



EUNPACK

A CONFLICT SENSITIVE UNPACKING OF
THE EU COMPREHENSIVE APPROACH
TO CONFLICT AND CRISES MECHANISM

The European Union's Crisis Response in the Extended Neighbourhood

The EU's Output Effectiveness in the Case of Afghanistan

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Table of Contents

| | |
|---|----|
| 1. Conflicts & Crisis in the EU’s extended neighbourhood, EU engagement and other international actors activities: The cases of Afghanistan, Iraq and Mali in comparative perspective | 3 |
| 1.1 The Evolution of Conflict and Crisis in Afghanistan | 3 |
| Different Stages of the Conflict in Afghanistan..... | 5 |
| 1.2 Engagement of International Actors in Afghanistan (other than the EU)..... | 9 |
| The Actions Undertaken by the International Community..... | 13 |
| 1.3 The European Union’s Multiple Engagement in Afghanistan | 16 |
| 2. Case Study Afghanistan: Features of EU Crisis Response during policy formulation – Policy Output | 19 |
| 2.1 Characteristics of EU’s Policy vis-à-vis Afghanistan: Problem Definition and Objectives..... | 20 |
| 2.2 Characteristics of the EU policy approach in Afghanistan: Operative Strategies and Instruments | 27 |
| 2.2.1 The EU’s Operative Strategies..... | 27 |
| 2.2.2 Policy Tools (Instruments), Programmes, and Measures | 29 |
| Common Security and Defence Policy: EUPOL Afghanistan | 30 |
| Commission: Law and Order Trust Fund for Afghanistan (LOTFA) | 33 |
| 3. How effective is the EU crisis response – in terms of policy output?..... | 39 |
| 3.1. EU Output Effectiveness as Actor Coherence: output unity and determinacy..... | 42 |
| 3.1.1 Actor unity..... | 43 |
| 3.1.2 Policy determinacy | 44 |
| 3.2. EU Output Effectiveness as Process Coherence: Continuity and Visibility of Core Policy Features, Concepts and Institutions..... | 46 |
| 3.2.1 Continuity and visibility of policy features..... | 47 |
| 3.2.2 Continuity and visibility of core concepts: Conflict sensitivity & comprehensive approach | 48 |
| 3.2.3 Continuity and visibility of core concepts: incorporation of ‘local ownership/ local actors’ | 53 |
| 3.2.4 Institutional Coherence as process category | 56 |
| 3.3 EU Output Effectiveness as Policy Consistency/ appropriateness according to experts..... | 58 |
| 3.3.1 Problem Definitions | 59 |
| 3.4. Intermediate summary: Output effectiveness of EU crisis response in Afghanistan..... | 61 |
| 4. ANNEX..... | 63 |
| Annex 1: Conceptualizing and Operationalizing EU foreign policy ‘output effectiveness’ | 63 |
| Annex 2: Coding for Quantitative Analysis of Output Determinacy..... | 66 |
| Annex 3: Coding for Quantitative Analysis of Core Concepts | 67 |
| Bibliography | 68 |

1. Conflicts & Crisis in the EU's extended neighbourhood, EU engagement and other international actors activities: The cases of Afghanistan, Iraq and Mali in comparative perspective

1.1 The Evolution of Conflict and Crisis in Afghanistan



Source: <http://www.un.org/Depts/Cartographic/map/profile/afghanis.pdf>

Afghanistan has had a long history of internecine conflicts and it has been a battleground on which several international conflicts, including the Cold War and the War on Terror, have been fought leading to a legacy of violence in the state. Starting right from 330 BC, when Alexander the Great fought some of the fiercest battles against the Afghan tribes. Later the British attempts to establish the country as a buffer between Russia, India and Central Asia during its colonial reign led to three the Anglo-Afghan wars (1839-42, 1878-80, and 1919)². Then in 1978 the Soviet Union suffered a similar fate, meeting with firm resistance from the Afghans which forced them to finally withdraw from the country in 1989. Afghanistan has periodically been

² See Rubin 2002.

the focus of competing great powers rivalry due to its geographic location and strategic importance in the region.

In contemporary history there have been two major episodes of super-power rivalry centred on Afghanistan. The first was in the political jargon known as the “Great Game” which was between Czarist Russia and Great Britain in late 19th and early 20th century and was quite detrimental to Afghanistan³. The second episode of great power rivalry was between the Soviet Union and the United States, which culminated in the invasion of Afghanistan by the Soviet Union and the subsequent Afghan resistance which was aided by the U.S and its allies⁴.

With the Cold War coming to an end, the US and the West lost interest in Afghanistan leaving it in a state of civil war and near-anarchy; however regional competition continued the process of the destruction of the state. Afghanistan was divided into a number of semi-autonomous regions along mainly ethnic lines, and different factions fought for control of Kabul, but the Taliban ultimately emerged the winner. By 1998 the Taliban (mostly Pashtuns from the Afghan refugee camps in Pakistan) formed in reaction to the lawlessness and abuses of the civil-war period, controlled 90 percent of Afghanistan⁵. The Taliban brought much-craved security to the rural population but by limiting rights and freedoms of Afghans, partly by enforcing strict dress codes for women and men, forbidding various forms of cultural expression, and barring women from education and employment. Internal dissensions continued throughout the country between the Taliban and other ethnic factions resulting in widespread civilian casualties and numerous massacres.

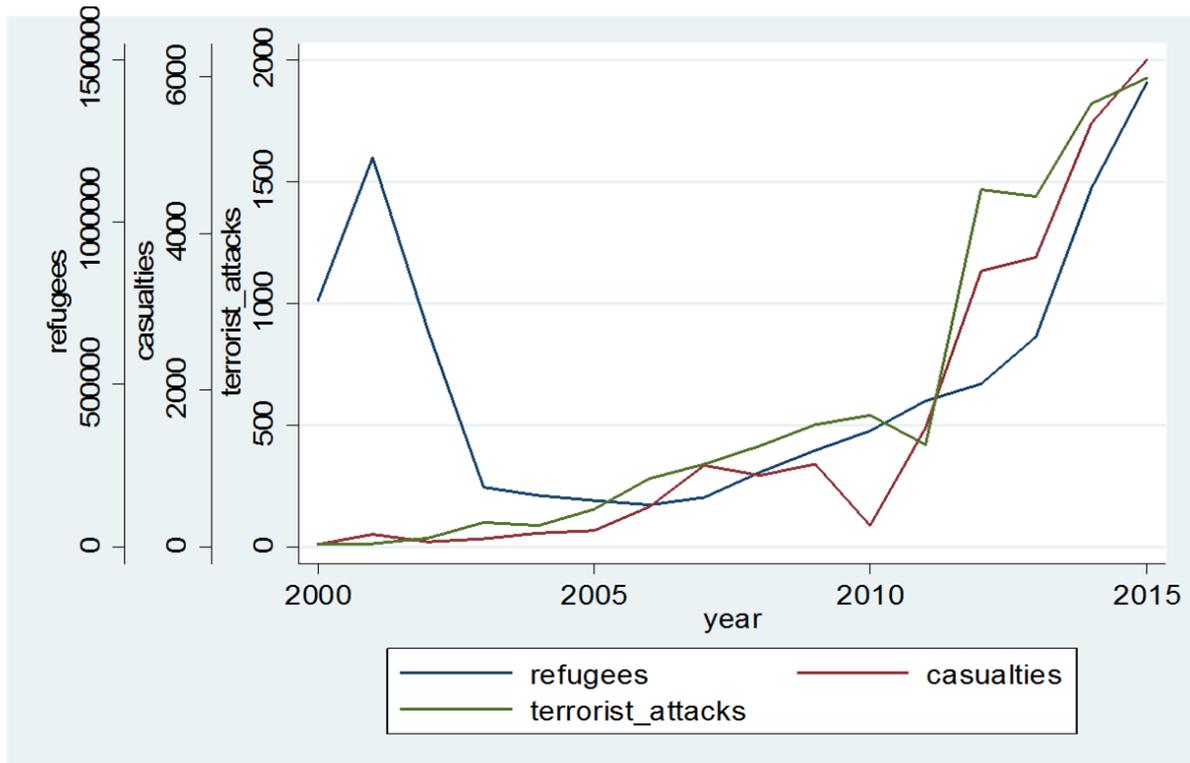
Therefore, the modern conflict in Afghanistan cannot overlook the historical roots of the conflict and it becomes even more important for the international community in their efforts in post conflict reconstruction to be cognisant of history and the affiliation of the ethnic groups.

³ See Tapper 1984

⁴ See Rahimi 2008, 8

⁵ Ayub et al 2009, 8

Conflict Evolution: Afghanistan (2000-2015)



SOURCES: PETERS, HANSCHMANN 2017 (BASED ON UCDP, [HTTP://WWW.UCDP.UU.SE/#COUNTRY/645](http://www.ucdp.uu.se/#country/645); GLOBAL TERRORIST DATABASE, [HTTPS://WWW.START.UMD.EDU/GTD/](https://www.start.umd.edu/gtd/); HEIDELBERG INSTITUTE FOR INTERNATIONAL CONFLICT RESEARCH, CONFLICT BAROMETER 2004FF, [HTTPS://WWW.HIIK.DE/EN/KONFLIKTBAROMETER/](https://www.hiik.de/en/konfliktbarometer/))

Different Stages of the Conflict in Afghanistan

Rule of Monarchy (History from 1919-78)

Afghanistan claimed its independence after 80 years fighting a series of war with the British (the first one in 1839-42 and the last in 1919). King Amanullah ended his country's traditional isolation by establishing diplomatic relations with major countries and led the country to the path of modernisation and secularisation. However, these reforms did not go down well with many tribal and religious leaders as they quickly felt alienated and hence could not tolerate these reforms. After a series of assassinations, Mohammad Zahir Shah succeeded the throne and ruled from 1933 to 1973. He promulgated a liberal constitution providing for a two-chamber legislature. The king appointed one-third of the deputies and the people elected another third. Although Zahir's *experiment in democracy* produced few lasting reforms, it permitted the growth of unofficial extremist parties on both the left and the right. These included the communist People's Democratic Party of Afghanistan (PDPA), which had close ideological ties to the Soviet Union. In 1967, the PDPA split into two major rival factions: the Khalq (Masses) faction headed by Nur Muhammad Taraki and Hafizullah Amin and supported by

elements within the military, and the Parcham (Banner) faction led by Babrak Karmal. The split reflected ethnic, class, and ideological divisions within Afghan society, which continues even to this day⁶.

Soviet intervention 1978-1991

The modern conflict in Afghanistan started with the communist revolution of 27th April 1978. In December 1978, Moscow signed a new bilateral treaty of friendship and cooperation with Afghanistan, and the Soviet military assistance program increased significantly. The regime's survival increasingly was dependent upon Soviet military equipment and advisers as the insurgency spread and the Afghan army began to collapse. The communist politics resonated poorly in Afghanistan, a country of intensely traditional and religious values. In response to the coup, anti-communist guerilla groups emerged from training camps in Pakistan. The communist government responded by arresting, torturing and killing alleged opposition members. As a reaction against the increasing anarchy at its southern border, the Soviet Union invaded Afghanistan on 24th December 1979⁷.

Under a Soviet led and supported government, summary executions diminished however arrests, disappearances, massacres, and indiscriminate bombings of rural areas continued. The notorious Afghan intelligence service was established during the Soviet period and was responsible for many arrests, torture, and executions. Resistance to the Soviet invasion was largely organised along regional, and therefore ethnic, lines. The most successful leaders fighting a “holy war” for the liberation of Afghanistan, the *mujahiddin*, gained legitimacy during this period, and many of them remain important figures in Afghan politics today. By channelling funds and support to the mujahiddin, Pakistan, Iran, Saudi Arabia, and the United States managed to inject their agendas into the Afghan resistance. The end of the Cold War and the Geneva Accords⁸ of 1988 compelled Soviet forces to withdraw by the following year, but by 1989 the war had left a million dead and created the world’s largest refugee population, with around six million refugees in Iran and Pakistan⁹.

Mujahiddin Triumph (1991-96)

After the Soviet withdrawal, the government, which was established survived for three years. At that point the then-President Najibullah was overthrown and executed by the Taliban after the defection of General Abdul Rashid Dostam and his Uzbek militia. However, when the victorious mujahiddin entered

⁶ Rahimi 2008, 10

⁷ See Ayub et al 2009

⁸ Geneva Accords: The agreement included five major documents, which, among other things, called for U.S. and Soviet non-interference in the internal affairs of Pakistan and Afghanistan, the right of refugees to return to Afghanistan without fear of persecution or harassment, and, most importantly, a timetable that ensured full Soviet withdrawal from Afghanistan by February 15, 1989.

⁹ See Ayub et al 2009

Kabul to assume control over the city and the central government, a new round of internecine fighting began between the various militias, which had coexisted only uneasily during the Soviet occupation. With the demise of their common enemy, the militias' ethnic, clan, religious, and personality differences surfaced, and the civil war continued¹⁰.

In reaction to the anarchy and warlordism prevalent in the country, and the lack of Pashtun representation in the Kabul government, a movement of former mujahiddin arose. Many Taliban had been educated in madrassas in Pakistan and were largely from rural Pashtun backgrounds. The name "Talib" itself means pupil. This group dedicated itself to removing the warlords, providing order, and imposing Islam on the country. By the end of 1998, the Taliban occupied about 90 percent of the country, limiting the opposition largely to a small mostly Tajik corner in the northeast and the Panjshir valley. Efforts by the UN, prominent Afghans living outside the country and other interested countries to bring about a peaceful solution to the continuing conflict came to naught, largely because of intransigence on the part of the Taliban.

Rule of Taliban (1996-2001)

From the mid-90s, the Taliban protected Osama Bin Laden, the leader of the terrorist organisation Al Qaeda, who had fought with them against the Soviet. With financial backing from Bin Laden, the Taliban strengthened. The UN Security Council via Resolution number 1267 repeatedly sanctioned the Taliban for these activities¹¹. Al Qaeda conducted attacks on U.S. targets, specifically bombing the U.S. embassies in Kenya and Tanzania. The US retaliated by destroying Al Qaeda's training camps under Operation Infinite Reach the same year.

Three days prior to the September, 2001 attacks on the World Trade Center, Taliban militia assassinated the Northern Alliance¹² Leader, Ahmad Shah Massoud¹³; one of the few men believed to be capable of uniting anti-Taliban factions. The hijacking of four planes, two of which crashed into New York's World Trade Centre, and one into the Pentagon killing more than 3000 people, was believed to be organised by Al Qaeda and Taliban networks. Subsequent retaliation by the United States, led by the Northern Alliance under counter terrorism operation, Operation Enduring Freedom, removed the Taliban from power by December 2001¹⁴.

¹⁰ See Rahimi 2008,11

¹¹ UNSC 1999

¹² Northern Alliance i.e. The United Islamic Front for the Salvation of Afghanistan (UIF, *Jabha-yi Muttahid-i Islami-yi Milli bara-yi Nijat-i Afghanistan*) was a military-political umbrella organization created by the Islamic State of Afghanistan in 1996. The organization united various Afghan groups fighting against each other to fight the Taliban instead. The Northern Alliance includes Tajiks, Hazara, Uzbeks, and Turkmen. Some of these ethnic groups are Shi'a or Ismaili.

¹³ Northern Alliance Defense Minister and chief military commander Ahmed Shah Masood, a hero of the Afghan resistance against the Soviets and the Taliban's principal military opponent.

¹⁴ See Ayub et al 2009, 9

Fall of Taliban and International Engagement (2001 onwards)

Under pressure from U.S. air power and anti-Taliban ground forces, the Taliban disintegrated rapidly, and Kabul fell on November 13, 2001. Sponsored by the UN, Afghan factions opposed to the Taliban met in Bonn, Germany in early December and agreed to restore stability and governance to Afghanistan by creating an interim government and establishing a process to move toward a permanent government. Under this so-called Bonn Agreement, an Afghan Interim Authority was formed and took office in Kabul on December 22, 2001 with Hamid Karzai as Chairman. The Interim Authority held power for approximately 6 months while preparing for a nationwide “Loya Jirga” (Grand Council) in mid-June 2002 that decided on the structure of a Transitional Authority. The Transitional Authority, headed by President Hamid Karzai, renamed the government as the Transitional Islamic State of Afghanistan (TISA). One of the TISA’s primary achievements was the drafting of a constitution that was ratified by a Constitutional Loya Jirga on January 4, 2004¹⁵.

The new national constitution adopted on January 4, 2004 paved the way for nationwide presidential and parliamentary elections. Afghanistan held its first national democratic Presidential elections on October 9, 2004. Hamid Karzai was announced as the official winner on November 3, 2004. On December 7, 2004 he was inaugurated as the first democratically elected President in Afghanistan’s history. The government's authority beyond the capital, Kabul, is slowly growing, although its ability to deliver necessary social services remains largely dependent on funds from the international donor community¹⁶.

The September 11 attacks brought the role of Afghanistan as a sanctuary for global terrorism to the attention of the international community. The world refocused its interest on Afghanistan to remove this threat to international security. The US launched the War on Terror by attacking Afghanistan with the aim of overthrowing the Taliban regime and its terrorist allies. Coalition attacks from the air were supported by various Afghan factions on the ground known as the Northern Alliance (many of whom were former mujahiddin leaders)¹⁷. The Taliban lost the war and their power base collapsed which gave an illusory sense of security. Only a tenuous stability prevailed in Afghanistan leaving a lot of work for the international community for state building and stabilisation.

In Afghanistan, foreign invasion and interference on the one hand, and inter-elite competition over power, resources, identity and ideology on the other hand have been two principal drivers of an almost four- decade

¹⁵ See Katzman 2009, 14

¹⁶ *ibid*,15

¹⁷ See Coelment 2009

old hybrid conflict. These dynamics largely continue to date, and Afghanistan is in an ongoing political crisis¹⁸.

1.2 Engagement of International Actors in Afghanistan (other than the EU)

The war in Afghanistan is a war of a new kind being waged simultaneously at the security as well as development front¹⁹. The international engagement in Afghanistan was to deal with this new global security 'problematique' comprising of failed states and the array of transnational threats that they unleashed. Terrorism, organised crime, and large scale migration emerged as the most profound challenges to the international order²⁰.

From the beginning of its intervention in Afghanistan, the international community had been involved in attempts to further the aims of two overarching agendas: the so-called "war against terror" and the state-building process. It rapidly became clear that the interests of the former outweighed those of the latter. The US, one of the most important international player, remained essentially detached from the state-building process until late in the day and valuable time was lost. This did not make things easier for actors like the European Union who were involved in the state building process of Afghanistan.

To make matters worse, security continued to be elusive for so long. A lack of national infrastructure, severe depletion of human resources, endemic crises of governance at the central and local levels, corrupt and ineffective police and justice institutions that fail to protect and enforce the rights of citizens, widespread gender discrimination, warlordism, and an increasingly criminalised economy based on the production and trafficking of illicit narcotics have all contributed to the continuing high levels of human insecurity. Understanding and addressing these factors have been central components of (and enormous challenges for) international organisations and donor governments operating in Afghanistan.

The international community realised that progress in infrastructure reconstruction and economic revitalisation was critical. So international actors along with select Afghan delegates organised a meeting under the UN auspices in Bonn, Germany in November 2001 to establish the Afghan Interim Authority and draw a road map for state-building²¹ as has been discussed in the previous section. Although most groups were represented in Bonn, the Taliban were not included in these talks.

¹⁸ See Ghiasy 2016

¹⁹ See Pothier 2008

²⁰ See Sedra

²¹ See Rubin 2004, Ayub et al 2009, 9

The Bonn conference supported by the US, UN and the EU resulted in an agreement which “constituted a road map for the re-establishment of rudimentary state structures” and set out benchmarks to establish main institutions of a sovereign and democratic state which included- a transitional government, a new constitution, presidential elections by September 2004, and parliamentary and provincial council elections by October 2005. The UN Security Council endorsed the outcome in Resolution 1383 (2001). The United Nations Assistance Mission in Afghanistan (UNAMA) was created to contribute to security and state building in the country²².

