 September 2013.

first year, but this was a result of poor mission support rather than a lack of local buy-in. Indeed, when the country team failed to find office space, it was allowed to co-locate with local agencies. Although this was not a permanent solution, it arguably benefited relations with local partners.

3.1.4 Somalia

In Somalia, EUCAP NESTOR will support the development of a coastal police function and the country's judiciary. However, the security situation in the country has restricted engagement somewhat. When the CMC was being finalised, the security situation ruled out any deployment of permanent staff in Mogadishu or elsewhere in the country. Consequently, it was decided that EU activities would primarily focus on the relatively stable northern autonomous regions of Puntland and Somaliland, and take place mainly in Djibouti. The TAM never visited Mogadishu and negotiations with the Transitional Federal Government (TFG) were chiefly aimed at politically anchoring any agreement with the country's autonomous regions. Members of the TAM did visit Puntland and Somaliland.[51]

While initial negotiations were held with the TFG and the authorities in Puntland and Somaliland, the TFG has since been replaced by the Federal Government of Somalia (FGS), which was inaugurated in August 2012. This meant a new negotiating partner with different ideas and objectives. Interviewees expressed the hope that the installation of a permanent government would result in enhanced cooperation with the mission.

To some degree, the appointment of a new Somali government coincided with an improved security situation in the capital. Consequently, a number of international actors started to deploy to Mogadishu. In May 2013, EUTM Somalia set up a Mentoring Advisory and Training Element headquarters at Mogadishu International Airport.[52] The FGS also expressed an interest in EUCAP NESTOR deploying to Mogadishu, and the mission expanding its activities to include seagoing capacities.[53] Any such changes, however, would demand a new CMC and, hence, a new Council Decision.[54] According to some interviewees, the EU's CSDP-related institutions recognise the importance of avoiding creating an imbalance between the central government and the northern autonomous regions, and there have been internal discussions within the EU to

[51] Interview in Brussels, 6 June 2013.
[52] European External Action Service, "EU DAY Celebrated in Somalia: EUTM Somalia in Mogadishu, A Milestone/A New Era", http://www.eeas.europa.eu/csdp/missions-and-operations/eutm-somalia/news/20130515_en.htm, accessed 24 September 2013.
[53] Interview in Brussels, 4 June 2013.
[54] Interviews in Brussels 4 and 5 June 2013; Interview 12 September 2013.

co-locate EUCAP NESTOR with the EUTM Somalia in Mogadishu. [55] However, these discussions are still hypothetical, especially given the current CMC.

Power distribution between the different regions in Somalia is a sensitive issue. Details of the new federal system and exact relations between the central government and the regions are still being worked out. This underlines the difficulties involved for EUCAP NESTOR in providing support to a country which is still in a transitional phase. In the field of maritime security, this was highlighted in July 2013 when the FGS announced that the Defence Ministry had signed an agreement with a private Dutch maritime security company, the Atlantic Marine and Offshore Group, to set up a coastguard force.[56] Somaliland and Puntland criticised the move and warned against impinging on their sovereignty.[57] The Director General of Somaliland's Ministry of Fisheries and Marine Resources, Mohamed Elmi Aden, warned both the FGS and the Dutch company against interfering or venturing into Somaliland's territorial waters.[58]

In Puntland, the setting up of the Puntland Marine Police Force (PMPF) in 2010 with the help of foreign private security companies also triggered concern about stability in the region.[59] The build-up of an elite paramilitary force loyal only to Puntland's president has raised issues of accountability, and a UN expert group has accused the company recruiting and training the PMPF, Saracen, of violating the arms embargo on Somalia.[60]

3.1.5 Tanzania

The CMC and the Council Decision gave the impression that Tanzania wished to benefit from EUCAP NESTOR and that it was only a question of time before the Tanzanian authorities sent the mission a letter of invitation. However, several interviewees argued that at no stage had Tanzania had any interest in the type of support on offer from EUCAP NESTOR. Tanzania did not feel particularly affected by piracy and made no secret of the fact that it wanted hardware rather than capacity building in the form of training and mentoring.[61]

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[55] Interviews in Brussels, 4 and 6 June 2013.

[56] *AFP*, "Somalia to set up coastguard to protect resources: presidency", 31 July 2013, http://www.foxnews.com/world/2013/07/31/somalia-to-set-up-coastguard-to-protect-resouces-presidency.

[57] Marcus Hand, "Somalia private coastguard spat and the fight against piracy", *Seatrade Global*, 7 August 2013.

[58] Goth Mohamed Goth, "Somaliland: The Atlantic Marine and Offshore Group Deal does not concern us – Director-General of Fisheries", *Somalilandpress*, 2 August 2013.

[59] James Bridger and Jay Bahadur, "The Wild West in East Africa", *Foreign Policy*, 3 June 2013.

[60] United Nations General Assembly, Human Rights Council, " Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination", A/HRC/24/45/Add.2, 1 July 2013

[61] Interviews in Brussels 4-6 June; Interviews 5 and 12 September 2013.

Even though the TAM received a cooperative reception in terms of access to the relevant stakeholders, there was little eagerness on the part of Tanzania to be part of EUCAP NESTOR. One interviewee said Tanzania was already part of the MARSIC programme, which involves greater sums of money than EUCAP NESTOR, and this might have dampened interest in the new, "smaller" programme.[62]

An additional issue, and one difference compared to Kenya, is Tanzania's close relations with China.[63] It is not clear what, if any, significance this has had for Tanzania's dealings with EUCAP NESTOR, but two interviewees believed it may have negatively affected Tanzania's willingness to participate in the mission, possibly leading to fears that it would mean they would endanger that support.[64]

It is notable that there were clear differences in approach in different parts of the country. Semi-autonomous Zanzibar, for instance, is more affected by piracy and was more positive about being part of EUCAP NESTOR than the central government. However, Zanzibar needed Dar es Salaam's approval in order to engage with the mission, which it failed to get.[65]

[62] Interview 24 June 2013.
[63] See e.g. Fumbuka Ng'wanakilala, "Tanzania signs port deal with China Merchants Holdings", *Reuters*, 30 May 2013; and *Agence France-Press*, "China's Xi jets into Tanzania on start of Africa tour", *The Daily Telegraph*, 25 March 2013.
[64] Interview in Brussels, 6 June 2013.
[65] Interview in Brussels, 6 June 2013.

4 Support Functions and Personnel

As the first regional civilian CSDP mission and to focus on maritime capacity building, EUCAP NESTOR has naturally faced several novel challenges in its first year of operations. Some of these challenges relate to support functions and personnel issues.

As is described above, the policymaking process that preceded the launch of EUCAP NESTOR was lengthy. Once political consensus had finally been achieved, however, the launch of EUCAP NESTOR moved with considerable speed. This meant increased pressure to get the mission on the ground, and expectations among Member States climbed high regarding what the new mission would be able to deliver and how soon.

It took nine months from the adoption of the CMC to the deployment of the first mission personnel. This length of time compares well with previous civilian CSDP missions, but those other missions were established in single countries while EUCAP NESTOR must address five countries simultaneously. Consequently, nine months was not sufficient to set up adequate logistics and support structures.[66] Moreover, during this time much of the emphasis was on trying to secure political buy-in and only limited efforts were dedicated to preparatory measures.[67] This has necessitated a lengthy mission set-up period, which according to a number of interviewees was still continuing one year after the mission was launched.[68] This has had a number of negative consequences, not least disappointed expectations among EU Member States.[69]

4.1 Logistics and Procurement

When the HoM and his enabling team were deployed to Djibouti in September 2012, they arrived in an area of operation in which notably few, if any, preparatory measures had been taken. There were no office buildings or supplies available and staff had to work out of their hotel rooms for months. Given the scarcity of supplies in local markets it was not easy to purchase even the most basic materials, such as paper and pens.

[66] Brooks Tigner (2013) "EUCAP NESTOR chief outlines uneven progress on East African maritime security" in *Jane's Defence Weekly*, 18 March 2013.
[67] In order to deliver effective civilian missions, preparatory measures have previously been identified as a priority by the Council. See e.g. the notes from the 3078th Council meeting on 31 March 2011, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/esdp/120058.pdf [Accessed 26 August 2013].
[68] Interviews, 4-7, 16 and 24 June, 4, 5 and 12 September 2013.
[69] Interviews, 4 and 5 June 2013.

