



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 Iraq

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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

A well-founded analysis of the EU's effectiveness in conflict and crisis management in its extended neighbourhood requires a concise sketch of the context of EU engagement. Hence the following aspects have to be addressed: a) the origins and evolution of conflict and crisis (sub-section 1.1), b) the involvement of international actors other than the EU that is non-EU states (e.g. the United States, Turkey, Iran) or international organizations (e.g. the United Nations, the World Bank; in sub-section 1.2), and c) an overview of EU engagement and its variety of policies in each of the cases, i.e. Afghanistan, Iraq and Mali (in sub-section 1.3). The latter will provide the respective 'universe of possible cases(-in-case)' and a reasoned choice for the following in-depth analysis of the features of EU crisis response across cases in section 2, and an systematic evaluation of EU crisis response policy in its output-dimension in section 3. Moreover, this will facilitate a systematic comparison across cases by identifying commonalities and differences in EU crisis response.²

1.1 The Evolution of Conflicts and Crisis in Iraq 1922 – 2016

The territories of Iraq have never been a homogeneous 'nation state.' In 1922, Iraq emerged as a state from the British invasion and occupation of former Ottoman provinces. Their consolidation under a League of Nations Mandate administered by Britain rendered Iraq a centralized Kingdom.³ This centralized approach gave Baghdad a pivotal position and immediately triggered concerns of the various communities, sometimes also internally divided, especially among the Shia and Sunni.⁴ Thus the strife for independence by the 'Iraqi people' was from the outset coming with the challenge of integrating the many communities into a unitary state. Iraq remained a fragile entity also after the League Mandate had ended and the country gained independence in 1932.

During the Second World War, Britain re-occupied Iraq to counter a pro-axis coup. However, a viable political order was continuously undermined by political instability, not least manifest in a series of coups, before the monarchy was overthrown in 1958. In most of these coups, the Arab Socialist Baath Party played an important role, and ultimately gained power in 1968, thus paving the way for Saddam Husain who acquired leadership in the early 1970s and became President in 1979.⁵ Internally, the country and people under the Ba'thist government, continued to suffer from turmoil also in the 1980s, when Saddam's "reign of terror"⁶ and "personal autocracy"⁷ countered any opposition by a patronage

² Please note: according to the overall research design of the Horizon 2020 EUNPACK research project, the outcome and impact evaluations for the individual cases will follow in deliverable 7.2, 7.3 and 7.4.

³ See Tripp 2002, 30ff; Abdullah 2014, 97-117; also: Simon and Tejriran 2004.

⁴ See for example Tripp 2002, 61-65. Breakdown of the Iraq population: Ethnic Groups: Arab 75%-80%, Kurdish 15%-20%, Turkoman, Assyrian or other 5%; Religious Groups: Muslim (official) 99% (Shia 60%-65%, Sunni 32%-37%), Christian 0.8%, Hindu <0.1, Buddhist <0.1, Jewish <0.1, folk religion <0.1, unaffiliated 0.1, other <0.1, source: Central Intelligence Agency (CIA) 2017. For an theoretically driven background see for example: Kalyvas and Kocher 2007, 186f.

⁵ See Tripp 2002 204f.

⁶ Abdullah 2014, 152; reportedly Saddam survived at least six coup attempts, *ibid*.

⁷ Marr 2012, 178, 207.

system of ‘divide and rule’; as *Rathmell* asserted: “Iraq under Saddam had combined the worst features of a Soviet-style command economy and an oil-rich rentier state.”⁸

Aside from the schism between Shia and Sunni, the major challenge to the Ba’thist government was the ‘Kurdish question’: The British, in view of the Kurdish strife for autonomy from Arab centralism, had conceded the right to set up a Kurdish government already in 1922.⁹ Respective objectives of Kurdish political parties have taken various forms ranging from independence to a confederation or enhanced autonomy which some Kurdish regions had gained in the 1970s.¹⁰ The awkward statehood manifested itself most pronouncedly in the open war in Kurdistan in 1972/3.¹¹ And the Kurdish challenge continued in the post-Saddam and post-Iraq war of 2003. The Kurdish parts of society and the Kurdish Regional Government (KRG) in the north – some in pursuit of their ultimate nationalist goal of a Kurdish state – have been ready to accept the Baghdad government in exchange for the latter’s support of Kurdish essentials, not least the clarification of Kirkuk’s status (under article 140 of the constitution) or their strive for autonomy in a confederated Iraq (if not independence).¹²

Disputes over cooperation in the economic field of oil exports from Kurdish parts of the country via the Iraqi State Organization for Marketing of Oil (SOMO) further nurtured those Kurdish groups favouring independence or at least autonomy.¹³ Bagdad for a long time has not allocate the constitutionally guaranteed share of 17% of the budget to the KRG in exchange for centralized exports of oil, while the KRG’s betraying Bagdad by bypassing the government when exporting oil directly. Low oil prices of 2014ff have had tremendously negative effects on KRG’s budget running increasingly into deficit and straining the relations to Bagdad further. Although the Kurdish regions fare relatively better in this regard, the whole of Iraq is beset by ‘bad governance’, i. e. mismanagement, corruption.¹⁴

Internal instability was also nurtured by regional forces outside Iraq, most prominently Iran supporting the Shia minority facing a state dominated by Sunni military officers¹⁵, ultimately leading to an inter-state war of attrition between Iraq and Iran in 1980, ending with a stalemate in 1988.¹⁶ Likewise, Saudi Arabia sided with the Sunni, and Turkey opposed, sometimes also by military intervention episodes, any idea of a Kurdish state.¹⁷ With the Iraqi invasion of Kuwait in 1991 and the international sanctions and US military intervention resulting in Saddam’s defeat and retreat from Kuwait, the population was understandably exhausted by wars, repression and sanctions.¹⁸

⁸ Rathmell 2005, 1019; see also: Makiya and Khalil 1989; Baram 1997.

⁹ See Tripp 2002, 54.

¹⁰ See Manis 2016, 4; see as background: Yildiz 2007.

¹¹ See Tripp 2002, 194-204; Marr 2012, 229f.

¹² See Manis 2016, 3f.

¹³ Marr 2012, 5-19, 355-59; Manis 2016, 4.

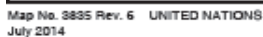
¹⁴ See Manis 2016, 5f.

¹⁵ See Tripp 2002, 201-204.

¹⁶ Abdullah 2014, 139-145; see also: Kemp 2005.

¹⁷ See for example: Gause III 2007; Özcan 2011; see also below, section 1.2.

¹⁸ See Abdullah 2014, 146-153; see also: Karsh and Rautsi 1991; Sciolino 1991.



Department of Field Support
Cartographic Section

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After the terrorist attacks of September 11th 2001 on the US, a conflict emerged between the Iraqi government and the international community over the United Nations' disarmament and inspection

regime meant to refuse Baghdad any access to weapons of mass destruction. Iraq's failure to adhere to UN demands coincided with the strong resolve of the Bush Jr.-administration to the use of force against Iraq, unless Saddam showed full compliance.¹⁹ The US-led invasion with the 'coalition of the willing and able' began on March 19, 2003 and ended three weeks later after a swift campaign in the complete defeat of the Saddam regime. One of the premises of this coalition war had been regime change, and thus the emerging challenge became how to democratize Iraq, a country without "a promising environment for achieving the goal of building a peaceful, democratic, free-market economy."²⁰

Such an endeavour required massive and sustained intervention from the US and other international actors as to facilitate a transformation process, which remained beset by severe challenges including

"a weak government that engenders security fears, a lack of a cohesive identity to unify Iraq's different communities, a risk of meddling from Iran and Turkey, bellicose elites who pursue adventurism abroad and whip up tension at home, a poorly organized political leadership, and a lack of a history of democracy."²¹

In June 2004, Iraq achieved legal sovereignty through UN Res. 1546 recognizing the transitional government of Prime Minister Ayad Allawi, established by the US, not least due to a growing resentment of the US public opposing a continuous military engagement in Iraq. At the same time, this resolution established a key role for the UN in reconstructing Iraq, and the position of a Special Representative (Lakhdar Brahimi), and an UN Assistance Mission for Iraq (UNAMI) were created.²²

Legally, consolidation won ground by a new constitution approved by voters in December 2005, aiming at an Islamic federal democracy. The same month saw the first parliamentary elections since US invasion bringing the new President Jalal Talabani and Prime Minister Nouri al-Maliki to power. In the parliamentary election in March 2010, Talibani and Al-Maliki were re-appointed forming a government, which entailed all major factions, thus opening promising perspectives in terms of representing the many societal groupings, but also fragmentation.²³ In April 2014 Maliki's coalitions won again but failed to gain majority in this first election after US troop withdrawal in 2011.

Despite this apparent progress in formal and legal terms after decades of hardship, a lack of professionalism and institutionalization combined with a policy strategy miss-handling liberalization of the Iraqi economy questioned the substance of political and social change towards social stability and democracy. Instead, an acute security vacuum arose from a broad spectrum of domestic militias engaging in insurgence against US troops, as well as massive influx of international terrorism (also al-Qa'ida) and widespread organized crime.²⁴ Saddam loyalists went underground and resistance grew up

¹⁹ See Trevan 1999; also: Wedgwood 2003.

²⁰ Rathmell 2005, 1018-20 (1019); Katzman 2005., 14-17.

²¹ Byman 2003, 47f (49); see also: Dodge 2004.

²² See Dodge 2004, 39f; Marr 2012, 281-83; more on this below in sub-section 1.1.

²³ See Marr 2012, 347; 341-48.

²⁴ See Dodge 2004, 47-53; Rathmell 2005, 1020. Among others, the following state-wide, regional or local military forces or militias were active: Iraq state (Iraqi Security Forces), Iraqi Kurdistan (Peshmerga), Hashd al-Shaabi (Popular Mobilisation Forces), Hashd al-Watani (Sunni militia force, Mosul, Atheel Al-Nujaifi), Assyrian militias (Dwekh Nawsha, Nineveh Plain Protection Units).

to 2006, including also parts of the Shia community, when reportedly about 60 per cent of the population supported military operations against Americans.²⁵

Violence and sectarian conflicts began to ebb by mid-2008, not least due to an increasingly assertive Iraqi government, easing the de-Ba'athification campaign and re-commissioning of army officers as well as beefing up security forces. This positive turn may also be attributed to the fact that large sections of Iraq had by then “been cleansed and effectively divided between the contending communities.”²⁶ Most importantly, al-Maliki negotiated a Status of Forces Agreement (SOFA) with the United States, entailing a withdrawal of US forces by 2011 and a shift to a more civilian relationship defined in a long-term strategic framework agreement. In August 2010, the last US combat brigade left Iraq.²⁷

By April 2013, however, sectarian conflict and insurgency re-intensified to the level of 2008, and open war-fighting was back. From 2013 to 2014 ISIL (Islamic State in Iraq and Levant/ Da'esh) defeated the desolate Iraqi army and even parts of the Kurdish Peshmerga forces which were well-funded and highly successful asset in fighting the advance of ISIL. However, Kurdish influence is limited to the North, while the rest of the Iraqi-government controlled parts of Iraq have suffered from lack of available resources as well as national disunity, specifically between Shia militias and Sunnis who often engage in conflict with each other as well as against ISIL. The US started to bomb the IS on August 8, 2014 and formed its “global coalition” (‘Operation Inherent Resolve’) fighting the ISIL with 66 coalition partners.²⁸ As a consequence of the ISIL insurgency as much as from fighting back since 2004, a humanitarian crisis has emerged. The situation in Iraq has also been affected by civil war in Syria from where refugees put a heavy load on local Iraqi communities: more than 3.2 million IDPs, and 1.5. Million are (as of 2016/17) residing in the Kurdish region.²⁹ As of early 2017, however, not least indicated by the liberation of Mosul, the ISIL is about to be defeated and said to turn towards guerrilla tactics and hence still posing a threat to Iraqi people and a major challenge for continuing the state-building processes in Iraq.

Obviously, the history of Iraq is an array of conflicts and crisis pestering Iraqi people since 1922. Violence is emitting from local, regional and international sources rendering social integration and good governance a constant challenge to all levels of government. International actors have been involved from the very beginning of Iraqi statehood up-to-date (2017), interventions – military or political – mostly contributing more to conflicts and violence than to foster state-building and stability as will be elaborated in the following section. This is the background against which the EU’s engagement after the Iraq war of 2003 is posed, also in terms of a specific *conflict cycle*, impinging on the Union’s opportunities and actions. The various drivers of conflict³⁰ and the emerging conflict cycle, defined by the ups and downs of social instability, insurgencies, terrorism and organized crime, renders security the first concern and political priority for every actor – be it states (like the US, or EU Member States), international organizations (United Nations, World Bank) or ‘something in-between’ like the European

²⁵ See Abdullah 2014, 163-166, 169-71; Marr 2012, 260-66, 299f, also chapt. 11, 305f.

²⁶ See Abdullah 2014, 172; Marr 2012, 286-93, 298, 320f.

²⁷ See Marr 2012, 327f.

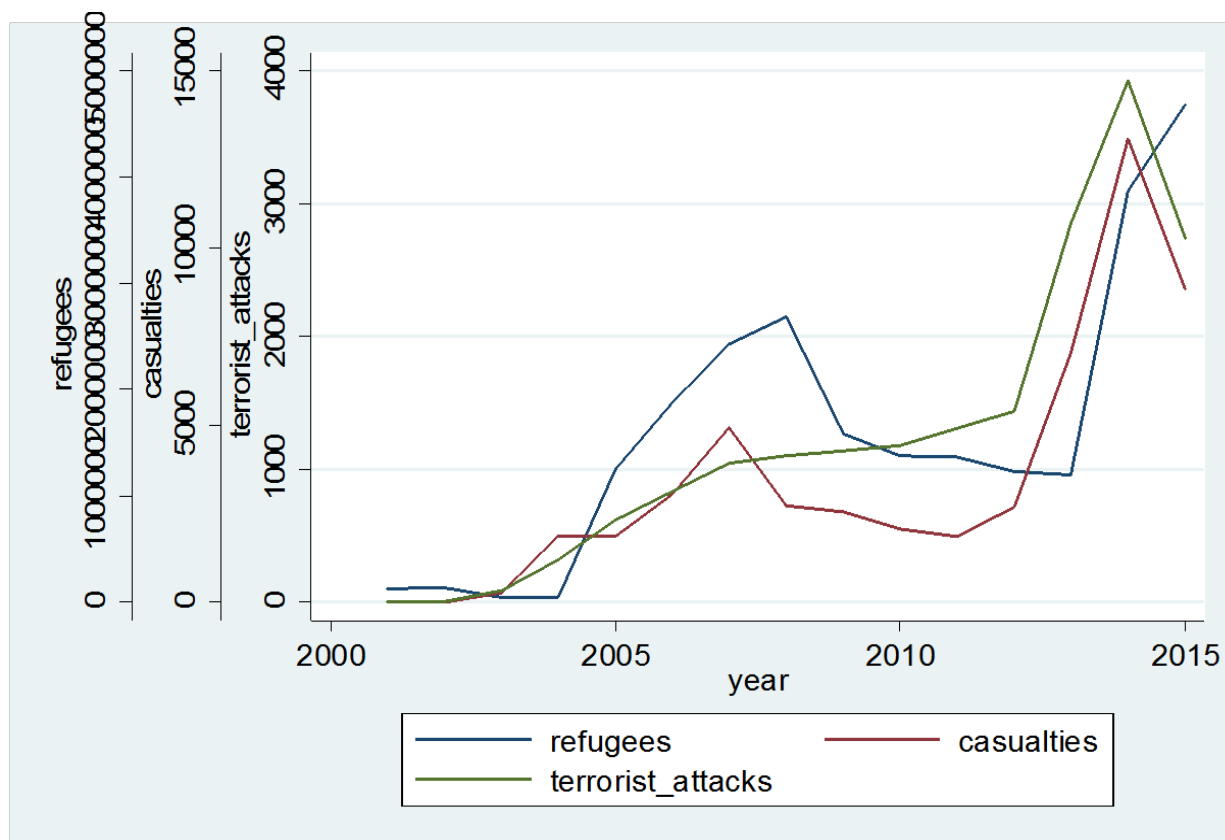
²⁸ See Manis 2016 7; for background information see: US Department of State 2017; Ohlers 2017.

²⁹ See United Nations 2017

³⁰ See also a detailed list of ‘drivers of conflict in: Burke 2009, 2.

Union – since it defines the leeway for the opportunities and limits to contributing to and support state-building in Iraq reconstruction.³¹

Graph 1: Conflict Evolution: Iraq (2002-2015)



© Peters, Hanschmann 2017 (based on UCDP, <http://www.ucdp.uu.se/#country/645>; Global Terrorist Database, <https://www.start.umd.edu/gtd/>; Heidelberg Institute for International Conflict Research, Conflict Barometer 2004ff, <https://www.hiik.de/en/konfliktbarometer/>)

1.2 Engagement of international actors in Iraq (other than the EU)

International interventions have impacted the Iraq ever since the country gained formal independence in 1932.³² The British influence had been present at the creation of the Iraqi statehood and decisive for shaping the government and governance structures from the outset of its patronage since 1922. Decisions taken then have framed the social and ethnic cleavages in the country and also the societal and political lines of conflict up to today. Likewise neighbouring countries siding with different parts of the Iraq's fragmented society, most importantly, Iran with the Shia minority, and Saudi Arabia with the Sunni majority groups. Divide-and-rule strategies for sustaining their influence in favour of their respective clientele have been steering up social conflicts.³³ Additionally, Turkey's has repeatedly engaged also militarily for fighting Kurds in its own society and cutting the influx of support coming from

³¹ Rathmell 2005, 1014-23.

³² See Alterman 2003; Fawcett 2013.

³³ See Kemp 2005; Therme 2015; Gause III 2007.

the Kurdish communities in Iraq, Syria, or Iran, accused of providing safe-harbours for Turkish-Kurdish terrorists.³⁴ And Russia – as formerly the Soviet Union – considered its influence in the Middle East first and foremost as part of its global competition with the United States.³⁵

Geostrategic interests have also the drivers for United States policy in the Middle East in general and the Iraq in particular. Its engagement has been deeply rooted in its continuous support for Israel, the economic interest in ensuring access to the immense oil and gas reserves of countries in the region, as much as its meandering support of regional powers: In the Kurdistan war of the early 1970s, the US had supported the Kurdish side against the Baghdad government. During the Iraq-Iran war (1980-88) – in view of the manifest enmity with the Ayatollah regime in Teheran after the hostage crisis of 1979³⁶ -- had sided with the Saddam government which was even supported by armament deliveries.³⁷

In the wake of the terrorist attacks on the US in September 2001 ('9/11') Iraq was on Washington's list of 'rogue states'³⁸ which had already before been suspected harbouring trans-national terrorist groups or themselves being part of international terrorist networks. Iraq's non-compliance with UN resolution regarding its suspected nuclear armament programme³⁹ triggered the war of 2003 by the 'coalition of the willing', instigated by the US, which ended after only three weeks in a total defeat of the Saddam regime. The Bush jr. administration had aimed at 'regime change' supposed to facilitate the transformation of the whole Middle East into a region of stability through democratization ("Greater Middle East Initiative"),⁴⁰ thus also putting these challenges on top of the US agenda for re-building Iraq.

The US-installed *Coalition Provisional Authority* (CPA) headed by *Paul Bremer*, was an effort to reshape Iraq, marked by abandoning the Baath party (de-Baathification) as well as the Iraqi military forces. Disbanding the Iraqi Army, however, led to disillusionment and unemployment of thousands of formerly middle-class Iraqis then left without alternative income and a lack of access to the political sphere for Ba'ath groups and Sunni minority. The rising feeling of lawlessness and chaos made former followers and beneficiaries as much as opponents of the Saddam regime go underground fighting the US troops and all external actors' attempts to install new governance structures.⁴¹ In the forceful judgement of Abdullah: "Ignorance lead to numerous ill-advised decisions..." and of Marr, US policy following the war was "ideologically driven, ill-considered, and woeful understaffed – destroyed more than it built."⁴² Thus, "the United States had ended one threat—an aggressive regional regime—but created another: a potentially failing state."⁴³

³⁴ See Özcan 2011; Müftüler-Baç 2014.

³⁵ See for example: Freedman 2003; Nizameddin 1999.

³⁶ See Houghton 2001; Bowden 2007.

³⁷ See Blight et al. 2012; Everest 2004; Phythian 1997.

³⁸ See for example: Klare 1995; Litwak 2000.