The UN and the wider international community chose a so-called “light footprint”²³ approach to its intervention in Afghanistan. Consequently, UNAMA did not have a strong leadership or coordinating role during the Bonn process. Priority, at least on paper, was given to Afghan leadership. Reconstruction efforts in different sectors would be ensured through cooperation with a relevant lead ministry and corresponding lead donor nation.

However, following the Bonn Agreement, a number of notorious warlords were placed in official positions of power at all levels of the Afghan Interim Administration. Before, during, and after the Bonn conference, many factional leaders of the Northern Alliance managed to manoeuvre themselves into positions of power within key ministries, including the Ministries of Interior and Defence. The consequence of this power sharing and manoeuvring continues to have adverse effects, especially within the Ministry of Interior²⁴. This outcome may have been driven by realpolitik, but it did little to establish public confidence in the Bonn process. From 2002, Afghans watched with growing alarm as the weakness of the Karzai government, increasing corruption fuelled by sharp increases in the trade in narcotics and illicit taxes, combined with the absence of sufficient neutral forces on the ground, resulted in the reestablishment of lesser and greater power blocs throughout the country.

Although constructive Afghan leadership might have been possible through extensive involvement of line ministries in the reconstruction process, this manoeuvring created an Afghan leadership that was not necessarily representative. Nor did it signify Afghan public’s ownership which has been at the core of reform processes. The political arguments for a “light footprint” approach were convincing. The UN’s experiences of state-building seemed to suggest that national leadership and ownership was preferred.

²² See Ayub et al 2009, 9

²³ Although not clearly defined by the UN, Brahimi (who had a lead role in defining UN policy) advocated a limited international role in accordance with the principle of national self-determination and in recognition of the past experience of foreign powers in Afghanistan.

²⁴ See Wilder 2007, 9

Unfortunately, advocates of the light footprint approach underestimated the extent to which professional leadership and institutional capacity had eroded during decades of conflict.

As a result, the light footprint approach created a state-building process with few checks and balances and with many conflicting, often donor-driven, development agendas. Ali A Jalali²⁵ is of the opinion that

“From the outset, two contradictory concepts drove international intervention in Afghanistan. The country was described as the major front of a global war on terror, yet the intervention was a light footprint engagement. This light footprint continues to impair every aspect of reconstruction in Afghanistan. The Taliban were removed from power, but neither their potential to return nor their external support was addressed. Co-opting criminal networks for tactical gains left many of the traditional combatants in place and perpetuated the influence of the most notorious human rights violators”.

After the Bonn process and series of international engagements, a tenuous stability prevailed in Afghanistan. The government’s ability to meet the critical benchmarks set by the Bonn process, especially the promulgation of a progressive constitution and the successful convening of presidential and parliamentary elections, raised hopes and provoked analysts to characterise the state-building project as a success. Though there were few achievements to the credit of the central government, it lacked the capacity to sustain itself without support of the international community monetarily as well as militarily. It also faced difficulties in extending its jurisdiction throughout the country. The general public extended its support for a strong central government which would be able to provide security and stability. However, centrifugal forces impeded the expansion of state authority from the centre to the periphery with stiff resistance.²⁶

Reinventing both institutions and mindsets is a gradual and long-term process. More so in Afghanistan where the population remains traumatised by three decades of conflict and the state struggles to establish its authority and legitimacy. In this context, Afghanistan’s Security Sector Reform (SSR) process was inaugurated at a G8 donor conference in Geneva in the 2002. The process was divided into five pillars, each to be overseen by a lead donor country: military reform (US), police reform (Germany), judicial reform (Italy), counter-narcotics (UK), and the DDR of former combatants (Japan)²⁷.

²⁵ Ali Ahmad Jalali was the Interior Minister of Afghanistan from January 2003 to October 2005. For details see <http://gulfnews.com/opinions/columnists/light-footprint-leads-to-failure-1.260492>).

²⁶ See Asia Foundation Report 2003

²⁷ See Schieweck 2004

SSR came to be viewed as the panacea for the state-building project in Afghanistan²⁸. Implicit in the SSR model was the need to alter state and society's understanding and perception of security. The SSR process has been seized upon by local and international stakeholders as the foundation for Afghanistan's immediate security woes with an aim of a structural overhaul- basing the state structures on legal activities and state revenue rather than on illegal profits from drug economy and smuggling business.

The efforts made by the international community might not have been entirely successful but it did obstruct the factional commanders to reconstitute their militias and resume open competition for power by military means. Ethnic divisions remained acute as was exemplified by voting patterns during the Afghan presidential election of 2004, which saw the majority of voters cast their ballots along ethnic lines; President Karzai was the only candidate to receive a significant number of votes outside his own ethnic constituency. However, there was an informal consensus among Afghanistan's main ethnic-based factions on the need to foster national unity as a precursor to sustainable peace and stability. This discouraged, to some extent, ethnic tensions from degenerating into large-scale violence. But "it was a fragile consensus that could break down at the slightest provocation"²⁹.

The influx of billions of dollars of reconstruction assistance provided a much-needed stimulus to the Afghan economy. The country's GDP grew by 28.6 per cent in the fiscal year 2002/03, by 15.7 per cent in 2003/04³⁰. Coupled with a number of crucial reforms of the economic system, including the introduction of a new currency, the *afghani*, the country took the critical first steps toward economic recovery. Nonetheless, it remained one of the most impoverished and underdeveloped countries in the world, ranking 173rd out of 177 countries in the UN Development Programme's 2004 Human Development Index³¹.

By 2004, contradictory claims on progress in both politics and reconstruction in Afghanistan reached a new peak. In President Bush's January State of the Union message, he "touted successes in Afghanistan as putting that nation on the path to 'light the way' in transforming a troubled part of the world."³² In the same report, a statement by Lakhdar Brahimi on 3 December was also cited, "Countries that are

²⁸ See Sedra 2006

²⁹ *ibid*

³⁰ World Bank 2004

³¹ UNDP 2005

³² See Bush 2001

committed to supporting Afghanistan cannot kid themselves and cannot go on expecting us to work in unacceptable security conditions.”³³

As the hopes for progress on the ground did not materialize, the international community took new steps. The London Conference of 2006, better known as the Afghanistan Compact, envisaged a renewed and more global approach. Three pillars of activity were identified, with benchmarks and timelines for the next five years: security; governance, the rule of law, and human rights; and economic and social development. It was clearly stated that “the success of the Compact relies on an effective coordination and monitoring mechanism”³⁴. A “central and impartial coordination role”³⁵ was accorded to the UN, to be in partnership with the Afghan government focussing on the importance of local ownership of Afghan people. In return for financial support, the Afghan government was requested “to provide a prioritised and detailed Afghanistan National Development Strategy (ANDS) with indicators for monitoring results”³⁶.

Despite the efforts of the international community, the country’s perilous political balance, depressed national economy, and volatile security situation have created an extremely difficult environment for the entire state building and SSR process in Afghanistan.

The Actions Undertaken by the International Community

analysis of the major conferences of the international community and of the involvement of UN, NATO and the EU demonstrates that the policy of the international community in dealing with post-conflict reconstruction in Afghanistan has undergone some remarkable changes; evolving with the situation from the Bonn Conference in 2001 to the Brussels Conference in 2016. The following table shows the evolution of international engagement in Afghanistan.

Table 1: The evolution of International Engagement in Afghanistan

³³ See Brahimi 2001

³⁴ See Afghan Compact 2006

³⁵ *ibid*

³⁶ *ibid*

| No | Agreements | Year | Outcome | Stakeholders |
|----|---|------|---|--|
| 1 | Bonn Agreement | 2001 | The international community opted for a two-track policy for reconstruction. Military dimension will be taken care of by the international community through UN mandated ISAF along with US-led Operation Enduring Freedom (OEF). Civil dimension will be taken care of by the Afghanistan government with the help of international aid. | UN, US, Afghanistan Government |
| 2 | Tokyo Conference | 2002 | Donor assistance will depend on positive cooperation of the Afghan government. A single trust fund was set up by the World Bank. Afghan Interim Authority (AIA), donors, NGOs to meet regularly at Kabul. | Japan, US, EU, Saudi Arabia, Afghan Government |
| 3 | London Conference (Afghan Compact) | 2006 | A renewed global approach ideated. Three pillars of activity identified- security; governance, rule of law and human rights; and economic and social development. It served as the basis of the next stage of reconstruction after Bonn. | Central Role accorded to the UN. |
| 4 | Interim Afghan National Development Strategy (I-ANDS) | 2006 | The central government was given the responsibility for elaborating solutions in all policy areas aimed to directly improve the lives, opportunities and living conditions of Afghan people. | Afghan Government |
| 6 | Afghanistan National Development Strategy | 2008 | A broad consensus to be achieved both on central level and sub-national level. The central government seen as the solution to all problems. Tensions between Karzai Government and international community. | Afghan Government |

| | | | | |
|----|--|------|---|--|
| 7 | International Conference on Afghanistan, London | 2010 | A new phase in the Afghan reconstruction. The international community discussed the progress on the Petersberg agreement from 2001 on the democratization of Afghanistan. The security responsibility to be transferred from NATO to Afghan security forces in a number of provinces. | UK, UN, Afghan Government |
| 8 | International Conference on Afghanistan, Bonn | 2011 | Focused on three main issues involving the conclusion of the Afghan War and the transition of security responsibility to the Afghan Government, scheduled to occur in 2014. These were: civil aspects of the transition process, the role of international community in Afghanistan after the handover, and long-term political stabilization of the country. | 85 states, 15 international organizations and the United Nations |
| 9 | TOKYO Mutual Accountability Framework (Tokyo Framework) | 2012 | Afghanistan presented a roadmap to move towards achieving economic self-reliance by 2024. The international community committed over US\$ 16 billion through 2015 in support of this roadmap. A shift in the nature of partnership between the Afghan Government and the international community from that of recipient and donors to owner and partners. | International Community and Afghan Government |
| 11 | International Conference on Afghanistan, London | 2014 | A key objective for the London Conference on Afghanistan is for Afghan civil society - and particularly Afghan women - to have a prominent voice in setting priorities with the new Government. The Conference focused on Afghan Government to set out its vision for reform and for the international community to demonstrate enduring solidarity and support for Afghanistan. | Co-hosted by UK and Afghanistan 74 international delegations and also representatives from Afghan Civil Society |
| 12 | Brussels Conference on Afghanistan | 2016 | Ensured continued international political and financial support for Afghanistan over the next four years. The total sum committed by the international community is US\$15.2 billion (+/- €13.6 billion). The EU and its member states committed to US\$5.6 billion (+/- €5 billion). This is an exceptional level of funding which ensures that Afghanistan will remain on a firm path to political and economic stability, state-building and development. This reaffirmed their commitment to a political process towards lasting peace and reconciliation | EU along with 75 countries and 26 International Organisations |

1.3 The European Union's Multiple Engagement in Afghanistan

The EU's engagement in Afghanistan goes back to the first days of the conflict and also represents a major engagement at a number of fronts. The then European Community (EC) had been active in Afghanistan since 1985 through its Aid to Uprooted People (AUP) instrument³⁷. ECHO³⁸ created in 1991, commenced its activities in the region in 1994³⁹. According to the estimates of the EC, even then it allocated more than €500 million to Afghanistan and was the largest single donor then⁴⁰. Because of sovereignty issues and security concerns, non-governmental organisations (NGOs) were its main implementing partners during the civil war, including the years of Taliban rule.

The EU, in line with most of the international community, refused to extend diplomatic recognition to the militia after it seized Kabul in 1996⁴¹. In the wake of the Taliban's ouster in November 2001, the General Affairs and External Relations Council (GAERC, the Council of EU Foreign Ministers) recognised the arrangements as —the basic roadmap for the political future of Afghanistan. Reconstruction assistance will be conditional on all parties positively contributing to the process and goals agreed⁴².

Since then, the EU has made a substantial political and economic contribution to the reconstruction of Afghanistan. The EU has been involved with its various instruments—the European Union Special Representative (EUSR), the EU Delegation in Kabul and the EU Police Mission in Afghanistan (EUPOL-A) in 2007. Apart from that the EU member states were involved in the International Security Assistance Force (ISAF) operation. Between 2002 and 2006 the EU (European Community (EC) budget and Member States) contributed 3.7 billion euro in aid to Afghanistan, of which 1.1 billion euro came out of the EC budget — making it the second largest donor to Afghanistan after the US⁴³. The involvement aimed to create a democratic, developed and stable state. The European Security Strategy (ESS) 2003 lists state failure, terrorism and organised crime among the most serious threats facing Europe today. In light of these

³⁷ ICG 2005,13

³⁸ The European Commission's Humanitarian Aid and Civil Protection department (ECHO) has been funding humanitarian projects in Afghanistan since 1994. Funds are strictly allocated on the basis of the humanitarian principles of independence, impartiality and neutrality. In 2017, the Commission has made available €25.5 million to meet the basic needs of the Afghan population. The latest allocation brings the total aid funding for the country in the last decade to €751 million.

³⁹ ECHO 2001

⁴⁰ Commission 2003-2006

⁴¹ ICG 2005

⁴² GAERC 2002, 17

⁴³ See Gross 2009

stated priorities, Afghanistan has been a quintessential case for EU as it meets all the key requirements for a political response.⁴⁴

In 2005 the Government of the Islamic Republic of Afghanistan and the EU agreed to form a new partnership to build on the success of the Bonn Agreement and to establish shared priorities for the next phase in Afghanistan's renewal. This EU-Afghanistan Joint Declaration aimed to formalise political dialogue between Afghanistan and the EU to strengthen bilateral cooperation and examine progress in meeting mutual commitments.⁴⁵ European Union's approach in Afghanistan later on was based on the decisions taken in the — 'Afghan Compact' in the London conference in 2006; wherein the Afghan Government had articulated its overarching goals for the well-being of its people in the 'Afghanistan Millennium Development Goals Country Report 2005–Vision 2020.' Consistent with those goals, the Compact identified three critical and interdependent areas or pillars of activity for the five years from the adoption of the Compact: Security; Governance, Rule of Law and Human Rights; and Economic and Social Development. A further vital and cross-cutting area of work was eliminating the narcotics industry, which remains a formidable threat to the people and state of Afghanistan, the region and beyond⁴⁶.

As can be seen from above, before 2007, the EU did not contribute much in the military operation in Afghanistan with the exception of humanitarian assistance and other economic programs orchestrated by the European Commission. The security situation remained tenuous in Afghanistan. This led the EU to step up its engagement in Afghanistan and with a view to deal with the security challenges, a major initiative was launched by the EU- European Union Police Mission to Afghanistan (EUPOL) on June 17, 2007 in Kabul. The EU engages in aspects of SSR through EUPOL and through the European Commission's contribution to Justice Reform by the EU and other international actors.

With the launch of EUPOL Afghanistan under the European Security and Defence Policy (ESDP), the EU has added a new element to its reconstruction efforts. The weak law enforcement agencies and more generally a weak justice sector makes the role of building a professional police force more important to address the challenges facing Afghanistan. The mission built on police reform efforts already deployed on the ground, notably the German Police Project Office (GPPO) while simultaneously serving to bring together individual national efforts under an EU hat⁴⁷. It was not only a training mission but also meant

⁴⁴ See Gross 2003, 13

⁴⁵ EU-Afghanistan Joint Declaration 2005

⁴⁶ The Afghan Compact 2006

⁴⁷ Council of the EU 2007

to contribute to the formulation of the overall strategy. The main advantage of EUPOL was that it colligated EU member states as well as other states (like Canada, Norway, New Zealand and Croatia) in one mission. This improves coordination among different actors through increased exchange of information on police reform activities⁴⁸.

The reform of the judiciary to date has been taken by a number of international actors. Italy served as the lead nation for justice reform before the EU got involved in the process. The London conference 2006 pushed for greater EU involvement since an effective justice system is a prerequisite for political, economic and social progress in Afghanistan. This is why the European Union is engaged in developing the Afghan National Police, fighting the illegal drugs trade and upholding basic human rights and the rule of law. But progress in any of these sectors necessitates a functioning justice system. Some progress has been made in reforming Afghanistan's formal justice system. However, of all the sectors in Afghan public life, it remains perhaps the one in most urgent need of change.

EUPOL-A provided a 'civilian surge' complementing the US/NATO military deployment⁴⁹. With over half of the International Stabilisation Assistance Force (ISAF) troops coming from the EU member states and the launch of European Union Police Mission (EUPOL), the operation was a substantial one for the EU⁵⁰. The EU expected two major benefits out of this engagement. The first was that it provided the EU with an opportunity to expand its role as a global actor especially in areas covered by the CFSP/ESDP. Second, this engagement would promote a 'European' approach to post-conflict reconstruction and peace-building⁵¹." After nearly a decade of supporting civilian policing in Afghanistan, the EUPOL Afghanistan came to an end on 31 December 2016.

The Union's engagement in Afghanistan does not end with the police mission and judicial reforms. The Union has signed the Cooperation Agreement on Partnership and Development (CAPD) with Afghanistan. It is the first contractual relationship between the two and establishes the legal framework for EU-Afghanistan cooperation. The agreement confirms the EU's commitment to Afghanistan's future development during the "Decade of Transformation" (2015-2024). It emphasises on holding regular dialogue on political issues, including human rights, in particular the rights of women and children. The Agreement will provide the basis for developing a mutually beneficial relationship in an increasing range

⁴⁸ See Gross 2009, 30

⁴⁹ See Korski and Pothier 2009

⁵⁰ See Korski 2008, 8

⁵¹ See Krow 2009, 4

of areas such as the rule of law, health, rural development, education, science and technology, as well as actions to combat corruption, money laundering, the financing of terrorism, organised crime and narcotics. It also foresees cooperation on migration. The Cooperation Agreement will also enable the EU and Afghanistan to jointly address global challenges, such as nuclear security, non-proliferation and climate change⁵².

Summing up, it can be said that global tensions stimulated by events such as the Iraq war have been superimposed on the Afghan stage which created a hostile environment for any state building effort in Afghanistan. It seriously hampered consensus building and coordination which are vital prerequisites for a successful reform process. However, the EU has managed to contribute effectively, albeit in a limited way, in its political, economic, developmental and security role as a global actor. The words of High Representative/Vice-President, Federica Mogherini summarises EU's future commitment to Afghanistan:

“The European Union has always stood by the Afghan people and will continue to do so...The Cooperation Agreement we have signed today will allow us to build on the areas that we already engage with the Afghan authorities on, such as human development, anti-corruption, state building, and the rule of law, as well as cooperation on migration. This agreement is a partnership agreement by name and by nature. The European Union will keep working with our Afghan partners for the stability and the sustainable development of the country, for the sake of all Afghans.”⁵³

2. Case Study Afghanistan: Features of EU Crisis Response during policy formulation – Policy Output

This section will provide a systematic analysis of EU foreign policy in the realm of crisis response policy in Afghanistan focussing in a first step (in line with the overall RQ 1) regarding the features of the output of EU policy-making in Brussels, along two sets of four criteria in terms of 1) Problem definitions and objectives/ priorities, and 2) strategies and instruments (policy measures or programmes).⁵⁴ In the first set, ‘strategic objectives’ (or ultimate, global, overall) are differentiated from ‘intermediate objectives’ which are to some degree instrumental for reaching the strategic objectives and hence could also be qualified as ‘strategies of first order’ or ‘grand strategies’. While looking for objectives means to answer *what* an actor wants to achieve, searching for strategies is about *how* an actor wants to reach his/her objectives.