The enabling team, which was the first to be deployed, spent most of the first months on the ground setting up the infrastructure of the mission, not least the mission headquarters. The plan was to transfer cars and other equipment, such as information and communications technology (ICT) equipment, from the European Union Police Mission in Bosnia and Herzegovina (EUPM BiH), which was being brought to a close. This transfer, however, led to unforeseen challenges – such as right-hand drive cars for use in countries that drive on the left, which is the case in all the mission's host countries except Djibouti.

On the procurement side, the enabling team focused on acquiring essential services such as car rental, access to the Internet, security guards and, not least, finding a building for use as offices in Djibouti. The team also provided basic supplies, such as medical equipment, drinking water and stationery. However, these activities were heavily focused on Djibouti, leaving the other Country Offices without any substantial mission support.[70] Procurement has remained difficult in the Seychelles and Kenya, partly because they have not had any support staff or temporary procurement expertise to assist them. Nor have they had bank accounts, resulting at times in mission staff having to use their own money for purchases and then be reimbursed by the mission. In Kenya, procurement procedures have been complicated by the uncertainties over the SOMA and hence the legal status of the mission and its ability, for example, to sign contracts.[71]

Cumbersome procurement procedures have delayed previous civilian CSDP missions,[72] but procurement procedures in EUCAP NESTOR have been particularly tested by the mission's regional scope. Procurement has been subject to different national legislation, currencies and markets.[73] Furthermore, local markets have at times been relatively undeveloped and therefore unable to provide the mission with its needs. One consequence is that these challenges diverted the attention of the HoM from implementing the mandate of the mission. This, in turn, led to frustration among mission staff, not least those who had been hired for operational purposes.[74]

An additional procurement-related challenge concerned the technical nature of the equipment needed to undertake training related to seagoing and other maritime capacities. Previous CSDP missions have not faced these challenges as

[70] Interviews 5, 6 June and 5 September 2013.
[71] Interviews 4 and 16 June 2013.
[72] Martina Spernbauer (2010), " EULEX Kosovo: The Difficult Deployment and Challenging Implementation of the Most Comprehensive Civilian EU Operation to Date" in *German Law Journal*, 769-802 (2010), available at http://www.germanlawjournal.com/index.php?pageID=11&artID=1267 [accessed 26 August, 2013].
[73] Interviews 4 and 6 June, 2013.
[74] Interview 16 June, 2013.

their procurement has usually been limited to office-related equipment and vehicles.[75] For EUCAP NESTOR, however, hardware such as boats, engines and equipment related to scuba diving and maintenance were required, which called for specific procurement expertise. In addition to requiring niche expertise, procurement processes which were not part of framework contracts were lengthy, between six to eight months, and therefore delayed the operational capacity of the mission.[76]

A central aspect related to the lack of ICT equipment has been difficulties with communication between the different Country Teams. Communication has been unreliable and expensive, partly due to the lack of infrastructure in the host countries. In addition, travelling between the host countries can be problematic and involve a number of indirect flights and connections. This has restricted opportunities for key mission personnel to meet and share information and strategic goals. Together with poor communications links in terms of the Internet and telephone lines, this has negatively affected regional coordination. Communication difficulties and limited travel options are likely to have had negative effects on the strategic work of the mission. According to some of the interviewees, the mission would have benefited from having more meetings between key personnel in the different country teams.[77]

The lack of preparatory measures, meaning that little was prepared in terms of material and procurement, was recognised by the EEAS. Consequently, in the case of the EU Integrated Border Assistance Mission in Libya (EUBAM Libya), which was launched in May 2013, the first preparatory elements arrived in Libya only two weeks after the TAM, and the HoM was deployed to the mission area well before the final Council Decision was taken.[78] The idea was to undertake preparations in order to facilitate the start-up of the mission before the arrival of the rest of the international mission staff.[79]

[75] Interviews 4, 5 and 6 June, 2013.
[76] Compare with Martina Spernbauer (2010), " EULEX Kosovo: The Difficult Deployment and Challenging Implementation of the Most Comprehensive Civilian EU Operation to Date" in *German Law Journal*, 769-802 (2010), available at http://www.germanlawjournal.com/index.php?pageID=11&artID=1267 [accessed on 26 August, 2013].
[77] Interviews 5 and 12 September, 2013.
[78] Myrto Hatzigeorgopoulos and Lorène Fara-Andrianarijaona (2013), "EUBAM Libya: story of a long-awaited CSDP mission" in *European Security Review* No 66, May 2013.
[79] Interviews with Swedish government officials and EEAS civil servants.

4.2 Human Resources and Operational Support

As is noted above, more than one year on, EUCAP NESTOR was still far from being staffed to the levels set out in its mandate. As of October 2013, the mission had 67 staff members as opposed to the planned capacity of 137 international staff and 39 local staff,[80] partly because the mission was still barely operational in Kenya and not at all in Tanzania. Even in the countries where the political preconditions were in place, however, the force generation process was turbulent. The Country Teams in the Seychelles, which for four months had consisted of one person, and Kenya had no mission support staff and were forced to rely on support from the EU Delegations and Member States' embassies. The force generation process has been hampered by difficulties in finding staff with the right competencies and by staff unexpectedly not extending their contracts.[81]

The lengthy start-up process combined with insufficient support services caused some turbulence among the staff. A number of staff members, particularly on the administrative side, ended their contracts within the first six months, further reducing the scarce support capacity. In addition, civilian CSDP missions have a much more limited support structure in Brussels compared to military CSDP missions. A case in point is that while ATALANTA is supported by approximately 150 staff members in the Operation Headquarters (OHQ) in Northwood, EUCAP NESTOR's equivalent support consists of a handful of people in the CPCC, the CMPD and the EU OPCEN. This leaves the EEAS operational support capabilities for EUCAP NESTOR more or less constantly overstretched.[82]

A particular characteristic of EUCAP NESTOR is the civil-military interface. Not only is the mission labelled a civilian mission with military expertise, but there is no clear-cut definition of whether a coastguard and its related functions are civilian or military. The coastguard is a military service in some countries and civilian in others. This is the case in both Member States contributing to EUCAP NESTOR and the host countries, which means that some of the mission's primary recipients are military while others are civilian. That said, other aspects of the mission's mandate, such as the rule of law and coastal police, are strictly civilian and police-oriented.

[80] EUCAP NESTOR, Official homepage, http://www.eucap-nestor.eu/en/mission/mission_facts_and_figures.

[81] Notes from CIVCOM meeting, May 2 2013, Interviews, 4 and 16 June, 2013.

[82] Interviews, 4 and 6 June; 5 and 12 September 2013; see also Jens Behrendt (2011) "Civilian Personnel in Peace Operations: From Improvisation to Systems?", *Centre for international peace operations policy briefing* , April 2011, http://www.zif-berlin.org/fileadmin/uploads/analyse/dokumente/veroeffentlichungen/ZIF_Policy_Briefing_Jens_Behrendt_Apr_2011_ENG.pdf [accessed 26 August, 2013].

The force generation process has been slow and troublesome, partly because of difficulties in recruiting personnel with the right skills, particularly coastguard personnel with a civil law enforcement perspective.[83] The fact that EUCAP NESTOR is a civilian mission with military expertise, however, means that a number of personnel hired as civilians have military backgrounds, or were in the military in their respective Member States. Many of the calls for contributions required military experience.[84] That the majority of staff members, including the first HoM, have a military background or training has arguably both assisted and impeded the mission in its work. One challenge has been to merge military cultures and working practices with civilian CSDP procedures and ways of working. More specifically, understanding of CSDP structures has at times been incomplete, and developing work routines adapted to the mission's stretched support capabilities in the field and in Brussels has at times proved difficult. On the other hand, the military expertise has often been advantageous, for example, in facilitating liaison with local counterparts, especially when these have been military.[85]

EUCAP NESTOR's first HoM, Jacques Launay, had a high military profile as a retired French admiral. Launay had substantial experience of the region and was respected for his knowledge on piracy issues as well as for his extensive network in the Horn of Africa. Some interviewees noted his lack of experience with EU institutions and of leading a civilian mission.[86] Launay chose not to extend his contract and in July 2013 he was replaced by Etienne de Poncins, a French diplomat who has been France's ambassador to Kenya and Somalia.[87]

A specific challenge for EUCAP NESTOR has been to manage the different Country Teams from the Mission HQ (MHQ) without unduly restricting the degree of autonomy required by the those teams. Finding a balance in how centralised the mission organisation should be has been complicated by the different needs, development phases and regional status of the host countries. Thus, for example, even though Djibouti hosts the mission's MHQ and boasts a growing strategic importance in the region, Kenya remains a regional hegemon and the main hub for Somalia-related activities. At the same time, the Country Team which has achieved the most operational progress is in the Seychelles.