³⁹ On the intelligence failure see: Jervis 2006.

⁴⁰ See, for example: Ottaway and Carothers 2004; Girdner 2005; Katzman 2005., 14-17.

⁴¹ See Joffé 2016, 3-5; Abdullah 2014, 162-64, Marr 2012, 267-69.

⁴² Abdullah 2014, 63; Marr 2012, 267. "But the failure of the United States to understand the politics and culture of the society in which it was operating and the abrupt and inept destruction of what little was left of Iraq's previous institutional structure would soon prove the undoing of much of the progress made and undermine the entire enterprise." (Marr 2012, 273).

⁴³ Marr 2012, 302f.

Despite what one may call good intentions, the security situation worsened and state building or post-war reconstruction was severely hampered if not totally undermined by the lack of security and stability thus asking for a ‘security first’ approach: “Most of the barriers to democracy in a post-Saddam Iraq are related directly or indirectly to security (...). Thus, democratizing Iraq may be feasible, if difficult, as long as intervening powers are willing to stay the course.”⁴⁴ However, the US (as much as the UK) commitment vanished in view of mounting security challenges of recurring insurgency in Iraq and vanishing support at the home front. Occupation could hardly be sustained for long, and hence troops are successively diminished and military engagement largely limited to surveillance and airstrikes as well as to advice for the re-established Iraqi army. Experts were arguing about whether or not the US and its coalition parts actually had had post-war plans concerning post-war reconstruction. In effect, however, following *Rathmell’s* assertion, the “the efficacy and appropriateness of these plans and processes (...) are open to challenge”, resting on false assumptions, political surprises proved the allies’ planning wrong.⁴⁵

By 2011 most US and coalition combat troops were gone, but the US still launched surveillance of Islamic insurgent groups targeting the Iraqi government which had despite the unfavourable environment achieve relative stability,⁴⁶ however, merely for an interim period between 2008 and 2013. In 2014 the group known formerly as Al-Qaida in Iraq (AQ-I) became superseded by the *Islamic State of Iraq and the Levant* and captured Samarra, Mosul and Tikrit.⁴⁷ In view of the failure of diplomatic means at ending the war in Syria, the Obama administration reinvigorated its military engagement and initiated the US-led Combined Joint Task Force (JTF) – *Operation Inherent Resolve* – the major foreign military engagement in the region, challenged by Russian military engagement on behalf of the Assad regime in Damascus since 2015. Different EU Member states are members of the JTF, for example, France, the UK and Germany, Turkey, Denmark and the Netherlands, some of which, for example provide military hardware to Kurdish groups combating ISIL or launching limited engagement missions of their own.⁴⁸

NATO has not been part of the JTF, but had overcome its internal controversies regarding the future engagement in Iraq already in 2004; the alliance “conducted a relatively small support operation in Iraq from 2004 to 2011 that consisted of training, mentoring and assisting the Iraqi Security Forces.” – NATO Training Mission in Iraq (NTM-I). Allegedly, many NATO member countries contributed “either in or outside Iraq, through financial contributions or donations of equipment.”⁴⁹ The Western alliance also supported the ISF by establishing the National Defense University in Baghdad.⁵⁰ Moreover, NATO aims at a structured cooperation framework to develop the Alliance’s long-term relationship with the Iraqi government and the Iraq. In early 2017 NATO launched a new training programme in Iraq for capacity building of security forces for countering Improvised Explosive Devices (IED).⁵¹

⁴⁴ Byman 2003, 49.

⁴⁵ Rathmell 2005, 1017, 1020-27; see also: Chilcot 2016, and Paul Bremer’s late insights: Bremer 2016.

⁴⁶ See the previous sub-section on the evolution of conflicts and crises in Iraq (sub-section 1.2)

⁴⁷ See for example Roggio 2014.

⁴⁸ See again: US Department of State 2017; Ohlers 2017.

⁴⁹ NATO 2016.

⁵⁰ See Burke 2009, 16.

⁵¹ See NATO 2016.

The US engagement in Iraq, however, was not confined to military action and support for the Iraq Security Forces (ISF). Washington since the end of war in 2003 also provided large funds in terms of development and humanitarian aid for the early period through the International Reconstruction Fund Facility for Iraq (IRFFI, est. 2004). In 2014, the United States was the largest foreign aid donor in the world, accounting for about 24% of total official development assistance from major donor governments in 2014.⁵² Key rationales for US assistance, which flow through several federal agencies, are national security, commercial, and humanitarian; the main objectives are said to be “promoting economic growth, reducing poverty, improving governance, expanding access to health care and education, promoting stability in conflictive regions, countering terrorism, promoting human rights, strengthening allies, and curbing illicit drug production and trafficking.”⁵³ Concerning Iraq, as Tarnoff summarized for 2006,

“Of the nearly \$29 billion in appropriated funds from all accounts directed at reconstruction purposes, close to 40% is targeted at infrastructure projects — roads, sanitation, electric power, oil production, etc. About 38% is used to train and equip Iraqi security forces. A range of programs — accounting for roughly 22% of appropriations — are in place to offer expert advice to the Iraqi government, establish business centers, rehabilitate schools and health clinics, provide school books and vaccinations, etc.”⁵⁴

While Iraq was not among the top 20 in 1995, it was the top recipient of U.S. Foreign Assistance from all sources in 2005, Iraq was by far the largest receiving state with 7,8 billion USD (followed by Israel with 2,7 and Egypt with 1,8 billion USD); and in 2015, Iraq receiving about 1,8 billion USD at the third rank, topped by Afghanistan (5,5) and Israel (3,1).⁵⁵ Reconstruction priorities have changed over time, for example from large scale infrastructure programmes, to small-scale targeted community-level infrastructure projects in 2009 (Tarnoff 2009, Summary), but also regarding the military vs. non-military items.⁵⁶

⁵² Tarnoff and Lawson 2016, 7 and summary: Official Development Assistance (ODA), as reported by the Organization for Economic Cooperation and Development (OECD), differs from both U.S. Budget and US Greenbook numbers primarily because it excludes all military assistance and aid to developed countries. See also: Tarnoff 2015; “In Fiscal Year 2015, U.S. foreign assistance, defined broadly, was estimated at \$48.57 billion, or 1.3% of total federal budget authority. About 43% of this assistance was for bilateral economic development programs, including political/strategic economic assistance; 35% for military aid and non-military security assistance; 16% for humanitarian activities; and 6% to support the work of multilateral institutions.”

⁵³ See Tarnoff and Lawson 2016 summary.

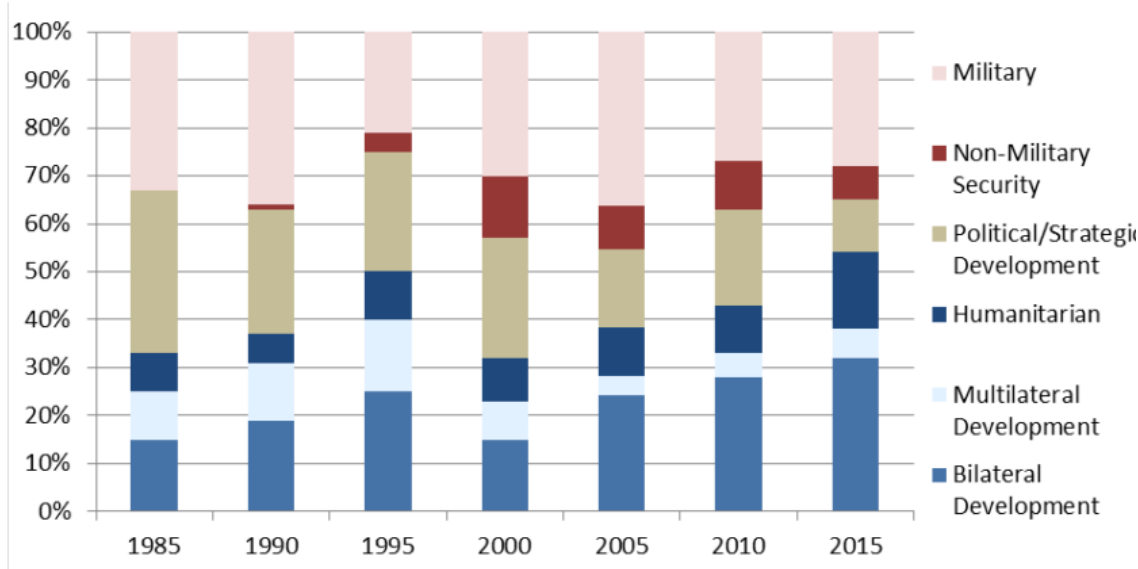
⁵⁴ Tarnoff 2006, summary, 10-24.

⁵⁵ Tarnoff and Lawson 2016, table 2, 13.

⁵⁶ Ibid., figure 2, 11.

Figure 2. Shifts in Total Aid Program Emphasis, FY1985-FY2015

(as a percentage of total U.S. foreign assistance appropriations)



Sources: Department of State and USAID, Congressional Budget Justifications; CRS calculations.

In the United Nation, Iraq had been a long standing concern already before the war of 2003.⁵⁷ The organization's relevance had been suffering from unilateralist tendencies in the US coming to power with George W. Bush in 1999.⁵⁸ With the widespread and intensive insurgency following the 12 month after the end of invasion, and the lack of legitimacy of the occupying powers, the US also redefined its attitude in favour of a key role for UN in reconstructing Iraq, thus following a long standing demand by France and other war opponents. Since spring 2004, the UN became a central element in United States' Iraq strategy not least due to insight gaining ground that the mission was accomplished in terms of 'winning the war' but simultaneously was endangered of 'losing the peace'.⁵⁹ This role was ultimately defined by Security Council Resolution establishing an UN Assistance Mission for Iraq (UNAMI) as well as the posting of a (first) UN Special Representative (Lakhdar Brahimi).⁶⁰ However, Brahimi's plan for reconstructing Iraq rested on the assumption of continuous US support and CPA's would forego short term political animosity for the long term goal of democratic elections, but quickly proved wrong.⁶¹

The UN Mandate for UNAMI, conditioned by the caveats "as circumstances permit" and "at the request of the Government of Iraq", encompassed advice and assistance to the Iraqi government as well as promoting "the protection of human rights and judicial and legal reform in order to strengthen the rule of law in Iraq".⁶² The self-image of the UN reads as follows:

⁵⁷ See for a background: Malone 2007; Sponeck 2006.

⁵⁸ See Berdal 2004; Nye Jr 2003.

⁵⁹ See Berdal 2004, 83-85; Allawi 2008.

⁶⁰ See UN SC Resolutions 1500 (2003) and 1770 (2007, and for the latest extension of the UNAMI mandate until July 2017, SC Resolution 2299 (25.07.2016): United Nations 2016; Dodge 2004, 39f.

⁶¹ See Dodge 2004, 44.

⁶² United Nations 2016

“Since its inception in 2003, UNAMI has played a crucial role in providing significant support in the drafting of Iraq’s 2005 Constitution, assisting in six elections, coordinating UN humanitarian efforts and the financial assistance of the donor community and providing advisory support to the Council of Representatives. UNAMI continues to assist in political dialogue towards a resolution of issues related to Kirkuk and other disputed internal territories of Iraq.”⁶³

The UNAMI mandate was revised and extended in 2007 (UNSC Res. 1770) now including new fields of UN support and assistance such as for the regional dialogue with neighbouring countries, implementing the International Compact with Iraq and strengthening donor coordination including with the International Reconstruction Fund Facility for Iraq (IRFFI, est. 2004). IRFFI was the main channel for post-2003 development cooperation with Iraq. It was a multinational funding mechanism bringing government projects and donors together, and was managed by the UN Development Programme (UNDP) and the World Bank.⁶⁴ This mechanism sprang from meetings of Iraqi national authorities and donor representatives between August and December 2003 in Washington D.C., Brussels, New York, Dubai, Madrid and Amman. UNSC Res. 1770 (2007) comprised a reform of this mechanism in response to Baghdad’s request for a more pronounced leadership role; moreover the revision entailed a new emphasis on effective implementation, oversight and monitoring as well as impact evaluation.

In this context, UN engagement in Iraq is occurring through *The Integrated Coordination Office for Development & Humanitarian Affairs* (ICODHA),⁶⁵ and the *World Food Programme* (WFP) offering assistance indicated in numbers (as of January 2017): “10 million people in need of humanitarian assistance (OCHA) 18 governorates affected 3 million people displaced (IOM) 938,000 people food insecure (WFP, CFSVA) 233,000 Syrian refugees in Iraq (UNHCR)” requiring an aggregated budget of about 1.5 Billion USD.⁶⁶

The World Bank and the International Monetary Fund have been engaged in Iraq with programmes and funding for project as much as for the government’s budget.⁶⁷ The awkward security situation – though with ups and downs (see above, sub-section 1.1) – has beyond the humanitarian crisis, excelled by the influx of refugees from Syria, also affected the Iraqi society economy-wise. However, basically a rich country with significant revenues from oil exports, in the early years the domestic insurgency and after 2014 the ISIL contributed to a severe deterioration of economic activity and increased the fiscal and current account deficits.⁶⁸

The government’s development objectives and priorities were defined in the National Development Strategy (NDS; 2004, 2005, and 2007) and the International Compact for Iraq (ICI, 2007). The latter defined security, political, and economic reform benchmarks, with the support of the international community. Moreover, the ICI stressed the link between, on the one hand, security and political

⁶³ United Nations Iraq

http://www.uniraq.org/index.php?option=com_k2&view=item&layout=item&id=945&Itemid=475&lang=en

⁶⁴ See The World Bank, <http://siteresources.worldbank.org/IRFFI/Resources/RevisedTORS.pdf>

⁶⁵ United Nations Iraq:

http://www.uniraq.org/index.php?option=com_k2&view=item&layout=item&id=951&Itemid=619&lang=en

⁶⁶ United Nations 2017

⁶⁷ See The World Bank, <http://www.worldbank.org/en/country/iraq/overview>

⁶⁸ See The World Bank, <http://data.worldbank.org/country/iraq>.

stabilization issues, and reconstruction and economic development on the other hand. As follow up to the IRFFI, the United Nations Development Assistance Framework Fund (UNDAF Fund) was established. However, according to the EU Commission “the combined financial assistance of all donors (including EU and US) is minimal compared to the Iraqi budget resources.”⁶⁹

Summing up, obviously Iraq – as the whole Middle East – is of strategic interest to many regional and international actors, which thus have directly or indirectly engaged ever since the Iraqi state was founded in the aftermath of the Ottoman Empire. Especially after the war of 2003, the West as much as the United Nations and other international Organizations have pursued a variety of policies in response to humanitarian emergencies as much as to instability. Especially for those interventions aiming at stabilizing Iraq by its reconstruction and transformation to some sort of democracy in view of continuous presence of violent conflicts and insurgency, including inter- and transnational terrorism, ‘security first’ became the common-sensual approach. Clearly, these features of multiple involvements of international actors – in terms of numbers, kinds and policies – unavoidably set the context for EU engagement in Iraq and the Middle East.

1.3 The European Union’s multiple engagement in Iraq

In the run up to the Iraq war 2003, Europeans and EU Member states were – some more, some less – sceptical of a war option since the US may underestimate the problems of state-building in post-Saddam Iraq, but instead might lead to an escalation of terrorist activities also in the West. Many EU MS governments did not believe in a realistic possibility to establish a new political order in the Middle East based on importing democracy, especially without at the same time tackling the Israeli-Palestinian conflict.⁷⁰

At the brink of war, the question of whether or not the US should attack Iraq, and the necessity of a mandate for such a campaign, was not just an issue among the P5 in the Security Council but became the bone of contention among transatlantic partners.⁷¹ The issue of the impending war on Iraq generated a threefold split of the West:

- 1) a transatlantic rift between the US and those EU partners opposing the war (France, Germany, Belgium, Greece, Luxembourg, Austria, Finland, Sweden, Ireland, Norway);
- 2) a dispute between EU member states, pitting the war opponents (see 1.) against those governments supporting the use of force (UK, Spain, Portugal, Italy, Denmark, and all the governments of the then EU candidate states);⁷²
- 3) a discord between the consistently war-averse publics and their governments in the European countries supporting war.⁷³

As a consequence of these splits the viability of Western institutions, specifically of NATO and the EU, was jeopardized, which, contrary to their purported function, apparently failed as facilitators of

⁶⁹ European Commission 2014, 4f.

⁷⁰ See Ortega 2002, 3, 6-17.

⁷¹ See Marfleet and Miller 2005; United Nations 2002 Gordon and Shapiro 2004, 93-99; Bush 2002; Glennon 2003.

⁷² See Menon 2004, 637-640.

⁷³ Cf. The Pew Research Center 2003, 1; Boston 2003.

consultations and compromise among member states.⁷⁴ Intense bitterness marked the debate during and emerging from Iraq conflict in early 2003 and illuminated underlying points of tension. As consequence, this triggered a relaunch of ESDP on a firmer footing since the debate among MS and the resulting disagreement discredited some of the more unrealistic ambitions regarding CFSP and ESDP in favour of the indispensability of a close link to NATO and US and pragmatism.⁷⁵ This was also the context defining the implicit functions of the 2003 European Security Strategy paper (ESS) meant to send an appeal of unity to Member States, a message of reconciliation to the United States and a proclamation of resolve to the rest of the World.⁷⁶

This at times traumatic experience of disunity had its repercussion on policy-making in the EU regarding the reconstruction of Iraq. After quite some debate, however, EU engagement emerged in terms of Council as well as Commission foreign policy, in parallel to policies pursued by Member States bilaterally vis-à-vis Iraq.⁷⁷ The political framework was negotiated with the Iraqi Government from 2006 onwards, resulting in The Partnership and Cooperation Agreement (PCA), signed in 2012 and the Memorandum of Understanding on Energy Cooperation (Jan 2012). While the former became the “legal framework for improving ties and cooperation in a wide range of areas”, including “political issues, counter-terrorism, trade, human rights, health, education and the environment”, the later constitutes a framework for developing energy relations – a manifest economic vested interest of the EU and its member states.⁷⁸

Despite other disagreements, Europeans were strongly in favour of the UN to assume control, a quick transfer of sovereignty to Iraqi people and to prepare for early elections.⁷⁹ EU had had no political or contractual relations throughout the 24 years of Saddam’s regime other than participating in UN sanctions and in flows of humanitarian aid where it became the second most important donor behind the UN after 1992; but trade relations were significant, especially regarding energy.⁸⁰

Despite earlier reservations against US ideas of democratizing the country from the outside, EU MS and the Council mandated by a Joint Action the first *European Union Integrated Rule of Law Mission for Iraq* (EUIJUST LEX-Iraq), a civilian crisis management mission under ESDP. Aiming at enhancing domestic security, the rule of law as much as promoting “a culture of respect for human rights” and gender, this was an ‘integrated’ mission since it subscribed to “providing professional development opportunities for high and mid-level Iraqi officials” from across the Criminal Justice System (CJS) as a whole that is the police, the judiciary and the penitentiary. In response to an invitation of the Prime Minister of the interim government of Iraq, it became operational in July 2005, with the mandate extended four times

⁷⁴ See on different functions of international institutions: Wallander, Haftendorn, and Keohane 1999.

⁷⁵ See Menon 2004, 638f, 648.

⁷⁶ Solana 2003; See Menon 2004 645f; Bailes 2005; Brimmer 2004; Toje 2005.

⁷⁷ For these categories see White 1999.

⁷⁸ See European Commission 2004, 3f; European External Action Service (EEAS) 2016.

⁷⁹ See Youngs 2004, 2.