The analysis is based on a selected EU documents from the Council as well as the Commission which will be analysed in terms of systematic qualitative (but not quantitative) content analysis. The selection criteria for this choice of reference documents are ‘political salience’ as well as some ‘coverage of the overall time span’ for this report, covering EU crisis response policy from 2007 to 2016. The core EU

⁵² CAPD 2016

⁵³ EEAS 2017

⁵⁴ These criteria a building upon the basic standard policy-analysis set of criteria for systematically analyzing policies across all policy fields, issue areas or types of policies. See, for example, Lauth and Wagner 2006.

documents outlining EU policy that will be examined and analysed for *Council foreign policy* are the following:

- a) EU Council conclusions 2007-2016
- b) Council Joint Action on establishment of EUPOL Afghanistan 2007
- c) EUPOL Afghanistan Factsheets

For investigating the respective criteria in *Commission foreign policy*, the following documents will be analysed:

- a) Country Strategy Paper Islamic Republic of Afghanistan, 2003-2006
- b) Country Strategy Paper Islamic Republic of Afghanistan, 2007-2013
- c) European Union Afghanistan Strategy: 2014-16
- d) Multiannual Indicative Programmes (MIP 2014-2020)
- e) Cooperation Agreement on Partnership and Development (CAPD) 2016

2.1 Characteristics of EU's Policy vis-à-vis Afghanistan: Problem Definition and Objectives

The EU's policy towards Afghanistan is part of its wider commitment against terrorism⁵⁵. It was spelled out in the conclusions of the Laeken European Council (15-16 Dec 2001) and further detailed during several General Affairs and External Relations Council (GAERC) meetings in 2001 (19-20 Nov and 10 Dec), 2002 (28 Jan, 15 Apr, 22 Jul and 10 Dec) and 2004 (13 December) and 2005 (12 December)⁵⁶. Europeans saw the war in Afghanistan as a part of the state-building process. However, state building cannot be carried out in an insecure environment, especially in Afghanistan which even today represents one of the most difficult theatres to work in. Security and sustainable development represent interconnected challenges in a state-building process and one cannot be carried out without the other.

The Bonn Agreement, as it is more generally known, established an Afghan Interim Authority to run the country and provided the basis for an interim system of law and governance. According to the Bonn Agreement, responsibility for maintaining security throughout the country rested with the Afghans⁵⁷. EU documents like Instrument for Stability (IfS) (2007), 'A Strategy for Afghanistan' (2014), Instrument contributing to Stability and Peace (IcSP) (2014) along with the Council conclusions and Country strategy papers emphasise security, regional stability, state-building as the key priorities and objectives of the EU's engagement in Afghanistan. It is important to examine the rationale and its subsequent practice in Afghanistan.

⁵⁵ GAERC 8-9, 17, 29-30 Oct 2001

⁵⁶ *ibid*

⁵⁷ For details see Bonn Agreement 2001.

| EU's Role in Afghanistan: A Summary | |
|--|---|
| Role | Priority Areas |
| Political | Peace, security and regional stability, reinforce democracy, spur economic and human development; promote the rule of law and respect for human rights, in particular the rights of women |
| Economic | Agriculture and Rural development, Health and Nutrition, Security reform and rule of law, Democratisation and Accountability |
| Trade | Duty-free, quota-free access to the European market, strengthen supply and export capacities, priority trade reforms |
| Humanitarian Aid | Health, agriculture, education, policing, reintegration of refugees and the democratic oversight of government |
| Regional Cooperation | Economic development, inter-connectivity, mutual interdependence and stability |
| Health | Hospital management, mental health, disability and prison health, food security |
| Governance and Justice | Democratic Civilian Police force, Rule of Law, Police-prosecutor cooperation, Justice sector reform, provincial governance |
| Democratisation and Accountability | Public Administrative reform, Sub national Governance, Free and Fair Elections |
| Human Rights | Women's rights, children's rights, the death penalty, torture and ill-treatment, freedom of expression, civilian casualties, access to justice and rights of persons with disabilities |

However it is pertinent to examine the other perspectives on the EU's engagement in Afghanistan apart from the official narratives. Critiques look at the EU's engagement from a different vantage point than that of state-building or establishing democratic institutions or rule of law among others. Some of them argue that EU's role in reconstructing Afghanistan is not about altruism. It is a political project aimed to bring this failed state back to the fold of nations, through diplomatic, military and economic assistance, so that it does not remain a threat anymore. Failed states are a danger to the entire world and Afghanistan is no exception. Political instability there provides fertile ground for the growth and development of transnational political extremism and criminality. Moreover there are specific problems for the EU. For example 90 percent of the heroin on Europe's streets comes from Afghanistan, which the EU is finding

difficult to deal with. To deal with the situation, humanitarian principles have been twisted to legitimise interventions that serve great power politics and corporate interests, as also in the case of Iraq.

Another variable that needs to be taken into consideration is the political pressure from the US. Former US Ambassador to NATO Robert E. Hunter wrote an opinion piece in 2006 saying that the EU needed to ‘put up or shut up’. In a bizarre twist of logic, he and other US officials stated that European leaders would only be entitled to an opinion on Afghanistan if they committed funds to pay for a US-designed strategy (on which Europe had hardly been consulted)⁵⁸.

With an increase of the US deployment in Afghanistan, Europeans were faced with two options: not sending any EU forces and be marginalised, which could have tremendous consequences on the transatlantic relations; or joining the US by launching an EU mission with a civilian mandate⁵⁹. This also was illustrated in the diverse approaches between the US and the EU engagement in Afghanistan. While Europeans considered Afghanistan as a key security and foreign policy challenge outside Europe, priorities closer to home were considered more pressing. The second reason for a divergence between North American and European approaches is a profound scepticism in Europe among the general public and many politicians about international efforts to bring peace and stability to Afghanistan. In part, this appears to stem from the fact that many Europeans view Afghanistan primarily in the context of the US-led war on terrorism, which is widely regarded as failing because of a perceived focus on military efforts.

Intrinsically linked to the way actors are defining the political challenges for policy-making, here the response to the post-war political, economic and social crisis in Afghanistan is the **EU’s agenda setting** that is defining objectives and priorities of policy-making in order to cope with the said challenges: The strategic objectives the Council are encapsulated in the Joint Declaration ‘Committing to a new EU Afghan Partnership’ which stated the commitment of the EU and the Government of Afghanistan ‘to a secure, stable, free, prosperous and democratic Afghanistan as laid out in the Afghan Constitution adopted on 4 January 2004 (14 Dalwa 1383). Both parties wish to see Afghanistan play a full and active role in the international community and are committed to building a prosperous future free from the threats of terrorism, extremism and organised crime’⁶⁰.

⁵⁸ See Hunter 2006

⁵⁹ See Larive 2012, 191

⁶⁰ Council of the EU 2007

Europeans were engaged in development cooperation and humanitarian aid but they soon realised the difficulty of working in a vulnerable security environment. The security gap made development and capacity-building efforts more difficult, if not impossible. Fragile and failed states have threatened regional and global security. They also spur migration, spread illicit trade, terror and impunity. They impede social and economic development, and fail to meet their international obligations, provide basic services to their people, and remain prone to continuing cycles of violent conflict. These new threats could only be dealt by having a proper understanding of the local context.

State-building is not a quick-impact project, especially given the complex social, political and economic environment of Afghanistan and its region. Afghan government and international partners need to manage expectations and realistically consider the time horizon needed to build effective state institutions. Afghanistan is unique in terms of its geography, social structures and history. To support the development of a state that could better control its territory, reduce the threat posed by terrorism, address the needs and fulfil the rights of its people. Lockhart and Ghani⁶¹ assert that Weber articulates a ‘clear, functional view of the state, and describe its “basic functions” as the legislature, the police, the judiciary, and the various branches of civil and military administration’. In such a model, however, state institutions are distinct from civil society, having their ‘own interests, preferences and capacities’⁶². Afghanistan is a classic example of such a state and a cut-and-paste state-building approach would not work if it is not understood and owned by the people.

The European Union aimed to deliver its assistance in an effective and flexible way by making use of country systems and having a strong emphasis on local ownership. At the Brussels Conference on Afghanistan, the EU signed a EUR 200 million State-Building Contract with the Government and provided direct budget support in addition to the high portion of aid delivered 'on-budget' through trust funds⁶³. The State-Building Contract aimed to increase resources for development priorities such as generating economic growth and reducing poverty. It also supported more effective budgetary management and fighting corruption. Disbursements were made conditional on benchmarks in four areas — public policy, macro-economic framework, public financial management, and transparency and oversight⁶⁴.

⁶¹ Former World Bank employees who wrote much of the 2001 Bonn Agreement that prescribed the state-building project for Afghanistan. Ashraf Ghani is currently the President of Afghanistan.

⁶² See Ghani and Lockhart, 2008, 116–117

⁶³ EEAS 2016

⁶⁴ EEAS 2011

The EU, in line with its “longstanding commitment to Afghanistan,” is an important contributor to the Afghan state⁶⁵. Since 2001, the Office of the Special Representative of the European Union (EUSR) for Afghanistan has worked toward strengthening democracy, rule of law, governance and capacity-building, economic prosperity, and human rights. Between 2002 and 2011, the EU contributed €2.5 billion in development and humanitarian assistance to Afghanistan. The European Commission and member states contributed €600 million from 2011 through 2013⁶⁶.

Generally speaking, EU assistance has progressed from supporting efforts to generate internal stability toward a greater focus on **sustainable development**⁶⁷. The credibility and success of the transition depend as much on strengthening democratic and accountable governance in Afghanistan at all levels, as on the capability of the security forces. The Bonn Agreement of December 2001, intended to put in place a “broad-based, gender-sensitive, multi-ethnic and fully representative government”⁶⁸. This was a long-term, generational task, but progress in the past few years have been able to prevent backsliding and provide an important foundation for further advances in years to come.

Democratic oversight and a clear separation of governmental, legislative and judicial powers are critical to the legitimacy of the state. Institutional change should be complemented by diverse and independent media, a pluralistic and active civil society, and greater participation and representation of women in all levels of public office. These steps will help ensure the strength of democratic institutions, increase the state’s accountability to the people and improve effective delivery of services to citizens.

The EU’s priorities in terms of **democratisation** have been: 1) to increase parliamentary, media and social society scrutiny, and 2) to improve economic governance and reduce corruption. While interlinked, the first priority was to ensure that there is a system in place to hold the government accountable, while the second was to assist the government in improving their governance structures so as to be able to deliver on their plans and promises to their population (and their donors). The second objective was in line with the Afghan National Peace and Development Framework priorities, while the first can be seen as a requirement for the Government of Afghanistan to deliver on their plans and thereby strengthen its accountability towards the public⁶⁹.

⁶⁵ EEAS 2011

⁶⁶ Commission 2007

⁶⁷ See Kempin

⁶⁸ Commission 2007

⁶⁹ See Afghanistan: Challenges and perspectives until 2020.

The European Union contributed to strengthening democratic institutions and accountability mechanisms that are critical for ensuring popular support for state-building in Afghanistan:

- *Electoral assistance*: The European Union provides electoral assistance and supports electoral reform, transparency and credibility. EU aid has contributed to reinforcing the capacity of electoral bodies, including all elections since 2001.
- *Capacity Building for Results (CBR)*: The EU supports Public Administration Reform and improving the capacity and performance of select line ministries.
- *Subnational governance*: The EU supports initiatives to improve land management and revenue collection capacities for municipalities, as well as better service delivery and accountability at provincial level.
- *Civil Society and accountable governance*: The EU supports capacity development for civil society actors, community based monitoring systems, local "integrity champions", and strengthening civil society's participation in policy-making and advocacy⁷⁰.

EU has further focused on bringing in a gendered perspective to the entire state-building project in Afghanistan. **Gender mainstreaming** has been a crucial component of most of the EU's assistance in Afghanistan. From the earliest phase of the intervention, the EU showed its commitment to Afghan women not only rhetorically, rather the EU also provided a political platform for them. The fact that 53% of EU programmes had gender equality as one of the most significant objectives illustrates its seriousness⁷¹.

The EU's commitment to gender equality is illustrated in Article 5 on Gender Equality of the Cooperation and Partnership Agreement between the EU and Government of Afghanistan. It states that the Parties shall promote the creation of an adequate framework to:

- (a) "ensure that gender-related issues are duly incorporated into all development strategies, policies and programmes, in particular those on political participation, health and literacy; and
- (b) exchange experiences and best practices in promoting gender equality and promote the adoption of positive measures in favour of women"⁷².

⁷⁰ EEAS 2017

⁷¹ EEAS 2017

⁷² CAPD 2017

In accordance with UN Security Council Resolution 1325 (2000)⁷³, the EU has reaffirmed the important role of women in the resolution of conflicts and in peace building. A high-level gender side event in the margins of the Brussels conference 2016⁷⁴ which was entitled '*Empowered Women, Prosperous Afghanistan*'. It signalled the strong priority attached to the protection and empowerment of women by the Government, the European Union and the international community and stressed the importance of full participation and involvement of women in all efforts to maintain and promote peace and security, and the need to increase their role in decision making with regard to conflict resolution.

The broad objectives as outlined in the CAPD⁷⁵ 2016 reinforce EU's agenda for change.

- a) "Promoting peace, security and regional stability, by advocating an inclusive peace process, mitigating threats from drugs, trafficking and organised crime, tackling illegal migration and supporting the development of a professional and accountable civilian police service;
- b) Reinforcing democracy: functioning democracy needs to be embedded through democratic oversight at national, provincial and district levels, inclusive and transparent elections, and capacity-building in key institutions of governance;
- c) Encouraging economic and human development including creating a transparent economic framework to encourage investment, raise revenue, allocate finances, strengthen resilience and improve access to health and education, including for the most vulnerable segments of the population;
- d) Fostering the rule of law and respect for human rights, in particular the rights of women and children, by advocating respect for human rights (including in particular the full implementation of statutory protections for the rights of women and girls), supporting greater equality before the law of all citizens and assisting with the development of a comprehensive framework to strengthen and reform the justice sector".

The choice of four sectors aims to provide a balanced approach that fits with the principles of the New Deal for Engagement in Fragile States from 2011 and is consistent with the EU's Agenda for Change. In addition to the sectors, there is a set of cross-cutting priorities, namely: 1) gender sensitivity and human rights; 2) sustainable economic growth and job creation; 3) anti-corruption and transparent management of public finances; and 4) counter-narcotics. All of these are included in the ANPDF⁷⁶.

⁷³ UNSC 1325 marked the first time the Security Council addressed the disproportionate and unique impact of armed conflict on women; recognized the under-valued and under-utilized contributions women make to conflict prevention, peacekeeping, conflict resolution, and peace-building. It also stressed the importance of women's equal and full participation as active agents in peace and security.

⁷⁴ More details on page 13 of this report.

⁷⁵ CAPD 2016

⁷⁶ EU Parliament 2017

To sum it up, identified and formulated against the backdrop of the respective political, economic and social challenges, EU strategic and intermediate objectives covered in a nutshell consists of improving security, state-building, stability and prosperity – which can be considered as necessities or essentials for a state or society to survive. These have also been indicated by the Council, Commission, and member states alike. The EU strategic objectives as well as the intermediate aims (or grand strategies) represent the Unions identity as a pluralistic polity, facilitated and legitimized by democratic institutions based on the principles of human rights, good governance, democratisation and the rule of law. The EU agenda has now been identified in terms of its declared and official ambitions; the effectiveness in terms of output effectiveness will be investigated in the third section of this report. But first it is pertinent to outline and examine the features of EU strategies and instruments in the case of Afghanistan.

2.2 Characteristics of the EU policy approach in Afghanistan: Operative Strategies and Instruments

Which policy strategies and which policy instruments has the EU defined as adequate for reaching the strategic objectives elaborated above? As a common-sensual definition, a policy strategy, by linking objectives with instruments, defines *how* objectives will be achieved, and *how* instruments will be used as tools for this purpose. Partly, grand strategies were covered in the previous sub-section in as far as these were declared by the EU as intermediate objectives. In this section in addition grand strategies will be elaborated which have been addressed by the EU as policy premises or principles.

‘Instruments’ in turn are conceptualized as operational tools for implementing a strategy in order to accomplish in a first step operative (‘tactical’) objectives of the respective policies, considered stepping stones for accomplishing, ultimately, the strategic objectives.

2.2.1 The EU’s Operative Strategies

Interwoven with the definition of strategic and intermediate objectives the EU – again as multiple actor – four grand strategies are recurring themes in EU Council and Commission statements and documents: ‘good governance’, ‘capacity building’, ‘regional co-operation and interdependence’ as well as ‘local ownership’,⁷⁷

The EU has particular focus on good governance as outlined in the Country Strategy Paper on Afghanistan 2007-13 which illustrated Commission’s two-pronged approach on **good governance**⁷⁸. Firstly,

⁷⁷ Note: EU Documents are sometimes addressing these ‚strategies‘ in terms of ‘premises’ or ‘principles’ on which EU policy-making rests. As this analysis continues, the respective EU vocabulary will be indicated.

⁷⁸ Commission 2007-13 (Country Strategy Paper Afghanistan)

interventions in the reference period supported democratisation and local governance through assistance to democratic processes, such as elections, and empowerment of local communities, with a focus on the provincial and district levels of administration. The aim was to target such governance programmes so as to geographically complement other EC activities in the North- East and East regions.⁷⁹

Secondly, the EC aimed to assist the Government of Afghanistan in its efforts to bring about sound financial management and accountability with the aim of reaching financial sustainability. The EC continued to support programmes so as to stimulate revenue collection, through assistance in the customs field and, increasingly, in domestic taxation, as well as to enhance the accountability and transparency of public money flows, through technical assistance and capacity-building to relevant institutions, such as the Parliament and the Anti- Corruption Commission.

There has been a strong focus on **capacity building** as has been highlighted in various Commission documents like the Country Strategy Papers on Afghanistan. A significant section of the funds have been devoted to reforming the public administration and strengthening the government, through capacity building within key government institutions and continued financial support for the government's recurrent budget. This has enabled the Afghan government to deliver key public services, urgently required by the population.

Integral to achieving better government at all levels is the need to increase efforts to build up the capacity of local Afghan institutions. Future sector programmes should ensure human resource development is at the core of activities, be this within partner ministries, such as the Ministries of Health and Rural Development, or within the provincial authorities.

The EC has already been involved in taking forward this process in the eastern provinces, through its Programme for Alternative Livelihoods (PAL). Future EC rural development programmes in the East and North East should build on this approach, increasing local capacity for district and provincial level planning. This will be part of an overall capacity building programme within the local offices of the Ministry of Rural Development and other relevant agencies involved in the development planning process. Capacity building shall be given particular attention in order to support the development of Afghan institutions and ensure that Afghanistan can benefit fully from the opportunities offered by enhanced cooperation under this Agreement⁸⁰

⁷⁹ The EC will also consider working at the centre of the government administration in terms of providing support to a suitable training facility for young civil servants, e.g. supporting the development of a public administration training programme at a local university.

⁸⁰ *ibid*

Regional cooperation basically is defined as interconnectivity within the region. It can be in terms of transport, trade and economic cooperation or in terms of people-to-people contacts and border activities. All regional actors have important roles to play in both facilitating and supporting a successful peace process and guaranteeing or maintaining any resulting peace agreement, which would benefit not just Afghanistan, but also the wider region. Increased regional cooperation and interdependence can play an important role in underpinning a political process by creating incentives for countries in the region to benefit from a more stable Afghanistan, in particular through promoting increased trade and commercial activities.

There is a special emphasis placed on the Afghan people, through their legitimate, democratic institutions and under the Constitution of Afghanistan, are the rightful owners and drivers of Afghanistan's stabilisation, development and democratisation processes⁸¹. Afghan-led and Afghan-owned peace process, which is the only viable path towards a sustainable resolution of the conflict.

2.2.2 Policy Tools (Instruments), Programmes, and Measures

Aligned with the above 'grand strategies' and international commitments, the EU's Agenda for Change⁸² is concerned about "tackling the challenges of security, fragility and transition"⁸³ and highlights the importance of the rule of law and justice in sustainably addressing fragility. Fragile and failed states like Afghanistan, needs assistance in a variety of tasks, which ranges from building or rebuilding local institutions, rejuvenating the economy to reconstructing dilapidated public facilities and also training local officials. In June 2000, the EU created six categories of civilian capability: police, the rule of law, civilian administration, civilian protection, monitoring, and mission support⁸⁴. In practice, the EU has largely restricted itself to a narrow range of specialisations. Most civilian ESDP missions have focused on the rule of law assistance, particularly police reform, and so most deployed staff have been drawn from the first two categories as has been the case in Afghanistan too.