[83] Interviews, 4, 6 and 16 June 2013.
[84] For example in the *Second Call for Contributions 2013 for the European Union Maritime Capacity Building Mission in the Horn of Africa*, many of the positions related to reporting, planning specified military education and experience.
[85] Interview, 6 June 2013.
[86] Interviews, 4, 5, 16 June 2013.
[87] Nicolas Gros-Verheyde (2013) "Eucap Nestor. Un diplo remplace un amiral" in *Le Club B2*, 11 July 2013, http://club.bruxelles2.eu/eucap-nestor-un-diplo-remplace-un-amiral/ [accessed 15 July 2013], and http://www.eucap-nestor.eu/data/file_db/HOM_cv/Etienne%20de%20Poncins.pdf [accessed 15 October 2013].

5 Coordination

EUCAP NESTOR operates in a region where numerous other actors and programmes are conducting intersecting activities, which makes coordination both a challenge and essential. An integrated approach means coordination and collaboration with other EU actors and programmes as well as local, bilateral and international actors in the Horn of Africa. Moreover, local ownership in which the host country assumes a leadership role is key to sustainable capacity building.

5.1 Coordination in Brussels: The European External Action Service and the European Commission

The EU conducts multiple programmes in the Horn of Africa, even within the field of maritime security. Many of these programmes are run by the European Commission, making coordination with the Commission key in order to ensure a synchronised approach and prevent gaps and inefficiencies.

In the Commission, EU activities related to maritime security in the region mainly fall within the remit of the Directorate General (DG) for Development and Cooperation – EuropeAid (DEVCO), the DG for Humanitarian Aid and Civil Protection (ECHO), the DG for Maritime Affairs and Fisheries (MARE), the DG Home Affairs (HOME) and the service for Foreign Policy Instruments.[88] Specific EU programmes include the Programme to promote Regional Maritime Security (MASE), financed from the European Development Fund (EDF), and the project "Enhancing maritime security and safety through information sharing and capacity building" (MARSIC), financed through the Instrument for Stability. [89]

MASE supports countries in the region to develop their legal and judicial systems to be able to arrest and transfer pirates, and to enhance financial oversight systems so that financial flows resulting from or contributing to piracy can be prevented. The programme also supports capacity building and provides material logistic support to improve surveillance and patrolling of the coastline. In Somalia, MASE will provide young men with training for alternative vocations to piracy and carry out anti-piracy awareness campaigns. MARSIC carries out similar activities to EUCAP NESTOR. MARSIC contributes to the

[88] For an overview of EU programmes, see e.g. Directorate-General for External Policies of the Union, Policy Department, "The Maritime Dimension of CSDP: Geostrategic Maritime Challenges and their Implications for the European Union", European Parliament, January 2013.

[89] See e.g. European Commission, "EU to provide over €37 million to fight piracy in Eastern and Southern Africa", press release, 21 May 2013.

implementation of the regional Djibouti Code of Conduct[90] by supporting the capacity building and training of maritime administrative staff, officials and coastguards in many East African states, and by strengthening the capacity of coastguards and administrators to promote the surveillance and security of territorial waters.

The overlapping nature of the activities of these programmes with those of EUCAP NESTOR makes coordination essential. It was clear from the interviews, however, that such coordination has not always been easy. Among the complicating factors cited by officials are the lack of transparency about and knowledge of all the numerous projects run by the Commission, and divergent budget cycles.[91]

The value of and sometimes difficulties in achieving efficient and effective coordination between the EEAS and the Commission are not in any way unique to EUCAP NESTOR. When the EEAS was formally launched in January 2011, it brought together staff from the relevant departments of the General Secretariat of the Council of the European Union, the European Commission and personnel seconded from national diplomatic services of the Member States. Merging the different cultures was not always a smooth process, and a chaotic and prolonged transition slowed the formation of a shared working culture and esprit de corps.[92] The fact that the EEAS has taken over staff from the Commission and that the two institutions are encroaching on each other's areas of responsibility can sometimes result in turf wars.[93] Indeed, Stefan Lehne put it succinctly when he stated that many managers in the Commission tend to view the EEAS as some sort of intergovernmental Trojan horse, designed to weaken the Commission's autonomy.[94] A couple of interviewees for this study underlined that the EEAS is still young and is trying to establish its role and routines, and that it is not yet ready to strategically unify the EU's foreign policy.

There have been a number of positive attempts to coordinate the efforts of EUCAP NESTOR. In the planning phase of the mission, numerous meetings took place between DG DEVCO and CMPD,[95] and today regular meetings on piracy are held by the EU OPCEN and the DG for Mobility and Transport

[90] http://www.imo.org/OurWork/Security/PIU/Pages/DCoC.aspx
[91] Interviews in Brussels, 5 and 6 June 2013.
[92] Rosa Balfour and Kristi Raik, "Equipping the European Union for the 21st century: National diplomacies, the European External Action Service and the making of EU foreign policy", FIIA Report 36, 2013.
[93] Ibid.
[94] Stefan Lehne, "Promoting a Comprehensive Approach to EU Foreign Policy", Carnegie Europe, 21 February 2013.
[95] Nicoletta Pirozzi, "The EU's Comprehensive Approach to Crisis Management", the Geneva Centre for the Democratic Control of Armed Forces (DCAF) Brussels, June 2013.

(MOVE). A number of interviewees cited the often-constructive rapport between the institutions.[96]

However, practical hurdles still stand in the way of complete synergy between the EEAS and the Commission. One issue cited in interviews is that the pure number of programmes run by various parts of the Commission makes coordination difficult – even within the Commission.[97] Another important stumbling block to jointness was said to be the programming of financial instruments.[98] While the two must work together on resource management with regard to external assistance instruments, there is little guidance on how exactly this is to be done on a day-to-day basis. [99] To a large extent, the Commission maintains the power of the purse, controlling the budgets of the major programmes operated by the EEAS. Moreover, it is interesting to note that the costs of civilian CSDP missions, which are paid for out of the EU budget, as opposed to military CSDP missions which are mainly funded by contributing Member States, are dwarfed by the EU's total external relations funds. In 2012, the Common Foreign and Security Policy (CFSP) budget was some EUR 303 million, about 4.4 per cent of the budget for the EU's external expenditure and a mere 0.2 per cent of the EU's total budget.[100] It has even been suggested that at times the Commission uses the power of the purse to dominate the EEAS, and is inflexible about how money is spent.[101] At the same time, there are those who resist the EEAS being given more control over finances, arguing that the EEAS is more likely to be pressured by political and economic objectives to pursue short-term external aid policies rather than those informed by long-term structural development objectives.[102]

Furthermore, the ways in which the EEAS and the Commission plan programmes are notably different, which makes it hard to synchronise efforts. While, for example, the DG DEVCO first dedicates a budget for development activities and then decides how to spend that budget, the EEAS first decides that something

[96] Interviews in Brussels, 5 and 6 June 2013.
[97] Interviews 5 and 6 June and 5 September 2013.
[98] Simon Duke, Karolina Pomorska and Sophie Vanhoonacker, "The EU's Diplomatic Architecture: The Mid-term Challenge", The Diplomatic System of the European Union, Policy Paper 10, February 2012.
[99] Council Decision establishing the organisation and functioning of the European External Action Service, 2010/427/EU, 26 July 2010, Article 8(1); Steven Blockmans and Christophe Hillion (eds), "EEAS 2.0: A legal commentary on Council Decision 2010/427/EU establishing the organisation and functioning of the European External Action Service", SIEPS, February 2013; Andrew Rettman, "Commission still pulls the strings on EU foreign policy", *euobserver.com*, 6 February 2012.
[100] Antonio Missiroli, "EUISS Yearbook of European Security", EUISS, 29 May 2013.
[101] See e.g. Charles Grant, "The European External Action Service", Centre for European Reform, March 2013.
[102] Hans Merket, "The European External Action Service and the Nexus between CFSP/CSDP and Development Cooperation", *European Foreign Affairs Review* 17, no. 4 (2012).

should be done and then looks for the resources to fund it. The different planning cycles make it difficult to coordinate and, in the case of EUCAP NESTOR, for example, to jointly agree on which complementary hardware the Commission should buy – hardware that the EEAS cannot finance.[103] That the Commission works mainly by delegation, leaving implementation to partners on the ground, was also seen to make central planning and control more difficult.[104] Similarly, it has been noted that on CFSP/CSDP issues, the EEAS is part of a vertical chain of command based on the intergovernmental structure, while when dealing with development programming it has to follow the Commission's procedures. This not only highlights the difficulties at times of determining whether issues are security- or development-related, but also hinders attempts to bridge the security-development gap as the EEAS must follow different rules depending on where the issues fall.[105]

5.2 Coordination in the Field: The EU Delegations

Coordination in the field is at least as challenging as it is in Brussels. EUCAP NESTOR's activities must be synchronised with those of the Commission, and EU Member States also provide bilateral support to the region, as do other individual countries as well as international organisations. Fundamentally, these efforts must all be in line with the priorities of the local authorities.