⁸⁰ See European Commission 2004, 3-6; European Council 2004, 7.

until termination on 31 December 2013.⁸¹ The EU activities were co-ordinated with counterparts engaging also in this field, particularly with the US and UN.⁸²

As concrete policy measures (or operational instruments), the 2005-Mission Mandate foresaw training activities of CJS personnel occurring inside EU countries, depending on offers from MS, or in the region with an Mission liaison office in Baghdad (Art. 2.3); training *within* Iraq was considered optional depending on the improvement of the security situation in the country (Art. 2,3). The high risk security situation in Iraq rendered what was meant to be merely the support office in Brussels the main hub and organizational unit until 2010. Since the security situation had visibly improved from 2008 onwards, the Mission – following the revised 2010-mandate – were to be “progressively shift its activities and relevant structures to Iraq”, but training in the Union or the region remained optional (2010, Preamble, 3; Art. 2,4). The Mission’s headquarter now moved to Baghdad with a field office in Erbil (Kurdistan Region), and a satellite office in Basra (Southern Iraq).⁸³

Despite its alleged success in terms of quantitative indicators regarding trained Iraqi personal⁸⁴, the overall accomplishments were questioned inside the Council and the support by MS had vanished after four extensions of the Mission. This ultimately led to closure of the Mission as of December 2013. Still the Council affirmed “its commitment to a smooth and effective handover of the activities of the European Union Integrated Rule of Law Mission for Iraq, EUJUST LEX-Iraq, to other EU and international actors and to Iraqi authorities, ensuring that follow-up activity builds on lessons learnt and achievements accomplished by the mission.”⁸⁵

This Council ESDP endeavour has been complemented by EU Commission RoL programmes in support of UNDP activities,⁸⁶ or state-building contributions for “Strengthening the efficiency and credibility of the criminal justice system and enhancing the rule of law” via the GFA Consulting group (Hamburg).⁸⁷ Moreover, using the European Instrument for Democracy and Human Rights (EIDHR) for support of civil society organisations “based on the principles of democracy, good governance and accountability” and support for establishing a modern state administration especially regarding water and sanitation, health and education.⁸⁸

⁸¹ See for general information and background: European External Action Service (EEAS) 2014; Since October 2011, EUJUST LEX-Iraq’s Head of Mission were: Stephen White (UK, until 2007), Francisco Díaz Alcantud (Spain), Carl Törnell (Sweden), and Brigadier General László Huszár (Hungary, Oct. 2011ff).

⁸² Ibid.

⁸³ Until 2009, only 4 staff had been deployed inside Iraq, changed to 8 in 2010 (see European Parliament 2012, 56), and increased with moving the Mission headquarter to Baghdad and opening small offices in Erbil and Basra following the Councils revised mandate of 2010. The maximum was a staff of 66, including 53 international experts and 13 locals (see European External Action Service (EEAS) 2014). The full transfer of staff to Iraq was only completed in 2012, however (see Christova 2013, 433f).

⁸⁴ For a most specified account of numerical achievements, based on background information from the EU, of the Mission see Christova 2013, 433f. See table on numbers of trained Iraqi personnel, p. 236 on EUJUST LEX Activity List: Course Table, available at: http://91.194.202.11/uedocs/cmsU-upload/ACTIVITY_LIST_0904.pdf (accessed 25.02.2017).

⁸⁵ European Council 2013, 14, item 3.

⁸⁶ See European External Action Service (EEAS) 2015. Commission RoL programmes will be covered in section 2.2.2.

⁸⁷ European External Action Service (EEAS) 2014.

⁸⁸ European External Action Service (EEAS) 2016.

Additionally, the Commission initiated a programme in support of the electoral process in Iraq since 2004. This partly happened through the UN arm of IRFFI (see section 1.2) in support of the independent High Electoral Commission (IHEC); Projects were devoted to ensure open, transparent and cost-efficient elections as well as “empowering women and young people in the electoral process, providing electoral observation and media monitoring, and promoting professional election reporting”, and to maximize voter turn-out. The EU Commission, however also set up its own EU Election Expert Mission to Iraq for the Provincial elections in 2009; the [EU Election Expert Mission \(ELE\)](#), established for a limited timeframe of January to September 2009, was implemented by out-sourcing this to a private actor, the *Berenschot Groep Bv.*⁸⁹

The main engagement of the EU Commission was basically defined by the competences according to the EU Treaties. Hence, the Commission has been in charge of trade policy also covered by the PCA and – as becomes clear from core Commission documents of 2004 and 2006 – considered trade and development a significant part of the transition to democracy, a market economy and overall the reconstruction and development of Iraq.⁹⁰ According to official EU statistics, the EU is (as of YEAR?) Iraq's second-biggest trade partner behind China, followed by India, Syria, Turkey, and South Korea; the total bilateral trade between the EU and Iraq amounted to over €16.1 billion in 2015; and EU imports from Iraq were worth €11.1 billion in 2015, with Oil imports representing up to 99.7% of all EU imports from Iraq. At the same time, the EU is the fourth-largest source of imports for Iraq followed by Turkey, Syria and China. And the EU exported €5 billion worth of goods to Iraq in 2015, dominated by machinery and transport equipment, chemicals, food and live animals.⁹¹

Since 2003, the European Commission has been the third largest development partner of Iraq, after the US and Japan. The Commission's Directorate-General for International Cooperation and Development (DG DEVCO) unit in charge of development aid meant to tackle longer-term issues as follow up on humanitarian aid, which is handled through the Directorate-General for European Civil Protection and Humanitarian Aid Operations (ECHO). The Commission is one of about 25 members of the donor committee of the International Reconstruction Fund Facility for Iraq (IRFFI; see section 1.2), contributing on a regular basis.⁹² For example, the Council in 2008 prided itself that the European community spent €829 million on reconstruction and humanitarian support since 2003.⁹³

Besides other international organizations (UN) or non-government organizations and the International Committee of the Red Cross (ICRC), the EU started immediately after the 2003 war to provide humanitarian aid to Iraq through its Humanitarian Aid and Civil Protection department (ECHO).⁹⁴ Its declared aims have been: “to ensure that displaced Iraqis, returnees and other vulnerable groups have access to basic needs and services, such as food, clean water, shelter, education and healthcare.”⁹⁵ The deteriorated security situation in view of ISIL activities and the final fight of the Iraqi military (together

⁸⁹ See European External Action Service (EEAS) 2017; for context information see for example: Youngs 2008.

⁹⁰ See: European Commission 2017.

⁹¹ See for the official EU statistics: *ibid.*

⁹² See European External Action Service (EEAS) 2016; for information on EU ODA grants see: Open Aid Data 2017.

⁹³ European Council 2008, Conclusions 05/2008, item 10; European Commission 2017.

⁹⁴ See European Commission 2017.

⁹⁵ European External Action Service (EEAS) 2016; for an overview of Europe Aid cooperation with Iraq 2003-2009 see: European Commission 2016.

with Kurdish troops and supported by the US coalition) the Commission – based on EU Strategic Plan for Syria and Iraq, 2015⁹⁶ – has used its Instrument for Stabilisation also in support of the UN High Commissioner for Refugees (UNHCR) for internally displaced persons as much as refugees coming from neighbouring countries (Syria).⁹⁷

Summing up, the EU obviously has shown a comprehensive engagement in Iraq across multiple policy fields in order to tackle the manifold challenges: humanitarian and refugee aid, development programmes for state-building and reconstruction as much as with its ESDP mission 2005-2013 the transformation of the criminal judicial system also incorporating efforts at establishing a culture of human rights and gender sensitivity. In view of this gamut of activities and policies involving many different EU agencies in charge of Commission as well as Council foreign policy in the realm of crisis response a choice of cases-in-case have to be made for the focal analysis of this report regarding features and effectiveness of EU crisis and conflict management policy output.

Selection criteria for our respective cases-in-case are ‘salience’ in terms of political and financial input and ‘visibility’ as much as ‘variety’ in terms of covering Council as much as Commission foreign policy. Hence, for the case of Iraq the EUJUST LEX-Iraq mission, initiated by the Council and implemented by the European External Action Service (EEAS), as well as Development cooperation run by the Commission’s Directorate General DEVCO are chosen in line with the aforementioned criteria.

⁹⁶ See European Commission 2015 ; *ibid.*.

⁹⁷ See European Commission 2017.

Table 1: EU Crisis Response in the Extended Neighbourhood: Cases & Cases-in-case

WP 7	Enver Ferhatovic	Ingo Peters	Rabea Heinemann
Cases/ Countries Cluster of Sub-cases	Afghanistan	Iraq	Mali
« Council foreign policy »	<ul style="list-style-type: none"> SSR: CSDP supported/ EC funded and managed <ul style="list-style-type: none"> ANP Training Center 	<ul style="list-style-type: none"> EUJUST LEX-Iraq! <ul style="list-style-type: none"> Including RoL support programme of Commission 	<ul style="list-style-type: none"> [SSR : EUCAP Sahel Mali as broader, regional framework] SSR : EU TM Mali
« Commission foreign policy »	<ul style="list-style-type: none"> RoL: EC funding, steering of activities/projects of the Law and Order Trust Fund for Afghanistan (LOTFA) <p><u>EXCLUDED:</u></p> <ul style="list-style-type: none"> Trade Human Rights Democratisation Political Dialogue Humanitarian Aid 	<ul style="list-style-type: none"> Development Aid RoL support (s.a.) <p><u>EXCLUDED:</u></p> <ul style="list-style-type: none"> Trade Humanitarian Aid & Civil Protection (ECHO) Human rights, electorate process Refugees Aid inside & outside Iraq Special measures 2016 (Mosul) 	<ul style="list-style-type: none"> EU RoL engagement <ul style="list-style-type: none"> In the framework of the National Indicative Programme (NIP): Institutions, Corruption, Decentralisation Development & Humanitarian Aid <ul style="list-style-type: none"> Food Security/ migration nexus >>NIP Rural Development/ Transportation <p><u>EXCLUDED:</u></p> <ul style="list-style-type: none"> Trade (Economic Partnership Agreement) Electorate Process

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2. Case Study Iraq:

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 Iraq 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).⁹⁸ In the first set, ‘strategic objectives’ (or ultimate, global, overall objectives) 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 sample of EU documents from the Council and Commission side alike which will method-wise be scrutinized in terms of systematic qualitative (but not yet quantitative)⁹⁹ content analysis. For the overall case of Iraq this means to analyse core EU documents outlining EU policy; here for *Council foreign policy* the following documents will be scrutinized: a) EU Council conclusions 2003-2016, b) EU Council: Strategic Partnership with the Mediterranean and the Middle East 2004, and as far as addressing the general level of policy making also c) the 2005 mandate of the civilian crisis management ESDP mission EUJUST LEX-Iraq and the revised version of 2010. For investigating the respective criteria in *Commission foreign policy*, a) the EU ‘Framework for Action’ of 2004, b) the Recommendations for renewed European Union engagement in Iraq (2006), c) the Joint Strategy Paper 2011-2013 (JSP) of 2010, and d) the Multiannual Indicative Programme (MAIP) 2014-2017, issued in 2014, are analysed. 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 2003 to 2016.

As selected in subsection 1.3, EU foreign policy will be analysed in detail for two cases-in-case, the first covering Council foreign policy, and the later Commission foreign policy: 1) the 2005 mandate of the EUJUST LEX-Iraq civilian crisis management mission, and 2) reconstruction and development policy via DEVCO. These cases-in-case are in themselves part of the list of the EU’s ‘intermediate objectives’ (s.a.) which are all part and parcel of the operational dimension of policy-making. These specific policies do come with their own problem definitions and objectives, strategies and instruments. Hence, to avoid language ambiguities application of these foreign-policy-analysis’ criteria are addressed on this level of policy-making as ‘operational’ (or ‘tactical’) objectives, and ‘operational’ (or ‘tactical’) strategies and instruments.

⁹⁸ 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.

⁹⁹ A quantitative approach will be incorporated in section 3 of this report when evaluating ‘actor coherence’ (indicator: policy determinacy) and ‘process coherence’ (indicator: ‘conceptual coherence’).

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

"Mission accomplished!" President George W. Bush claimed at the victory celebration of the US-led coalition war over Iraqi forces aboard the USS aircraft carrier *Abraham Lincoln* on May 1, 2003.¹⁰⁰ However, to topple Saddam Hussein, aside for the official aim of preventing his potential use of weapons of mass destruction, and regime change as first step towards a stable and democratic greater Middle East, was merely half the mission. 'Regime change' moreover encompassed the reconstruction of the country, the establishment of democratic rule, a functioning state and rebuilding state-institutions as well as social integration of the manifold social and ethnic groups. This was the (self-imposed) tall order the US and the international community as well as 'the Iraq' was facing in 2003: War had been won, but how to win the peace?¹⁰¹

Against this background, how did the EU define the challenges regarding Iraq after the war? Which distinct features characterized the EU's problem definition as foundation for its engagement in Iraq? Despite the internal split among EU MS over participation in the war coalition, and the wide-spread scepticism regarding the US optimism to democratize Iraq by international intervention, MS's perception of challenges in Iraq in need to be tackled was matching the view of the majority of experts of the time: "the reintegration of Iraq into the international community as a sovereign, independent democratic country, at peace with itself and with its neighbours and with its territorial integrity preserved."¹⁰² Nevertheless, in 2003 and 2004 mostly due to internal difference of commitment by Member States', the Council's interpretation of the context and definition of the challenges at hand as much as of its engagement in Iraq were marked by a hesitant start combined with a preference for symbolic gestures and heavy reliance on Commission instruments.¹⁰³

The hesitant start became visible by a low commitment of the EU MS and the EU Commission at the Madrid donor conference (Oct. 2003) manifest in a strong reliance on humanitarian aid and using the UNDP as channel also for building local institutions.¹⁰⁴ The first EU strategy document on Iraq came from the Commission on request from the Council. It was also indicative for the lack of resolve and the problem of finding agreement on immediate or short-term engagement as the Commission's "Framework for Engagement" (June 2004) was more leaning towards long-term perspectives than short-term action.¹⁰⁵ The latter was consistent, however, with the Council's appraisal that the Strategic Partnership with the Mediterranean and the Middle East objective ("the development of a prosperous, secure and vibrant" region), by which also Iraq was covered by extension to the countries "East of Jordan", to be successful required "a long term and coherent engagement with a pragmatic approach."¹⁰⁶

¹⁰⁰ See <http://www.history.com/topics/us-presidents/george-w-bush/videos/george-w-bush-declares-mission-accomplished> (30032017)

¹⁰¹ See for a similar 'play of words' again the title of Allawi 2008.

¹⁰² European Council 2008, 1f, item 6.

¹⁰³ Note: The evaluation of internal disunity and hesitance in terms of 'output effectiveness' will occur in section 3 of this paper.

¹⁰⁴ See Youngs 2004, 9f. Note: Youngs' assertions incorporated information gathered by background talks to diplomats and policy makers then in charge of policy-making in an outside the EU.

¹⁰⁵ See *ibid.*, 6.

¹⁰⁶ European Council 2004, 3f.

Successively, however, more and more governments realized that symbolic politics was inadequate a response in view of challenges which also affected the European Union: First, the insight grew that Europe had a bigger stake in a successful transition in Iraq than the US, including stabilizing Turkey and the European neighbourhood and encouraging the return of the large number of Iraqi exiles in Europe. After all the geographical proximity as much as increasing links between Europe and the region due to a “growing number of EU residents and citizens of the EU have origins” there, the Council had already acknowledged the “growing interdependence” also with the countries ‘East of Jordan’.¹⁰⁷ Second, due to the EU’s own experience regarding national reconciliation and the development of decentralisation and federal order, the EU considered itself potentially as a credible actor with a significant role in re-building the Iraqi state, its political, and judicial and security institutions. As the High Rep and the Commission framed it: “Given the EU’s own successful experience in supporting processes of transition from authoritarian systems of government to systems based on democracy, as well as EU Member States diverse experience with federalism and decentralisation (...)”; the EU -- the commission as much as the Council – committed itself to support the transition of Iraq.¹⁰⁸

Moreover, and third, often overlooked, post-war engagement in Iraq was also sending a signal to the United States for reinvigorating the transatlantic partnership. However, this was an ambiguous signal since it rooted in self-serving economic interests, since it was part of transatlantic rift over whether or not the non-coalitions EU MS and thus their companies should be eligible for taking part in reconstruction projects.¹⁰⁹ Engagement and visibility was, however, beyond short term but moreover in long-term economic interest in re-establishing trade relations, namely EU imports of Iraq oil.¹¹⁰

As another feature of EU Council policy-making, its problem-definition was dominated by security concerns, resulting overall in a “security first” approach. For all international actors involving themselves in Iraq’s reconstruction – the US, the UN and the World Bank – the respective security situation on the ground was also for the EU – the Council as much as the Commission, or individual MS -- the *sine qua non* for any hope for meaningful post-conflict reconstruction and state-building in Iraq.¹¹¹

The changes of tide regarding security conditions in Iraq became an integral part of continuous EU statements over time. The Commission in its ‘Framework of Engagement’ document of June 2004 emphasised its core concern as the “acute insecurity which continues to afflict the Iraqi population in their day-to-day lives and hamper progress in the country’s political, economic and social recovery.”¹¹² Likewise already in 2004, the Council spotted incidents like assassinations, kidnappings and not least terrorist violence as chief concerns.¹¹³ Moreover, the Council “expressed its abhorrence” of evidence on the mistreatment and degradation of prisoners in Iraqi prisons.¹¹⁴ The Council also admitted that

¹⁰⁷ Ibid., 2; See Youngs 2004, 5.

¹⁰⁸ European Commission 2004, 4; European Council 2004, 4, 10, 15.

¹⁰⁹ See Fuller and Knowlton 2003. Fuller 2004.

¹¹⁰ European Commission 2004, 3f.

¹¹¹ Youngs 2004, 14.

¹¹² European Commission 2004, 2; European Commission 2006, 3-4.

¹¹³ See European Council 2008, Council Conclusions 05/2004, 1, item 1; 09/2004, 4, item 1.

¹¹⁴ Ibid., Council Conclusion 5/2004, 1, para. 1 and 3.

realizing the prospects for its Rule of Law mission (see above and below) also depended on the actual developments in the security situation.¹¹⁵

In view of wide-spread and intensive militia insurgency and terrorist attacks against US troops and the Iraqi government security forces and state institutions, questioning all efforts on re-construction and state-building in 2007-8, the Council recalled “that further improvements in the security situation in Iraq are central to the Government of Iraq’s efforts to build a stable and prosperous state”, and condemned all acts of terrorism and sectarian violence.¹¹⁶ As the intensity of insurgency and terrorism decreased about 2008, this provided leeway for re-adjusting EU policies from immediate crisis management to sustainable reconstruction and development, the prerogative of the EU Commissions activities in Iraq.¹¹⁷ However, the more relaxed security situation was a four-year episode with re-intensified insecurity re-emerging about 2012/13, making the EU Council stress its concerns regarding a deteriorating human rights situation, and “in particular the situation of women and vulnerable groups such as persons belonging to religious and ethnic minorities”, sectarian tensions and violence.¹¹⁸ With the emergence of the ISIL/ Da’esh in the aftermath of the Arab Spring in 2011, the EU Council welcomed the Global Coalition’s efforts at countering Da’esh, including military action in accordance with international law. But this position was explicitly qualified by asserting that “military action in this context is necessary but not sufficient to defeat Da’esh.”¹¹⁹

Moreover, after the civil war in Syria had emerged following the ‘Arab Spring’ in 2011, the Council could not help but acknowledge the uprising’s negative impact for security and the humanitarian situation in Iraq.¹²⁰ Thus, overall the changes in the security situation that is the intensity of violence, terrorism and human rights violations – influence by social and ethnic cleavages inside Iraq as much as influx from Iraq’s neighbourhood – were realized by the EU Council as fundamental challenge for any engagement in Iraq in the time-span of this investigation (2003-2016), providing for another feature of EU’s Iraq policy at the interface between the prevailing perception of challenges and the formulation of ultimate/ strategic objectives: “security first!”.

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 Iraq, 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 summarize in one parsimonies sentence: The Union’s objective is “a secure, stable, unified, prosperous and democratic Iraq that will make a positive contribution to the stability of the region”.¹²¹ Council objectives framed the EU Commission’s formulations of strategic objectives, considered indispensable for any following EU’s commitment and engagement for

¹¹⁵ Ibid., Council Conclusions 02/2005, 10f, item 7.

¹¹⁶ Ibid., Council Conclusions 05/2008, 25, item 7; European Commission 2006, 5f.

¹¹⁷ See European Commission 2010, 5f.

¹¹⁸ European Council 2009, item 4; European Council 2013, item 1; European Council 2014, item 2.

¹¹⁹ European Council 2015, item 1.

¹²⁰ European Council 2014, item 5; European Council 2014, item 1.

¹²¹ European Council 2008, Conclusions 06/2004, item 4; European Commission 2006, 2f.

reconstruction of Iraq, which were already defined in the Commissions position paper for the Madrid Donors conference (Oct. 2003): ¹²²

“Iraq now has a unique opportunity to transform itself from an authoritarian regime and command economy to a representative, democratic political system that promotes respect for human rights and fundamental freedoms and a functioning market economy. This objective deserves the full support of the European Union and the international community as a whole.”