As part of its 2014-2020 Multi-annual Indicative Programme for Afghanistan and in line with the "Policy Coherence for Development" (PCD), the EU has identified policing and rule of law as one of its focal

⁸¹ Cooperation Agreement on Partnership and Development 2017

⁸² EU's Agenda for Change was adopted in 2011 and it is the basis for the EU's development policy. The fundamental objective is to significantly increase the impact and effectiveness of EU development policy and, to this end, a series of key changes in the way assistance is delivered have been introduced.

⁸³ DEVCO 2015

⁸⁴ See Korski 2009

sectors⁸⁵. This subsection will focus on two EU policy tools on the operational level of policy-making (operational instruments): the Council ESDP Police Mission EUPOL Afghanistan⁸⁶, and for the Commission side of EU foreign policy the Law and Order Trust fund of Afghanistan (LOTFA)⁸⁷ as part of the rule of law/judicial reforms. First, the policy objectives of the Mission will be analysed as is visible in EU statements and documents on this level of policy-formulation, respectively; and second, the particular strategies and operational instruments or policy tools will be examined.

Common Security and Defence Policy: EUPOL Afghanistan

High Representative Solana affirmed, “Afghanistan won’t only be resolved militarily”⁸⁸ and that “a military solution is neither the sole nor the best option, particularly during the stabilization of a crisis.”⁸⁹ The EU’s ability to project military power has been undermined by a lack of investment and a weak security culture in most member states⁹⁰, but it is said to make up for this through its so-called “civilian power”⁹¹. EUPOL Afghanistan was a step in this direction, and the EU wanted to in contrast to US’ military approach to resolve the conflict. The EU and its member states encouraged a “holistic” approach to the overall mission.

It is important to understand the rationale of launching a police mission in Afghanistan. Politically, three significant reasons forced the Union to begin a CSDP mission in Afghanistan. The EU mission in Afghanistan is a classic case of external push and internal pull factors⁹². There was a sense that the EU was punching below its weight and was not playing a significant role in Afghanistan besides financial contributions. The US was the external push for the EU to take over the police mission from Germany. For political reasons, individual EU member states were more favourable to launch a civilian operation rather than just increasing their contributions to the NATO mission. This was the internal pull from within the EU to mark its entry into an important global theatre of conflict and be visible along with other actors like the NATO and the UN. Apart from that, there were few bureaucratic reasons leading to a division of labour between the Council (police) and the Commission (justice)⁹³.

⁸⁵ *ibid*

⁸⁶ For this case-in-case the content analysis is focused on the mission’s mandate from 2007 onwards.

⁸⁷ LOTFA was a trust fund established by UNDP in 2002. It was almost exclusively used as mechanism for coordinating contributions from donors for paying salaries of the Afghan national police.

⁸⁸ Solana 2009

⁸⁹ *ibid*

⁹⁰ See Witney

⁹¹ See Korski 2009

⁹² See Penksa 2012, 61

⁹³ See Wilder 2007, 21 22

The Council Secretariat sent two fact finding teams to Afghanistan, the first was sent in July 2006 and the second in September 2006⁹⁴. These fact finding missions were composed of a Joint Council–Commission European Assessment Mission (JEUAM), which assessed the situation of the Afghanistan police forces and the judiciary. The EU member states had deployed approximately 27,000 soldiers to Afghanistan within the framework of ISAF. But the Council realised that the solutions to end the conflict in Afghanistan cannot be military rather, it would have to be political and hence the focus should be on activities related to governance and the rule of law⁹⁵, which would be possible only by reforming the broader security sector in Afghanistan. Following on from its conclusions of 11 December 2006, on 12 February 2007, the Council approved the Crisis Management Concept (CMC) for an EU police mission⁹⁶.

In the framework of its comprehensive approach towards Afghanistan, the Council decided to establish the EU police mission in Afghanistan⁹⁷ (EUPOL), launched in mid-June 2007. EUPOL Afghanistan is a civilian Common Security and Defence Policy (CSDP) mission. The mission aimed at contributing to the EU's overall political and strategic objectives in Afghanistan along with boosting its image as a credible global actor in civilian crisis management. The emphasis has been to establish an effective civilian police service functioning in "an improved rule of law framework and respect for human rights"⁹⁸.

As per the Council Joint Action,

“EUPOL Afghanistan aims to contribute to the establishment under Afghan ownership of sustainable and effective civilian policing arrangements, which will ensure appropriate interaction with the wider criminal justice system. Furthermore, the mission supports the reform process towards a trusted and efficient police service, within the framework of the rule of law and respect for human rights. Sustainable police reform is a prerequisite for a successful transition of the responsibility for security to the Afghan authorities. EUPOL offers special expertise in civilian policing methods and addresses the strategic reform of the Afghan Police. The mission uses mentoring and training to improve the performance of the Police in Afghanistan”⁹⁹.

Since its establishment in 2007, EUPOL has supported the Afghan Government in building a civilian police service that operates within an improved rule of law framework and respect of human rights. “The Mission has been part of the EU's long-term commitment and contributes to the EU's overall political and strategic objectives in Afghanistan. EUPOL Afghanistan's support is delivered by its police and rule of law

⁹⁴ EU Auditors Report 2015

⁹⁵ Council of the European Union, 2009b

⁹⁶ Council of the European Union 2007

⁹⁷ Council Joint Action 2007/369/ CFSP of 30 May 2007 on establishment of the European Union Police Mission in Afghanistan (EUPOL Afghanistan) (OJ L 139, 31.5.2007, p. 33).

⁹⁸ See Tripathi 2016

⁹⁹ Council of the European Union 2007

experts from the EU Member States, mainly through advising in relevant Afghan institutions (Ministry of Interior, Afghan National Police, Ministry of Justice, and the Attorney General's Office) in Kabul, Herat and Mazar-e Sharif¹⁰⁰. The aim was to carry out EUPOL's tasks in a joint effort with the Afghan government and in close cooperation with a number of local and international partners¹⁰¹.

EUPOL-A has focused on the following objectives:

- A. Police Command, Control and Communications- to strengthen the capacity of the ANP leadership to consolidate a clear chain of command and to improve personnel management and leadership skills, such as effective reporting and record management.
- B. Intelligence-Led Policing- to facilitate a proactive approach to police work. Intelligence-Led Policing places intelligence and information gathering at the centre of decision making, allowing the ANP to respond to information gained from the community and disrupt criminal activity.
- C. Criminal Investigations Capability- to improve core skills among Afghan Criminal Investigation Teams through training, mentoring, monitoring and other support.
- D. Anti-Corruption- EUPOL places a special emphasis on the Anti-Corruption Plan of the Ministry of Interior at the national and regional levels. The Mission has taken the lead in training and mentoring regional Anti-Corruption teams. EUPOL plays a critical role in the creation of a digital filing and case tracking system to monitor detected corruption cases, ensuring the implementation of anti-corruption legislation and supporting public awareness campaigns.
- E. Police-Justice Cooperation- to improve policing with an effective criminal justice in partnership with the Ministry of Interior, the Ministry of Justice, the Afghan courts system and the Attorney General's Office.
- F. Gender Equality and Other Human Rights Standards- to prioritise awareness and adherence to international human rights standards throughout policing and justice system. EUPOL also focuses on the development of the ANP capacity to respond to gender-based violence and to advance women's participation in policing throughout Afghanistan.

EUPOL Afghanistan implemented its mandate along three lines of operations¹⁰²:

- Line of Operation 1: Advancing institutional reform of the Ministry of the Interior.
- Line of Operation 2: Professionalising the national police.
- Line of Operation 3: Connecting the national police to the wider justice system.

¹⁰⁰ EEAS 2015

¹⁰¹ *ibid.*

¹⁰² See EUPOL Website for more details.

Improvements were noted in the first two of EUPOL's three main lines of operations¹⁰³. Regarding the first objective, National Police have made significant steps towards the development of civilian policing but they do remain a highly militaristic organisation. Regarding the second objective, community policing concept, focussing on police building ties and working with the citizens, has been partially implemented and the concept is generally accepted as the desired model for future policing in Afghanistan. Intelligence-led policing was also accepted as an effective tool to professionalise the National Police, however, it was not used countrywide¹⁰⁴. EUPOL Afghanistan has been partly effective in delivering its mandate in training but less so in mentoring and advising. While external factors may account for some of the explanations for this, other shortcomings can entirely be attributed to EUPOL itself¹⁰⁵. Nonetheless, with approximately 5000 trained Afghan police officers, the mission has contributed only modestly to the overall number of trained ANP forces¹⁰⁶. The mission was closed in December 31, 2016.¹⁰⁷.

Commission: Law and Order Trust Fund for Afghanistan (LOTFA)

The effective reform of the security sector needs to take into consideration that police and justice reforms are interlinked. The police reform did not receive much attention but compared to that the judicial reform was even more underdeveloped¹⁰⁸. Linked to the police is the whole question of justice, a realisation which came very late to the international community. This was a crucial mistake committed by all donors in Afghanistan that they separated their efforts in the police, prosecutorial and justice sectors.

The Afghan judicial reform strategy 'Justice for All' of 2005 recognised this mistake that "while significant progress had been made in equipping military and law enforcement units, almost nothing has been accomplished to provide resources for the justice system"¹⁰⁹. The 2004 Constitution provided a relatively progressive basis for a legislative framework which overall guarantees the most fundamental rule of law principles, including judicial independence¹¹⁰.

¹⁰³ ECA 2015

¹⁰⁴ *ibid*

¹⁰⁵ *ibid*

¹⁰⁶ See Kempin 2009

¹⁰⁷ See EUPOL Website for more details.

¹⁰⁸ See Gross 2009, 37

¹⁰⁹ Afghan Judicial Reform Strategy 2005

¹¹⁰ *ibid*

The Afghan government set out a development strategy to address these root causes of instability, the Afghan National Development Strategy (ANDS)¹¹¹. It is based on the UN Millennium Development Goals and serves as a Poverty Reduction Strategy Paper.

The Constitution introduced three major reforms to the judicial system:

- Art. 97 declared the judiciary an “independent organ of the State” which “discharges its duties side by side with the Legislative and Executive Organs;”
- The Constitution created a unified judicial system with an organisational structure that is headed by the Supreme Court;
- The constitution created a unified system of laws. The Constitution and statutes created under the Constitution are legally dominant, with the basic principles of the Sharia acting as a guide to the legislature.

In August 2006 a new Supreme Court was approved by National Assembly. The Supreme Court then adopted a new Code of Judicial Conduct, based on the internationally recognized Principles of Judicial Conduct and establishing ethical standards¹¹².

However, it is significant to point out that Afghanistan has a mixed civil law and Islamic Sharia-based formal legal system that has evolved over many years. With the lack of a functioning official judicial system, Afghans rely on a “more traditional, informal, justice practice”¹¹³. The informal justice practices have a remarkable impact on the life of individuals and the community. In most non-urban areas customary legal systems continue to operate. The majority of the disputes are civil in nature with a few family disputes and criminal cases. Most of the cases are settled by the Jirgas who are elected representatives of surrounding villages. The jirgas use both local custom and Shari’a as their sources of law. Enforcement measures include both social pressure and referral to the civil law enforcement authorities. Traditional systems usually have core principles of apology and forgiveness, followed by reconciliation. Most Afghan customary systems are based on the principle of restorative justice. Since the

¹¹¹ The ANDS is divided into 3 pillars of activity; 1. Security: Achieve nationwide stabilisation, strengthen law enforcement, and improve personal security for every Afghan. 2. Governance, Rule of Law and Human Rights: Strengthen democratic processes and institutions, human rights, the rule of law, delivery of public services and government accountability. 3. Economic and Social Development: Reduce poverty, ensure sustainable development through a private-sector-led market economy, improve human development indicators, and make significant progress towards the Millennium Development Goals (MDGs).

¹¹² (ANDS 2008-13) http://www.af.undp.org/content/dam/afghanistan/docs/ANDS_Full_Eng.pdf

¹¹³ See Nauta 2009

formal governmental system is perceived as highly corrupt by the Afghans, they prefer the use of the informal system and the system's notion of "fairness"¹¹⁴.

The Bonn agreement had recognised the existence of this practice, but specifies that this system shall not be applied when inconsistent with the provisions of the Afghan Constitution or with international legal standards. With a view to bring about changes in this existing judicial system, Afghanistan Judicial reform was launched¹¹⁵. The reform of the judiciary has been taken by a number of international actors. It includes the US through the State Department/ Justice Sector Support Programme (JSSP), Canada (which mainly focuses on commercial law), Italy, UNDP and the German Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ). The latter three provided technical assistance to the justice sector institutions by placing advisors in relevant bodies¹¹⁶.

In 2007 the EU announced that it would take on a leading role in justice reform. At the 2007 Rome Conference on the rule of law in Afghanistan, the European Commission agreed to take on a lead coordination role for the rule of law¹¹⁷. Before the EU, Italy served as the lead nation for justice reform before the EU got involved in the process. It had become clear that the Italian government was struggling to make progress on developing Afghanistan's justice framework since 2002. Italy was frequently criticised by the US and other countries for 'dropping the ball' on rule of law¹¹⁸.

The London conference 2006 pushed for greater EU involvement because the efforts the commission has since then taken a lead role while cooperating with Italy. Italian efforts on justice reform were deemed insufficient- a justice team consisting of 4-5 staff was insignificant to bring about justice reform¹¹⁹. Another factor for increased involvement by the Commission was the growing realisation that the neglect of justice reform also undermined police reforms. Even in cases where the police did manage to make arrests, the percentages of cases brought to trial, or of trials resulting in convictions, was minute. "Subsuming justice reform under the EU roof would have the advantage of increasing coordination between the reform efforts of the police and justice sectors, even if the two are housed under separate pillars"¹²⁰.

¹¹⁴ See Nauta 2009

¹¹⁵ *ibid*

¹¹⁶ See Gross 2009

¹¹⁷ World Bank 2008

¹¹⁸ See Burke 2009

¹¹⁹ See Gross 2009

¹²⁰ *ibid*

The EU aimed for a more holistic approach toward all its programmes in the rule of law sector. The EC embarked on a new justice programme in 2007 aiming to set in place the institutional reform framework for the judiciary and prosecution service, covering pay and grading, recruitment systems and disciplinary procedures for all judges and prosecutors¹²¹. Approximately 50% of judges in Afghanistan have any form of degree – be that in secular or Sharia law – and systems of recruitment need to be addressed. Without new systems in place in the judiciary – covering recruitment, remuneration and accountability – corruption and incompetence cannot be tackled and the culture of impunity will continue.¹²²

The EU has been involved in justice reform in four areas as has been outlined in the Afghanistan programme adopted by the Commission. The four areas are “providing technical assistance, supporting the multilateral Afghanistan Reconstruction Trust Fund (ARTF) justice project, the LOTFA for salaries of personnel working in the Ministry of Justice, and the UNDP ‘access to Justice at district level’ project”¹²³. The EU engagement in the area of rule of law and commitments of EUR 441 million to the Law and Order Trust Fund for Afghanistan (LOTFA) alone, is embedded in a well-developed context of complementarity within the security sector¹²⁴. Within the security sector, the action complemented the CSDP Mission EUPOL in a comprehensive approach and contributed to the orderly phasing out of this Mission last year on 31st December 2016. It aimed at addressing the same areas of interest, for example support to the justice sector, to anti-corruption efforts and civil society activities; however, with different means and building upon achievements by the EUPOL Mission wherever applicable. It also was mutually reinforcing with EU Member States' activities and priorities to stabilise and fund the security sector following the security transition to Afghan security forces¹²⁵.

The Commission while primarily managing its own activities and projects also coordinates with the functioning of Member States' projects. Linkages between EUPOL and the Commission have been put in place. At the same time close linkage is also maintained with the other donors who are involved in reforming the justice sector in Afghanistan. A Commission representative sits in on the IPCB, EUPOL staff includes justice and rule-of-law advisors, and working relations between the two are quite good, with regular exchanges taking place – both in the form of monthly meetings between EUPOL, the Commission

¹²¹ Commission 2007

¹²² See Turner 2008

¹²³ See Gross 2009, 41

¹²⁴ *ibid*

¹²⁵ DEVCO 2015

and the EUSR as well as more informal exchanges¹²⁶. As of July 2016, the EU contribution totals €403 million worth in disbursements¹²⁷.

Judicial reform, part of the second pillar of the rule of law, started with the training of Afghan judiciary and the codification of laws. This has shown significant progress in numbers of trained personnel and indexed legislation. The EU's justice reform programme, works closely with Afghan authorities to: "set up an equitable salary structure within the Afghan judiciary to root out corruption, establish clear timetables for existing judges and prosecutors to undergo the recruitment process, develop a national legal aid programme, taking into account costs related to the recruitment and training of new defence lawyers"¹²⁸. However, Afghanistan has one of the weakest performing judicial systems in the world. The high level of corruption, criminality and civil unrest are the manifestations of structural, underlying root causes of the conflict which have severe implications for the current Afghan judicial system which is described as highly inefficient¹²⁹. The institutional capabilities of the three leading justice institutions - Supreme Court, Ministry of Justice and Advocate General's Office - are weak and poorly coordinated. There is often inadequate security arrangements for prosecutors and judges, the lack of reach outside urban areas, as well as the limited availability of Afghan legislative texts for practitioners¹³⁰.

Court management is ineffective, and the central judicial and prosecutorial authorities often do not have any technical means to communicate with colleagues in the provinces. Moreover, the situation is aggravated by the significant shortage of qualified personnel at all levels: judges, prosecutors, and lawyers¹³¹. This happens particularly in rural Afghanistan, where about one-third of the prosecutorial and judicial staff work, though most of them do not have the adequate capacities. With the lack of a functioning official judicial system, Afghans move to the more traditional, informal, justice practice.¹³² While providing access to a broadly accepted traditional notion of justice, they are often not reconciled with the national legal framework and international human rights norms.¹³³

However, one point that needs emphasis is that judicial reforms in any society are one of the most difficult reforms. Involvement in justice and law enforcement is inherently political as there is a creation of a new

¹²⁶ See Gross 2009

¹²⁷ EEAS 2016

¹²⁸ EEAS 2009

¹²⁹ See Nauta 2009

¹³⁰ DEVCO 2014

¹³¹ DEVCO 2014

¹³² Nauto 2009

¹³³ DEVCO 2014 multi-annual-indicative-programme-2014-2020_DEVCO AFG en.pdf

legal order. Afghanistan provides ample illustrations, in respect of which Shari’a versus state law or support versus exclusion of the informal justice sector is only a small element. The discrepancy between legislation conforming to international standards and the deficiencies in its implementation might constitute a further factor that would need to be taken into account.¹³⁴

Table 2: Afghanistan – EU Objectives, Strategies and Policy Tools

| Strategic objectives | Intermediate aims grand strategies | Operative Strategies (Transformative mechanisms) | POLICY TOOLS Operative Instruments & policy programmes/ measures |
|----------------------------------|--|--|---|
| Stability Security | 1 Democracy 1.1 Democratization | <input type="checkbox"/> Afghan Ownership and Afghan-Led Reforms <input type="checkbox"/> Electoral Assistance <input type="checkbox"/> Good Governance <input type="checkbox"/> Bilateral dialogue & partnership with Afghan counterparts | <input type="checkbox"/> Civilian Policing <input type="checkbox"/> Anti Corruption Commission |
| | 2. International Cooperation, incl. regional cooperation and interdependence Internationalization | <input type="checkbox"/> Bi- and multilateral Dialogue & partnership ('socialization') | <input type="checkbox"/> Policies, programmes and funds <input type="checkbox"/> Joint Way Forward on migration issues |
| Prosperity Peace-building | 3. State-building Reconstruction and Development | <input type="checkbox"/> Capacity-building <input type="checkbox"/> Security Sector Reform <input type="checkbox"/> Security governance <input type="checkbox"/> Empowerment of institutions & personnel & civil society | <input type="checkbox"/> EUPOL Afghanistan <input type="checkbox"/> Afghanistan Reconstruction Trust Fund (ARTF) justice project <input type="checkbox"/> LOTFA |
| | 4. Gender Mainstreaming | <ul style="list-style-type: none"> • Development strategies • Political participation, • Health and literacy; • Exchange experiences and best practices in promoting gender equality • Promote the adoption of positive measures in favour of women | <ul style="list-style-type: none"> • Empowered Women, Prosperous Afghanistan • Involvement in decision making with regard to conflict resolution • UNSC 1325 |

¹³⁴ Spornbauer 2014

3. How effective is the EU crisis response – in terms of policy output?

Policy-making is basically about identifying challenges and objectives, defining strategies and choosing instruments considered appropriate for achieving the said objectives and ultimately mitigating if not resolving the perceived challenges. This process may be more pro-active, if policy objectives are springing from domestic preferences formation processes and more re-active, if policy objectives are related to external challenges not originating from domestic concerns and preferences. Pro-active and re-active policy-making process might be analytically distinct; however, in real-world terms both dimensions are more or less interconnected in one and the same process, not least a) in cases where externalities of the domestic agenda-setting are influencing external/ international incidents and processes, or b) in cases in which external incidents and processes might infringe on domestic preferences and interests. Both policy realms might vary in their interdependence – in terms of Keohane’s and Nye’s categories – via respective ‘sensitivities’ or ‘vulnerabilities’¹³⁵ – the degree of which presumably impacts on the responsiveness of any political system, including the EU’s foreign policy machinery.