The EU's Delegations are arguably uniquely placed to facilitate such coordination in the field. The Delegations represent the EU in some 141 countries. They offer a way for the EU to speak with one voice, and mean that the host countries have a single interlocutor with which to interact. The Delegations provide Member States with a unique outreach service – only France, Germany, the United Kingdom, Italy and Spain have more missions abroad than the EU.[106] In particular since the economic downturn, EU Delegations can provide alternative access to information and local actors for Member States if they are unable or choose not to maintain a national embassy.[107] That said, Delegations often face a delicate balancing act. Member States sometimes worry that the Delegations represent the EU without a clear

[103] Interviews in Brussels, 4 and 6 June and 12 September 2013.
[104] Interviews in Brussels, 4 and 6 June 2013.
[105] Hans Merket, "The European External Action Service and the Nexus between CFSP/CSDP and Development Cooperation", *European Foreign Affairs Review* 17, no. 4 (2012).
[106] Rosa Balfour and Kristi Raik, "Equipping the European Union for the 21st century: National diplomacies, the European External Action Service and the making of EU foreign policy", FIIA Report 36, 2013.
[107] ibid.

mandate, or are sometimes critical of Delegations for not being active enough. [108]

Some hurdles still stand in the way of Member States fully profiting from the Delegations. Linked to EUCAP NESTOR, interviewees said that EU Delegations did not yet have the capacity to take the lead on coordination in the field.[109] In general, it has been noted that EU Delegations often lack expertise on security and defence.[110] A different issue mentioned by analysts is that, like the institutions in Brussels, the Delegations' work is stovepiped where issues related to development and humanitarian assistance are dealt with by the Commission. The Delegations comprise staff from the EEAS and the Commission as well as the diplomatic services of Member States. Thus, the disharmony described above that is sometimes found in Brussels can also be discernible in the Delegations. Staff members in the Delegations have different reporting lines with Brussels as well as different administrative and financial procedures and regulations.[111] The staff who come from the Commission report to the Commission in Brussels as opposed to their Heads of Mission. [112] It has also been noted that even when cooperation is smooth on the ground, competition in Brussels can spill over to the Delegations, where a suspicious watch is kept on some work areas, especially with regard to CSDP issues that converge with those traditionally dealt with by the Commission.[113]

Another actor which was mentioned as a possible positive force in enhancing regional coordination was the EU Special Representative (EUSR). Alexander Rondos, a Greek diplomat, was appointed EUSR to the Horn of Africa in December 2011.[114] Interviewees appreciated his considerable experience in diplomacy and of East Africa, and expressed the hope that he would be able to provide strategic coherence to efforts in the region. However, there were also notes of caution about his ability to deliver results at the operational level.[115] The EUSR will contribute to regional and international efforts in the region, with a special focus on Somalia and piracy.

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[108] Ibid.
[109] Interviews in Brussels, 5 and 6 June 2013.
[110] Nicoletta Pirozzi, "The EU's Comprehensive Approach to Crisis Management", the Geneva Centre for the Democratic Control of Armed Forces (DCAF) Brussels, June 2013.
[111] Stefan Lehne, "Promoting a Comprehensive Approach to EU Foreign Policy", Carnegie Europe, 21 February 2013.
[112] Charles Grant, "The European External Action Service", Centre for European Reform, March 2013.
[113] Muriel Asseburg and Ronja Kempin, "Becoming a More Effective Actor in Crisis Management and Post-Conflict Peace Building: Strengthening CSDP Missions and Operations", in "Think Global – Act European: The Contribution of 14 European Think Tanks to the Spanish, Belgian and Hungarian Trio Presidency of the European Union", Notre Europe, March 2010.
[114] Council of the European Union, "Council appoints EU Special Representative to the Horn of Africa", Press release, 8 December 2011.
[115] Interviews in Brussels, 4-6 June 2013.

5.3 The EU Operations Centre

Another unprecedented feature of EUCAP NESTOR is that it is the first time the EU Operations Centre (OPCEN) has been activated. In January 2012, the EU Foreign Affairs Council endorsed the activation of the EU OPCEN to provide support for the planning and conduct of EUCAP NESTOR and facilitate coordination between the missions in the Horn of Africa and with institutions in Brussels.[116] Two months later, the Council gave the green light for the EU OPCEN to be activated for the first

time.[117] The centre was given an initial mandate of two years and achieved full operational capability in July 2012.

According to the Council Decision, the EU OPCEN will perform six tasks:

1) Provide direct support to the Civilian Operations Commander for the operational planning and conduct of EUCAP NESTOR.
2) Provide support to the EUTM Mission Commander and improve strategic coordination between EUTM Somalia and other CSDP missions and operations in the Horn of Africa.
3) Liaise with Operation ATALANTA.
4) Provide support to the Crisis Management and Planning Directorate (CMPD), at its request, with its strategic planning for the CSDP missions and operations in the Horn of Africa.
5) Facilitate interaction between the CSDP missions and operation in the Horn of Africa and the institutions in Brussels.
6) Facilitate coordination and enhance synergies among Operation ATALANTA, EUTM Somalia and EUCAP NESTOR, in the context of the Horn of Africa Strategy and in liaison with the EUSR for the Horn of Africa.

The reason why this is the first time the centre has been activated largely boils down to the debate over an autonomous standing military operations headquarters for the EU, a question which is contentious and divides member states. A number of countries, most notably France, reportedly with the backing of High Representative Catherine Ashton, argue that a permanent EU OHQ would facilitate and progress European defence efforts.[118] The UK, however, has

[116] Council of the European Union, "Council conclusions on the Activation of the Operations Centre for the Horn of Africa", 3142th Foreign Affairs Council meeting, 23 January 2012.
[117] Council Decision 2012/173/CFSP of 23 March 2012 on the activation of the EU Operations Centre for the Common Security and Defence Policy missions and operation in the Horn of Africa.
[118] Henry Samuel, "EU military headquarters plans 'backed by Baroness Ashton'", *Daily Telegraph*, 11 November 2012.

consistently blocked any proposal to establish a permanent OHQ for the EU, arguing that it would duplicate existing NATO structures and generate unnecessary costs.[119] The EU OPCEN was therefore not set up as a standing OHQ and was given a high threshold for activation.[120] Activation of the centre was acceptable to the UK because it would not perform a "conduct" function.[121] As is detailed above, the centre will not have any command responsibility.

The fact that the centre is not part of the existing chains of command automatically weakens its influence. Interviewees generally gave a lukewarm response to whether the OPCEN has helped them in their work.[122] At times there was even some uncertainty expressed about what the centre was supposed to do. As one official summarised the situation, the EU OPCEN is the "new kid on the block",[123] and the newcomer has been met with some scepticism about how it can add value. There is a general recognition that the EU OPCEN faces something of an uphill battle as it almost automatically impinges on, or is seen as impinging on, activities which have so far been the responsibility of other actors in Brussels.[124] In addition, some question its longevity, especially in the light of its limited initial mandate of two years.