Interestingly, the EU Commission formulated its political objectives not in terms of idealistic-altruistic goals but explicitly as EU “interests”: a) to establish a secure, stable and democratic Iraq, based on a new constitution guaranteeing human rights and fundamental freedoms, b) to establish an open, stable, sustainable and diversified marked economy, and c) to achieve Iraq’s regional and international integration.¹²³ These ‘interests’ mirrored the Council’s concerns about good-governance issues in the broader Middle East, including Iraq and other states “East of Jordan”.¹²⁴ The Commission agenda was re-emphasized in view of the political and security gains in Iraq since 2008 in *Joint Strategy Paper* (JSP) 2011-13; this was meant as a joint EU effort but also formulated jointly with the Iraq government.¹²⁵

Another feature of the EU’s way of formulating its strategic agenda as well as intermediate objectives is the complexity and diversity of the way the agenda is formulated in various core documents as much as its manifold accentuations. This, on the one hand, may be doing justice to the complex challenges; however, on the other hand, this renders this a matter of concern in terms of EU policy output effectiveness. May it suffice at this point to indicate but one example: In the very substantial Commission ‘Recommendations for renewed European Union engagement with Iraq’ of 2006, five “EU objectives” are listed in section III ‘Recommendations for EU Support’.¹²⁶

- “Endorse and support a model of democratic government that overcomes divisions”;
- “Contribute to a consolidation of security by undermining the system of rule of law and promoting a culture of respect for human rights”;
- “Support national and regional authorities in improving the delivery of basic services and in promoting a conducive environment for job creation”;
- “Support mechanisms to pave the way for Iraq’s economic recovery and prosperity”;
- “Promote the development of an effective and transparent administrative framework”.

However, these statements – explicitly nominated as “EU objectives” – are at the same time compounding objectives, EU actions as well as causal elements explicating the effects the EU is hoping for: The way we write a certain issue may indicate the way we comprehend and think about a matter of concern. Does this have consequences for what we do, in this case for what the EU does in terms of implementing its policies?¹²⁷

Complementary to strategic objectives, “intermediate objectives” (here also addressed as ‘grand strategies’) were those conceptualized by the Council and the Commission as prerequisites for attaining

¹²² European Commission 2004, 2f, 5f.

¹²³ Ibid., 4-6; European Commission 2006, 2.

¹²⁴ See European Council 2004, 4, 8;

¹²⁵ European Commission 2010, 5-7.

¹²⁶ European Commission 2006, 6-10.

¹²⁷ What all this means in terms of policy consistency – and comprehensibility – will be discussed in section 3.

the said ultimate or strategic goals. These aims were hence considered instrumental as part of a comprehensive strategy to stabilize Iraq. In the short run, the first-order strategic objective was the stabilization of Iraq which required, according to the EU, the transfer of sovereignty and support from the international community. Hence, the Commission strategy paper “Framework for Engagement”, as well as the UNSC Res. 1546, which contained the international agreement of restoring Iraq’s sovereignty by 30 June 2004, got the full backing by the Council in support of “the reintegration of Iraq into the international community as a sovereign, independent democratic country, at peace with itself and with its neighbours and with its territorial integrity preserved.”¹²⁸

Democratisation was one of these intermediate objectives (grand strategies), not just as a normative statement, but also an operational objective, for example aiming at the integration of the diverse groups making up the Iraqi society. As a consequence, the EU for one favoured early elections and supported the conduct of elections in 2004/2005 and also with an election support mission in 2009.¹²⁹ Thus, part and parcel of this intermediate objective was social integration on local, regional and state-wide level. After all, the democratization goal implied inclusive political governance for tackling the underlying political crisis in Iraq, achieving inclusiveness, reconciliation at national and local level as well as a strengthened organized civil society.¹³⁰ In the same vein, the Council immediate responses to re-emerging sectarian violence and terrorist attacks in later years were appeals to the Iraqi government as much as to the various groups engaging in sectarian violence to “engage in an inclusive and genuine dialogue to address grievances and resolve political differences with the framework of the Constitution.”¹³¹

Security-wise, the EU focus was on internal or domestic security – not least due to the diverging MS position on the coalition war – with the intermediate goal of re-establishing and reforming the Criminal Justice System (CJS). Democracy and democratic reforms were thus also conceived as a security strategy. In this regard the idea of a RoL mission and respective explorative fact-finding missions emerged early on and resulted in the civilian crisis-management mission EUJUST LEX-Iraq in 2005 (elaborated further in the next sub-section on ‘EU strategies and instruments’).¹³² Regarding military reforms, the EU Council has more recently propagated rebuilding an inclusive and democratically controlled Iraqi Security force combined with a Security Sector Reform (SSR) aiming at a centralized command and control.¹³³ Democratising Iraq was hence bound to the strategic objective to counter the threat posed by Da'esh and other terrorist groups to regional and international stability, and simultaneously to create the conditions for an inclusive political transition in Syria and lasting stability in Syria and Iraq as well as in refugee-hosting countries in the region, while alleviating the human suffering caused by the ongoing violence and displacement.¹³⁴

Internationalization has been another EU feature of intermediate objectives in this realm “to encourage continuous regional engagement and support for improved security and for the political and

¹²⁸ European Council 2008, Conclusions 06/2004, items 5 & 6.

¹²⁹ Ibid., Conclusions 05/2004, item 3; Conclusions 11/2004, item 1; European Commission 2006, 7.

¹³⁰ European Council 2015, item 2.

¹³¹ European Council 2013, item 2; European Council 2014, item 2.

¹³² European Council 2008, Conclusions 09/2004, item 7c; Conclusions 11/2004, items 3 & 4.

¹³³ European Council 2015, item 5.

¹³⁴ Cf. European Commission 2015.

reconstruction process in Iraq based on inclusiveness, democratic principles, respect for human rights and the rule of law, as well as support for security and co-operation in the region.”¹³⁵ This found its expression in EU statements continuously favouring a strong and growing role for the UN, which had also been stressed in the Strategic Partnership to the region final report, the promotion of the Donor Committee of the International Reconstruction Fund Facility for Iraq (IRFFI), and the International Compact with Iraq (ICI) as much as a regional dialogue.¹³⁶ Though reasons motivating these internationalization goals may be manifold, enhancing EU legitimacy as much as burden-sharing purposes, and pooling of forces are arguably major rationales for these objectives.

The EU agenda was ultimately legitimized by the Iraq government through the Partnership and Cooperation Agreement (PCA) negotiated by the Commission since it was decided to “strive towards establishing a regular cooperation framework with Iraq in all spheres” in 2004; negotiations were finished in 2009 and the document finally signed in 2012. This agreement was in itself an intermediate objective and indicated as “main objectives”¹³⁷

- “- to provide an appropriate framework for political dialogue
- respect for democratic principles, the rule of law and human rights
- to promote trade and investment, and harmonious economic relations in order to foster sustainable economic development
- to provide a basis for legislative, economic, social, financial and cultural cooperation.”

Summing up, identified and formulated against the backdrop of the respective political, economic and social challenges, EU strategic and intermediate objectives covered in a nutshell improving security, stability and prosperity – what could be dubbed as the essentials for a state or society to survive – as has been indicated by the Council, Commission, and member states alike.¹³⁸ The EU strategic objectives as well as the intermediate aims (or grand strategies) are easily discernible from EU policy output that is pertinent EU documents on its crisis response to the identified challenges. Concerning intermediate aims or grand strategies, however, these are already coloured by the Unions identity as a pluralistic polity founded on the principle of ‘unity in diversity’ facilitated and legitimized by democratic institutions based on the principles of human rights, and the rule of law. By promoting its constitutive set of social and political norms and practices, the EU once more promoted, based on its own historical experience, itself as a role model in term of externalizing and exporting its ‘institutions’ to Iraq.

The EU agenda has now been identified in terms of declared and official ambitions; how effective it actually has been in terms of output effectiveness will be investigated in the third section of this report. But first the features of EU strategies and instruments will be taken aboard.

¹³⁵ See European Council 2004, 5; European Council 2008, Conclusions 11/2004, 5f, item 5h.

¹³⁶ See European Council 2004, 2, 15; European Council 2008, Conclusions 06/2004, 1f, item 4 and 07/2004, 2f, item 7.

¹³⁷ European Commission 2010, 7f,

¹³⁸ See for general official policy description: European Union Website. *Political & Economic Relation in Iraq*. Delegation of the European Union to the Republic of Iraq. 2016.
http://eeas.europa.eu/delegations/iraq/eu_iraq/political_relations/index_en.htm

2.2 Characteristics of the EU policy approach in Iraq: Operational Strategies and Instruments

Which policy strategies and which policy instruments has the EU defined as adequate for reaching the strategic objectives elaborated above?¹³⁹ As a common-sensual definition, a policy strategy, by linking objectives with instruments, defines *how* objectives will be achieved, as well as *what* 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 operational (‘tactical’) objectives of the respective policies, considered stepping stones for accomplishing, ultimately, the strategic objectives.

2.2.1 The EU’s Operational Strategies

Interwoven with the definition of strategic and intermediate objectives the EU – again as multiple actor – three main grand strategies are recurring themes in EU Council and Commission statements and documents: ‘ownership’, ‘dialogue and partnership’, as well as ‘capacity building’:¹⁴⁰

The EU – the Council as well as the Commission – considered **Iraqi ownership** as indispensable in all its efforts of supporting or assisting the Iraqi governments across levels of political organization. Iraqi ownership hence has been an operational objective, a declared guiding principle and an operational policy strategy for EU day-to-day policy making. This operational strategy was a specific inference from the general insight proclaimed by the Council as part of the EU’s Strategic Partnership with the Mediterranean and the Middle East: “These challenges will not be overcome by maintaining the status quo; political, social and economic reform is required. Such reforms can succeed only if they are generated from within the affected societies; they cannot and should not be imposed from outside.”¹⁴¹ Hence, the EU ambition has been to enable and empower state institutions in line with the “Iraqi government’s priorities”.¹⁴² In the same vein, the EU Commission conveys its premise regarding Iraqi ownership when admitting that to realize EU objectives “will depend on the degree to which they are shared by the Iraq government and evolution of the security situation”.¹⁴³ Additionally, the Commission considered support for institution-building in various sectors an option “depending on the Iraqi interests” also assistance for “democratization, civil law enforcement, the rule of law and the justice sector and human rights”.¹⁴⁴

¹³⁹ Note: In this report (Deliverable 7.1) the analytical focus is on the output dimension of EU policy-making that is the output of decision-making in the policy-making machinery in Brussels. Thus here the analysis is confined to the choice and definition of strategies and instruments but not encompassing their translation into action that is policy implementation. The latter is going to be investigated as next step of the policy-cycle model underlying this project in following reports covering individual comprehensive case studies in a comparative manner as Deliverables 7.1, 7.2, and 7.3.

¹⁴⁰ 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.

¹⁴¹ European Council 2004, 2.

¹⁴² European Council 2008, Conclusions 04/20007, 19, item 7.

¹⁴³ European Commission 2004, 7.

¹⁴⁴ Ibid., 9; likewise for example: European Council 2008, Conclusions 09/2006, 18, item 4.

Further evidence of the EU's Iraqi-ownership strategy as basic principle and operational strategy of EU policy was provided, for example, when the Council stressed in the preamble of the EUJUST LEX-Iraq mission mandate that this was responding to "the wish of the Iraqi authorities for the EU to become more actively involved in Iraq and that strengthening the criminal justice sector would respond to Iraqi needs and priorities."¹⁴⁵ Likewise, at a later stage, the Commission qualified its Joint Strategy Paper 2011-2013, issued in 2010, as a response to the "main priorities discussed during the thorough consultations process with the government and civil society" allegedly reflecting those in the Iraqi National Development Plan.¹⁴⁶

The pertinent documents scrutinized here also reveal as another feature indicating the EU's declared strive for instigating Iraqi ownership in terms of the chosen terminology that is the distinct wording of the respective documents of the Council or the Commission alike when formulating strategic as well as operational objectives. Likewise, the EU way of formulating ('framing') strategies and policy instruments strongly convey and promise to the Iraqi counterparts that all EU action is intended as to enable and empower and hence to facilitate promoting Iraqi preferences: The EU has obviously taken an effort to avoid impression our undercut any suspicion of pursuing its policies in terms of attempts at superimposing its own preferences on Iraqis. This is not just visible by the many explicit statements advocating Iraqi ownership, but moreover by indicating its good services providing 'merely' 'support' or 'assistance' for political objectives, strategies and programmes defined by the Iraqi government. The official and declared EU policy is hence on the output level strongly mainstreamed as to avoid the impression EU policies geared towards 'high jacking' Iraqi institutions and government programmes or ambitions of governing Iraq from Brussels.¹⁴⁷

As a another feature of operational strategies, also often addressed as 'intermediate goal' in EU documents, has been **dialogue and partnership**, in the first place with Iraqi officials but also with neighbouring countries or other international actors like the United Nations. Hence, this strategy has obviously been closely linked to the EU's intermediate objective/ grand strategy of internationalization as to achieve synergies for reconstruction and state-building in Iraq as elaborated above. Moreover, dialogue and partnership are integral parts of the related grand strategy of "democratisation" of which ideal-typically societal dialogue across levels of governance have to be addressed under this heading. This strategy became implemented by various kinds of ad-hoc or regular consultations and for the promotion of "partnership" with the Interim and later the elected Iraqi Government; Troika meetings with Iraqi government official in Baghdad, NY or Brussels already in 2004/2005 as well as visits of Iraqi Prime and Foreign Ministers to Council meetings in Brussel.¹⁴⁸ Moreover, flowing from the PCA, a Cooperation Council for overseeing the "Cooperation between the European Union and Iraq" has been established comprising about 50 people, ranging from the High Representative of the European Union for Foreign Affairs and Security Policy, representatives from pertinent Commission DGs, of engaged

¹⁴⁵ European Council 2005, para. 2.

¹⁴⁶ European Commission 2010, 5f.

¹⁴⁷ See for the prevailing use of these key terms of EU-speak on Iraq policy all EU documents previously referenced.

¹⁴⁸ See European Council 2008, Conclusions 07/2004, item 4; Conclusions 09/2004, items 7a & b; Conclusions 11/2004, item 5.

Member states as much as 11 participants from Iraq (including the official photographer). So far, this forum has met twice, in January 2014 and in October 2016.¹⁴⁹

In this context, the Council's early wish for an EU Commission Delegation in Iraq has to be seen as a central policy hub for EU engagement and accessibility: "informal political dialogue and working forums of issues of mutual interest could help also to establish in the mid-term a comprehensive bilateral EU-Iraq agreement.¹⁵⁰ Mostly, in that text passages on dialogue and partnership are framed as a strategy facilitating smooth cooperation with all relevant actors in and outside Iraq and across all levels of political engagement. As part of a 'hidden-agenda' item, this arguably served to enhance the EU's international legitimacy and was intrinsically combined with the normative premises of engagement by summarizing EU normative standards, for example:

"The EU will use its dialogue with Iraq and its neighbours to encourage continuous regional engagement and support for improved security and for the political and reconstruction process in Iraq based on inclusiveness, democratic principles, respect for human rights and the rule of law, as well as support for security and co-operation in the region."¹⁵¹

As a third operational strategy of EU policy vis-à-vis Iraq has been '**capacity building**'. After all, the strategic objectives of stability, security, and prosperity were translated in intermediate aims of democratization, internationalization, and economic prosperity, all reconstruction efforts – base on the said principles for good governance – demanded facilitation and empowerment of a legitimate Iraqi government on local, regional and country-wide level. For the EU – against the backdrop of its interconnected strategies of ownership as well as partnership and dialogue – required to facilitate – in terms of output-legitimacy – a government output allowing the state to deliver to the Iraqi people. Capacity-building was hence an indispensable prerequisite in terms of providing expertise, technical know-how and training of in-country experts and personal of state institutions. In accordance with the EU's premise that sustainable political, economic and societal reforms required Iraqi ownership, EU interventions ought – according to the pertinent documents – to fulfil an enabling and empowering function for the Iraqi government to do its job that is to provide standard state-functions.¹⁵²

Another feature of EU policy vis-à-vis Iraq has been its claim for a "**comprehensive approach**" in reconstruction, substantiated by the Union's engagement running the whole gamut of Iraqi needs and Europeans expertise and capacities: "[Iraq's] need for assistance in recent years has guided EU efforts since the fall of Saddam Hussein. Key areas of assistance have been: political and electoral process, rule of law, human rights, support to refugees and IDPs, basic services, human development, and capacity

¹⁴⁹ See European Commission 2012, Art. 111; paragraph 1 defines the mandate for this forum: "A Cooperation Council is hereby established which shall supervise the implementation of this Agreement. It shall meet at ministerial level once a year. It shall examine any major issues arising within the framework of this Agreement and any other bilateral or international issues of mutual interest for the purpose of attaining the objectives of this Agreement. The Cooperation Council may also make appropriate recommendations, by mutual agreement between the two Parties." Background information from talks with pertinent people from the EU Commission, March 2017.

¹⁵⁰ European Commission 2004, 7; see also Appendix I: summary of proposals, 11.

¹⁵¹ European Council 2008, Conclusions 11/2004, item 5h.

¹⁵² See Zürn and Leibfried 2005, 2-3, 26.

building of Iraqi institutions.”¹⁵³ Here, ‘comprehensive’ is not confined to the scope across policies, but is also addressing the time dimension when emphasizing the “need for a sustained and comprehensive engagement (of the EU) to address the underlying dynamics of the conflict through diplomatic engagement and long-term support for political reforms, socio-economic development and ethno-sectarian reconciliation.”¹⁵⁴

Summing up, the concepts of ‘strategic objective’ as well as ‘grand strategies’ (or intermediate objectives) as much as the ‘operational objectives’ (and strategies) were differentiated in course of this investigation for analytical purposes. However, in the real world these policy elements end to conflate. The EU policy on Iraq – despite the specific features of this case – strongly resemble the features marking its overall foreign policy of the European Union from Neighbourhood Policy to interregional policies vis-à-vis Asia of Latin America as much as to the extend neighbourhood that is an attempt at horizontal export of EU institutions (in the broader sense).¹⁵⁵ While the general characteristics might resemble a ‘one-size-fits-all approach’, the specifics of the EU’s policy-making are strongly defined by the respective challenges of the specific case in question.¹⁵⁶ The EU Commission conveys its premise regarding Iraqi ownership and at the same time the adaptation of policies to the respective specific context when asserting that in order to make an impact in terms of EU objectives “will depend on the degree to which they are shared by the Iraq government and evolution of the security situation”.¹⁵⁷

Moreover, it became quite obvious that the standard principles and norms of ‘good governance’ (democracy, human rights and rule of law) are guiding EU policy formulation on Iraq as well. Likewise, transformative mechanisms like *socialization* (by dialog and partnership), *capacity-building* (by empowering state institutions, personnel and civil society) are well-known features of EU policy strategies. *Conditionality*, however, another often found EU strategy no matter whether in its positive or negative form, is not part of the EU’s policy declarations and documents on the output level, this is not to say, however, that this transformative mechanism might not be part of EU policy-making when it comes to investigating EU policy implementation and impact.¹⁵⁸ Beyond the general characteristics however, the EU itself disclaims the feasibility of such an approach and argued in favour of policy strategies and programmes being adapted to the respective specific needs as defined by Iraq, its government, civil society and people.¹⁵⁹ Every single strategic and intermediate objective or grand and operational strategy require specific attention been given to the inherent complexity of the EU’s analysis of and remedies for the multi-faceted challenges at hand.

2.1.2 Policy Tools (Instruments), Programmes, and Measures

Delineating policy instruments from strategies is in itself an analytical challenge since strategies are meant to be instrumental for reaching policy objectives. However, in context of this study we consider

¹⁵³ European Union Website. *Political & economic Relation in Iraq*. Delegation of the European Union to the Republic of Iraq. 2016. http://eeas.europa.eu/delegations/iraq/eu_iraq/political_relations/index_en.htm (30.03.2017.). See already European Commission 2006, 5f.

¹⁵⁴ European Commission 2015 , 1.

¹⁵⁵ See Schimmelfennig and Sedelmeier 2005.

¹⁵⁶ See Börzel and Risse 2004.

¹⁵⁷ European Commission 2004, 7.

¹⁵⁸ These parts of EU policy-making will be covered by the report according to Deliverable 7.2.

¹⁵⁹ See for more on Iraqi ownership in sub-section 3.2.3 below.