While ultimately gauged in terms of impact effectiveness (reaching policy objectives and resolving the respective challenge/ problem influencing one’s preferences and interests)¹³⁶, this report (Deliverable 7.1) is about the category of ‘output effectiveness’ here defined along the categories of a) *actor coherence/ actor unity & determinacy (covered in sub-section 3.1)*, b) *process coherence/ continuity & visibility of policy features, core concepts and institutional involvement (covered in sub-section 3.2)*, and c) *substantial consistency/ match of appropriateness according to expert literature (covered in sub-section 3.3)*. Since these terms and concepts are used in social science as much as in EU and EU foreign policy literature in many different ways, they must – for the sake of clear and unambiguous meanings – be operationalised for the following empirical investigation; this will be done at the beginning of each of the following sub-section.¹³⁷

Gathering relevant information on these criteria, indicators and their variations defined above are obviously problematic: How can we know or get to know the relevant information ultimately underlying our evaluations of output effectiveness without researchers being ‘participant observers’ across the many issues and levels of complex policy-making processes covered in our case studies? But even if analysts are

¹³⁵ Keohane and Nye 1977, 13-17.

¹³⁶ Please note, ‘unity of action (or deeds)’ is part of evaluating ‘outcome effectiveness’ that is policy implementation by EU institutions and Member States due in Deliverables 7.2, 7.3 and 7.4.

¹³⁷ The method part of section 3, gathering all the sub-sections’ method elements, is available as table 11 in annex 4.9.

participant observers, no one will ever get the full picture of a multi-actors and multi-level policy-making process. The best we can do regarding this challenge is to provide for a thorough investigation of documents and context information coming from the object of investigation, i.e. the European Union, its institutions and Member States, based on pertinent documents, expert literature and background talks with involved policy-makers of all levels of the policy-making process in Brussels and on-site of our cases. However, even then, the inferred judgements remain highly subjective that is interpretations. Moreover, availability of required information and data is a major challenge and thus the listed indicators are representing an ideal-typical set of items which in reality will have to be applicable and applied merely selectively. Lacking viable alternatives, we can only take the ‘second best’ way which, however, is inter-subjectively transparent and evidence-based to allow any reader to monitor and, if applicable, verify or question our findings.

| TABLE 3: Conceptualising and Operationalising EU foreign policy ‘output effectiveness’ | | | |
|---|-----------------|--|-------------------------------|
| Category | Criteria | Indicators | Results |
| ACTOR COHERENCE/ ACTOR UNITY a) horizontal b) vertical | Unity of voice | 1) Viability of compromises 2) Relative effort required to find compromise pre-decision 3) Determinacy of common documents | 1) + 2) + 3) ++ |

| | | | |
|------------------------------------|--|---|--|
| <p>PROCESS COHERENCE</p> | <p>a) coherence of identified policy features (premises, objectives, strategies, instruments) and</p> <p>b) coherence of core concepts</p> <p>c) institutional coherence</p> | <p>1) 'Continuity' and 'visibility of core features and concepts across levels of policy-formulation, i. e. on strategic and operational level</p> <p>2) Specific concepts: a) 'Conflict sensitivity' b) 'Comprehensive approach' c) 'Local ownership'</p> <p>3) Regular involvement of EU institutions and agencies as defined in mandates in EU treaty or basic documents</p> | <p>1) +++</p> <p>2) ++</p> <p>3) +</p> |
| <p>SUBSTANTIAL CONSISTENCY</p> | <p>Appropriateness of identified policy features <(problem definitions, policy objectives, strategies and instruments)> in view of given problems at hand;</p> | <p>1) Match of EU problem definition with those of the (non-EU) expert community?</p> <p>2) Match of strategies with causal assumptions?</p> <p>3) Match of instruments with strategies and objectives?</p> | <p>1) +</p> <p>2) ++</p> <p>3) ++</p> |

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¹³⁸ The increasing number of + indicates output effectiveness

3.1. EU Output Effectiveness as Actor Coherence: output unity and determinacy

The concept of ‘coherence’ is commonly used rather arbitrarily in political practice as well as in academia or public debate.¹³⁹ If used for analytical purposes a specification of meanings is required. For our purposes, Nuttall proposal is followed understanding coherence to mean a) the ‘absence of contradictions’ (thus synonymous with ‘consistency’), b) absence or degree of internal struggles between institutions (‘turf battles’), and c) as institutional interaction bound ‘to the service of a common purpose’.¹⁴⁰ For our purposes, ‘coherence’ of EU policy-making is used in relation as ‘actor coherence’ in terms of ‘speaking with one voice’ (in sub-section 3.1.1 and 3.1.2), ‘process coherence’ as continuity and consistency of defining policy features (in sub-section 3.2.1), as continuity of consistency of core political concepts (sub-section 3.2.2 and 3.2.3), as well as institutional coherence in subsection 3.3.

How united is the EU in formulating its foreign policy? Since the EU is a multiple-actor policy maker this question aims at identifying and balancing relevant incidents of *horizontal* (in-)coherence/ (dis-)unity that is among EU institutions (the Council, the Commission, and the EU Parliament) as well as of *vertical* (in-)coherence/ (dis-)unity that is between EU institutions and EU Member States. For both sub-categories, the criterion for output effectiveness is ‘unity of voice’; since policy-making especially in democratic political systems is always about finding political compromises, unity of voice is manifest (indicated), if *viable* compromises are found and formulated as policy output that is decisions manifest in authoritative statements and documents by EU institutions and MS.

‘Viability’ is here indicated by a) the relative effort required to reach consensus on any given compromise prior to a decision taken (Do reports on initial disagreement and delayed compromise-finding surface in public reports or background talks?), and b) regarding post-decision making, by deviant positions and statements of MS and EU institutions. Non-viable compromises are thus indicated by compromises falling apart if considering part-takers’ statements and positions – not yet to speak about policy implementation that is outcome effectiveness in terms of unity/ dis-unity of action – after a decision was taken in and by EU institutions.

As additional indicator for ‘measuring’ actor unity/ unity of voice, we are taking up Daniel Thomas’ suggestion of considering the ‘determinacy’ of wording chosen by the EU when formulating its policy documents and statements in the following sub-section.

How united is the EU in formulating its foreign policy?

1.1 How controversial are core issues and thus are compromise-finding processes?

¹³⁹ For a thorough and conclusive treatment of this term’s history in EU policy-making and the field of EU studies as much as of the various dimensions and faces as well as political remedies for improving ‘coherence’, see Gebhard 2011.

¹⁴⁰ See *ibid.*, 111f. Nuttall 2005.

1.2 Are compromises found viable in terms of supported and maintained by post-decision statements and positions taken by participating actors?

1.3 How strict or 'determinant' are policy prescriptions as part of EU outputs, i.e. documents and statements?

3.1.1 Actor unity

The EU has several delegations in Afghanistan: the EUSR, established in December 2001; the delegation of the European Commission to Afghanistan; and EUPOL, as well as bilateral missions of EU member-states. To achieve unity amongst all the concerned actors was not an easy task, and it becomes all the more difficult in a challenging context like Afghanistan. As accorded by Buckley, "In a sense the EU representation is a fig leaf; when push comes to shove most countries prioritise their national interests. This is especially true of some of the larger nations."¹⁴¹.

Theoretically civil-military relations are at the core of the EU's strategic culture, but in practicality the EU encountered problems to ensure an effective civil-military cooperation. For CSDP missions in the field of SSR, there was no pre-determined chain of command. The civil-military nature of the mission rendered the pooling of resources more difficult resulting in non-viable compromises. The EU Member States continued their individual actions and bilateral programmes in parallel to contributing seconded staff to EUPOL¹⁴². Member States had their preferred activities in the police, law enforcement and rule of law sectors in Afghanistan. Joining EUPOL was sometimes seen as losing national influence and visibility on the ground. France, Italy, the Netherlands, Portugal and Spain (the five countries of the European Gendarmerie Force, a multilateral police force separate from the EU) committed forces to the NATO Training Mission in Afghanistan rather than to EUPOL¹⁴³.

The Joint Action establishing the EUPOL mission stipulated that: 'The Council and the Commission shall, each in accordance with its respective powers, ensure consistency between the implementation of this Joint Action and external activities of the Community in accordance with Article 3 of the Treaty. The Council and the Commission shall cooperate to this end¹⁴⁴. However "For all its multiple offices and

¹⁴¹ Buckley 2011

¹⁴² Since 'handing over' to EUPOL the German policing mission actually increased in size.

¹⁴³ EU Auditors Report 2015

¹⁴⁴ Council of the European Union 2007

assistance programmes, the EU's contribution adds up to less than the sum of its parts. This is because the EU's strategy for Afghanistan is vague and its institutional framework is confusing"¹⁴⁵.

The concept of 'civilian policing' seems to have been problematic as it suffered from at times diverging national interpretations rather than being a Mission-wide well-understood concept. As a result, it ended up being European effort without an overarching European approach¹⁴⁶. However, civilian policing was not dismissed entirely as it was considered necessary in the long run. Moreover, it complemented other security-related programmes that were shorter-term or simply different. Yet its prioritisation by the EU was internally contested and perceived as the result of 'what the EU and its member states were able and willing to offer' more than what was most needed or requested locally. In the end, what the EU was willing to achieve through EUPOL did not seem to have been given sufficient attention at the early stage of mandate design¹⁴⁷.

Something which was taken care at a later stage by LOTFA. LOTFA was embedded in a well-developed context of complementarity within the security sector but also in related sectors and respective EU engagement, for example in the support to the justice sector, to anti-corruption efforts and civil society activities. Within the security sector, the action complemented EUPOL and contributed to the orderly phasing out of this Mission at the end 2016 by addressing the same areas of interest with different means and building upon achievements by the EUPOL wherever applicable. So, despite the initial challenges, some progress was achieved visibly in many areas, although it has been uneven and remains fragile. The ongoing fragility warrants a realistic approach for the longer-term, and sustained assistance of the international community, based on the principles of mutual accountability¹⁴⁸. At the EU level, the Mission contributed to shaping the current civilian CSDP – and the EU is today better equipped to plan and run civilian missions (or to decide not to do so)¹⁴⁹.

3.1.2 Policy determinacy

How strict or 'determinant' are policy prescriptions as part of EU outputs, i.e. documents and statements? As additional indicator for 'measuring' actor unity/ unity of voice, we are taking up *Daniel Thomas'* suggestion of considering the 'determinacy' of wording chosen by the EU when formulating its policy

¹⁴⁵ Buckley J. 2011

¹⁴⁶ Auditors report 2015

¹⁴⁷ See Tardy 2015

¹⁴⁸ Council of the European Union 2016

¹⁴⁹ See Tardy 2015

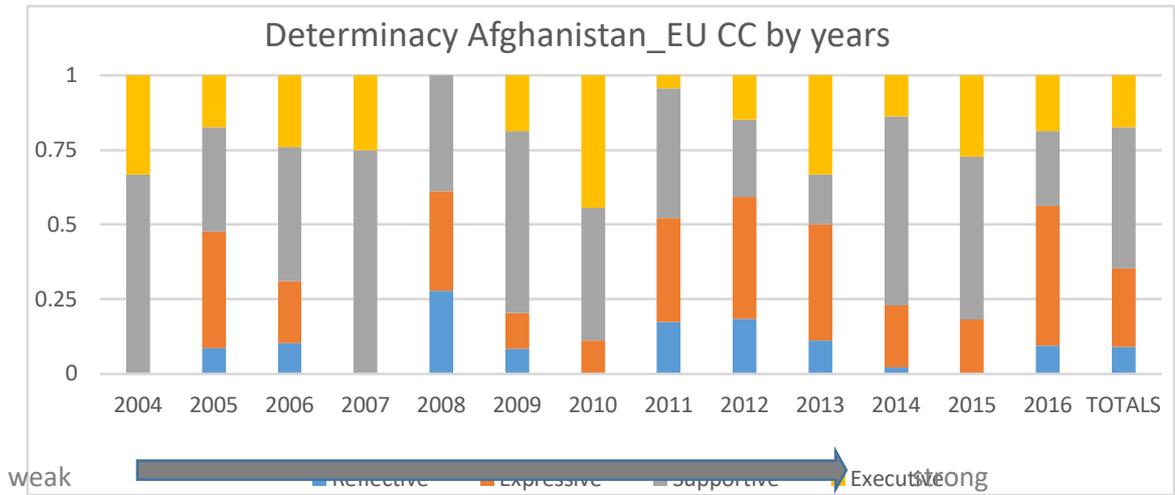
documents and statements.¹⁵⁰ The more stringently a wording is that is the less room for manoeuvring and interpretation it provides for individual actors in EU foreign policy-making, the greater is the determinacy. Strict formulations may on the one hand indicate a stronger resolve for a prescribed policy course, on the other hand, a high determinacy also indicates a stronger commitment and compromise viability of a given policy prescription. The analytical criteria used for the respective text analysis and ‘frames’ gathered in annex 2). The more often we find strict wordings, the greater the determinacy and the greater output effectiveness along the lines of this first category (see Table 3).

Building on Thomas’ framework, Council conclusions and decisions from the case study Mali were inductively analysed in order to extract those verbs used by the EU in official documents. These verbs used by the EU could be categorised in four categories, ranging from the strongest to the weakest wording. The EU is strongest and hence most determined when acting as an (1) executing institution, less strong but still acting when being a (2) supporter, not acting but still somehow determined when being (3) expressive and passive or weak when being rather (4) reflective in its wording.

For the verbs, the respective infinitive form, the 3rd person singular form as well as the participles present are coded. However, those verbs of which their infinitive form also build a noun (i.e. “support” or “aim”), are excluded in order to avoid inconsistency (see table 4.3 in Annex). This linguistic analysis is carried out with the programme atlas.ti¹⁵¹.

¹⁵⁰ Thomas 2012 549f. Since we are not starting from a mono-causal assumption, we also do not assume ‘actor unity’ to be the one and only factor ‘determining’ policy effectiveness (success or failure). Hence, we take as our premise what Thomas presented as his result that is that ‘policy coherence’ may be a necessary but certainly not a sufficient pre-condition for effectiveness. For other usages of the concept of “determinacy” see, for example Schimmelfennig & Sedelmeier, 2005.

¹⁵¹ See ANNEX 1.



The quantitative analysis shows that despite disagreements among the member states, EU documents illustrate a high level of seriousness regarding action in Afghanistan. However, it also illustrates that EU’s most important role has been of a supporting actor. A lot of criticism of EU’s engagement overlook this fact which lead to high expectations from EU’s actions in Afghanistan. The inherent contradictions between national contributions and the simultaneous search for a political role for the EU in response to the crisis makes the war in Afghanistan a pertinent case study of member states’ preferences on the role of the EU in crisis management¹⁵².

3.2. EU Output Effectiveness as Process Coherence: Continuity and Visibility of Core Policy Features, Concepts and Institutions

‘Process coherence’ is in this study operationalized in terms of continuity and visibility of a) core policy features (regarding documented policy premises & objectives, strategies & instruments), and b) core concepts (comprehensive approach, conflict sensitivity, local ownership). Hence, if core policy features or core concepts characterizing EU policy output, identified in previous sections, are continuously and consistently reappearing in EU documents and statements, this indicates a high degree of process coherence and contributes to a positive input for the overall evaluation of output effectiveness along the line of vertical and horizontal actor coherence (s.a.). If features and concepts are not regularly reappearing but are used indeterminately or are successively phase-out over the time span covered by the selected EU documents, this constitutes evidence for a lack of coherence and hence a negative input to the overall evaluation of output effectiveness.

This criterion and its indicators will also be analysed in two steps: First a quantitative text analysis is conducted based on those sample documents identified in section 2 for empirically analysing the features and core concepts of EU policy-output in previous sections. The analytical criteria used for the respective

¹⁵² See Ginsberg and Penksa 2012

text analysis and ‘frames’ gathered in annex 4.3. Second, the quantitative results will be contextualized and qualitatively interpreted for assessing the quality of effectiveness along the lines of our second category of output effectiveness.

The guiding questions for addressing this second category hence read as follows:

How coherent is the EU process of policy-formation? (covered in sub-section 3.2.1)

How continuously used and visible are, throughout the process of policy-formulation on the strategic and operational level, in terms of

- a) identified policy features (premises & objectives, strategies & instruments), and
- b) core concepts (comprehensive approach, conflict sensitivity, local ownership)?

2.2 How coherent is the involvement of EU institutions?

3.2.1 Continuity and visibility of policy features

Output coherence is in this study operationalized first in terms of continuity and visibility of core policy features (regarding documented policy premises & objectives, strategies & instruments). Hence, if core policy features characterizing EU policy output, identified in previous sections, are continuously reappearing in EU documents and statements, this indicates a high degree of coherence and contributes to a positive input for the overall evaluation of output effectiveness. If features and concepts are not regularly reappearing but are used indeterminately or are successively phase-out over the time span covered by the selected EU documents, this constitutes evidence for a lack of coherence and hence a negative input to the overall evaluation of output effectiveness.

In terms of continuity and visibility, the core objectives of the EU has been coherent. Most of the abovementioned documents (in Section 2) have regularly used concepts like good governance, democratisation, rule of law, stability, security etc. Even the recent EU documents are aligned with its international commitments and strategies. The EU's Agenda for Change for example is concerned about “tackling the challenges of security, fragility and transition” and highlights the importance of rule of law and justice in sustainably addressing fragility. Within its 2014-2020 Multiannual Indicative Programme for Afghanistan and in line with the “Policy Coherence for Development” (PCD), the EU has identified policing and rule of law as one of its focal sectors, combining efforts with EU Member States and the ongoing Common Security and Defence Policy (CSDP) Mission EUPOL in a comprehensive approach. The Council's EU Strategy on Afghanistan 2014-2016 and CAPD 2017 included both “promoting peace, stability and security” as well as “fostering rule of law and respect for human rights” as its main objectives.

However, there is a slight deviation as far as its definition of regional dependence is concerned. The EU is working with Afghanistan on migration, in a bilateral context but also with regard to the regional dimension, specifically on the issue of Afghan refugees currently hosted in Pakistan and Iran. The EU and

Afghanistan have recently signed the Joint Way Forward on migration issues (Islamic Republic of Afghanistan & the European Union, 2016)¹⁵³. The document aims to facilitate the return process to Afghanistan for those whose asylum request has been rejected in Europe¹⁵⁴. To this end, the EU is trying to have a dialogue with the relevant actors and work on finding a sustainable solution on the issue of Afghan refugees in its regional dimension¹⁵⁵. It is equally important that Afghanistan's neighbours continue to play a constructive role in consolidating Afghanistan. Regional stability will be endangered, if traditional alliance of outside actors with old favourite ethnic leaders is not yielded in favour of the Afghan Transitional Authority¹⁵⁶.