Accordingly, the centre has started by trying to develop relationships at a personal level in order to inform others about its roles and functions, foster smooth communication flows and identify areas where it could potentially add value. ATALANTA and EUTM Somalia were basically already up and running by the time the EU OPCEN was activated, but EUCAP NESTOR was still being planned. Thus, it was natural for the centre to support the CPCC in this work, especially by providing military expertise. At the time of writing, OPCEN has 16 personnel, all of whom, with the exception of one civilian coastguard official, have military backgrounds. Some interviewees said the centre could benefit from additional civilian expertise, and it has been suggested that the two additional staff allowed under the mandate should be civilian.[125] The addition of civilian expertise with EU experience, especially related to the Commission, would strengthen EU OPCEN in its role as coordinator of the various Brussels institutions and encourage a comprehensive civil-military approach. It was also suggested that EU OPCEN would be more efficient if it had a presence on the ground.[126] The centre receives support, expertise and resources from the EUMS

[119] See e.g. David Brunnstrom, "Britain blocks move for permanent EU security HQ", *Reuters*, 18 July 2011.
[120] Norheim-Martinsen, The European Union and Military Force: Governance and Strategy, p. 175.
[121] House of Lords European Union Committee, "European Defence Capabilities: lessons from the past, signposts for the future", 31st Report of Session 2010-12, 4 May 2012.
[122] Interviews 5 and 6 June and 5 and 12 September 2013.
[123] Interview, Brussels, 6 June 2013.
[124] Interviews in Brussels, 5 and 6 June 2013.
[125] Interviews in Brussels, 6 June 2013.
[126] Interviews in Brussels, 4 and 6 June 2013.

on areas such as intelligence, medical support, logistics and financial management.

Having initially focused much of its effort on cultivating contacts and supporting the planning of EUCAP NESTOR, the EU OPCEN is now moving on to try to facilitate coordination between the three CSDP missions in the Horn of Africa, and between the missions and the Brussels-based institutions. As part of this effort, the centre produces an overview of the activities of EUCAP NESTOR, ATALANTA and EUTM Somalia, the *EU OPCEN Weekly Executive Horn of Africa CSDP Summary*. In addition, it participates in and arranges information-sharing meetings between actors in Brussels with an interest in piracy in the Horn of Africa. Moreover, the EU OPCEN has initiated the setting up of a database on which the EU institutions, its Member States and other countries and international organisations can register their projects and programmes. This is to encourage a transparent overview of activities in the Horn of Africa, reduce the risk of duplication or gaps and promote synergies. The attempt to map what is being done in the region is a praiseworthy endeavour, but it raises a number of questions which need to be clarified if it is to be helpful. These include: the information and level of detail that should be fed into the matrix to make it useful, who should provide the information and who should have access to the database. These questions are yet to be answered.

5.4 Civilian-Military Coordination

While some of the initial options papers on a maritime capacity building mission in the Horn of Africa proposed military missions, EUCAP NESTOR was launched as a civilian mission. This was consistent with other CSDP missions focused on the rule of law, which was the intended focus of EUCAP NESTOR. A couple of interviewees suggested that the decision to launch a civilian mission might have been influenced by financial considerations.[127] According to this line of reasoning, the willingness to launch a military mission could have been dampened by the costs involved for contributing countries. While civilian missions are funded through the collective CSDP budget, military operations are financed on the basis that the "costs lie where they fall". Thus, Member States have to pay for the operations themselves, except for a relatively small proportion which is covered by the ATHENA mechanism. The ATHENA mechanism can pay costs such as those linked to transport, infrastructure and medical services, and normally covers about 10 per cent of the total mission expenditures.[128] Even if financial concerns did not lie behind the decision to

[127] Interviews in Brussels, 4-6 June 2013.

[128] Directorate-General for External Policies of the Union, Policy Department, "The Maritime Dimension of CSDP: Geostrategic Maritime Challenges and their Implications for the European Union", European Parliament, January 2013.

make EUCAP NESTOR a civilian mission, the fact that the argument was brought up during interviews highlights how the financial arrangements of EU missions can shape policies. A number of analysts have argued that the funding arrangements for CSDP operations should be reformed to ensure a more equal burden sharing for military operations. [129]

The financial arrangements for CSDP missions illustrate how civilian and military missions are to some degree separate from each other. This is also the case when considering operational procedures and decision-making processes. In 2007, the Council created the CPCC to manage civilian operations. In many ways, the CPCC was the equivalent of a civilian OHQ, even if it was not given that formal status, partly due to British opposition.[130] Its establishment meant a boost for civilian ESDP missions, increased manpower for civilian crisis management, with a staff of some 64 persons, and provided a clarification of procedures and a physical location for this work. That said, it is clear from the planning and management of EUCAP NESTOR that the CPCC is overstretched, given the relatively large number of civilian mission currently run by the EU.[131]

The separate civilian and military structures created also emphasise stovepipes with parallel chains of command.[132] Efforts to try to overcome such divisions include the establishment of the Crisis Management and Planning Directorate (CMPD), which became operational in 2010 and which strategically plans both civilian and military operations. However, the unclear and intersecting mandates of the CPCC and the CMPD are said to have led to intra-institutional competition between the two, and undermine the shared vision of crisis management issues.[133] It should be noted however that, as Alexander Mattelaer notes, while mission planning is stovepiped once the CMC has been approved, there are also limits to how much it is possible to combine humanitarian efforts, development assistance and military operations, given their different objectives – "to help, to

[129] See e.g. Muriel Asseburg and Ronja Kempin, "Becoming a More Effective Actor in Crisis Management and Post-Conflict Peace Building: Strengthening CSDP Missions and Operations", in "Think Global – Act European: The Contribution of 14 European Think Tanks to the Spanish, Belgian and Hungarian Trio Presidency of the European Union", Notre Europe, March 2010, and Nicoletta Pirozzi, "The EU's Comprehensive Approach to Crisis Management", the Geneva Centre for the Democratic Control of Armed Forces (DCAF) Brussels, June 2013.

[130] Per M. Norheim-Martinsen (2013) *The European Union and Military Force: Governance and Strategy*. Cambridge: Cambridge University Press, p. 90.

[131] Interviews in Brussels, 4-6 June 2013.

[132] Per M. Norheim-Martinsen (2013) *The European Union and Military Force: Governance and Strategy*. Cambridge: Cambridge University Press, p. 90.

[133] Nicoletta Pirozzi, "The EU's Comprehensive Approach to Crisis Management", the Geneva Centre for the Democratic Control of Armed Forces (DCAF) Brussels, June 2013.

build and to protect or destroy".[134]

As is noted above, the fact that EUCAP NESTOR is a civilian mission with military expertise, and included a HoM with a military background, has involved specific challenges and opportunities in terms of civilian-military cultural differences and ways of working, and the facilitation of contacts with military counterparts in the host countries.

[134] Alexander Mattelaer, "Reviewing the EU's Crisis Management Procedures", Institute for European Studies, Vrije Universiteit Brussel, Policy brief, Issue 2012/04, November 2012.

6 Moving Forward

EUCAP NESTOR is still developing its forms and processes. This chapter aims to provide some food for thought for the future, lifting the gaze from today's challenges and opportunities to consider what might be in store for both EUCAP NESTOR and other CSDP missions as we move forward. What lessons can the EU learn from EUCAP NESTOR's first year of operations? Should the recipe used for EUCAP NESTOR be repeated elsewhere? If so: Are there any ways in which the recipe can be improved?

6.1 Key Lessons Learned

A number of key lessons which were identified when analysing the setting up of EUCAP NESTOR are listed below. Then follows a discussion on the regional approach of the mission and to what extent EUCAP NESTOR offers an exit strategy for EU NAVFOR ATALANTA.

6.1.1 Political Backing

Local ownership is essential when providing external support. The identification of needs and any ensuing assistance should be carried out under the leadership and with the active participation of local counterparts. With regard to EUCAP NESTOR, it is clear that political buy-in had not been solidified in all recipient countries. Some of the reasons for this were arguably beyond the mission's control, involving for example developments in the host countries which completely changed the setting. Moreover, the complicated nature of the political negotiations and anchoring process should not be underestimated, given that they were with five different countries that all set different preconditions and had different needs. However, the fact that interest in EUCAP NESTOR was half-hearted in some countries even at an early phase should have been seriously addressed and followed up. Fundamentally, if a country was not interested in participating in EUCAP NESTOR, it should not have been included in the plans – even if this would have dented the regional aspect of the mission. Including that country at a later stage could have remained an option. The relative success story of the Seychelles, for example, is used as an example both for the rest of the mission to draw lessons from and to illustrate to countries in the region the advantages of inviting in EUCAP NESTOR.