(tactical) instruments as a separate category of policy-making subsumed under more abstract and general strategic or tactical strategies for translating objectives into action, the operational level of actual policy implementation is considered as the realm of applying policies on the ground. Having said this, however, we have to realize the basic ambiguity in the usage of the term ‘instruments’ by EU institutions themselves: First, for example, complex multilateral and multi-issue fora like the European Neighbourhood Policy (ENP), the Barcelona-Process or the Euro-Mediterranean Partnership (EMP) are in EU documents addressed as “EU instruments”¹⁶⁰, which in academic terms could also be called regimes or institutions. Second, the term instrument is a technical term within EU foreign policy language in the realm of international cooperation and development assigned to funding mechanisms, like the ‘instrument for stability’ or the ‘instrument for development’. These instruments provide the legal basis for EU Commission development policy; some of the instruments are thematic other geographic focussing on a single country or region specific.¹⁶¹ Moreover, operational instruments are used in EU documents interchangeably with policy ‘measures’. For the sake of clear and unequivocal use of terms, we in this report will address other operational instruments than funding instruments as ‘policy tools’.

As outline earlier¹⁶², this sub-section will focus on two EU policy tools on the operational level of policy-making (operational instruments): the Council ESDP Integrated Rule of Law Mission EUJUST LEX-Iraq¹⁶³, and for the Commission side of EU foreign policy the reconstruction and development policy run by the Directorate General for Development and Cooperation (DEVCO).¹⁶⁴

First, what are the problem definitions and policy objectives of the Mission and of EU development cooperation vis-à-vis Iraq immediately visible in EU statements and documents on this level of policy-formulation, respectively; and second, what are the respective strategies and operational instruments that is policy tools (or measures)?

The CSDP Integrated Rule of Law Mission: EUJUST LEX-Iraq

As a starting point a (operational) problem definition is embedded in the strategic assessment of the EU since the security context was considered a basic challenge possibly infringing on the objectives of the CSDP mission, “a situation posing a threat to law and order, the security and safety of individuals, and to the stability of Iraq.” (para. 8). This was mirrored by Stephen White, the Head of Mission (HoM) until 2007, considering security of “Iraqi partners, the Mission team and all those involved” as “first priority”. Moreover, he admitted – in line with the assessment in EU institutions’ documents – that the respective

¹⁶⁰ For example: European Council 2004, 7;

¹⁶¹ See European Commission 2017.

¹⁶² See above, sub-section 1.3. European External Action Service (EEAS) 2014.

¹⁶³ For this case-in-case the content analysis is focused on the mission’s mandate of March 2005 (European Council 2005), the revised mandate of June 2010 (European Council 2010), and the authoritative interpretation by the first Head of Mission, Stephen White (White 2008). For a quick official overview of mission features consult: European External Action Service (EEAS) 2014.

¹⁶⁴ See European Commission 2016. DEVCO’s mission statement reads as follows: “DG DEVCO is responsible for formulating European Union development policy and thematic policies in order to reduce poverty in the world, to ensure sustainable economic, social and environmental development and to promote democracy, the rule of law, good governance and the respect of human rights, notably through external aid. We foster coordination between the European Union and its Member States in the area of development cooperation and ensure the external representation of the European Union in this field.”

security level is indispensable for host nation reforms as well as for Mission efficiency.¹⁶⁵ Despite the overall improved security situation by 2008, the revised mandate of 2010 still stressed the security context's "liability to deteriorate and to undermine" the Mission's objectives already in the preamble. The potentially limiting effect of the "security context" was conveying the impression of a special emphasize put on this issue – was mentioned twice in the 2010 mission statement (Art. 2).¹⁶⁶

Linked to the strategic objectives, the 'Integrated mission' was conceived as contribution to "the reconstruction and the emergence of a stable, secure, and democratic Iraq" (para. 3). The more immediate challenges on the institutional and operational level in the Iraqi Criminal Justice System (CJS) where elaborated by HoM Stephen White:¹⁶⁷

- "The police required major reforms and force generation at a massive scale. It suffered from corruption and inefficiency, poor infrastructure and lacked the trust and respect of the general public. In a major recruiting and reconstruction exercise, little attention was being paid to strategic leadership development."
- "The penitentiary system was broken - prisons were destroyed, others were overcrowded and in breach of international standards and the culture was solely based on punishment, with no enlightened management motivated to rehabilitate offenders."
- "The judiciary were educated but were too small in number to cope with current challenges and they lacked knowledge and experience of modern technologies and methodologies dealing with crime investigation and trial procedures."

The Mission' operational objectives, were defined as *promoting* "closer collaboration between the different actors across the criminal justice system", *strengthening* "the management capacity of senior and high-potential officials for the police, judiciary and penitentiary" and *improving* "skills and procedures in criminal investigation in full respect for the rule of law and human rights".¹⁶⁸ Dialogue, partnership, cooperation and coordination re-appeared moreover as *operational strategy* for translating tactical objectives into action, regarding coordination within the EU that is among the EU institutions (Council and Commission) as much as among the institutions and MS (Art. 2.4, 4.2, 12), or with the United Nations (Art. 5.4). Obviously, these mission objectives were incarnations of the overarching Council (and Commission) strategy of capacity-building.

Other intermediate objectives or grand strategies of the EU as identified above were alluded to in the preamble of the 2005 mandate:¹⁶⁹

- the 'internationalization' of the EU endeavour by reference to the UN SC Resolution 1546 (June 2004) as foundation (para. 1 & 6);

¹⁶⁵ White 2008, 102.

¹⁶⁶ European Council 2010. The new version brought the mandate in line with the new Treaty of the European Union (Lisbon Treaty) which entered into force 2009. Besides the adjustments mentioned in the following, Art. 3 (Structure), Art. 4 (Civilian Operational Command), Art. 5 (Head of Mission), and Art. 6 (Staff), Art. 8 (Chain of Command) were revised.

¹⁶⁷ White 2008, 98.

¹⁶⁸ European Council 2010, preamble, para. 3; see also Art. 2.

¹⁶⁹ European Council 2005.

- the salience of ‘dialogue and partnership’ with the Iraqis as much as with its neighbours (para. 7); and hence as part of a “joint planning”, MS, Iraqis and other international donors “need to be informed and activities to be coordinated as to “ensure complementary efforts.”¹⁷⁰
- Partnership with the Iraqis was intrinsically linked to the EU’s ownership principle through involving the host countries counterparts in designing the actual training curricula in terms of “selection, vetting, evaluation, follow-up and coordination of personnel” taking part in the training (Art. 2.4).¹⁷¹
- the reference to ‘ownership’ is given by noting the mission as a response to “the wish of the Iraqi authorities for the EU to become more involved in Iraq’s reform of the criminal justice sector (para. 2) as well as the launch of the mission made conditional on “an official invitation from Iraqi authorities” (para. 6). According to the HoM, the Iraqi Government was supporting and valuing this EU mission and the practice of involving Iraqis on all stages as core principle of his personal mission: “(...) close cooperation and involvement of the Iraqi partners are in line with a key Mission principle - Iraqi involvement at every stage of Mission’s operations.”¹⁷²
- indicating the normative foundation in terms of the core-set of values and norms: “inclusiveness, democratic principles, respect for human rights, and the rule of law” (para. 7). Moreover, the HoM stressed gender mainstreaming and representativeness as core principles of EU engagement, and underpinned this call by pointing to 40% of Mission staff being female.¹⁷³ And adding to the 2005 version, the 2010 mandate emphasized that “EUJUST LEX-IRAQ activities should maintain a balanced representation of the Iraqi population, based on a human rights and gender equality approach.”¹⁷⁴

These training-measures’ ultimate aims (operational objectives) were – according to then HoM White – the transformation of the Iraqi policy into an “accountable, efficient, open and transparent, representative, community-based service, respecting and protecting Human Rights.” The penitentiary service shall be developed into “a humane and professional prison regime which addresses rehabilitation and reintegration of offenders into society.” And the judiciary, prosecution and court services should in the long-term evolve into an institution facilitating an “adequate and reliable protection of individual rights and freedoms and conduct themselves in accordance with universal principles, international instruments and modern best practices.”¹⁷⁵

As concrete policy measures (or operational tools), the 2005-Mandate foresaw training activities of CJS personnel occurring inside EU countries, depending on offers from MS, or in the region with an Mission liaison office in Baghdad (Art. 2.3); training *within* Iraq was considered optional depending on the improvement of the security situation in the country (Art. 2,3). Since the security situation had visibly improved from 2008 onwards, the Mission – following the 2010 mandate – were to be “progressively shift its activities and relevant structures to Iraq”, but training in the Union or the region remained optional (2010, Preamble, 3; Art. 2,4). Until 2009, only 4 staff had been deployed inside Iraq; this

¹⁷⁰ White 2008, 101; European Council 2010, Art. 2,7.

¹⁷¹ For details of the training curriculum across CJS sectors see White 2008, 99f.

¹⁷² Ibid., 101.

¹⁷³ See *ibid.*, 100, and 102.

¹⁷⁴ European Council 2010, Art. 2,6.

¹⁷⁵ White 2008, 98.

changed to 8 in 2010 and increased with moving the Mission headquarter to Baghdad and opening small offices in Erbil and Basra following the Councils revised mandate of 2010. The maximum was a staff of 66, including 53 international experts and 13 locals; the full transfer of staff to Iraq was only completed in 2012.¹⁷⁶

Despite its alleged success in terms of quantitative indicators regarding trained Iraqi personnel¹⁷⁷, the overall accomplishments were questioned inside the Council and the support by MS had vanished after four Mission extensions. This ultimately led to closure of the Mission as of December 2013. Still the Council affirmed “its commitment to a smooth and effective handover of the activities of the European Union Integrated Rule of Law Mission for Iraq, EUJUST LEX-Iraq, to other EU and international actors and to Iraqi authorities, ensuring that follow-up activity builds on lessons learnt and achievements accomplished by the mission.”¹⁷⁸

Aside from the Council efforts via the integrated Mission, complementary programmes for promoting human rights and the rule of law have been run by the EU Commission, via cooperation with the United Nation Development Programme (UNDP) and the UN Office for Project Services (UNOPS). These programmes have been focussed on improving conditions in prisons and supporting victims of torture. Strengthening the rule of law is also considered by the Commission a priority for creating conditions for national reconciliation and reconstruction by improving the credibility of the criminal justice system.¹⁷⁹

In sum, the integrated rule of law mission as much as its distinct features – founded on the basic principles and norms of the EU itself and being part of its identity transferred to its foreign policy-making – matched the programmatic statements in terms of the intermediate objectives/ grand strategies of democratization, dialogue and partnership, ownership and capacity-building. The sustainability of this effort in living up to high aspirations formulated on the level of general objectives by operational strategies and tools, however, had obviously been suffering significantly from the changing security situation on the ground in Iraq rendering its implementation a major challenge from the outset. While the outcome and impact success of this effort will have to be investigated in Deliverable 7.2, the output effectiveness of this distinct policy tool will be incorporated to the output evaluation below in section 3.

¹⁷⁶ See European Parliament 2012, 56; European External Action Service (EEAS) 2014) for a most substantial account see Christova 2013, 433f. See table on numbers of trained Iraqi personnel >>p. 236 in: EUJUST LEX Activity List: Course Table, available at: http://91.194.202.11/uedocs/cmsU-pload/ACTIVITY_LIST_0904.pdf (23.02.2017).

Note: The analysis of the Mission’s implementation (outcome and impact effectiveness will be covered in the following report under Deliverable 7.2.

¹⁷⁷ Compare again: Christova 2013, 433f.

¹⁷⁸ European Council 2013, 14, item 3.

¹⁷⁹ See for EU information on these programmes: European External Action Service (EEAS) 2015; European External Action Service (EEAS) 2014.

Reconstruction, Development (and Humanitarian Aid)

From the very beginning of EU's engagement in Iraq after the war of 2003, the Council signed up for a "comprehensive approach in the support for political and economic reconstruction"¹⁸⁰, including development and humanitarian aid. Regarding the EU perception and definition of immediate challenges in this realm, the Council pointed to the catastrophic humanitarian situation in Iraq, closely linked to the changing level of violence. Hence, the Council more than once uttered its concern "about the human rights situation, in particular the situation of women and vulnerable groups such as persons belonging to religious and ethnic minorities". Moreover, the EU pledged its support for improving basic state services to the people.¹⁸¹ Consequentially, immediately after the war of 2003, the EU provided humanitarian aid via the European Community Humanitarian Office (ECHO). The EU as a whole, that is including the Commission, pledged over €1.25 billion at the Madrid donors conference (Oct. 2003). In its own assessment of 2010, "the European Community (EC) was the largest single donor of humanitarian assistance to Iraq after the United Nations (UN)" from 1992 onwards.¹⁸²

Likewise, the overall EU policy feature in favour of international cooperation was part and parcel of the policy for reconstruction and development. This found its expression in respective Council Conclusions pointing towards Iraq's status as beneficiary of the EU Generalised System of Preferences, to the EU involvement in the Paris Club of negotiations on Iraq debt¹⁸³ as well as its support for the International Compact with Iraq (ICI) and as much as for the UN and UNAMI as the lead-organization in this realm, including the mechanism for coordinating donors community for state-building purposes in Iraq, the IRFFI mechanism, and the implementation of UNSCR 1770.: "The implementation of these commitments will be central in developing co-operation between Iraq and all its international partners. (...) (and) will help to further enhance the EU's engagement with Iraq."¹⁸⁴ In sum, Council policy in the realm of reconstruction, development and humanitarian concerns reflected its strategic objectives and strategies in terms of 'internationalization', 'dialogue and partnership', 'ownership' as well as continuous references to the Union's normative foundations elaborated earlier.

In October 2003, on request from the European Council, the Commission formulated a "Framework of Engagement" as a first strategy for the European Union which explicitly aimed at providing a basis for discussions with the incoming sovereign Iraqi government and the broader Iraqi society.¹⁸⁵ Notably, the Council defined the agenda also for the Commission's engagement in Iraq with this framework document exposing the manifold areas for Commission policies in the realm of reconstruction and development. The framework document fully reflecting the Council's concerns covered its problem definition and objectives elaborated earlier (see sub-section 2.1). The many sources of insecurity tantalizing the country and the people, running from threats and risks from national to human security, defined the EU list of identified challenges. And the objectives of EU policy in Iraq – under the roof of ultimate objectives of a stable, democratic and prosperous country – were to establish a fair,

¹⁸⁰ European Council 2008, Conclusions 06/2004, item 6; Conclusions 07/2005, item 2.

¹⁸¹ Ibid. Conclusions 06/ 2006, item 2; Conclusions 09/2009; Conclusions 04/2013, item 2; Conclusions 08/ 2014, item 1.

¹⁸² European Commission 2010, 7.

¹⁸³ European Council 2008, Conclusions 11/2004, item 5.

¹⁸⁴ Ibid., Conclusions 05/2007, item 2; Conclusions 05/2008, item 1.

¹⁸⁵ European Commission 2004, Introduction 1f.

transparent and non-discriminatory legal framework in Iraq, re-building infrastructure, state institutions and administration, the economy and “to revitalise civil society”.¹⁸⁶

For the purpose of reconstruction and development, the Framework set out a strategic agenda encompassing four phases: immediate action, phase I (post election), policy-making phase II and III.¹⁸⁷ All phases’ official and explicit assignments resembled the overall agenda and strategy: On *internationalisation & regionalization* the Commission encouraged engagement on the part of Iraq’s neighbours¹⁸⁸, as much as it foresaw incorporating Iraq into EU Strategic Partnership with the Mediterranean and Middle East. The Commission pledged full coordination with the UN and favoured the creation of a regional framework.¹⁸⁹ Moreover, *Iraqi ownership* was an explicit concern, for example by stressing that EU programmes could support institution-building in a number of sectors, “depending on Iraqi interests”.¹⁹⁰

The grand strategy elements of *partnership & dialogue* became discernible in this Commission document from the very beginning, starting from an informal political dialogue, including an informal dialogue with broader Iraqi civil society, (NGOs, religious groupings, trade unions, and nascent political parties).¹⁹¹ In phase II a formal political dialogue should facilitate an EU-Iraq Joint Political Declaration in order to institutionalise political dialogue, substantiated by joint working groups in sectors of mutual interest; ultimately this should possibly lead to negotiations for a bilateral agreement, also foreseeing a European Commission Delegation in Baghdad.¹⁹² Such a framework would, according to the Commission, allow for progressively closer EU-Iraq relations, “at a pace determined by progress in the political transition and the security climate”. In this context, the Commission emphasized cooperation in the energy sector as an issue in the mutual interest of the EU and Iraq, hence acknowledging its role as prerogative in the economic realm as much as the manifest vested interest of the ‘Union and its member states in diversifying energy supplies.¹⁹³

This strategic agenda and the said strategies entail a long list of possible – immediate, medium, and long term – policy tools and programmes. As **immediate actions** the Commission offered Iraq GSP trade preferences, support for elections, assistance for improving the rule of law and civil administration¹⁹⁴, and as EU contribution to rehabilitation and reconstruction of the country for phase II advice for the constitutional process.¹⁹⁵ In the medium term (Phase III), the Framework considered assistance for economic diversification and poverty reduction, for the rule of law, democratisation and human rights as much as in the economic realm access to European Investment Bank lending.¹⁹⁶

¹⁸⁶ Ibid., 2f; European Commission 2006, 5f.

¹⁸⁷ For an EU-made overview see the table of Commission proposals in European Commission 2004, 11; this table is also listed in Annex 2 of this report.

¹⁸⁸ See *ibid.*, 7f.

¹⁸⁹ See *ibid.*, 8f, 9f.

¹⁹⁰ Ibid., 8f.

¹⁹¹ Ibid., 7f.

¹⁹² Ibid., 8f, 9f.

¹⁹³ Ibid., 3f.

¹⁹⁴ See *ibid.*, 7f.

¹⁹⁵ See *ibid.*, 8f.

¹⁹⁶ See *ibid.*, 9f.

In view of the continued challenges of insecurity to the state, its institutions and its people, EU policies vis-à-vis Iraq had been focussing on humanitarian aid and emergency reconstruction confined to short-term planning until 2010. With the “significant improvement of the security situation and reduced sectarian violence” emerging 2008/2009, the successful holding of elections on national and regional levels in 2009, as much as the conclusion of a Security Agreement between the US and Iraq, however, the EU Commission perceived an opportunity for a policy change regarding its operational strategy, now – in 2010 – emphasising development over reconstruction.¹⁹⁷ This positive adjustment to an improving security context, the Commission declared as “coherent” with the Iraqi National Strategy for Poverty Reduction (adopted in January 2010), guided by World Bank and United Nation revised Development Assistance Framework for 2011-2014 (adopted in May 2010). The general reference point of the EU were the UN’s Millennium Development Goals (MDG, originally from 2000) aiming at “genuinely sustainable development”.¹⁹⁸

However, though the strategic objectives remained unchanged as defined by early Council conclusions, in the Commission Framework document of 2004 as well as in the Partnership and Cooperation Agreement of 2009,¹⁹⁹ the revised EU agenda of 2010 for ‘support and assistance’ to Iraq now encompassed more focussed sectors, especially for programmes under the *Development Cooperation Instrument (DCI)*: a) good governance and rule of law, b) education matching labour market needs, and c) water management and efficiency within these focal sectors. At this time, Commission ambitions included once more to mainstream crosscutting issues like human rights, gender and protection of vulnerable groups.²⁰⁰

The shift from annual to medium term programming already signalled a process of adjustment of Commission operational strategy to the improved political and security context. The Strategy Paper 2011-2013 (issued in 2010) moreover indicated a new vocabulary for the pre-existing efforts of the EU Commission regarding policy coordination inside the EU and with other international actors: The *Joint Response Strategy* stressed the joint approach said to “serve better to structure the European Union’s intervention, including alignment, complementarity and coherence. It will also help streamline the coordination and information-sharing processes internally within the European Union and externally with the Government of Iraq and other donors.” Internally this was to ensure “synergy and complementarity” of assistance,” in order to avoid overlap and ensure efficient coordination, including co-financing possibilities.”²⁰¹

This formulation of purposes obviously rested on a detailed analysis of shortcomings observed as “lessons learned” from “mostly uncoordinated policy-making” across actors and donors up to that date. Hence, the Commission criticised “(t)he continuing lack of a single coherent overall strategic policy framework with a multiplicity of alternative policies and development programmes, which results in the lack of clear development policy leadership.”²⁰² Explicitly admitted by the Commission, however, Joint Programming was not overly successful, as it already in the JSP of 2010 only integrated a few Member

¹⁹⁷ European Commission 2010, 6, 9, 32.