Summing up, regarding the problem definition, the EU ensured a broad coherence throughout its documents. However, the focus has now shifted towards the regional dependence and migration is featuring in most of the newer documents of the EU. Throughout the time frame of EU's engagement in Afghanistan, the overall strategic objectives, intermediate aims, grand and operational strategies and policy tools do show a marked level of continuity and convergence.

3.2.2 Continuity and visibility of core concepts: Conflict sensitivity and comprehensive approach
Another dimension of process coherence concerns the continuous and consistent use of core policy concepts ('conceptual coherence'). In its core documents and major policy statements, EU foreign policy actors have declared their concern for a conflict sensitive ('conflict sensitivity') and a comprehensive policy approach ('comprehensive approach') as indispensable prerequisites for effective and successful conflict and crisis management. Due to its even more prominent appearance in EU documents, a third core concept that is 'local actors'/'local ownership' will be covered separately in the following sub-section.

Conflict sensitivity

The term *conflict sensitivity* has gained more and more attention in EU crisis and conflict management throughout the last years. A conflict sensitive approach is central for all EU engagement, as stated in the main policy documents concerning the EU's approach to conflict prevention.

The meaning of the conflict sensitive approach already dates back to the European Union Programme for the Prevention of Conflicts in 2001, in which the EU stated that

¹⁵³ It is a bilateral political document which provides a comprehensive framework on the issues of mutual concern. It is not a legally binding agreement but a political declaration.

¹⁵⁴ See Pampaloni 2016

¹⁵⁵ *ibid*

¹⁵⁶ See Solana 2002

“Successful prevention must be based on accurate information and analysis as well as clear options for action for both long- and short-term prevention. It requires enhanced field cooperation. Coherence must be ensured in early warning, analysis, planning, decision-making, implementation and evaluation.”¹⁵⁷

In 2007, the EU the first time explicitly links a “conflict sensitive assessment” to coherence and consistency in its Council Conclusions on Security and Development by:

“[...] systematically carrying out security/**conflict sensitive assessments** and conflict analysis, where appropriate, in the preparation of country and regional strategies and programmes.”¹⁵⁸

However, a comprehensive definition of what a conflict sensitive engagement actually means, is lacking in most of the documents. In the academic debate, mainly three approaches to a conceptualization of conflict sensitivity prevail. As a matter of space constraint, they are listed here in a very simplified form:

1. “Do No Harm”- approach by Anderson (1999)¹⁵⁹. This understanding of conflict sensitivity includes the recognition that all actions affect a conflict. The aim with a conflict sensitive engagement is to avoid negative impact and maximize the positive impact of the actions.
2. “Peace and Conflict Impact Assessment (PCIA)” by Bush (1999)¹⁶⁰. This broader approach includes not only the causality from action to conflict, but also the fact that the conflict also has effects on the action. It therefore requires a two-way assessment of the action-conflict relationship.
3. “Aid for Peace” approach by Pfaffenholz and Reyhler (2005)¹⁶¹. This approach draws upon the two-way assessment of the PCIA-approach, but has as a starting point the examination of the needs of the local context and includes the dimension of contributing to peace building.

As for the Commission and the Council, all references to conflict sensitivity can be allocated rather to the first “Do no harm”-approach or between the first and the second approach. The EU institutions almost copy the concept of *Saferworld*¹⁶², as for example in a Commission document of 2013 in which it aims at

¹⁵⁷ Council of the European Union 2001.

¹⁵⁸ Council of the European Union 2007.

¹⁵⁹ See Anderson 1999. See also APFO et al. January 2004; Barbolet et al. 2005. A comprehensive discussion about the different conceptualizations of conflict sensitivity is provided by Haider 2014.

¹⁶⁰ See Bush 1998.

¹⁶¹ See Pfaffenholz 2005.

¹⁶² Saferworld is a NGO that is often financed by the EU in order to provide it with conceptual frameworks. The “Do not harm” approach by Saferworld has been defined as: 1. Understand the context; 2. Understand the nature of intervention; 3. Analyse the interaction between the intervention and the context and 4. Avoid negative impacts and maximize positive impact. See Saferworld June 2012.

“ensuring that EU actions avoid having a negative impact and maximize the positive impact on conflict dynamics”. Later in the document, the Commission even stated: “By applying a pro-active conflict sensitive approach we increase the EU’s adherence to the “Do No Harm” principle”¹⁶³.

Even though an official EU staff handbook from June 2015 about “Operating in situations of conflict and fragility”¹⁶⁴ seems to include more than a “Do No Harm”-approach, evaluations reported to the Commission still take as a benchmark the “Do No Harm” approach.¹⁶⁵

As this H 2020 project and this report provides a “conflict sensitive unpacking of the EU comprehensive approach to conflict and crises mechanism”¹⁶⁶, we will apply the EU concept of conflict sensitivity to our case studies since an evaluation of EU action does only make sense if evaluated with appropriate measures. Even though the discussion about the appropriateness of the EU’s adoption of one of the narrow concepts has to be conducted at some time, we will take the existent EU approach for now. Hence, for analyzing the continuity and visibility of conflict sensitivity at the output-stage of EU policy-making we will evaluate whether conflict sensitivity has been continuously reappearing in EU documents and statements; if so, this indicates a high degree of coherence and contributes to a positive input for the overall evaluation of output effectiveness. If the concept is not regularly reappearing but is used indeterminately or are successively phase-out over the time span covered by the selected EU documents, this constitutes evidence for a lack of coherence and hence a negative input to the overall evaluation of output effectiveness.

The graph clearly shows the lack of conflict sensitivity in EU documents signifying a lack of coherence. This leads to a negative output effectiveness. This variable is particularly significant for politically and strategically complex environments like Afghanistan, where one needs to delve deeper into understanding the local context. However as mentioned earlier, the decisions to get involved in such situations are not about ‘altruism’ but are inherently political in nature. It can then be asked if external actors can be expected to have a proper understanding and sensitivity towards the needs of the locals. Many scholars have argued that Afghanistan intervention was not successful because it “wasn’t done right”. “If only we had not been distracted by Iraq, had tackled the right warlords, pursued the correct counterinsurgency strategy, and surged earlier, it would have been fine”¹⁶⁷. But can it be answered so

¹⁶³ See European Commission - International Cooperation and Development 2013.

¹⁶⁴ See Directorate-General for International Cooperation and Development - EuropeAid and European Commission June 2015.

¹⁶⁵ See ICF Consulting Services Limited February 2016.

¹⁶⁶ EUNPACK proposal.

¹⁶⁷ See Stewart 2013

simply. Rory Stewart opines that the problem was much more basic. “The West was trying to do something it couldn’t do, and it was trying to do something it didn’t need to do”. Its basic premises and the assumptions were wrong. As against the common belief, Afghanistan did not pose an existential threat to international security; and the problem was not that it was a “failed state.” The truth lies beyond this simplistic and popular understanding. The fundamental problem was that the West lacked the knowledge, power, or legitimacy to transform Afghanistan. However, the policymakers were too afraid rather hypnotised by fashionable theories, too isolated from Afghan reality, and too laden with guilt to notice that the more ambitious Afghanistan mission was impossible and unnecessary¹⁶⁸.

Holistic/Comprehensive Approach

The second of the three main principles of EU action consists of the *comprehensive approach* (CA). Often used interchangeable with the terms *holistic approach* or more recently the *integrated approach*, the concept of the CA has many meanings. It covers everything, from consistency between policies (security-development nexus) and an understanding of all stages of the conflict cycle over a joined-up deployment of EU instruments and resources and shared responsibilities of all levels (EU and member states) to coordination with international partners and conflict sensitivity, local ownership and lessons learned. Hence, in EU terms, a comprehensive approach covers all aspects that have to be taken into account in EU engagement. In the sense of the EU concept and in the light of recent literature, we will adopt the notion of a comprehensive approach with four dimensions by Post (2015)¹⁶⁹ as followed:

1) Crisis Management Instruments and Activities – What?

“The first CA dimension applies to the coordination of different types of crisis management activities such as development, political or security means.”

2) Timeframes – When?

“A second dimension deals with the different timeframes of comprehensive crisis management and asks how short-term and long-term crisis management instruments can be linked.”

3) Geographical Levels – Where?

“A third dimension which can be observed refers to different geographical dimensions of conflict and its potential international, regional and local levels.”

4) Crisis Management Actors – Who with whom?

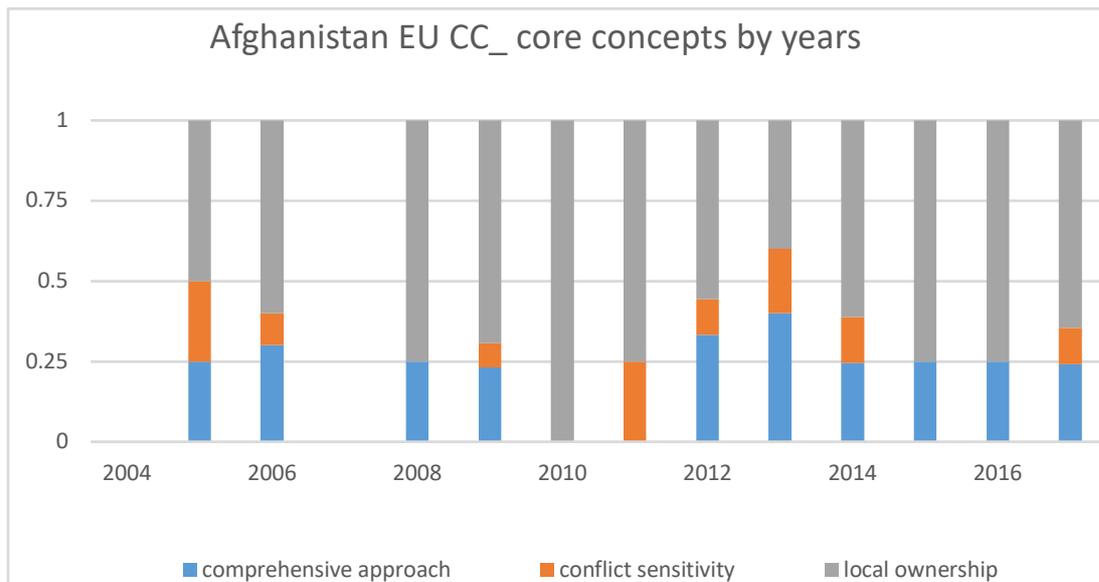
¹⁶⁸ibid

¹⁶⁹ See Post 2015.

“The fourth dimension of elements to be coordinated refers to different crisis management actors either within a system or an organization or with other actors and to the extent and with what effect their activities are coordinated.”

How? “Finally, the question how different means are coordinated is relevant for all dimensions and also between them.”

“Regional cooperation initiatives, administrative, judicial and economic reforms, the institution building process towards neighbouring countries and regions are all part of EU’s comprehensive approach”.¹⁷⁰ In the context of Afghanistan, this means an integrated approach towards conflict acting primarily in the areas of security and development, good governance and human rights with a view to strengthening state and societal resilience¹⁷¹. The Council factsheet outlined that “the mission will build on current efforts, and follow a comprehensive and strategic approach, in line with the Crisis Management Concept. In doing so, the mission will address issues of police reform at central, regional and provincial level, as appropriate.¹⁷²”



An analysis of the EU Council Conclusions and Commission documents as outlined in Section 2, illustrates that the EU has focused a lot on comprehensive approach, however, individual projects contributed in only a small way to the mission objectives. For example, when designing projects, EUPOL paid insufficient attention to the need for a comprehensive approach under which projects would contribute to the

¹⁷⁰ See Pannebianco and Rossi 2004, 2

¹⁷¹ Commission 2016

¹⁷² Council of the European Union 2007

delivery of the mission objectives via a strong link to individual MIP milestones. Furthermore, EUPOL did not develop projects based on the logical framework which makes it easy to identify goals, objectives, activities, outputs, outcomes and impacts¹⁷³. The most important challenge faced by the EU, obstructing a real comprehensive approach was lack of coordination as will be illustrated in the subsequent section.

In the initial days of EU's involvement, the two EU institutions Council and Commission were not driven by the same dynamic rendering the challenge of coordination even more complex. First, they functioned under two different decision-making procedures with rather common objectives but different priorities. Second, with the strengthening of the ESDP, the Council was still in a process of building its own legitimacy for its activities in crisis management in relation to other actors, including the Member States¹⁷⁴. Conversely, the Commission had a long experience in development cooperation and did not encounter the same pressure for immediate results. Thus, the potential incentive for the Commission to coordinate better with the Council in the field of SSR was rather small. This impacted the police missions negatively. This diverse dynamic also triggered difficulties to integrate short- and long-term objectives within the working culture of civilian and military personnel and limited the ability of the EU to sustain a comprehensive approach.

However, significant progress has been made in promoting a comprehensive, coordinated and unified EU approach in Afghanistan. The Multi-annual Indicative Programme (MIP) 2014-2020 aims to further enhance this by aligning with the new EU strategy on Afghanistan. As the quantitative analysis reveals the usage of the concept of "comprehensive approach" as has been stressed in EU documents as compared to conflict sensitivity and local ownership which are themselves part of the comprehensive approach. The Global Strategy for the European Union's Foreign and Security Policy of June 2016 has similarly stressed the EU's approach to contemporary security and political challenges, with the comprehensive approach as its guiding operational principle, signifying the importance of the concept.

3.2.3 Continuity and visibility of core concepts: incorporation of 'local ownership/ local actors'

The overall EUNPACK project, as an innovative element of analysis, emphasises the local dimension of EU crisis response policy that is the significance of involving and cooperating with local actors, state and non-state, NGO and Civil Society actors. For the evaluation of output effectiveness, however, we do not consider the *perception* of these local non-state and state-actors relevant, but rather their incorporation into EU policy-making. Hence, this aspect of 'process coherence' is addressed in this separate sub-section of this part of the analysis. In view of the wide-spread dis-satisfaction with the results of peace- and state-building (if not outright failure)— not just of the European Union but also of other international actors, to

¹⁷³ EU Auditors report 2015.

¹⁷⁴ See Geoffrey and Cornish 2005, 820

name only the United States or the United Nations – the EU itself has not least as part of its Comprehensive Approach of 2013, ascribed to a shift from a top-down to a bottom-up policy approach; an outright evidence was provided as part of the above policy analysis when identifying ‘local ownership’ as one of the explicit grand strategies of EU crisis response.¹⁷⁵ This policy shift is also reflected in the pertinent expert literature on peace- and state-building addressing the local turn/ non-state turn/ hybrid turn (of governance)/ bottom-up turn in the state- and peace-building community.¹⁷⁶

As to incorporate this policy claim and important dimension, the evaluation of output-effectiveness will also address the EU’s performance regarding the inclusion of ‘locals’, here on the level of policy-formulation. The concept of ‘locals’ encompass state- as well as non-state actors, in terms of civil society organizations (CSO), traditional and customary authority and justice structures, non-state or non-statutory armed actors.¹⁷⁷ Our first concern must be *why* the EU considers involvement of locals important.

“Ownership” *ideally* stands for sharing or embracing EU premises (including basic policy norms of ‘good governance’ that is democracy, human rights and rule of law), policy analyses, the formulation of policy objectives, adequate strategies and use of policy tools as legitimate and effective for policy-making. It is not just about constitutive characteristics of local people, but also a relational concept qualifying the political balance between outsiders and insiders of during the process of state- and peace-building. The concept contains also a post- or neo-colonial dimension in terms of outsiders more or less aiming at empowering or imposing local communities and actors.¹⁷⁸

And certainly this ownership can take different qualities, for examples these premises and other policy-making elements could be an intrinsic part of local actors’ identity and generic parts of their sets of political values, interests and preferences. In contrast, ownership could be a more superficial quality of actors ascribing to EU policy preference merely due to instrumental and opportunistic purposes.¹⁷⁹

Thus, it will be important to analyse the degree of matching normative premises and political preferences of the EU and respective local actors or existing tensions between the outsiders and the locals. In this context, it is also significant *how* the locals are included in terms of envisaged involvement into EU activities (i.e. patterns of communication & involvement)?, a) regarding the different stages of a policy-

¹⁷⁵ See subsection 2.2.

¹⁷⁶ See for example Richmond, Björkdahl, and Kappler 2011; likewise compare EUUNPACK D 3.02.

¹⁷⁷ The author gratefully acknowledges the inspiration and information underlying this part provided by the MA-thesis of Philipp Neubauer (MA-IR, FU-HU-UP, 2017).

¹⁷⁸ See Donais 2009.

¹⁷⁹ However, these quality dimension will become relevant in the following Deliverables under WP 7 (7.2, 7.3, 7.4) when EU policy implementation will get the centre stage of analysis.

making cycle (i.e. during policy formulation, implementation and assessment), and b) whether is done proactively or merely at the demand of the respective locals. Moreover, it is significant which *role* are ascribed to ‘local actors’: are they conceived as mere condition takers or also as condition makers, as actual providers of security or justice, or structural facilitators of inclusion, oversight and legitimacy. Hence the control of locals over the policy-making process in practice and on the ground matter throughout the policy-cycle.¹⁸⁰

In her assessment of state-building at the local level in Afghanistan, Sarah Lister argues that disarmament, police reforms and the judicial reform and close attention to the quality of senior appointments are all measures that would have contributed to shifting ‘the rules of the game’ in Afghanistan from informal patronage based systems, and towards a more depersonalised, formalised and rationalised exercise of power through the state. Instead their neglect at a critical period has enabled local power holders to continue to use the state as a means to exercise power, resisting or co-opting attempts to create new structures and impose bureaucratic rule¹⁸¹.

EU aimed at significantly contributing to the establishment of sustainable and effective civilian policing arrangement under Afghan ownership to ensure appropriate interaction with the wider criminal justice system, in keeping with the policy advice and institution building work of the Community, Member States and other international actors.

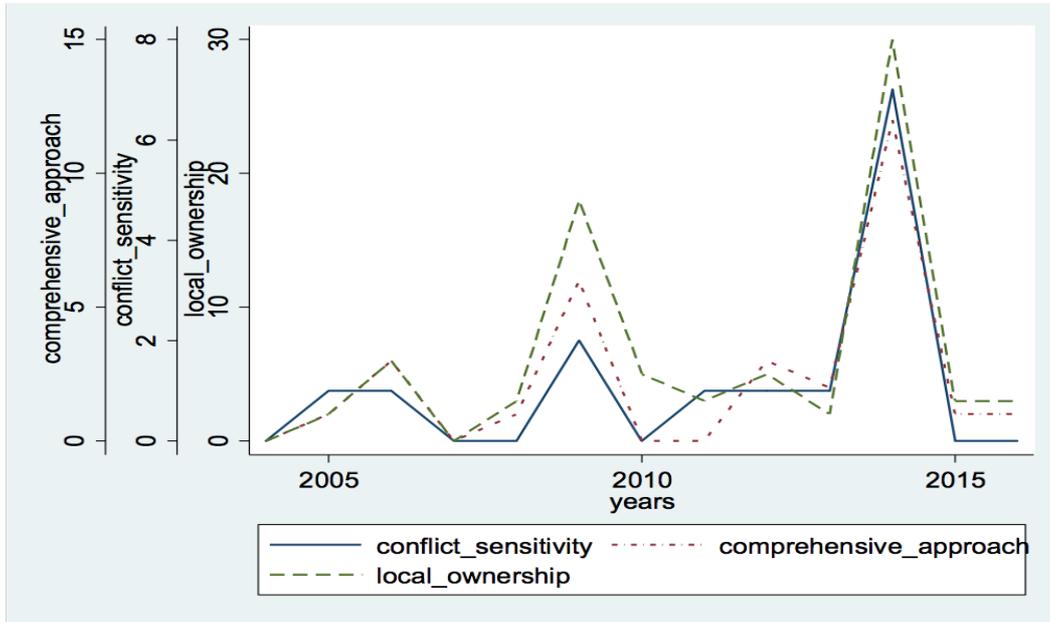
The EU’s engagement in Afghanistan was embedded in comprehensive international policy frameworks. The latest was the Tokyo Mutual Accountability Framework enabled through the “Kabul Process” with a view to facilitate “transition to full Afghan leadership and responsibility”¹⁸². The EU welcomed and encouraged coordinated efforts to support the Afghan Government in promoting a meaningful, Afghan-led and Afghan-owned peace process, which was considered the only viable path towards a sustainable resolution of the conflict¹⁸³.