6.1.2 Needs Assessment and Preparations

Preparing a regional mission is inherently more challenging than preparing a mission to be deployed in a single host country. Moreover, preparing a maritime mission requires special technical and other expertise. EUCAP NESTOR

highlighted the crucial importance of making a thorough and realistic needs assessment before launching a mission so that proper preparations can be made in time. Even if the TAM conducted ahead of EUCAP NESTOR was the most comprehensive in the history of the CSDP, and it faced an immense task, it failed to sufficiently assess the operational needs, political situations and practical challenges involved in launching a regional mission.[135] In some respects, the TAM might even have been counterproductive in terms of creating unrealistic expectations among participating countries. It should be noted that the EU has to some extent already taken on board the value of preparatory measures, as can be seen in the case of Libya where personnel were deployed to the country before the launch of EUBAM Libya in order to facilitate the mission's start-up.

6.1.3 Mission Support

The importance of mission support should not be underestimated. Inadequate preparatory measures and mission support severely hampered EUCAP NESTOR and meant that newly arrived staff had to spend their time and efforts not on fulfilling their mandate, but on setting up their country offices from scratch. The regional scope exacerbated the situation as support had to be adapted to country-specific conditions. Moreover, the mission did not prioritise the hiring of support staff in all country teams.

6.1.4 Communications

Good communications are crucial for a regional mission that needs to link and unify efforts across a number of countries. EUCAP NESTOR has largely relied on existing infrastructure in the host countries, which proved inadequate. Telephone lines and Internet connections have often been unreliable, and travel options have been limited and expensive, often involving a number of indirect flights. This has acted as a stumbling block for the synchronisation of country teams and the sharing of information and lessons learned across the mission. Ultimately, inadequate communication has made it difficult for the mission to form overarching strategic plans and objectives. A clear plan for communication is essential for any CSDP mission, arguably even more so for a regional mission.

6.1.5 Coordination

Achieving a comprehensive approach is arguably a challenge for all CSDP missions; doing so within a regional mission comprised of different countries is naturally even more so. Moreover, synchronising activities with all the actors operating in a region that is attracting much international attention only adds to

[135] Interviews 5, 6 and 12 September 2013.

the difficulties. The EEAS and its Delegations can and do play an important role in unifying efforts. However, there is room for improvement. The EEAS is still young and in the process of finding its role in relation to the Commission and the EU Member States. The Delegations do not have the resources to take the lead on coordination in the field. More specifically, their capacity in areas of military and defence expertise is often imperfect. Moreover, it remains to be seen whether Member States will be willing to give Delegations such a key role. The EUSR for the Horn of Africa has been mentioned as a possible constructive force in ensuring a united and coordinated EU approach to the region.

6.1.6 Leadership

The fact that EUCAP NESTOR is a civilian CSDP mission with military expertise has involved specific challenges and opportunities. One issue that has come to the fore is the at times differing work cultures, routines and expertise of civilian and military personnel. While the availability of staff with a military background has sometimes facilitated interaction with military counterparts in host countries, there are also indications that a military leadership style together with a lack of experience or understanding of civilian CSDP missions and the institutions in Brussels might have hindered EUCAP NESTOR during its first year. Moreover, the fact that the CPCC is overstretched and understaffed, given the increasing number of civilian CSDP missions, has only added to the challenges faced. The importance of choosing a leadership that is familiar with EU institutions and civilian crisis management should be underlined.

6.2 More Regional Missions and Maritime Security for the EU?

The regional approach of EUCAP NESTOR was innovative for a civilian CSDP mission. Most of the people interviewed for this study agreed with the decision to design a mission to cover a number of countries in the Horn of Africa.[136] Given that maritime security issues are often of a cross-border nature, it made sense to take a regional approach, in the same way that ATALANTA works regionally.[137] In addition, EUCAP NESTOR was viewed as an important complement to other efforts and missions in the region, most notably ATALANTA. The countries chosen to host EUCAP NESTOR largely correlated with the area of operation of ATALANTA as well as the capacity-building efforts already taking place in the region. Furthermore, launching a regional mission was in line with the EU's strategic framework for the Horn of Africa and its more comprehensive approach to peace, stability and prosperity in the region. In addition, local counterparts

[136] Interviews in Brussels, 4-7 June 2013.
[137] Interviews in Brussels, 4-7 June 2013.

recognised the need to enhance capacity in the region as a whole, preventing the problem from just being pushed to adjacent countries.[138]

In retrospect, one year after the launch of EUCAP NESTOR, it is clear that the regional aspects have presented a number of challenges in terms of coordination, operational coherence, logistics and other mission support functions. Because this is the first time the EU has tried to organise a regional civilian CSDP mission, there are no manuals or previous lessons to lean on.

That the mission failed to secure the political backing of some of the intended host countries has obviously complicated the regional approach, and possibly dampened some of the enthusiasm for it. The considerable amounts of time and energy spent trying to build political buy-in has affected the mission. Lack of support prevented the mission from starting operations in countries where it had initially planned to be present. In addition, time-consuming processes and the lack of agreements in Kenya and Tanzania delayed the roll out of activities in those countries with which EUCAP NESTOR had an agreement – and led to the mission leadership having to focus on the political negotiations. Importantly, the slow start helped to give the mission a relatively bad reputation in both Brussels and the participating countries.

However, given the broad recognition of the cross-border nature of the security problem, it is also seen to have been the correct approach. Some interviewees have suggested that such a huge task should have been approached with more humility and an awareness of the challenges at hand, keeping expectations in check.[139] Member States' expectations of what EUCAP NESTOR would be able to achieve in the immediate and near future were simply too high. One official suggested that while a regional approach was appropriate, the way in which it was carried out could have been improved.[140] He suggested that the mission should have been launched step-by-step, setting up operations in one country first before moving on to the next one, and connecting them along the way. It is of interest to note that EUCAP SAHEL Niger has been launched first in Niger but with the possibility of supporting other countries in the region.[141]

The regional aspect of a civilian CSDP mission is new. Similarly, the EU has no previous experience of maritime capacity building with a focus on civilian law enforcement. All this resulted in specific challenges for EUCAP NESTOR, including in the planning of the mission. Expertise in civilian maritime law enforcement is relatively scarce in CSDP institutions, which complicated parts of the planning of the mission including, for example, with regard to logistics and

[138] Interviews 4–7 June, 5 and 12 September 2013.
[139] Interviews 4 and 5 June, 5 and 12 September 2013.
[140] Interview 5 September 2013.
[141] See e.g. "The European Union and the Sahel", Factsheet, 14 March 2013, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/132802.pdf.

other support functions. Given that maritime security is relatively reliant on equipment, technical understanding was also a must. Naturally, the regional aspects added to the challenge given that all the different host countries have different procedures, rules and regulations.

Maritime security is often mentioned as a possible future niche area for the EU. Sven Biscop notes that maritime trade accounts for 90 per cent of Europe's overall trade, and that it is in Europe's interests to take the lead in addressing maritime issues in the broader neighbourhood and adjacent areas.[142] Europe's broad set of instruments in both the development and the security fields is also viewed as a distinct advantage when dealing with piracy and its root causes. A European Parliament report has called on the EU to formulate a maritime security strategy that specifically addresses issues such as the geographic focus and limits of EU maritime power projection, capability requirements and soft power resources.[143]

The EU is already looking to use its maritime security instruments elsewhere. Several initiatives, for example, are already taking place in the Mediterranean. With regard to piracy, as security seems to be improving in the Gulf of Aden, the EU is gradually shifting some of its focus to the Gulf of Guinea. In 2012, for the first time, the reported number of ships and seafarers attacked in the Gulf of Guinea surpassed that of the Gulf of Aden and western Indian Ocean.[144] The European Commission in January 2013 launched a new project – the Critical Maritime Routes in the Gulf of Guinea Programme (CRIMGO) – to assist seven countries in West and Central Africa to enhance the safety of the main shipping routes by providing training for coastguards and setting up a network to share information between countries and agencies across the region.[145] However, important differences between the situations in West and East Africa will require somewhat different solutions. For one, while hijacking and hostage-taking for ransom are often the main objectives of Somali pirates, West African pirates mainly steal the fuel cargo of the vessels they attack. Furthermore, the pirates in the Gulf of Guinea have reportedly used a higher level of and more sophisticated violence. Attacks also seem well-targeted, indicating advance notice of the cargo being carried. Importantly, attacks occur mainly in jurisdictional waters close to shore, as opposed to international waters, which makes the applicable maritime

[142] Sven Biscop, "And What Will Europe Do? The European Council and Military Strategy", Egmont Royal Institute for International Relations, Security Policy Brief, No. 46, May 2013.
[143] Directorate-General for External Policies of the Union, Policy Department, "The Maritime Dimension of CSDP: Geostrategic Maritime Challenges and their Implications for the European Union", European Parliament, January 2013.
[144] *Oceans Beyond Piracy*, "The Human Cost of Maritime Piracy 2012", 2013, http://oceansbeyondpiracy.org/sites/default/files/hcop2012forweb.pdf.
[145] European Commission, "New EU initiative to combat piracy in the Gulf of Guinea", press release, 10 January 2013.

law and enforcement tools different.[146] Intervening with naval vessels, for example, would probably be more sensitive compared to in East Africa.