¹⁹⁸ Ibid., 7, 16f. For the background see: <http://www.un.org/millenniumgoals/bkgd.shtml> (10.04.2017).

¹⁹⁹ Ibid., 7f.

²⁰⁰ See ibid., 34.

²⁰¹ Ibid., 31.

²⁰² Ibid., 16f.

States, namely Italy, Sweden, and Germany, but otherwise encountered internal divergence regarding overall priorities in development policy.²⁰³

Another element of the EU's grand strategy identified earlier also structured the Commission development policy: 'partnership and dialogue' as well as 'ownership'. Already mentioned in the introduction of the document, seemingly summarizing the Commission's most salient items, the Joint Strategy was conceived as a response to the "main priorities discussed during the thorough consultation process with the government and civil society" in Iraq, also reflecting the countries National Development Plan. Instruments for political dialogue on the whole gamut of issues on the agenda of bilateral meetings of the EU and MS' visits, visits of the Iraqi Prime Minister to Brussels or dialogue for a like the EU-Iraq energy dialogue.²⁰⁴

"Political dialogue gives an opportunity to discuss in detail not only EU-Iraq relations but also the main internal and external developments linked to the democratization process, human rights, rule of law, civil society, elections, national reconciliation, relations with neighbours, etc. During recent meetings the question of the death penalty and adoption of various international human rights conventions such as the Torture Convention were raised in particular. Finally, the role of civil society in the political and development process of Iraq has been a key focus for the EU in its dialogue with Iraqi partners."

This quote also testifies to the constant commitment of the EU to its constitutive norms, which were allegedly also transmitted to representatives of Iraq via other means like EU statements, demarches and Foreign Affairs Council Conclusions.

Iraqi ownership was, however, not merely a norm or ambition guiding EU policy, but also rested on the insight that Iraq actually was "not a poor country" and in view of its potential oil revenues cannot be considered a "classical development country". Ownership hence also implied that support for Iraq, including technical assistance, should enable the country to pay its bill through facilitating a more effective and efficient use of its rich and diverse resource base – first and foremost its oil reserves – for promoting the country's economic growth and development.²⁰⁵

The adjustment of EU policy strategy to the gains in stability and security, however, were overtaken soon by re-intensifying instability and renewed increase in the level of violence due to the continuous fight of and against the ISIL as much as the escalating war in Syria swapping into Iraq especially from 2012 onwards. Hence, Iraq was again considered "a high level risk country" with "sectarian violence in Iraq (showing) a clear upward trend", which thus remained "a significant threat to the stability of Iraq".²⁰⁶ Another adjustment of the Commission's operational strategy started with changing the reference for principles guiding development aid from those of the Paris Declaration on Aid Effectiveness to the shorter list of principles drawn from "Agenda for Change", a part of which was the

²⁰³ European Commission 2014, 4f. Note, this dimension of internal implementation and impact as much as external implementation and impact will, due to its focus on policy output in this deliverable, be covered under the 'outcome dimension' of EU policy-making in the following report under deliverable 7.2, 7.3, and 7.4.

²⁰⁴ European Commission 2010, 25, 85.

²⁰⁵ Ibid., 31; European Commission 2014, 4.

²⁰⁶ European Commission 2014, quotes from 6, 7, 12.

recommendation to focus engagement in a selected three areas of cooperation.²⁰⁷ Moreover, since resources at the disposal of the Iraq government for its NDP were considered “adequate”, EU interventions were to be “carefully targeted and avoid substituting the government while at the same time keeping strong EU profile in the country.”²⁰⁸

In view of this as well as ‘lessons learned’ from “past, on-going and planned cooperation”, the next programme and choice of areas for future intervention, as defined in the 2014 Multiannual Indicative Programme, “shall be defined by (1) areas where EU has interest in and added value for, (2) areas where activities will be nationally owned and promote rights based approach and (3) an impact of programmes is likely building upon 10 years of EU and broader international engagement in the country.”²⁰⁹ EU policies ambitions obviously – though the general commitment to the strategic objectives was ostensibly upheld – became re-oriented and recalibrated from an ‘agenda for change’ to an ‘agenda for consolidating’ with the redefined list of goals for future programming which

“should be the protection, preservation and further development of political, financial and human capital, invested in Iraq by the EU Member States during the 2005 – 2013 period through the Common Security Defence Policy EU JUST-LEX IRAQ mission, the project budget of which amounted to approximately EUR 22 million per year.”²¹⁰

The issues identified for cooperation were then boiled down to three focal sectors: 1) Human rights and Rule of Law, 2) Capacity-building in Primary and Secondary Education, and 3) Sustainable Energy for All.²¹¹ Moreover, as part of its implementation strategy on the operational level, the Commission stressed that these focal sectors will be treated in an “integrated way”, and programmes will be implemented bilaterally through Financing Agreements. Depending on respective circumstances, a degree of flexibility was to be applied where necessary when deciding on the choice of appropriate delivery methods “will aim for a balance between top-down (targeting government institutions) and bottom-up approaches (focusing mainly on local actors including civil society organisations, local authorities etc.)”.²¹²

The EU continuously defined (and used) international/ multilateral mechanisms as instruments for channelling its development aid to Iraq, like IFFRI or the International Compact run by the UN and the World Bank (‘Internationalization’ strategy) – obviously in line with its grand strategy of ‘dialogue and partnership’. The temporarily improved security context as well as some dissatisfaction with IFFRI’s work and complaints about a lack of EU visibility also shifted EU Commission away from IFFRI towards an increasingly bilateral approach from 2008 onwards. This went together with refocussing its engagement from reconstruction to capacity building, increasingly using its own agencies and funding instruments in

²⁰⁷ Compare European Commission 2010, table of principles on 16 with European Commission 2014, 6. Interestingly, the Commission’s Recommendations for EU engagement in Iraq of 2006 already contained the insight that the effectiveness of EU actions might be improved by focusing “on a small number of key objectives”, see European Commission 2006, 6f.

²⁰⁸ European Commission 2014, 6.

²⁰⁹ Ibid., 6.

²¹⁰ Ibid., 12.

²¹¹ Ibid., 7-10.

²¹² European Commission 2010, 5, 46.

support and assistance of Iraq. This altered approach also became manifest by the first ever Country Strategy Paper (Iraq) 2011-13 itself.²¹³

The EU used from the very beginning two specific bilateral channels for its reconstruction and development assistance: the Directorate General for Humanitarian Aid and Civil Protection (DG ECHO) and Directorate General Development Cooperation (DG DEVCO).²¹⁴ Underneath these EU Directorates' umbrella, Iraq has been eligible for funding under global calls for proposals and has been invited to apply under a number of thematic instruments/ thematic budget lines:

- *Instrument for Development Cooperation* (DCI) with the 'thematic funding lines'²¹⁵
 - 'Investing in People' – areas: health, education, gender equality, social cohesion/ unemployment and Children
 - 'Non-State Actors and Local Authorities in Development'
 - 'Migration and Asylum'
 - 'Food Security'
 - 'Environment and Sustainable Management of Natural Resources Including Energy'
- the *European Initiative for Democracy and Human Rights* (EIDHR) financing since 2005 Rule of Law and Human Rights projects;²¹⁶
- *Instrument for Stability* aims at conflict prevention, crisis management and peace building, including support to mediation, confidence building, interim administrations, strengthening the rule of law, transitional justice and the role of natural resources in conflict.²¹⁷

Financial allocations for the focal sectors, mentioned above, amounted to 78 mill EUR with a breakdown of 40% for sector one, and respectively 29% for sectors two and three. Moreover, the Commission defined specific objectives, expected results and indicators and means of verification.²¹⁸ This specification came with the caveat that these categories and criteria "may need to evolve to take into account changes intervening during the programming periods."²¹⁹

The donor matrix as part of the MAIP indicates that in terms of allocation per sector²²⁰

- the sector RoL gets some 220 million USD for 13 projects, while the Energy sector gets some 1, 2 billion USD for 34 projects, most run by the US, that is 31, while Japan tops the US engagement in terms of committed funds;
- the judicial system is sponsored by the US, Spain, Sweden, and UN Agencies; half of the overall donations come from the US; for the penitentiary, funds come only from the US;
- the EU itself is merely showing up in sector 'Higher Education, primary education and vocational education'.

²¹³ Ibid., 21f; European Commission 2014, 4.

²¹⁴ For a list of EU Official Development Aid (ODA) see: Open Aid Data 2017.

²¹⁵ European Commission 2010, 34.

²¹⁶ See *ibid.*, 18, 21, 42.

²¹⁷ See *ibid.*, 42f.

²¹⁸ See European Commission 2014, 12f, summarized in tables for all "specified objectives", 27-34.

²¹⁹ *Ibid.*, 27; phase I: 2014-2017, phase II: 2018 to 2020.

²²⁰ See *ibid.*, 25f.

In sum, Council and Commission policy alike reflected in the realm of reconstruction, development and humanitarian concerns the EU's strategic objectives and strategies in terms of 'internationalization', 'dialogue and partnership', 'ownership' as well as continuous references to the Union's normative foundations that is democracy, human rights and rule of law. However, especially operational strategies have changed in view of the rise and fall of violence and the security situation in the country. EU policies ambitions obviously – though the general commitment to the strategic objectives was ostensibly upheld – became re-oriented and recalibrated from an 'agenda for change' to an 'agenda for consolidating' with the redefined list of operational aims and 'focal sectors' for future programming.

This apparent downsizing of EU ambitions mirrored the Council's commitment regarding EUJUST LEX-Iraq "to a smooth and effective handover (...) to other EU programmes, international actors and Iraqi authorities", the achievements of which were considered sobering as the Commission attested that Iraq still lacks a stable system of rule of law relating to a report of UNAMI "which underscores multiple problems of Iraq's criminal justice system".²²¹ Increasing streamlining and downsizing ambitions as much as programmes, for example by gradually cutting back the 'focal sectors' for EU engagement run counter to the Council as well as the Commission's ambition and claim of pursuing a comprehensive approach. Likewise, though budget funds remained available for continuing reconstruction and development efforts under the mentioned EU funding instruments, consolidating EU engagement became apparent moving away from direct engagement towards a demand-driven approach requiring Iraqi or other civil society and NGO actors' proactive engagement. The available funding opportunities depend, however, on respective project proposals, actually are 'requests' or 'applications' submitted to Brussels. The actual use of these opportunities, however, depends on respective know-how about EU procedures and formal requirements, often implying a significant obstacle for translating eligibility and opportunities into actual flows of money.²²²

²²¹ European Council 2013, item 3; European Commission 2014, 7f.

²²² This is not anything new but a well-known caveat of EU development engagement; see for example Babarinde and Faber 2004.

3. How effective is the EU crisis response – here 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’²²³ – 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)²²⁴, 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 operationalized for the following empirical investigation; this will be done at the beginning of each of the following sub-section.²²⁵

Gathering relevant information on these criteria, indicators and their variations defined below and summarized in Table Ira1-XYZ 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 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.

²²³ Keohane and Nye 1977, 13-17.

²²⁴ 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.

²²⁵ The method part of section 3, gathering all the sub-sections’ method elements, is available as Annex 1.

TABLE Iraq-2 Conceptualizing and Operationalizing EU foreign policy 'output effectiveness'			
Category	Criteria	Indicators	Variation & Measurement unit
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	Relative distance of positions in decision-making? >>Positional differences as matter of principle or degree? Deviating statements on compromises <i>post</i> -decision Time required finding compromise? >>days, weeks, month? Stringency of formulations/ choice of words [see coding table below!]
PROCESS COHERENCE	a) coherence of identified policy features (premises, objectives, strategies, instruments) and b) coherence of core concepts c) institutional coherence	'Continuity' and 'visibility' of core features and concepts across levels of policy-formulation, i. e. on strategic and operational level Specific concepts: 1. 'Conflict sensitivity' 2. 'Comprehensive approach' 3. 'Local ownership' Regular involvement of EU institutions and agencies as defined in mandates in EU treaty or basic documents	a & b) Appearance of core features and concepts in basic EU documents on 1) broad policy field, 2) on cases (countries or issues), 3) cases-in-case; 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;
SUBSTANTIAL CONSISTENCY	Appropriateness of identified policy features <(problem definitions, policy objectives, strategies and instruments)> in view of given problems at hand;	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?	Common and different elements of a) problem descriptions b) problem evaluation c) causal statements; Plausibility and evidence base according to pertinent research/ expert literature; Plausibility and evidence base according to pertinent research regarding quality & quantity

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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.²²⁶ 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 battels’), and c) as institutional interaction bound ‘to the service of a common purpose’.²²⁷ Here, ‘coherence’ of EU policy-making is used in four complementary ways: 1) as ‘actor coherence/ actor unity’ in terms of ‘speaking with one voice’ (in sub-section 3.1.1 and 3.1.2), 2) as ‘process coherence’ in terms of continuity and consistency of defining policy features (in sub-section 3.2.1), 3) as continuity of consistency of core political concepts (sub-section 3.2.2 and 3.2.3), as well 4) as institutional coherence in section 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.²²⁸

How united is the EU in formulating its foreign policy?

- How controversial are core issues and thus are compromise-finding processes?
- Are compromises found viable in terms of supported and maintained by post-decision statements and positions taken by participating actors?
- How ‘determinant’ are policy prescriptions as part of EU outputs, i.e. documents and statements?

²²⁶ 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.

²²⁷ See *ibid.*, 111f. Nuttall 2005.

²²⁸ See Thomas 2012, 459f.

3.1.1 Actor Unity

The Iraq war and the threefold-crisis of “the West”, elaborated earlier²²⁹, had immediate repercussions for the European Union’s and its MS’s actor and policy unity following the end of war in April 2003 regarding the attempt of searching viable compromises about how to engage in post-war Iraq. The internal divide over the Iraq campaign had not been caused by previous tensions over a) the future relations to the US, and thus between the EU ESDP and NATO, b) the scope of ESDP in terms of it adequate mix of soft and hard power, and c) the role of the EU-3 (UK, France, and Germany) and their leadership in ESDP; the divide over whether or not going to war on Iraq rather *catalysed* these issues to surface and thus to become publicly visible.²³⁰ Despite the lingering bitterness of the division over the best strategy to address the Iraq challenge and whether or not to join the US alliance of the ‘able and willing’ in invading that country, the internal efforts for overcoming that traumatic experience, according to Menon “provide(d) grounds for optimism about the potential future effectiveness of ESDP.”²³¹ Most importantly, the internal crisis accelerated consultations and the search for viable and pragmatic compromises not least resulting in a number of ESDP mission in the Balkans and the DR Congo in early 2003, as much as the European Security Strategy adopted in December 2003 among other purposes meant to instigate a renewed vigour for a stronger ESDP in the future.²³²

In the early days following the 2003 war after a three-week campaign in April that year, internal division prior and during the war continued to impact on the EU’s ability to facilitate a unified policy in terms of *what* and *how* to contribute to re-building Iraq. First of all, some effort had to be taken gaining American consent to non-coalitions partners’ eligibility to engage in re-construction of the country in the first place.²³³ The continuously deteriorating security situation in Iraq provided the basis for an increasing US interest in engaging traditional European partners, not just for gaining legitimacy but also for burden-sharing in terms of operational engagement in peace-building activities. France, Germany and Russia pushed for a significant role of the UN. Gradually, Bush and Blair accepted “a vital role” for the UN, first limited to humanitarian aid and the training of Iraqis, and later conceded to a larger role for the UN in establishing a new Iraqi government than initially expected during the negotiations on the lift of sanctions.²³⁴

Germany and France responded positively and reportedly (together with Russia) pushed for the end of coalition rule during the negotiations on UN resolution 1511 in October 2003. But ultimately they decided to support the US drafted resolution to maintain international unity, thus contributing their share of flexibility indispensable for coordinated action in Iraq.²³⁵ At the EU-US summit and at the NATO summit in June 2004, President Bush pointed out the common interests of the transatlantic partners in Iraq and stated that “the bitter differences are over”. Though due to German and French resistance, no

²²⁹ See above, sub-section 1.3.

²³⁰ See Menon 2004, 635f.

²³¹ Ibid., 632.

²³² See *ibid.*, 635-345. See on the various political functions the ESS served Bailes 2005.

²³³ Fuller and Knowlton 2003.

²³⁴ Bush 2003; Bush 2003; see also Daalder and Lindsay 2004, 151-155.

²³⁵ See France, Germany, and Russian Federation 2003.

NATO troops could be dispatched to Iraq, agreement was reached that NATO partners would contribute to the training of Iraqi security forces in and outside the country.²³⁶

The awkward situation inside the EU conveyed a hesitant and low-commitment for example at the Madrid donor conference (Oct. 2003) where the EU and its MS contributions were mainly focusing on humanitarian aid and relying on UN/ UNDP as the first choice for policy implementation. However, while EU policy on Iraq was short on immediate action, it nevertheless declared commitment for the long term and argued in favour of a coherent engagement with a pragmatic approach.²³⁷ Gradually, however, insight grew that the EU and its members had a bigger stake in the region's stability (energy resources, marked access, return of exiles and refugees) resting on a growing awareness of interdependence with that country and its neighbours. Moreover, in view of its own origin and history, the internal discussions focused on the Union as a credible actor based on interest and values alike, the latter in term of Europe's own experience with the consequences of war and the necessities of reconciliation on all levels of social and political communities and government structures after WW II.²³⁸

In view of the continuous disastrous security situation in Iraq, according to a well-informed investigator at that time "most European governments demonstrated far greater concern for the recovery of Iraqi sovereignty than for democracy building,"²³⁹ which is to say that security and stability were given priority over promoting Western values of good governance. This 'security first' approach was mirrored in EU documents stating that progressively closer EU-Iraq relations could only be achieved, "at a pace determined by progress in the political transition and the security climate".²⁴⁰ Directly relating to the remaining security challenges, one significant issue among Member States was the handling of militia forces: should these groups be disbanded or would cooperation with at least some of the militias help suppressing the insurgency?²⁴¹ Moreover, in line with this is *Richard Youngs'* report of that time, the EU donors did not follow a clear state-building strategy and also no proactive policy for stemming the drift towards sectarian politics or secular-ideological parties or other measures which would have been in line with EU concerns and especially criticism of such elements lacking in US policy-making vis-à-vis Iraq.²⁴²

Previous EU divides over the rights and wrongs of invasion not surprisingly infringed on the readiness of MS contributing troops for tackling post-conflict security challenges.²⁴³ Moreover, the divergence between EU states which engaged in the Iraq war and those which did not reportedly, "resulted in a lack of harmonization between European institutions, individual member states and NATO in relation to capacity building and democratization in Iraq" which run contrary to the EU's declared objectives. This continuing disunity hence deprived the EU at least in the short run of its ability to bring to bear its institutional capacity to assist the reform process in Iraq indispensable for stabilizing the country.²⁴⁴

²³⁶ See Fuller 2004.

²³⁷ See European Council 2004; see page 16, and footnote 104 of this report.

²³⁸ See again *ibid.*, 4, 10, 15; European Commission 2004, 4; see pages 17f of this report.

²³⁹ Youngs 2004, i, 2.

²⁴⁰ European Commission 2004.

²⁴¹ See Youngs 2004, 16.

²⁴² See *ibid.*, 11.

²⁴³ See *ibid.*, 14. [contingents of coalition members added]

²⁴⁴ Burke 2009, 16f, see footnotes 108 & 109, for example.