¹⁸⁰ See Donais 2008, 6f.

¹⁸¹ See Lister 2005

¹⁸² See Spornbauer 2014, 184

¹⁸³ See Kempin 2009



The

quantitative analysis shows the number of times local ownership has been used in EU documents however it is not a true reflection of the reality. The problem which often arises then is one of lack of convergence between the interests of local actors and international sponsors and donors leading to a conceptual-contextual divide. Afghanistan is clearly one of these cases, suggesting that the equation “more local ownership = more successful security sector reforms” is overly simplistic, particularly in contexts where there is a monopoly of violence and a stable political system has not been established¹⁸⁴.

Subsequently with more emphasis and efforts on the part of the EU the involvement of the locals improved. For example, the “train the trainer” approach as part of the EUPOL has helped in local Afghan ownership and promoted the sustainability of training activities¹⁸⁵. The Commission while primarily managing its own activities and projects also coordinated with the functioning of Member States’ projects. Linkages between EUPOL and the Commission had been put in place along with maintaining close linkage with the other donors who were involved in reforming the justice sector in Afghanistan. The various strategy papers and Multi Indicative Annual Programme documents of the Commission have all focused on developing a ubiquitous discourse of Afghan ownership.

3.2.4 Institutional Coherence as process category

Institutional coherence is conceptualized as horizontal-internal coherence of policy-making across Community and Council foreign policy domains. This type of ‘coherence’ is first of all about technical and

¹⁸⁴ See Giustozzi 2008, 215.

¹⁸⁵ See Tripathi 2016

procedural policy coordination ‘across pillars’. However, this dimension might become political and politicized, if Member States might be tempted to interfere with procedural coordination.¹⁸⁶

For our analytical purposes, ‘institutional coherence’ is defined as involvement of EU institutions and agencies according to the governing rules as ultimately defined in the Treaty of Lisbon, and respective operational mandates. It becomes manifest in terms of regular engagement of the mandated institution as well as successfully policy coordination during the decision-making and output generation of policy-making among EU institutions, the Council, the Commission, but also the EU Parliament. If our empirical investigation shows significant overlap or even doubled responsibility for the same assignment, ‘turf wars’ among agencies or significant time-lags in decision-making, this indicates weak or lacking institutional coherence.¹⁸⁷

In any complex decision-making system like the EU with 28 member states, varying understandings of interest tend to create tensions over prioritizing certain goals over the other. This problem of coherence, which also often takes a political angle, is analogous to any pluralistic political system. The ESS (2003) had emphasised that “greater coherence is needed not only among EU instruments but also in embracing the external activities of the individual member states”¹⁸⁸. However, it was not the case particularly in Afghanistan. The EU initially started planning a ‘rule of law’ mission, with the advice of the EUSR’s office. The idea was to focus on reforming the police in conjunction with strengthening the justice sector and building links between the two. But disagreements between the Council and the Commission resulted in the Council proceeding to launch a separate police training mission, EUPOL, while the Commission started its own justice programme¹⁸⁹.

EU efforts initially suffered from fragmentation. Internal coordination between EUPOL, the EU Special Representative (EUSR) and the EU Delegation was initially rather weak. This was ameliorated by the establishment of the EEAS in 2011, and the subsequent double-hatting of the EUSR and HoD. Yet coordination in the police domain remained difficult and local actors were often lost as a consequence. For example, the International Police Coordination Board (IPCB) that was supposed to enhance police-related coordination and was supported by EUPOL with staff and logistical support, faced significant obstacles. Over the past 13 years, more than 37 different international donors have been involved in supporting Afghan police development, most of them by contributing to the NTM-A, to EUPOL, or to both. To ensure coherence, the IPCB was established in 2007 to act as the main body for coordinating police-related efforts. Although EUPOL has provided significant capacity and administrative support to the IPCB,

¹⁸⁶ See Gebhard 2011, 107f.

¹⁸⁷ See Missiroli 2001; Gebhard 2011; Bartholmé 2007.

¹⁸⁸ Council of the European Union 2003, 11, 13

¹⁸⁹ See Buckley 2011

the latter has achieved very limited results in terms of promoting cooperation among the international community. International stakeholders have been unwilling to be coordinated and have perceived the IPCB as an ambitious effort on the part of the EU to take the lead in the policing sector.

In addition to EUPOL, close coordination was also sought with other donors in the justice sector. The Commission did not assume a coordination function among international actors in the same way as was mandated to do¹⁹⁰. This subsequently impacted Commission's use of conditionality which it wanted to impose for disbursement of funds as part of LOTFA. The EEAS intended to use trust funds, predominantly LOTFA, as a preferred instrument in the rule of law sector in Afghanistan. However, using LOTFA as the main vehicle for financing the Afghan rule of law sector entailed two shortcomings that have to be taken into account. LOTFA has been strongly criticised in the past for mismanagement of funds and lack of transparency by all donors involved – including the EU, which had decided to temporarily suspend its payments to the fund; and (b) LOTFA has had very limited experience of capacity building in the sector. Even though in 2011, LOTFA included a pillar on capacity development of civilian policing, throughout its life, the trust fund had been used almost exclusively as a payroll mechanism¹⁹¹.

As a result of these challenges, EU Commission wanted to impose the provision of conditionality following reports of pervasive corruption, including the payment of “ghost” policemen (LOTFA pays the salaries of some 100,000 ANP but a large proportion of them either do not work or do not exist)¹⁹². This could have been potentially a very important step. LOTFA was one of the few tools that foreign donors had at their disposal to insist on greater accountability within the ANP. However, this opportunity was missed. EU Commission acted unilaterally without consulting with, or gaining agreement from, the EUSR's office, EUPOL or those EU member-states that contribute to LOTFA bilaterally¹⁹³. As a result, this decision of the Commission lacked major political backing required to be effective.

3.3 EU Output Effectiveness as Policy Consistency/ appropriateness according to experts

How consistent is the substance of EU policy-making? Consistency is here understood as appropriateness of the policy features identified earlier, considered to be given if EU features (problem definitions & policy objectives, strategies and instruments) match or resonate with the analyses and prescriptions of non-EU experts. The match of EU policy features with the analytical dimensions of experts' (problem descriptions, problem evaluations and causal statements), combined with the evidence base and plausibility of the

¹⁹⁰ See Gross 2009

¹⁹¹ EU Auditors Report 2015

¹⁹² See Buckley 2011

¹⁹³ *ibid*

pertinent scholarly research should be indicative of the ‘appropriateness’ and thus the ‘consistency’ of EU policy formulation. The more such a match can be certified, the more effective the EU’s analytical prescriptive capacity is and thus the higher its output effectiveness. The guiding questions for addressing this second category hence read as follows:

How ‘appropriate’ are the identified policy features (premises & objectives, strategies & instruments) in view of a given problem/ challenge at hand?

Do EU problem-definitions match those of non-EU experts?

Do the prescribed policy strategies (grand & operational) match with causal assumptions?

Do prescribed instruments/ tools match with strategies and objectives of the EU?

3.3.1 Problem Definitions

A senior EUPOL officer summarised the overarching goal as “transforming a green into a blue police” thus, turning a militarised force into a community police where decision makers are accountable to society¹⁹⁴. In light of Washington’s apparent military-oriented policy, it is doubtful that the EU will manage to advance its Afghanistan agenda based on conflict resolution and state-building. American bullets will indeed fly faster than European political suggestions¹⁹⁵.

Keeping in line with its core objectives, the EU modified and revised the Operational Plan for EUPOL in different phases of the reform. Since the Council approval of the first Operational Plan, key planning documents have been revised four times in 2008, 2010, 2013 and 2014. There was also an emphasis on the professionalisation of the Afghan Police in line with the ‘Ten-Year Vision’ document¹⁹⁶. Lord Ashdown, a former EU High Representative to Bosnia, concluded that ‘the paramount reason for our failing grip [in Afghanistan] lies within ourselves.’¹⁹⁷ According to Thijs Berman MEP, ‘What we have seen is years of collective self-deceit by the EU proclaiming imaginary successes’¹⁹⁸.

Some experts account for contextual reasons for EU’s underperformance. This does not find resonance with the experts like Larive who accords, “The case of EUPOL-A is a textbook case of failure in application of the SSR model for a variety of reasons, including security concerns, weak domestic institutions, institutional cacophony within the EU and between Euro-Atlantic institutions, and lack of commitment to the EUPOL-A mission”¹⁹⁹. However, it also needs to be kept in mind that while launching

¹⁹⁴ See Weigand 2013, 25

¹⁹⁵ See Emmanuel 2017

¹⁹⁶ More details available on <https://ipcb.files.wordpress.com/.../13-04-02-ten-year-vision-english-final-version.pdf>

¹⁹⁷ See Burke 2009

¹⁹⁸ Burke 2009

¹⁹⁹ See Larive 2012, 186

a CSDP mission is always politically sensitive, it was even more so in case of Afghanistan. For the EU member states, the war in Afghanistan posed the problem of what sort of a political role the EU CSDP could and should play in the reconstruction efforts, to what extent – if at all – EU member states were ready to subsume their military and political actions under an EU label, and what sort of role the EU should assume in the crisis management and reconstruction efforts in Afghanistan.

Policy Strategies and Tools

EUPOL was mandated to address police reform at central, regional and provincial levels. The reform at the centre ie in Kabul was successful. However, deployment to the provinces was problematic owing mainly to inadequate security conditions, logistical challenges and the lack of proper accommodation. EUPOL Afghanistan has been largely successful in training- related activities. however, it was not so case of mentoring and advising. Projects which aimed at these two activities have made little contribution to the mission's objectives.

The EU assists in ensuring security for the people its approach is overshadowed due to the comparatively low funding and number of instructors. In contrast, the USA is the main player of the state-security approach providing a training which narrowly focuses on weaponry and paramilitary training of the ANP²⁰⁰. The EU's spirited defence of its Kabul police mission belies not only independent assessments of its performance and the private views of US officials, but even the experiences of former and current staff.²⁰¹ EUPOL has not managed to bring together all European actors under a single European framework to improve Afghan policing as was originally intended. However, it has enhanced cooperation with the EU Member States on the ground and has genuinely sought to promote international cooperation.

The mission prioritised training, mentoring and advising of the Afghan Ministry of Interior (MoI) and the ANP without assessing whether these were effective methods or where the greatest needs were. For example, the mission's area of operation was restricted to the regional and provincial level although it was clear that police reform needed to focus at the local, district level where the daily contact between the Afghan police and population occurs²⁰².

The Afghan 'ownership' of judicial reforms requires the close cooperation of donors in capacity building and know- how transfer. However, it is one of the most difficult sectors to work. A successful judicial reforms strategy will require the coexistence of the best parts of the functional traditional governance

²⁰⁰ See Weigand 2013

²⁰¹ See Korsi 2009

²⁰² See Buckley, J 2011

system with a universal system that recognises and supports principles of social diversity, respect for human rights and the rule of law. Unfortunately, the donor activities have never been harmonised with the Afghan legal institutions, therefore lacking Afghan ownership. There was inadequate consultation with the Afghan government and little consideration was given to government objectives or priorities²⁰³.

According to Kempin and Steinicke, “the story of the mission is a very good illustration of one of the EU’s greatest weaknesses in foreign and security policy; member states plainly find it difficult to keep their promises and place their own personnel at the service of the mission”²⁰⁴. However, EUPOL has helped the Afghan National Police to gain public trust by supporting the implementation of basic principles of civilian policing. The police and justice sectors continue to suffer from systemic weaknesses. The long-term sustainability of EUPOL’s outcomes and of the Afghan policing and justice sector in general is at risk, as it will largely depend on the willingness of the Afghan authorities to take ownership of the outcomes, the security situation and on EU and other international stakeholder funding. The EU has been a key and visible actor in Afghanistan even though it was not always recognised.²⁰⁵

3.4. Intermediate summary: Output effectiveness of EU crisis response in Afghanistan

At the October 2016 Brussels Conference on Afghanistan co-chaired by the EU and Afghanistan, which confirmed sustained political and financial support to peace, state-building and development in Afghanistan by the international community. The EU and its Member States pledged €5 billion (USD 5.6 billion) out of a total €13.6 billion (USD 15.2 billion) in support for the period 2016-2020. As a result of this financial support, the EU, as a whole, has become the largest development cooperation partner of Afghanistan. This is an exceptional level of funding to ensure that Afghanistan remains on a firm path to political and economic stability, state-building and development.

However, as discussed in the previous sections illustrate, success is not directly proportional to the amount of financial aid and support given. The EU did not wield influence in Afghanistan commensurate with its significant contribution of not only finances but also personnel. For too long it had too many offices and representatives in the country, who sometimes contradicted each other. This contradiction was not seen in the EU documents which proved some degree of coherence in its grand strategies to include local ownership, conflict sensitivity and most importantly a holistic/comprehensive approach. The Union struggled in Afghanistan to achieve a more coherent policy in which it could effectively draw on all

²⁰³ NATO 2009

²⁰⁴ See Kempin and Steinicke 2009

²⁰⁵ See Gross 2009

foreign policy instruments, especially those at the intersection of the civilian and military activity. The police and justice sectors continued to suffer from systemic weaknesses, including inadequate institutional development, a partially ineffective legal framework and the limited capacity of individual members of staff. Political influence, corruption and the inevitable focus on counter-insurgency policing to address the bad overall security situation, continue to hinder further institutional development of the justice sector as a whole.

This challenge of coherence and contradiction, however, is not unique to the EU only. In any complex decision-making system like the EU with 28 member states, varying understandings of interest tend to create tensions over prioritising certain goals over the other. However, following the ratification of the Lisbon Treaty, the EU improved its decision making and took some welcome steps to streamline its institutional presence. The Afghan experience has shown that conflicts alter institutions and social structures in various ways. The best of strategies seem to not work in challenging conflict situations. This proved to be a difficult proposition not only for the EU but also other actors of the international community.

The lack of an empirical base and a clear reform strategy negatively impacted the operationalisation of EUPOL. It seemed to provide an alternative to the US approach of quick-fix and short-term solutions; however, it ended up replicating the same model of engagement. Moreover, member states could not get over their political wrangle. Despite these tussles, improvements were noted in EUPOL's first two of three main lines of operations. Regarding the first objective, National Police have made significant steps towards the development of civilian policing but they do remain a highly militaristic organisation. Regarding the second objective, community policing concept, focussing on police building ties and working with the citizens, has been partially implemented and the concept is generally accepted as the desired model for future policing in Afghanistan. Intelligence-led policing was also accepted as an effective tool to professionalise the National Police, however, it was not used countrywide. EUPOL Afghanistan has been partly effective in delivering its mandate in training but less so in mentoring and advising. The 'train the trainer' approach has encouraged local Afghan ownership and promoted the sustainability of training activities.

As far as LOTFA is concerned, it started working with Ministry of Interior and recognized Mol full ownership. It further identified ways to enforce disciplinary measures when ANP officers perpetrated harassment and/or abuse of their female colleagues. Towards the end of 2014, there was substantial improvement in the image of LOTFA and donors felt reasonably assured that LOTFA had effectively identified the risks and made considerable progress in addressing them. The EU has played an active role in this process for example through the adoption of the payroll action plan as recommended by previous

reviews and the revision of the programme's governance structures, adapting lessons learned from the irregularities discovered in 2012 and thereafter. The EU's incentive programme for the MoI as launched in 2014 was instrumental to leverage specific reform actions by the Ministry, such as the implementation plan on female policing and the internal reporting processes.

The EU has no other choice but to continue to support Afghanistan politically and financially over the next few years. Despite a certain 'fatigue' in the international community, it is nevertheless important to bear in mind that the alternative will very likely result in a collapse of the National Unity Government, a military defeat at the hands of the armed opposition, most notably the Taliban, military fractionalisation and possibly a relapsing of civil war to some degree.

To sum it up, it can be accorded that EU's output effectiveness has not been satisfactory as far as Afghanistan is concerned. However, it also needs to be kept in mind that EU was never the main player in Afghanistan and hence, it's role remained that of a supportive or secondary actor. That was a major restricting factor when it came to its effectiveness. It was difficult for the EU to exert much influence in the field where so many international actors were involved. At the same time, the positive side illustrates that the EU's involvement in such a hostile context has shaped its capacities and methodology in SSR and provides major scope as an actor in future engagements in similar contexts.

4. ANNEX

Annex 1: Conceptualizing and Operationalizing EU foreign policy 'output effectiveness'

| TABLE 1 Conceptualizing and Operationalizing EU foreign policy 'output effectiveness' | | | |
|--|----------|------------|------------------------------|
| Category | Criteria | Indicators | Variation & Measurement unit |
| | | | |

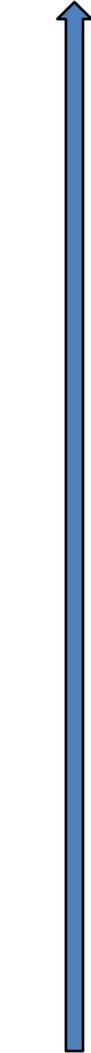
| | | | |
|--|--|---|--|
| <p>ACTOR COHERENCE/ ACTOR UNITY</p> <p>a) horizontal b) vertical</p> | <p>Unity of voice</p> | <p>1) Viability of compromises</p> <p>2) Relative effort required to find compromise pre-decision</p> <p>3) Determinacy of common documents</p> | <p>Relative distance of positions in decision-making? >>Positional differences as matter of principle or degree?</p> <p>Deviating statements on compromises <i>post</i>-decision</p> <p>Time required finding compromise? >>days, weeks, month?</p> <p>Stringency of formulations/ choice of words [add extra table exemplifying words indicating different stringency]</p> |
| <p>PROCESS COHERENCE</p> | <p>a) coherence of identified policy features (premises, objectives, strategies, instruments) and</p> <p>b) coherence of core concepts</p> <p>c) institutional coherence</p> | <p>‘Continuity’ and ‘visibility of core features and concepts across levels of policy-formulation, i. e. on strategic and operational level</p> <p>Specific concepts:</p> <p>a) ‘Conflict sensitivity’ b) ‘Comprehensive approach’ c) ‘Local ownership’</p> <p>Regular involvement of EU institutions and agencies as defined in mandates in EU treaty or basic documents</p> | <p>a & b) Appearance of core features and concepts in basic EU documents on</p> <p>1) broad policy field, 2) on cases (countries or issues), 3) cases-in-case;</p> <p>c) >involvement more or less matching scope of competencies >overlap or even doubled responsibility for the same assignment, ‘turf wars’ among agencies or significant time-lags in decision-making;</p> |

| | | | |
|------------------------------------|--|---|--|
| <p>SUBSTANTIAL CONSISTENCY</p> | <p>Appropriateness of identified policy features <(problem definitions, policy objectives, strategies and instruments)> in view of given problems at hand;</p> | <p>1) Match of EU problem definition with those of the (non-EU) expert community? 2) Match of strategies with causal assumptions? 3) Match of instruments with strategies and objectives?</p> | <p>Common and different elements of</p> <ul style="list-style-type: none"> a) problem descriptions b) problem evaluation c) causal statements; <p>Plausibility and evidence base according to pertinent research/ expert literature;</p> <p>Plausibility and evidence base according to pertinent research regarding quality & quantity</p> |
|------------------------------------|--|---|--|

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Annex 2: Coding for Quantitative Analysis of Output Determinacy