6.3 An Exit Strategy for ATALANTA?

When EUCAP NESTOR was launched, it was viewed as a natural follow-on mission to EU NAVFOR ATALANTA. While ATALANTA dealt with the more immediate threat of pirates, EUCAP NESTOR would have a longer term perspective, supporting sustainable solutions by bolstering the maritime security institutions of the host countries themselves. Consequently, it would also represent an exit strategy for ATALANTA. If countries in the region could deal with the pirate problem themselves, there would be no need for ATALANTA's continued presence.

Today, some will frown at the portrayal of EUCAP NESTOR as an exit strategy for its sister mission. Some who protest at the idea that EUCAP NESTOR represents the door through which ATALANTA can leave the Horn of Africa mean that the piracy problem cannot be resolved by either mission. Instead, the root causes of piracy are found on land, and include problems such as poverty and unemployment. Moreover, EUCAP NESTOR is supporting the strengthening of local maritime security institutions, and it is them, not any EU mission, that will allow ATALANTA to scale down. That EUCAP NESTOR has failed to live up to many expectations in terms of progress and results has probably led to some scepticism as well about whether the mission will be able to offer any exit strategy.

At a more fundamental level, there are differing views about the role EU NAVFOR ATALANTA has played in the battle against piracy. The number of pirate attacks in the Gulf of Aden and the western Indian Ocean has decreased substantially in recent years. In 2012, there were 35 reported attacks in ATALANTA's area of operation, compared to 163 in 2009. In the first nine months of 2013, only three attacks were registered.[147] There are many possible reasons for this significant drop in the number of attacks, including the implementation of improved Best Management Practices for Protection against Somalia Based Piracy (BMP) by the shipping industry, the increased use of armed security on board of vessels, and proactive international efforts to fight piracy, including those of EU NAVFOR ATALANTA.[148] Other reasons may include efforts on land, such as enhanced security and the provision of alternative

[146] Cristina Barrios, "Fighting piracy in the Gulf of Guinea: Offshore and onshore", *European Union Institute for Security Studies*, Brief, May 2013.
[147] EUNAVFOR ATALANTA webpage, http://eunavfor.eu/key-facts-and-figures/, accessed 7 October 2013.
[148] *Oceans Beyond Piracy*, "The Human Cost of Maritime Piracy 2012", 2013, http://oceansbeyondpiracy.org/sites/default/files/hcop2012forweb.pdf.

livelihoods for former or potential pirates. The significant reduction in the number of attacks may also be a reflection of a change in the modus operandi of the pirates. It has been noted that pirates may have learned to attack only vulnerable ships, such as those without armed security guards.[149] Consequently, it is difficult to determine the extent to which the improved security situation is thanks to EU NAVFOR ATALANTA. This, in turn, makes it difficult to assess whether EUCAP NESTOR can have any role in allowing ATALANTA to cease its operations.

Importantly, a key reason why some object to the notion that EUCAP NESTOR offers an exit for EU NAVFOR ATALANTA is that many believe the boundaries between the two missions are not that sharp, and that they can complement each other in the future. Some interviewees suggested that ATALANTA would now be able to redirect its focus to work with EUCAP NESTOR, for example, by assisting with training exercises in the region.[150] One official believed that a possible future scenario could be that the two sister missions would merge into a single, new mission.[151] This raises questions such as whether a new mission should be civilian or military, and whether it would be best way to use ATALANTA's capabilities.

The improved security situation in the Gulf of Aden has led ATALANTA to ponder how best to make use of its assets and capabilities. The EU OPCEN, for example, is helping to identify synergies between ATALANTA and other EU activities in the region, including EUCAP NESTOR. This inevitably leads to thoughts of possible 'mission creep'. That is not to say that ATALANTA cannot play a continuing constructive role in the Horn of Africa. However, it is important to keep in mind the risk that the success of ATALANTA and its now well-established and well-functioning presence will lead the mission to search for ways to justify its continued existence. If ATALANTA changes its operations in line with the local needs identified by host governments and in close coordination with other actors, including EUCAP NESTOR, then such adaptation can only be a good thing. However, if the large and relatively costly military mission were to stay on without adding any value, this would be unhelpful.

[149] NATO Shipping Centre, "NSC Weekly Update for 19-25 Sep 2013", http://www.shipping.nato.int/operations/OS/Pages/NSC-Weekly-Update.aspx, accessed 30 September 2013.
[150] Interviews 24 June and 5 September 2013.
[151] Interview 24 June 2013.

7 Bibliography

Agence France-Press (AFP), “China’s Xi jets into Tanzania on start of Africa tour”, *The Daily Telegraph*, 25 March 2013.

AFP, “Somalia to set up coastguard to protect resources: presidency”, 31 July 2013, http://www.foxnews.com/world/2013/07/31/somalia-to-set-up-coastguard-to-protect-resouces-presidency

Asseburg M. and Ronja Kempin., “Becoming a More Effective Actor in Crisis Management and Post-Conflict Peace Building: Strengthening CSDP Missions and Operations”, in “Think Global: Act European: The Contribution of 14 European Think Tanks to the Spanish, Belgian and Hungarian Trio Presidency of the European Union”, Notre Europe, March 2010.

Balfour R. and Raik K., “Equipping the European Union for the 21st century: National diplomacies, the European External Action Service and the making of EU foreign policy”, FIIA Report 36, 2013.

Barrios C., “Fighting piracy in the Gulf of Guinea: Offshore and onshore”, *European Union Institute for Security Studies*, Brief, May 2013.

Behrendt J., “Civilian Personnel in Peace Operations: From Improvisation to Systems?”, *Centre for international peace operations policy briefing* , April 2011, available at: http://www.zif-berlin.org/fileadmin/uploads/analyse/dokumente/veroeffentlichungen/ZIF_Policy_Briefing_Jens_Behrendt_Apr_2011_ENG.pdf [accessed on 26 August, 2013]

Biscop S., “And What Will Europe Do? The European Council and Military Strategy”, Egmont Royal Institute for International Relations, Security Policy Brief, No. 46, May 2013.

Blockmans S. and Hillion C. (eds), “EEAS 2.0: A legal commentary on Council Decision 2010/427/EU establishing the organisation and functioning of the European External Action Service”, SIEPS, February 2013.

Bridger J. and Bahadur J., “The Wild West in East Africa”, *Foreign Policy*, 3 June 2013.

Brunnstrom D., “Britain blocks move for permanent EU security HQ”, *Reuters*, 18 July 2011.

Directorate-General for External Policies of the Union, Policy Department, “The Maritime Dimension of CSDP: Geostrategic Maritime Challenges and their Implications for the European Union”, European Parliament, January 2013.

Duke S., Pomorska K. and Vanhoonacker S., “The EU’s Diplomatic Architecture: The Mid-term Challenge”, The Diplomatic System of the European Union, Policy Paper 10, February 2012.

EUCAP Nestor, official website, http://www.eucap-nestor.eu/en/mission/general_overview/what_is_eucap_nestor/ [accessed 8 July 2013].

EUCAP Nestor, official website, http://www.eucap-nestor.eu/ [accessed May–October 2013].

EUCAP Nestor, official website, http://www.eucap-nestor.eu/data/file_db/mission%20structure/photo.PNG [accessed 8 July 2013].