Reaching common positions and policy formulations that is political compromises were sometimes also undermined deliberately due to some Member State's deviating preferences, for example the reconstruction of Iraq was for some time kept low on the EU agenda due to the UK and France reserving this issue to be handled at the United Nations in New York.²⁴⁵ Likewise, initiatives for creating the post of an EU special envoy or representative to Iraq and opening an EU office in Baghdad was temporarily blocked not least by France since Paris ambitions to hatch against US preponderance were to confine institution-building in Iraq to the framework set by the UN.²⁴⁶

Those Member States which had been part of the war coalition demonstrated a great deal of bilateral engagement, while those which had not been taken part in the campaign remained for quite some time reluctant.²⁴⁷ The latter – thus once more distancing themselves from the war coalition – preferred using the funding of the UN Assistance Mission (UNAMI) for channelling their financial contributions to stabilizing Iraq.²⁴⁸ However, this became also ambiguous due to a lack of transparency on part of the International Reconstruction Fund for Iraq (IRFFI). Later on this led the EU Parliament's Committee on Budgetary Control to recommend withholding some 20% of its contributions, and motivated the EP's recommendation in favour of strengthening the EU presence.²⁴⁹

Already towards the end of 2003, the US was criticized by those EU states which had not belonged to the US coalition troops for – as part of American engagement in security sector reforms (SSR) – speeding up the development of a 40.000-strong Iraqi army from 3 to 1 year with quantity prevailing over quality and at the expense of establishing human rights standards and mechanisms for democratic control.²⁵⁰ All the more important for the EU's political credibility was to get its act together regarding its own engagement in SSR in terms of reforming the Criminal Justice System (CJS). The EUJUST Lex-Iraq mission was part of a new EU strategy on Iraq evolving in February 2005 after discussions in the Political and Security Committee (PSC) about the Iraq Expert Team's (IET) report had exposed serious differences between Member States. This team had been deployed by the Council Secretariat, compounding experts from other ESDP mission and EU governments, charged with assessing the state of the criminal justice system and delivering recommendation for setting up an ESDP mission.²⁵¹ The Mission mandate, adopted in March 2005, was thus indicating a compromise between former coalition members and those states and governments which refrained from joining the US military coalition of the willing.²⁵² It was, according to *Korski*, the politically most contested mission – the UK, DK and NL on one side and France and Spain on the other – the former being in favour of a robust mandate while the others remained suspicious in view of the security conditions and allowed for no in-country

²⁴⁵ See Crowe 2003, 534f.

²⁴⁶ See Youngs 2004, 8.

²⁴⁷ See Burke 2009, 2-8. [Details on MS engagement in and after the war.

²⁴⁸ See *ibid.* 9. Up to 2009, according to Burke, the EU up-to-date provided 42% of the International Reconstruction Fund for Iraq (IRFFI).

²⁴⁹ See *ibid.* 9f.

²⁵⁰ See Youngs 2004, 16.

²⁵¹ See *Korski* 2010, 235.

²⁵² See *ibid.*, 232.

deployment.²⁵³ In late 2008, Denmark and the Netherlands circulated a proposal suggesting that the mission be significantly beefed up. This idea, however, faced resistance from a number of staff-contributing countries.²⁵⁴

Divergent priorities among EU actors were not confined to Council foreign policy, however. Likewise Commission foreign policy was beset by ‘vertical incoherence’, most visible regarding the Commission’s efforts for Joint Programming which gained – as reported earlier – support merely from a few MS, namely, Italy, Sweden and Germany. Other EU MS governments’ set different priorities for their individual engagement in development policy.²⁵⁵

Summing up, it has become evident that actor unity was a major challenge for the EU from the very beginning. Horizontal as well as vertical coherence was questioned by diverging preferences remaining heavily reminiscent of the EU MS diverging policies in response to the US demand for jointly fighting Saddam Hussein’s Iraq. The slowly emerging consensus – in terms of compromises – among MS and thus in the EU Council in the early years of policy formation also hampered opportunities for Commission engagement for where it is best that is state-building via reforming and building up pertinent institutions.²⁵⁶ Hence, overall policy formation – aside from Humanitarian Aid – for reconstructing and developing Iraq and especially its CJS took about three years before viable compromises leading forward could win ground.

Despite the colonial history of Britain and France in the Middle East, Iraq belongs to a region without strong traditional relations to the EU.²⁵⁷ EU engagement in that country following the war of 2003 within a variety of frameworks, show some overlapping features in the EU approach to the region and confirm or substantiate features defined by *Kuzmicheva* 2006:²⁵⁸ “An emphasis on ‘soft security’ issues and socioeconomic strategies (‘the power of soft power’)”. In view of the division over military engagement in the anti-Saddam coalition, the EU’s internal ‘win-set’ formed by the lowest common denominator among MS defined the what and when of its engagement. It could be only located in the realm of soft power, however, including domestic security institutions in the CJS. Likewise, her conclusion that the involvement of particular countries (like Britain, France, Germany – the famous EU-3) still prevails over a distinct EU profile in the Middle East can at least partially be confirmed. However, this in itself is a specific form of an EU profile. Complementary, however, the Commission is distinctly and visibly engaging in Iraq via DEVCO and ECHO.

Overall, *Kurowska’s* evaluation of early EU that engagement in Iraq as “a form of therapy for member states”²⁵⁹ (233) – was more important than the mission’s purposes cannot be dismissed out of hand. However, therapy takes time and thus the cumbersome and reeling process of defining and keeping ‘actor coherence’ in terms of – in the realm of output effectiveness – the unity of words, has been an

²⁵³ See *ibid.* Interestingly, also in 2005, the EU initiated the EUPOL COOPs mission (EU Policy Co-ordination Office for Palestinian Police Support) addressing similar domestic security challenges. See European Council 2005; Bouris 2014.

²⁵⁴ See Korski 2010, 237.

²⁵⁵ See European Commission 2014, 4f.

²⁵⁶ See Burke 2009, 8.

²⁵⁷ See Owen 2002, chap. 1; Burke 2009, 9.

²⁵⁸ Kuzmicheva 2006, 1.

²⁵⁹ Kurowska 2007, 3.

undeniable feature of EU policy-making vis-à-vis Iraq. At the same time, in view of the monstrous challenges at hand in Iraq – who knows the adequate answers and responses? – debating and political wrestling for the ‘right policy’, though providing for at times devastating image of the EU foreign policy, is in substance indispensable and certainly not a singular feature of the EU only.

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 documents and statements.²⁶⁰ 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 table 3 (in appendix 2). The more often we find strict wordings, the greater the determinacy and the greater output effective the EU is along the lines of this category.

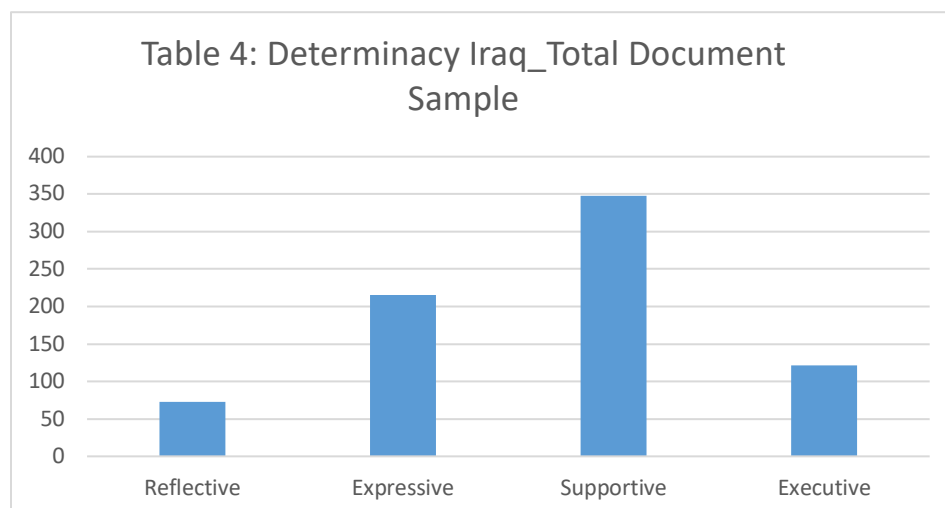
Building on Thomas’ framework, Council conclusions and decisions from the case study Mali were inductively analysed in order to extract those verbs used by the EU in official documents. These verbs used by the EU could be categorised in four categories, ranging from the strongest to the weakest wording. 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 some expressions, only syllables were used for coding since with word stems it is easy to grasp all possible parts of speech, from verbs over nouns to participles (see table 3 in Annex 2). This linguistic analysis is carried out with the programme atlas.ti.²⁶¹

Regarding the overall document sample, including Council as much as Commission documents, the numerical results are summarised in table 4. Obviously, the documents contain much more supportive and executive statements outbalancing the reflective and expressive statements by a ratio of three to two (about 450 : 300). This is indicative of a relatively strong and strict wording which could still be stronger but is – in view of the challenges involved in joint policy formulation as elaborated above – is justifies an overall evaluation of a ++-determinacy (out of a range from --- to +++).

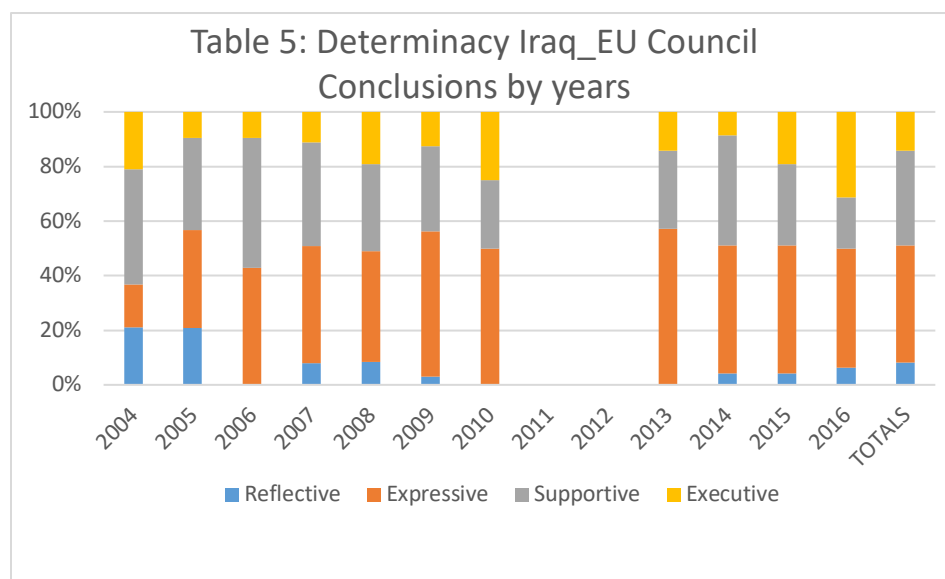
²⁶⁰ Thomas 2012, 459f. Since we are not starting from a mono-causal assumption, we also do not assume ‘actor unity’ to be the one and only factor ‘determining’ policy effectiveness (success or failure). Hence, we take as our premise what Thomas presented as his result that is that ‘policy coherence’ 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 and Sedelmeier 2005.

²⁶¹ For the details of operationalization and coding for this case, see Annex 2.



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Using the same standard for the analysis of Council Conclusions only (see table 5, the quantitative figures show a more balanced result with the more strict supportive and executive statements in relation to reflective and expressive ones on average amounting to a fifty-fifty ration. For both documents samples however, the middle-ground is clearly dominating that is neither the weakest nor the strongest indicators are dominant the wording of EU core documents.



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Overall, in view of the empirical evidence regarding the challenges of defining a common approach to Iraq after the 2003 war outlined above, the quantitative analysis of EU documents might suggest that despite the many divergences at the outset, once documents were formulated that is the output of internal decision-making was fixed, the determinacy of official statements on policy formulations were remarkably strong. This could justify an overall evaluation of this indicator as a plus to plus-plus result.

The tendency – considering the qualitative evaluation of actor unity together with the quantitative one – is also suggested to allow for a conclusive ‘in between plus and plus-plus’ evaluation of the EU’s performance in the actor coherence/ unity category.

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.

Regarding ‘core concepts’ of EU policy and its indicators, these 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 text analysis and ‘frames’ gathered in table 3 (annex 2). 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?

- 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)?
- How coherent is the involvement of EU institutions?

3.2.1 Process Coherence as 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.

Continuity and Visibility of Problem Definitions, Strategic Objectives and Grand Strategies

“Security first!” has been the core of all EU concerns as structural gate-keeper for all efforts to stabilize Iraq and indeed the region across the time-frame of this study (2003-2015). Action of Council as much as of Commission engagement focused on domestic security in terms of capacity building and supporting and facilitating state-building measures by empowering the respective Iraqi governments which became visible not least in terms of the PCA. Continuity also marked the output if it comes to intermediate objectives (‘grand strategies’) of promoting democratization and internationalization; the former considered the most viable form of government if facilitating inclusion of the diversity of social groups and the search for defining domestic power balances form the central to the local level of governance as much as depriving national and transnational terrorism of its permissive environment; the latter for addressing constraining regional factors contributing to social and political divides in Iraq.²⁶²

Identified and formulated against the backdrop of the respective political, economic and social challenges, EU strategic and intermediate objectives covered in a nutshell improving security, stability and prosperity – what could be dubbed as the essentials for a state or society to survive – as has been indicated by the Council, Commission, and member states alike.²⁶³ The EU strategic objectives as well as the intermediate aims (or grand strategies) are easily discernible from EU policy output that is pertinent EU documents on its crisis response to the identified challenges.²⁶⁴ Concerning intermediate aims or grand strategies, however, these are already coloured by the Unions identity as a pluralistic polity founded on the principle of ‘unity in diversity’ facilitated and legitimized by democratic institutions based on the principles of human rights, and the rule of law. By promoting its constitutive set of social and political norms and practices, the EU once more promoted, based on its own historical experience, itself as a role model in term of externalizing and exporting its ‘institutions’ to Iraq.

Operational Problem Definitions, Objectives and Strategies

This category of EU policy-making in Iraq is also marked by a high degree of continuity: the identified operational strategies – ownership, dialogue and partnership, as well as capacity building – are continuous features of EU policy-making output across the time-frame of this investigation (see subsection 2.2.1, 22-25). Strategic objectives, the grand strategies (or intermediate objectives) as much as the operational objectives and strategies were differentiated in course of this investigation for analytical purposes. However, these categories tend to conflate in the real world. Nevertheless, it can be asserted that the EU’s policy on Iraq – despite the specific features of this case – strongly resembled these features marking also the overall foreign policy of the European Union from Neighbourhood Policy to interregional policies vis-à-vis Asia of Latin America as much as to the extend neighbourhood, that is an attempt at horizontal export of EU institutions (in the broader sense).²⁶⁵ While the general characteristics might resemble a ‘one-size-fits-all approach’, the specifics of the EU’s policy-making are however strongly defined by the respective challenges of the specific case in question.²⁶⁶

²⁶² See pages 19-21 of this report, footnote 135.

²⁶³ See for general official policy description: European Union Website. *Political & economic Relation in Iraq*. Delegation of the European Union to the Republic of Iraq. 2016.

http://eeas.europa.eu/delegations/iraq/eu_iraq/political_relations/index_en.htm

²⁶⁴ For an overview consult table Iraq-xyz on EU policy features.

²⁶⁵ See Schimmelfennig and Sedelmeier 2005.

²⁶⁶ See Börzel and Risse 2004.

Obviously, the standard normative principles and norms (democracy, human rights and rule of law are guiding EU policy formulation on Iraq. And moreover, transformative mechanisms like *socialization* (by dialog and partnership), *capacity-building* (by empowering state institutions, personnel and civil society) are well-known features of EU policy strategies. *Conditionality*, however, another often found EU strategy no matter whether in its positive or negative form²⁶⁷, is not part of the EU's policy declarations and documents on the output level; however this is not yet excluding this 'transformative mechanism' from the second phase of EU policy-making that is policy implementation in Iraq.²⁶⁸ Beyond these general characteristics however, the EU itself disclaims the feasibility of such an approach and argued in favour of policy strategies and programmes being adapted to the respective specific needs as defined by Iraq, its government, civil society and people. Every single strategic and intermediate objective or grand and operational strategy require specific attention been given to the inherent complexity of the EU's analysis of and remedies for the multi-faceted challenges at hand.

Operational Tools for Council and Commission Engagement in Iraq

Concerning the EUJUST Lex-Iraq integrated rule of law mission, distinct features were founded on the basic principles and norms of the EU itself and being part of its identity transferred to its foreign policy-making. And these features matched the programmatic statements in terms of the intermediate objectives (grand strategies) of democratization, dialogue and partnership, ownership and the EU's normative premises of good governance. Moreover, the mission's mandate – the original one of 2005 as well as the revised one of 2010 – when it came to defining the EU's form of engagement was marked by a wording strongly indicative of its overall aim of empowering and supporting the Iraqi government's efforts by facilitating capacity building as part of CJS reforms.

The sustainability of this effort in living up to high aspirations formulated on the level of general objectives by operational strategies and tools²⁶⁹, however, had obviously been suffering significantly from the changing security situation on the ground in Iraq rendering its implementation a major challenge from the outset.²⁷⁰ Despite its alleged success in terms of quantitative indicators regarding trained Iraqi personnel²⁷¹, the overall accomplishments were questioned inside the Council and the support by MS had vanished after four Mission extensions. Hence, the Mission came to an end as of December 2013. Still the Council affirmed "its commitment to a smooth and effective handover of the activities of the European Union Integrated Rule of Law Mission for Iraq, EUJUST LEX-Iraq, to other EU and international actors and to Iraqi authorities, ensuring that follow-up activity builds on lessons learnt and achievements accomplished by the mission."²⁷²

Commission foreign policy – taking the activities of Reconstruction and Development as focal point of investigation in sub-section 2.1.2, 29-35 – reflected EU's strategic objectives and strategies in terms of 'internationalization', 'dialogue and partnership', 'ownership' as well as it was marked by continuous references to the Union's normative foundations that is democracy, human rights and rule of law.

²⁶⁷ See for a proper start on this issue: Smith 1998.

²⁶⁸ This will be covered as part of D 7.2 on policy-effectiveness regarding policy implementation and impact.

²⁶⁹ See again White 2008, 98.

²⁷⁰ While the outcome and impact success of this effort will have to be investigated in Deliverable 7.2, the output effectiveness of this distinct policy tool will be incorporated to the output evaluation below in section 3.

²⁷¹ Compare again: Christova 2013, 433f.

²⁷² European Council 2013, 14, item 3.

However, especially declared operational strategies have changed in view of the rise and fall of violence and the security situation in the country: EU policies ambitions obviously – though the general commitment to the strategic objectives was ostensibly upheld – became re-oriented and recalibrated from an ‘agenda for change’ to an ‘agenda for consolidating’ with the redefined short-list of operational aims and ‘focal sectors’ for future programming as conveyed in the 2014 Multiannual Indicative Programme.²⁷³

This apparent downsizing of EU ambitions mirrored the MS and thereby the Councils vanishing commitment regarding EUJUST LEX-Iraq “to a smooth and effective handover (...) to other EU programmes, international actors and Iraqi authorities”, the achievements of which were considered sobering as the Commission attested that Iraq still lacks a stable system of rule of law relating to a report of UNAMI “which underscores multiple problems of Iraq’s criminal justice system”.²⁷⁴ Increasing streamlining and downsizing ambitions as much as programmes, for example by gradually cutting back the ‘focal sectors’ for EU engagement run counter to the Council as well as the Commissions ambition and claim of pursuing a comprehensive approach.

Likewise, though budget funds remained available for continuing reconstruction and development efforts under the mentioned EU funding instruments, consolidating EU engagement became apparent moving away from direct engagement towards a demand-driven approach requiring Iraqi or other civil society and NGO actors’ proactive engagement. The available funding opportunities depend, however, on respective project proposals, actually are ‘requests’ or ‘applications’ submitted to Brussels. The actual use of these opportunities, however, depends on respective expertise about EU procedures and formal requirements, often implying a significant obstacle for translating eligibility and opportunities into actual flows of money.²⁷⁵

²⁷³ See European Commission 2014, 6-12.

²⁷⁴ European Council 2013, item 3; European Commission 2014, 7f.

²⁷⁵ This is not anything new but a well-known caveat of EU development engagement; see for example Babarinde and Faber 2004.

Table Iraq-6: Core elements of EU policy-making on Iraq			
Strategic objectives	Intermediate aims grand strategies	Operational Strategies (Transformative mechanisms)	POLICY TOOLS Operational instruments & policy programmes/ measures
Stability	Democracy Democratization	<ul style="list-style-type: none"> • Ownership • Reforms • Bilateral dialogue & partnership with Iraqi counterparts 	<ul style="list-style-type: none"> • PCA • EU Mission EUJUST LEX-Iraq
Security	International Cooperation, incl. regional cooperation	<ul style="list-style-type: none"> • Bi- and multilateral dialogue & partnership ('socialization') 	<ul style="list-style-type: none"> • Policy initiatives for partnership and cooperation conferences and commission in Iraq and on regional level
Prosperity	Internationalization		
	Humanitarian Aid State-building Reconstruction and Development	<ul style="list-style-type: none"> • Capacity-building • Security governance • Empowerment of institutions & personnel & civil society • Gender mainstreaming • [no explicit conditionality] 	<ul style="list-style-type: none"> • Policies, programmes and funding instruments: <ul style="list-style-type: none"> ○ Development and Cooperation Instrument ○ European Initiative for Democracy and Human rights (EIDIR) ○ Stability Instrument

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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.