Table4.2: Afghanistan – Coding for Quantitative Analysis of Output Determinacy



| | Categories | | Wording |
|------------|------------|------------------------|---|
| Action | 4 | EU as executing Actor | <ul style="list-style-type: none"> - firmly - reaffirm, reaffirms, reaffirming - affirm, affirms, affirming - confirm, confirms, confirming - determine, determines, determining - commit, commits, committing - actively - strongly - will - must - do its utmost |
| | 3 | EU as supporting Actor | <ul style="list-style-type: none"> - supports, supporting - assist, assists, assisting - contribute, contributes, contributing - provide, provides, providing - aims, aiming - ensure, ensures, ensuring |
| Non-Action | 2 | Expressive | <ul style="list-style-type: none"> - expresses the hope that - reiterate, reiterates, reiterating - encourage, encourages, encouraging - strive, strives, striving - recalls, recalling - calls on - urge, urges, urging |
| | 1 | Reflective | <ul style="list-style-type: none"> - notes, noting - recognize, recognizes, recognizing - consider, considers, considering - views, viewing - intend, intends, intending |

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Annex 3: Coding for Quantitative Analysis of Core Concepts

Table 3: Mali – Coding for Quantitative Analysis of Core Concepts

| Concept | Wording |
|------------------------|---|
| Conflict Sensitivity | <ul style="list-style-type: none"> - Sensitive, sensitivity - Impact - Effect - Risk, risks |
| Comprehensive Approach | <ul style="list-style-type: none"> - Comprehensive, comprehensiveness - Integrated - holistic |
| Local Ownership | <ul style="list-style-type: none"> - Civil, civic, civilian - Local - Non-state - NGO |

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Bibliography

- Anderson, Mary B. 1999. *Do No Harm: How Aid Can Support Peace - or War*. Boulder: Lynne Rienner Publishers.
- APFO, CECORE, CHA, FEWER, International Alert, and Saferworld. January 2004. *Conflict-Sensitive Approaches to Development, Humanitarian Assistance and Peacebuilding: A Resource Pack*. London.
- Asia Foundation 2006. *Afghanistan in 2006: A Survey of the Afghan People*, Kabul: The Asia Foundation.
- Afghanistan: Challenges and perspectives until 2020. Available at [http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578033/EXPO_STU\(2017\)578033_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578033/EXPO_STU(2017)578033_EN.pdf)
- Afghan Compact (2006), *The Afghanistan Compact*, [Online: web] Accessed 14 May 2012, URL: [http://www.unamaafg.org/news/_londonConf/_docs/06jan30 Afghanistan Compact-Final.pdf](http://www.unamaafg.org/news/_londonConf/_docs/06jan30%20Afghanistan%20Compact-Final.pdf).
- Ayub, F., Kouvo Sari, Wareham, Rachel (2009), "Security Sector Reform in Afghanistan", [Online: web], Accessed 9 March 2010, URL: [https://www.ictj.org/ICTJ- Afghanistan-Security-Reform-2009-English.pdf](https://www.ictj.org/ICTJ-Afghanistan-Security-Reform-2009-English.pdf)
- Barbolet, Adam, Rachel Goldwyn, Hesta Groenewald, and Andrew Sherriff. 2005. *The utility and dilemmas of conflict sensitivity*. Berlin: Berghof Research Center for Constructive Conflict Management.
- Bartholmé, Nicolas J. Beger and Philippe. 2007. *The EU's quest for coherence in peacebuilding: Between good intentions and institutional turf wars*. *Studia Diplomatica* Vol. LX: 2007, n°1.
- Bonn Agreement (2001), *The Bonn Agreement*, [Online: web] Accessed 19 June 2010, URL: [http://www.unama-afg.org/docs/_nonUN%20Docs/_Internation conferences & Forums/Bonn-Talks/bonn.html](http://www.unama-afg.org/docs/_nonUN%20Docs/_Internation%20conferences%20&%20Forums/Bonn-Talks/bonn.html)
- Buckley Joanna. 2011. *Can the EU be more effective in Afghanistan?*. Available at http://cer-live.thomas-paterson.co.uk/sites/default/files/publications/attachments/pdf/2011/pb_afghanistan_27apr10-223.pdf
- Burke, Edmund. 2014. *The EU legacy in Afghanistan*. Available at http://fride.org/download/wp_122_the_eu_legacy_in_afghanistan.pdf
- Bush, George 2001. <https://www.theguardian.com/world/2001/sep/21/september11.usa13>
- Bush, Kenneth. 1998. *A Measure of Peace: Peace and Conflict Impact Assessment of Development Projects in Conflict Zones*. In Working Paper No. 1, 37-52: *The Peacebuilding and Reconstruction Programme Initiative and The Evaluation Unit*, IDRC.
- CAPD 2017. Available at http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=uriserv:OJ.L_.2017.067.01.0003.01.ENG
- Coelmont Jo. 2009. "Europe Deploys Towards a Civil-Military Strategy for CSDP," *Egmont Paper No. 49*, Brussels, Belgium: Royal Institute for International Affairs, June 2011.
- Council of the European Union. 2001. *European Union Programme for the Prevention of Violent Conflicts*. 9537/1/01. Brussels.
- _____ (2011), *Council conclusions on conflict prevention*, 3101st Foreign Affairs Council meeting (20 June 2011), Luxembourg, [Online: web], Accessed 14 April 2015, URL: <http://eu-un.europa.eu/articles/en/article11148en.htm>
- _____ (2010), "EU civilian and military capability development beyond 2010", Council 17127/10, [Online: web], Accessed 10 May 2014, URL: [http://register.consilium.europa.eu/doc/srv?!=EN&f=ST%2017127% 20 2010 %20INIT](http://register.consilium.europa.eu/doc/srv?!=EN&f=ST%2017127%202010%20INIT)
- _____. 2009. "Abstract of 2009 Annual Report on the identification and implementation of lessons and best practices in civilian CSDP missions", Doc. 17487/09, 11 December.
- _____. 2008. "EU Concept for Civil-Military Cooperation (CIMIC) for EU-led Military Operations", Doc. 11716/08 REV 1, 3 February.

- _____. 2008. "Guidelines for identification and implementation of lessons and best practices in civilian ESDP missions", Doc. 15987/08, 19 November
- _____. 2008. "Towards an architecture for evaluation of civilian ESDP missions", Doc. 11207/08, 16 June.
- _____. 2007. Council Joint Action 2007/369/CFSP of 30 May 2007 on establishment of the European Union Police Mission in Afghanistan (EUPOL AFGANISTAN). Brussels; EU.
- _____. 2006. "Council Conclusions on a Policy framework for Security sector reform", 2736th General Affairs Council meeting - Luxembourg, 12 June.
- _____. 2005. "EU Concept for ESDP support to Security Sector Reform", Council 12566/4/05, [Online: web], Accessed 20 June 2014, URL: <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2012566%202005%20REV%204>
- _____. 2007. Security and Development. Conclusions of the Council and the Representatives of the Governments of the Member States meeting within the Council. 15097/07. Brussels.
- _____. 2007. Council Joint Action 2007/369/CFSP of 30 May 2007 on establishment of the European Union Police Mission in Afghanistan (EUPOL AFGANISTAN). Brussels; EU.
- _____. 2007. EU-Afghanistan Factsheet. Available at http://www.consilium.europa.eu/uedocs/cmsUpload/070228-Afghanistan-Council_factsheet-rev-mission_esdp.pdf
- DEVCO 2015 https://ec.europa.eu/europeaid/sites/devco/files/aap-part2-afghanistan-annex2-20151208_en.pdf
- Directorate-General for International Cooperation and Development - EuropeAid, and European Commission. June 2015. Operating in situations of conflict and fragility. An EU staff handbook. In Tools and Methods Series. Reference Document No 17.
- Donais, Timothy. 2009. Empowerment or Imposition? Dilemmas of Local Ownership in Post-Conflict Peacebuilding Processes. *Peace & Change* 34(1): 3-26.
- . 2008. *Local ownership and security sector reform*: LIT Verlag Münster.
- EEAS 2006. Available at http://eeas.europa.eu/archives/ifs/publications2006-2009/articles/rep1/reportage_vol1_chapter2_afghanistan_-_reform_of_the_justice_sector.pdf
- _____. 2009 Available at http://www.eeas.europa.eu/archives/ifs/publications2006-2009/articles/rep1/reportage_vol1_chapter2_afghanistan_-_reform_of_the_justice_sector.pdf
- _____. 2012 Available at http://eeas.europa.eu/archives/delegations/afghanistan/documents/page_content/eu_afghanistan_an_state_of_play_0712_en.pdf
- _____. 2015. Available at https://eeas.europa.eu/sites/eeas/files/final-state_of_play_may_2015_rev_15-06-2015.pdf
- _____. 2017 Available at https://eeas.europa.eu/headquarters/headquarters-homepage/20834/european-union-and-afghanistan-sign-cooperation-agreement-partnership-and-development_en
- Emmanuel Scimia 2017. Available at <http://www.atimes.com/eu-strategy-afghanistan-just-wishful-thinking/>
- EU-Afghanistan Joint Declaration. 2005. <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2014519%202005%20INIT>.
- European Commission. 2007. Country Strategy Paper Islamic Republic of Afghanistan, 2007-2013, pp 9, Available from URL: http://ec.europa.eu/external_relations/afghanistan/index_en.html. (Accessed 15 November 2011)
- _____. 2014 Available at [multi-annual-indicative-programme-2014-2020_DEVCO_AFG_en.pdf](http://ec.europa.eu/development/multi-annual-indicative-programme-2014-2020_DEVCO_AFG_en.pdf)
- _____. 2017 Available at <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=JOIN%3A2017%3A0031%3AFIN>

- European Commission - International Cooperation and Development. 2013. Fragility and crisis management - analytical tools. Available from https://ec.europa.eu/europeaid/policies/fragility-and-crisis-management/analytical-tools_en. (Accessed 14.05.2017, 2017).
- EU Auditors Report 2015. Available at http://www.eca.europa.eu/Lists/ECADocuments/SR15_07/SR_EUPOL_AFGHANISTAN_EN.pdf
- EU Parliament 2017
[http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578033/EXPO_STU\(2017\)578033_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578033/EXPO_STU(2017)578033_EN.pdf)
- GAERC 2002. Available at http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/73248.pdf
- Gebhard, Carmen. 2011. Coherence. In *International relations and the European Union*, edited by Christopher Hill and Michael Smith. Oxford: OUP Oxford.
- Cornish, Paul and Edwards Geoffrey (2005), "The Strategic Culture of the European Union: a Progress Report", *International Affairs*, 81 (4): 801-820.
- Ghani Ashraf and Clare Lockhart. 2008. *Fixing Failed States: A Framework for Rebuilding a Fractured World*, Oxford University Press, Oxford, 2008, pp. 116–117
- Ghiasi, Richard 2016. Available on [http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578033/EXPO_STU\(2017\)578033_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578033/EXPO_STU(2017)578033_EN.pdf)
- Gross (2009), "Security Sector Reform in Afghanistan: EU's contribution", Occasional paper 78, Brussels: EUISS.
- _____ (2008), "The EU in Afghanistan – Growing Engagement in Turbulent Times", [Online: web], Accessed 18 November 2011, URL: <http://www.boell.de/weltweit/asien/asien-4225.html>.
- _____ (2003), "Europe's Growing Engagement in Afghanistan: What Success for ESDP?" CFSP Forum, 5(4), [Online: web], Accessed 17 April 2010, URL: www.ies.be/users/evagross.
- Haider, Huma. 2014. Conflict Sensitivity: Topic Guide. Birmingham, UK: GSDRC, University of Birmingham.
- ICF Consulting Services Limited. February 2016. Evaluation of ECHO's intervention in the Sahel (2010 - 2014). Final Report. Luxembourg: Publications Office of the European Union.
- International Crisis Group. 2005. "Rebuilding the Afghan State: The European Union's Role", Asia Report No. 107, Kabul/Brussels, 30 November 2005, URL: http://www.crisisgroup.org/library/documents/asia/south_asia/107rebuildingtheafghan_state_the_europeanunions_role.pdf Accessed 16 April 2010.
- Katzman, Kenneth (2009), "Afghanistan: Post-Taliban Governance, Security, and U.S. Policy", CRS Report for Congress, 14 August 2009, URL: www.fas.org/sgp/crs/row/RL30588.pdf. Accessed 11 June 2010
- Kempin, Ronja. 2013. https://www.swp-berlin.org/fileadmin/contents/products/comments/2013C38_hot_kmp.pdf
- Keohane, Robert O., and Joseph S. Nye. 1977. *Power and Interdependence. World Politics in Transition*. Boston, Mass.: Little, Brown.
- Korski, Daniel. 2008. "Afghanistan: Europe's Forgotten War", Policy Paper, London: European Council on Foreign Relations, [Online: web], Accessed 15 June 2010, URL: www.ecfr.eu.
- _____ 2009. Can the EU Rebuild failing states. Available at http://www.ecfr.eu/page/-/ECFR18_Can_the_EU_rebuild_failing_States_-_a_Review_of_Europes_Civilian_Capacities.pdf
- Korski and Pothier 2009. Can Afghans still count on the EU? Available at http://www.ecfr.eu/article/commentary_korski_pothier_can_afghans_still_count_on_the_eu
- Krow, Matilka 2009. The Fog of War? The EU in Afghanistan Halifax, Nova Scotia, Canada, [Online: web], Accessed 18 May 2010, URL: euce.dal.ca/Files/Matilka_Krow_paper_May_2009.pdf.
- Larivé Maxime H.A. 2012. "From speeches to actions: EU involvement in the war in Afghanistan through the EUPOL Afghanistan Mission", *European Security*, 21(2):185-201.
- Lister, Sarah. 2005. "Caught in Confusion: Local Governance Structures in Afghanistan." Kabul: Afghanistan Research and Evaluation Unit, 2005.

- Lister, Sarah and Hamish Nixon. 2006. "Provincial Government Structure in Afghanistan: From Confusion to Vision." Kabul: Afghanistan Research and Evaluation Unit, 2006.
- Missiroli, Antonio. 2001. European security policy. The challenge of coherence. *European Foreign Affairs Review* 01(6): 177-96.
- NATO 2009. Available at <http://www.nato.int/docu/review//2009/Afghanistan-law-order-elections/Judicial-Reform-Process/EN/index.htm>
- Nauto 2009. Available at <http://www.nato.int/docu/review//2009/Afghanistan-law-order-elections/Judicial-Reform-Process/EN/index.htm>
- Nutall, Simon. 2005. Coherence and Consistency. In *International Relations and the European Union*, edited by Christopher Hill and Michael Smith, 91-112. Oxford: Oxford University Press.
- Pampaloni 2016.
[http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578033/EXPO_STU\(2017\)578033_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578033/EXPO_STU(2017)578033_EN.pdf)
- Penska, Susan E. and Ginsberg, R. H. (2012), *The European Union in Global Security: The Politics of Impact*, New York: Palgrave Macmillan
- Perito, Robert 2009 Afghanistan's Police The Weak Link in Security Sector Reform
https://www.usip.org/sites/default/files/afghanistan_police.pdf
- Pothier F, 2008 <http://carnegieendowment.org/files/pothierafeuENGaut08.pdf>
- Pfaffenholz, Thania. 2005. Peace and Conflict Sensitivity in International Cooperation: An Introductory Overview. *International Politics and Society* 4: 63-82.
- Post, Svenja. 2015. *Toward a Whole-of-Europe Approach. Organizing the European Union's and Member States' Comprehensive Crisis Management*. Wiesbaden: Springer Fachmedien Wiesbaden.
- Rahimi, R. (2008), "Afghanistan: Exploring the Dynamics of Sociopolitical Strife and the Persistence of the Insurgency", A Pearson Peacekeeping Centre Occasional Paper, Ottawa.
- Richmond, Oliver, Annika Björkdahl, and Stefanie Kappler. 2011. The emerging EU peacebuilding framework: confirming or transcending liberal peacebuilding? *Cambridge review of international affairs* 24(3): 449-69.
- Rubin B R (2004), "Road to Ruin: Afghanistan's Booming Opium Industry," [Online: web], Accessed 12 June 2010, URL: <http://www.cic.nyu.edu/peacebuilding/oldpdfs/RoadtoRuinMGThursday.pdf>.
- Sedra, Mark (2011), "Missed Opportunities: The European Union and Security Sector Reform in Afghanistan", in Magnus Ekengren and Greg Simons (ed.), *The Politics of Security Sector Reform: Challenges and Opportunities for the European Union's Global Role*, Surrey: Ashgate.
- _____ 2010. „Towards Second Generation Security Sector Reform“, in Mark Sedra, (ed.), *The Future of Security Sector Reform*, Ontario: The Centre for International Governance Innovation.
- _____ 2007, "Security Sector Reform in Afghanistan and Iraq," *Journal of Peacebuilding and Development*, 3 (2): 7–23.
- _____ 2006a, "Security Sector Reform in Afghanistan: The Slide Towards Expediency", *International Peacekeeping*, 13(1): 94-110.
- _____ 2006b. "European approaches to SSR: Examining through the Lens of Afghanistan", *European security*, 15(3): 323-338.
- _____ 2002. *Challenging the Warlord Culture: Security Sector Reform in Post-Taliban Afghanistan*, Bonn: Bonn International Center for Conversion.
- Saferworld. June 2012. EU External Action: Towards Conflict Sensitivity. *Saferworld Briefing*.
- Schiewek, Eckart 2004. "State and Human Security in the Age of Terrorism: Security Sector Reform in Afghanistan", *State and Human Security*, 71-92, Geneva: UNOG-DCAF.
- EEAS 2015 http://eeas.europa.eu/archives/csdp/missions-and-operations/eupol-afghanistan/pdf/eupol-afghanistan_factsheet_2015_en.pdf
- Solana 2002. Available at <http://watchmannewsletter.typepad.com/news/2009/10/eu-makes-its-mark-on-the-world-stage.html>
- Stewart, Rory 2013. What went wrong in Afghanistan. *Foreign Policy*, <http://foreignpolicy.com/2013/03/04/what-went-wrong-in-afghanistan/>
- Spernbauer, Martina 2014. *EU Peacebuilding in Kosovo and Afghanistan: Legality and Accountability*.

- Tapper, N. 1984. "Causes and Consequences of the Abolition of Brideprice in Afghanistan", in M.N. Shahrani and R. L. Canfield (eds.), *Revolutions & Rebellions in Afghanistan*, California: University of Berkeley.
- Tardy, Thierry 2017. Available at <https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief%202022%20EUPOL%20Afghanistan.pdf>
- Tripathi, Siddharth 2016. EUPOL Afghanistan: What can the EU learn? Available at <http://www.atlantic-community.org/-/eupol-afghanistan-what-can-the-eu-learn->
- Thomas, Daniel C. 2012. Still Punching below Its Weight? Coherence and Effectiveness in European Union Foreign Policy. *Journal of Common Market Studies* 50(3): 457-74.
- Turner 2008. Available at www.ssrnetwork.net/ssrbulletin/afghanista.php
- UNDP Report 2005. http://www.af.undp.org/content/dam/afghanistan/docs/ANDS_Full_Eng.pdf
- United Nations Development Programme UNDP 2004. *Afghanistan Human Development Report- Security with a Human Face: Challenges and Responsibilities*, UNDP Report, Kabul.
- _____ 2002. *Democratizing Security to Prevent Conflict and Build Peace*, Human Development Report 2002: Deepening Democracy in a Fragmented World, New York: Oxford University Press.
- _____ 2002. *Justice and Security Sector Reform: BCPR's Programmatic Approach*, New York, [Online: web], Accessed 12 June 2010, URL: http://pksoi.army.mil/doctrine_concepts/documents/UN/jssrprogrammaticapproach.pdf.
- Weigand Florian. 2013. *Human vs. State Security: How can security sector reforms contribute to State-Building? The case of the Afghan Police Reform*. Available at <http://eprints.lse.ac.uk/62690/1/WP135.pdf>
- Weiler, Q. 2009 "The European Union and Security Sector Reform in Africa: A Leader in Theory, A Laggard in Reality?", *Bruges Regional Integration & Global Governance Papers* 1/2009.
- Wilder, Andrew 2006 "A House Divided", Kabul: Afghanistan Research and Evaluation Unit, [Online: web], Accessed 10 May 2012, URL: <http://www.areu.org.af/EditionDetails.aspx?EditionId=59&ContentId=7&ParentId=7&Lang=en-US>
- World Bank (2005), *Afghanistan: Managing Public Finances for Development Public Finance Management in the Security Sector*, Washington, DC: World Bank.