EUCAP Nestor, official website, http://www.eucap-nestor.eu/en/mission/mission_facts_and_figures/ [accessed 9 July 2012].

EUNAVFOR ATALANTA webpage, http://eunavfor.eu/key-facts-and-figures/, [accessed 7 October 2013].

European Commission, "New EU initiative to combat piracy in the Gulf of Guinea", press release, 10 January 2013.

European Commission, "EU to provide over €37 million to fight piracy in Eastern and Southern Africa", press release, 21 May 2013.

European Council, "Draft Guidelines for Command and Control Structure for EU Civilian Operations in Crisis Management", *doc 9919/07 EXT 2 -partial declassification*, 23 May 2007.

European Council, Notes from the 3078th Council meeting on 31 March 2011, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/esdp/120058.pdf [Accessed 26 August 2013].

European Union, Council Joint Action 2008/851, 8 December 2008, *Official Journal of the European Union*, 17 July 2012.

European Union, Council Decision 2008/918, on 8 December 2008, *Official Journal of the European Union*, 17 Jul 2012.

European Union, Council Decision establishing the organisation and functioning of the European External Action Service, 2010/427/EU, 26 July 2010, Article 8(1).

European Union, Council Decision 2012/389/CFSP, on 16 July 2012, *Official Journal of the European Union*, 17 July 2012.

European Union, *A Strategic Framework for the Horn of Africa*, adopted at the 3124th Foreign Affairs Council meeting, 14 Nov 2011, doc. 16858/11, 2011.

European Union, "Council Decision 2011/819/CFSP 8 December 2011 appointing the European Union Special Representative for the Horn of Africa" in *Official Journal of the European Union*, 9 December 2011.

European Union, *Council Decision 2012/173/CFSP on the activation of the EU Operations Centre for the Common Security and Defence Policy missions and operation in the Horn of Africa*, 23 March 2012, pp.

European Union, *Second Call for Contributions 2013 for the European Union Maritime Capacity Building Mission in the Horn of Africa*, 2013.

European Union, *Notes from CIVCOM meeting*, 2 May 2013.

European Union, "Council conclusions on Civilian CSDP Capabilities", *3078th Council meeting*, 31 March 2011, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/esdp/120058.pdf [Accessed 26 August 2013].

European External Action Service, "EU DAY Celebrated in Somalia: EUTM Somalia in Mogadishu: A Milestone/A New Era", http://www.eeas.europa.eu/csdp/missions-and-operations/eutm-somalia/news/20130515_en.htm, [accessed 24 September 2013].

Goth M., "Somaliland: The Atlantic Marine and Offshore Group Deal does not concern us, Director-General of Fisheries", *Somalilandpress*, 2 August 2013.

Grant C., "The European External Action Service", Centre for European Reform, March 2013.

Gros-Verheyde N., "Eucap Nestor. Un diplo remplace un amiral" in *Le Club B2*, 11 July 2013, http://club.bruxelles2.eu/eucap-nestor-un-diplo-remplace-un-amiral/ [accessed 15 July 2013].

Hagström Frisell, Eva; Tham Lindell, Magdalena; Skeppström, Emma. "Land i sikte? EU:s samlade ansats gentemot Somalia", The Swedish Defence Research Agency, 2012.

Hand M., "Somalia private coastguard spat and the fight against piracy", *Seatrade Global*, 7 August 2013.

Hatzigeorgopoulos M. and Fara-Andrianarijaona L., "EUBAM Libya: story of a long-awaited CSDP mission" *European Security Review*, no. 66, May 2013.

House of Commons European Scrutiny Committee "Eight Report of Session 2013-14", HC 83-viii, 3 July 2013.

House of Lords European Union Committee, "European Defence Capabilities: lessons from the past, signposts for the future", 31st Report of Session 2010-12, 4 May 2012.

International Maratime Organization, official webpage, http://www.imo.org/OurWork/Security/PIU/Pages/DCoC.aspx.

Kato Y., "SDF's new anti-piracy base creates a dilemma", *The Asahi Shimbun*, 5 August 2011.

Lehne S., “Promoting a Comprehensive Approach to EU Foreign Policy”, Carnegie Europe, 21 February 2013.

Mattelaer A., “Reviewing the EU’s Crisis Management Procedures”, Institute for European Studies, Vrije Universiteit Brussel, Policy brief, Issue 2012/04, November 2012.

Merket M., “The European External Action Service and the Nexus between CFSP/CSDP and Development Cooperation”, *European Foreign Affairs Review* vol. 17, no. 4 (2012).

Missiroli A., “EUISS Yearbook of European Security”, EUISS, 29 May 2013.

Nilsson, Claes and Zetterlund, Kristina, “Arming the Peace – The Sensitive Business of Capacity Building”, The Swedish Defence Research Agency, 2011.

NATO Shipping Centre, “NSC Weekly Update for 19-25 Sep 2013”, http://www.shipping.nato.int/operations/OS/Pages/NSC-Weekly-Update.aspx, [accessed 30 Sept 2013].

Ng'wanakilala F., “Tanzania signs port deal with China Merchants Holdings”, *Reuters*, 30 May 2013.

Norheim-Martinsen P. M., *The European Union and Military Force: Governance and Strategy*, Cambridge: Cambridge University Press, 2013.

Oceans Beyond Piracy, “The Human Cost of Maritime Piracy 2012”, 2013, http://oceansbeyondpiracy.org/sites/default/files/hcop2012forweb.pdf .

Pirozzi N., “The EU’s Comprehensive Approach to Crisis Management”, the Geneva Centre for the Democratic Control of Armed Forces (DCAF) Brussels, June 2013.

Regional Maritime Training Centre, Official homepage, http://www.edumar.org/ [accessed in September 2013].

Rettman, A., “Commission still pulls the strings on EU foreign policy”, *euobserver.com*, 6 February 2012.

Samuel H., “EU military headquarters plans ‘backed by Baroness Ashton’”, *Daily Telegraph*, 11 November 2012.

Spernbauer M., “ EULEX Kosovo: The Difficult Deployment and Challenging Implementation of the Most Comprehensive Civilian EU Operation to Date” in *German Law Journal*, 769-802, 2010, http://www.germanlawjournal.com/index.php?pageID=11&artID=1267 [accessed on 26 August 2013].

Styan D., “Djibouti: Changing Influence in the Horn’s Strategic Hub”, *Chatham House briefing paper*, Chatham House Africa Programme, April 2013, AFP BP 2013/01.

Tigner B., “NESTOR mission is EU's exit strategy from Somali counter-piracy role”, *Jane’s Defence Weekly*, 18 May 2012.

Tigner B., “EU launches two new African missions”, *Jane’s Defence Weekly*, 16 July 2012.

Tigner B., “EUCAP NESTOR chief outlines uneven progress on East African maritime security”, *Jane’s Defence Weekly*, 18 March 2013.

United Nations General Assembly, Human Rights Council, “Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination”, A/HRC/24/45/Add.2, 1 July 2013.

World Bank, “Seychelles”, http://www.worldbank.org/en/country/seychelles, [accessed 22 September 2013].

8 Interviews[152]

EUCAP NESTOR

- CT Kenya/Somalia
- CT Seychelles

European Commission

- DG DEVCO
- DG MOVE
- Foreign Policy Instruments

European Union External Action Service

- CMPD
- Conflict Prevention and Peacebuilding Desk
- CPCC
- EUMS
- EU OPCEN
- Horn of Africa Desk

Institute for European Studies at the Vrije Universiteit Brussel

Swedish Government Offices

- Ministry of Defence
- Folke Bernadotte Academy

Swedish Representation to the European Union

[152] Conducted in June and September 2013.

In July 2012, the Council of the European Union gave the green light to set up the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR).

The mission's objective is to enhance maritime security by supporting capacity building in a number of countries in East Africa and the western Indian Ocean. EUCAP NESTOR marks a new step for the EU. It is the first civilian EU Common Security and Defence Policy (CSDP) mission to assume a regional approach. However, more than one year after its launch, the mission is still in many ways in its start-up phase. This study aims to explain why this is the case, and on the lessons to be learned from setting up EUCAP NESTOR and its first year.

Issues addressed in the report include the level of political backing found in the countries that were originally intended to receive support from the mission, the mission's support functions and personnel, and issues related to coordination.

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