As additional indicator for 'measuring' output coherence of core concepts, we are taking up a similar approach to a quantitative analysis in order to find out if the respective concepts do continuously appear in EU documents or not. The analytical criteria used for the respective text analysis and 'frames' gathered in table 6 (annex 2). The more of these words are present in EU documents, the higher the chance that the concepts are continuously applied or at least mentioned in EU documents.

Council conclusions and decisions from the case study Mali were inductively analysed in order to extract those words used by the EU in official documents in the context of conflict sensitivity, comprehensive approach and local ownership (see table below). This linguistic analysis is carried out with the programme atlas.ti²⁷⁶.

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

“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.”²⁷⁷

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:

“[...] systematically carrying out security/**conflict sensitive assessments** and conflict analysis, where appropriate, in the preparation of country and regional strategies and programmes”.²⁷⁸

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).²⁷⁹ 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).²⁸⁰ 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).²⁸¹ 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

²⁷⁶ See Annex 2.

²⁷⁷ Council of the European Union 2001.

²⁷⁸ Council of the European Union 2007

²⁷⁹ 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

²⁸⁰ See Bush 1998

²⁸¹ See Pfaffenholz 2005.

copy the concept of *Saferworld*²⁸², as for example in a Commission document of 2013 in which it aims at “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”.²⁸³

Even though an official EU staff handbook from June 2015 about “Operating in situations of conflict and fragility”²⁸⁴ 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.²⁸⁵

As this Horizon 2020 project and this report provides a “conflict sensitive unpacking of the EU comprehensive approach to conflict and crises mechanism”²⁸⁶, 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 analysing 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.

In empirical terms, as far as this case study on EU crisis response in Iraq is concern the quantitative analysis shows (see graph Iraq xyz) that this concept is not explicitly used in the document sample specified in section 2. However, that is not to say that it is per se of no relevance for EU policy-making on the ground. Rather it might be encapsulated in other policy features and core concepts, most likely regarding the local dimension covered below.

“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 various 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

²⁸² 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.

²⁸³ See European Commission - International Cooperation and Development 2013.

²⁸⁴ See Directorate-General for International Cooperation and Development - EuropeAid and European Commission June 2015

²⁸⁵ See ICF Consulting Services Limited February 2016

²⁸⁶ EU Programme Horizon 2020, Project EUNPACK, Ref. Ares(2015)4659347 – 23/08/2016.

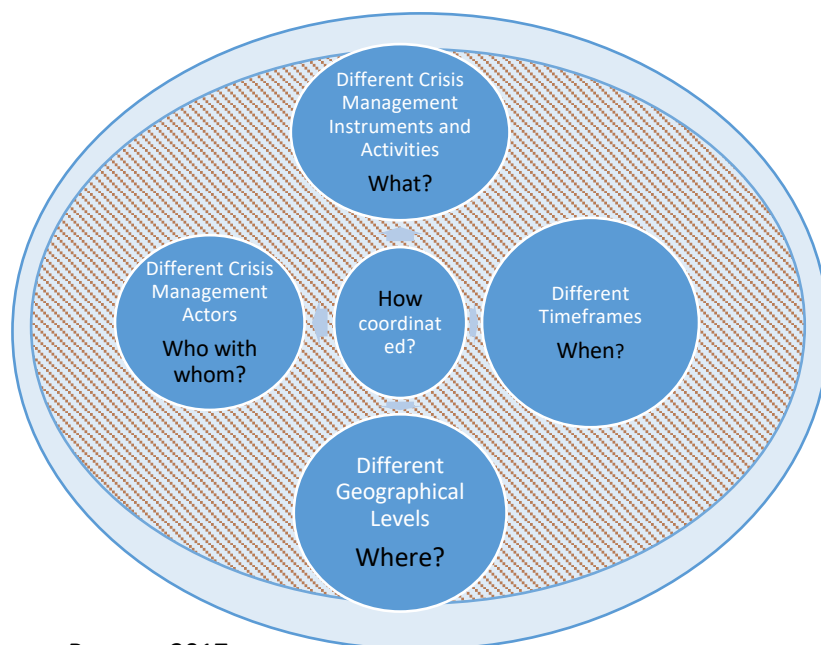
EU engagement. In the sense of the EU concept and in the light of recent literature, we will adopt the notion of a comprehensive approach with four dimensions by Post (2015)²⁸⁷ as followed:

- 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?
“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.”

As the underlying principle of all EU action and therefore the EU’s comprehensive approach is local ownership, and since local ownership is part of conflict sensitivity, the concept can be visualized as this:

Graph 2: Dimensions of the EU’s ‘Comprehensive Approach’



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²⁸⁷ Post 2015, 82.

First the concept ‘comprehensive approach’ is inherent in the policy features identified above as ‘grand strategies’:

- as part to the internationalization/ regionalization strategy – in terms of encompassing external factors influencing political and social process in Iraq (16);
- as part of interinstitutional cooperation with the UN, the World Bank or concerning significant actors like the United States;
- as part of grand strategy of democratization, inherently encompassing all levels of society requiring reforms in political, economic and societal structures and processes on all levels of government.

Since these features of EU engagement were also found to govern its operational objectives, strategies and tools, these likewise resemble the ambition of comprehensive EU responses to the complex challenges at hand. Hence, at first glance ‘process coherence’ regarding this core concept of EU crisis response has been continuously and visibly given.

Over time, however, EU policies underwent a process of narrowing its policy engagement as part of decisions (output) at the intermediate stages: In 2010, strategic and operational objectives, strategies tools were focussed and thus limited in its comprehensiveness regarding the programmes funded under the Development Cooperation Instrument (DCI): programmes were focused on a) good governance and rule of law, b) education matching labour-market needs, and c) water management and efficiency.²⁸⁸

Likewise the 2014 Multiannual Indicative Programme contains policy provisions, explicitly qualified as ‘lessons learned’ from “past, on-going and planned cooperation”, that the next programme and choice of areas for future intervention, “shall be defined by (1) areas where EU has interest in and added value for, (2) areas where activities will be nationally owned and promote rights based approach and (3) an impact of programmes is likely building upon 10 years of EU and broader international engagement in the country.”²⁸⁹

EU policies ambitions obviously – though the general commitment to the strategic objectives was ostensibly upheld – became re-oriented and recalibrated from an ‘agenda for change’ to an ‘agenda for consolidating’ with the redefined list of operational goals for future programming which

“should be the protection, preservation and further development of political, financial and human capital, invested in Iraq by the EU Member States during the 2005 – 2013 period through the Common Security Defence Policy EU JUST-LEX IRAQ mission, the project budget of which amounted to approximately EUR 22 million per year.”²⁹⁰

The issues identified for cooperation were then boiled down to three focal sectors: 1) human rights and rule of law, 2) capacity-building in primary and secondary education and 3) sustainable energy for all.²⁹¹ Moreover, as part of its implementation strategy on the operational level, the Commission stressed that these focal sectors will be treated in an “integrated way”, and programmes will be implemented bilaterally through Financing Agreements.²⁹² As asserted earlier, the EU’s ambitious for pursuing a

²⁸⁸ See European Commission 2010, 34; also 31f of this report, and Annex 2.

²⁸⁹ European Commission 2014, 6. See also the overview of EU Section Intervention Framework, here in Annex 3

²⁹⁰ Ibid., 12.

²⁹¹ Ibid., 7-10.

²⁹² European Commission 2010, 5, 46.

‘comprehensive approach’ had to pay tribute to developments on the ground influencing a lessons-learned process leading to a pragmatic adjustment in terms of a less comprehensive but more focused on in view of previous performance most promising areas. Though the rationale behind this might be greater effectiveness and efficiency, the end of EUJUST Lex-Iraq mission due to vanishing support from member states might suggest, that practical experiences might have led to disillusionment among decision makers regarding the prospects for success, once more substantiating the suspicion that overly optimistic impact expectations tend to undermine the persistence of state-building efforts and the time-dimension of the comprehensive approach.

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 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.²⁹³ 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.²⁹⁴

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. ‘Locals’ can be identified at various levels of analysis: the national, the intra-state regional, or the community level of social organization. And these levels of analysis mirror the level of EU engagement of interventions in third countries as part of its crisis response. 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.²⁹⁵ Our first concern regarding the empirical investigation is thus *who* is addressed as ‘local actor’ by EU policies? And our second 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

²⁹³ See sub-section 2.2 (???).

²⁹⁴ See for example Richmond, Björkdahl, and Kappler 2011; likewise compare EUNPACK D 3.02.

²⁹⁵ 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).

concept contains also a post- or neo-colonial dimension in terms of outsiders more or less aiming at ‘empowering vs. imposing’ local communities and actors.²⁹⁶ 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.²⁹⁷

Thus, it would 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. But this dimension will be reserved for the outcome and impact investigation following in our next report and the related ‘perception’ study. In the context of output performance, however, it is 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-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.²⁹⁸ The questions guiding research on this aspect read as follows:

- Why are ‘locals’ considered significant for policy-making according to EU documents and policy formulation (policy output)?
- What kind of local state- and non-state actors are considered during the input and output phase of policy-making?
- Which patterns of communication & involvement and which roles are foreseen, recommended or supposedly required for successful engagement?

The of EU crisis-response policy in Iraq conducted above provides ample evidence that the EU – the Council as well as the Commission – considered **Iraqi ownership** as indispensable in all its efforts of supporting or assisting the Iraqi governments across levels of political organization. Iraqi ownership – as the highest level of ‘local’ engagement – hence has been an operational objective as much as an operational strategy for EU day-to-day policy making. This operational strategy was a specific inference from the general insight proclaimed by the Council as part of the EU’s Strategic Partnership with the Mediterranean and the Middle East: “These challenges will not be overcome by maintaining the status quo; political, social and economic reform is required. Such reforms can succeed only if they are generated from within the affected societies; they cannot and should not be imposed from outside.”²⁹⁹ Hence, the EU ambition has been to enable and empower state institutions in line with the “Iraqi government’s priorities”.³⁰⁰ Simultaneously, this statement underlines the EU’s policy premise addressed above that a one-size-fits-all approach is not viable for crises response policy. In the same

²⁹⁶ See Donais 2009.

²⁹⁷ However, these quality dimensions 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.

²⁹⁸ See Donais 2008, 6f.

²⁹⁹ European Council 2004, 2.

³⁰⁰ European Council 2008, Conclusions 04/20007, 19, item 7.

vain, the EU Commission conveys its premise regarding Iraqi ownership when admitting that to realize EU objectives “will depend on the degree to which they are shared by the Iraq government and evolution of the security situation”.³⁰¹ Additionally, the Commission considered support for institution-building in various sectors an option “depending on the Iraqi interests” also assistance for “democratization, civil law enforcement, the rule of law and the justice sector and human rights”.³⁰²

Further evidence of the EU’s Iraqi-ownership strategy as basic principle and operational strategy of EU policy was provided, for example, when the Council stressed in the preamble of the EUJUST LEX-Iraq mission mandate that this was responding to “the wish of the Iraqi authorities for the EU to become more actively involved in Iraq and that strengthening the criminal justice sector would respond to Iraqi needs and priorities.”³⁰³ Likewise, at a later stage, the Commission qualified its Joint Strategy Paper 2011-2013, issued in 2010, as a response to the “main priorities discussed during the thorough consultations process with the government and civil society” allegedly reflecting those in the Iraqi National Development Plan.³⁰⁴

The pertinent documents scrutinized here also reveal as another feature indicating the EU’s declared strive for instigating Iraqi ownership in terms of the chosen terminology that is the distinct wording of the respective documents of the Council or the Commission alike when formulating strategic as well as operational objectives. Likewise, the EU way of formulating (‘framing’) strategies and policy instruments strongly convey and promise to the Iraqi counterparts that all EU action is intended as to enable and empower and hence to facilitate promoting Iraqi preferences: The EU has obviously taken an effort to avoid impression our undercut any suspicion of pursuing its policies in terms of attempts at super-imposing its own preferences on Iraqis. This is not just visible by the many explicit statements advocating Iraqi ownership, but moreover by indicating its good services providing ‘merely’ ‘support’ or ‘assistance’ for political objectives, strategies and programmes defined by the Iraqi government. The official and declared EU policy is hence on the output level strongly mainstreamed as to avoid the impression EU policies geared towards ‘high jacking’ Iraqi institutions and government programmes or ambitions of governing Iraq from Brussels.³⁰⁵

Some evidence for EU words being followed by deeds have been substantiated already above, for example providing for an active and input role for the Iraqi government in producing the Strategy Paper of 2008 and Partnership and Cooperation Agreement of 2009/12 aiming at establishing regular cooperation framework where jointly formulated. Likewise regarding the EUJUST Lex-Iraq mission the ambition was to incorporate Iraqi functionaries in the process of defining the training activities down to the respective programmes and syllabi. However, whether these claims were actually guiding policy-making at later stages of the policy-cycle that is during policy implements is waiting to be seen.

Regarding the lower levels of ‘local’ engagement, the previous analysis has not generated much in terms of substantial evidence. Having said this, however, demands for a cautious judgement since this finding might be due to a selection bias of the document sample analysed. Moreover, the local dimension enters the picture in terms of EU concerns regarding locals as ‘passive entities’ addressing – sometimes

³⁰¹ European Commission 2004, 7.

³⁰² Ibid., 9; likewise for example: European Council 2008, Conclusions 09/2006, 18, item 4.

³⁰³ European Council 2005, para. 2.

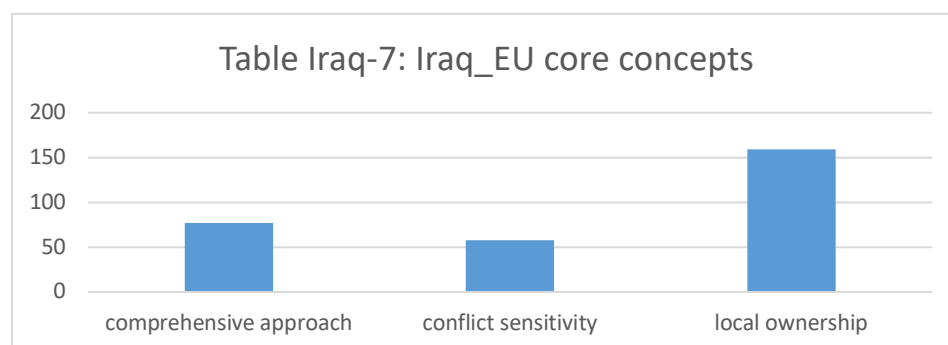
³⁰⁴ European Commission 2010, 5f.

³⁰⁵ See for the prevailing use of these key terms of EU-speak on Iraq policy all EU documents previously referenced.

merely implicitly, those suffering from human right abuses, gender or minority discrimination. Thus, we might suspect more about this dimension’s empirical evidence entering the stage of investigation when shifting our attention to policy implementation. At that point, it will become salient also to incorporate EU policy-making on the ground, first and foremost by the EU delegation’s efforts of involving locals not just in and around Bagdad but also in the various regions and local levels of engagement in Iraq not least when it comes to the on-site dimension of reconstruction and development policy under the Commission’s aegis. Here again, it is important to realize that the EU became most ostensive about appreciation of Civil Society Organization in its Multiannual Indicative programme of 2014, stressing its regular contact to CSO which are supported on a project-based approach and are as such potential beneficiaries of the PCA as well. The significance of the CSO’s role in stabilizing and reforming Iraq was additionally stressed by CSO being part of al “specific objectives” as a core element of the “sector intervention framework” being part of the MAIP.³⁰⁶

3.2.5 Continuity and Visibility of Core Concepts over Time – the Quantitative Dimension

In this case study on EU crisis and conflict management in Iraq many of the facets of the concepts show up directly and explicitly or sometimes more implicitly. As a complementary investigation, following the route chosen in sub-section 3.1.2 regarding the determinacy represented in EU documents, the representation of core policy concepts will also be analysed quantitatively.³⁰⁷ Across the overall sample that is including Council as much as Commission core documents, the quantitative analysis shows that ‘local ownership’ is the most represented concept, followed by the ‘comprehensive approach’ and ‘conflict sensitivity’.



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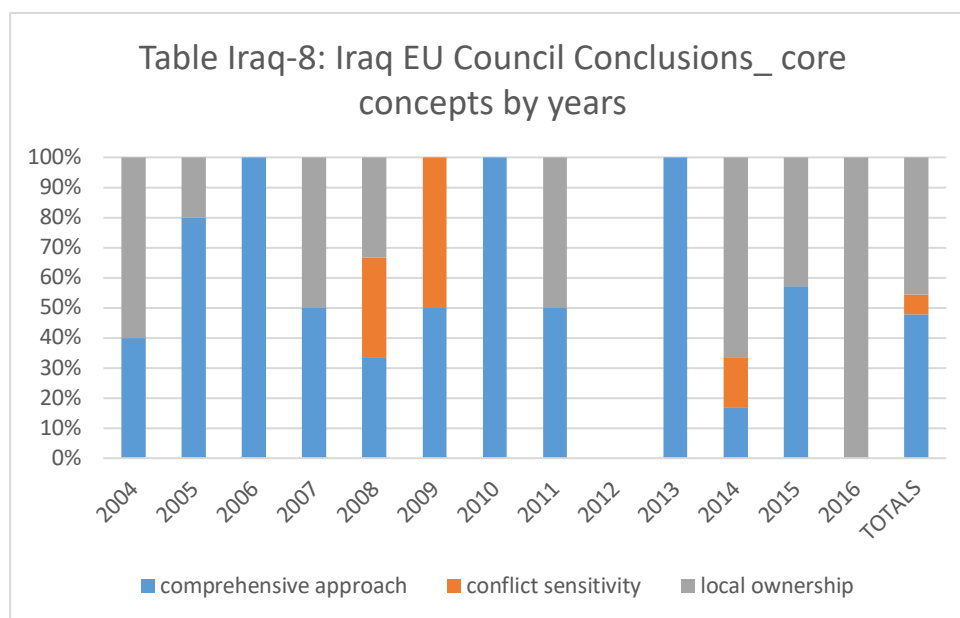
In contrast, however, considering the Council Conclusions sample on its own, the quantitative analysis shows that the concept ‘comprehensive approach’ is by far the most represented concept, followed by ‘local ownership’ and ‘conflict sensitivity’, the latter almost being marginalised especially in the more recent years (see Table 8).

What is – or at least could be – the message behind these variations?

³⁰⁶ See European Commission 2014, 6, and specifically the overview tables regarding the sector intervention framework on pp.27-29, reprinted in this reports Annex 3.

³⁰⁷ For the involved method issues consult Annex 2.

- *First*, it seems to be important *who* is referring to which concept the two separate quantitative runs' varying results that the conflict sensitivity as well as local ownership is more often represented in Commission documents, while the Council apparently tends to stress the comprehensive approach over the other two concepts.
- *Second*, we could speculate about the reasons and causes for this variance: may be the comprehensively is more strategic, while the concepts of local ownership and conflict sensitivity is more relevant for policy implementation on the ground which is other than the EUJUST LEX-Iraq mission a Commission prerogative.
- *Third*, the concept of 'local ownership' is relatively gaining in significance as time goes by, especially following the Council decision to close down the mission in December 2013 complemented by disillusionment and frustration about achievements by EU Member States.
- *Fourth*, a separate run of Commission documents could be fruitful for possibly illustrating the Commission's more focused and confined approach as became manifest during the qualitative analysis of the Commission's documents, that is the Joint Strategy of 2011 and the Multiannual Indicative Programme, by another revealing correlation.



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3.2.4 Institutional Coherence

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 procedural policy coordination 'across pillars'. However, this dimension might become political and

politicized, if competencies are contested or Member States are tempted to interfere with procedural coordination.³⁰⁸

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.³⁰⁹

As part of the empirical analysis of EU crisis response in Iraq, some issues of institutional coherence occurred which are now addressed in detail. Despite the variety of frameworks, there are some overlapping features in the EU approach to the region: ‘Brussels’ as the hub of EU policy-making in general and foreign and security policy in particular stands for a multi-actor institution. The European Commission, the Parliament and the Council form a complex structure with different although overlapping competences and instruments regarding foreign policy and specifically conflict and crisis management. The Commission represented (up to the Lisbon Treaty the first pillar that is) the community or supranational part of European integration. And following *Kuzmicheva* in this respect,³¹⁰ the Commission has a higher profile in the Middle East due to the primary engagement in development promotion and the respective necessary instruments (aid, trade, financial resources etc.) at its disposal. The Council (responsible for the II Pillar, and intergovernmental CFSP) is expected to provide for a coherent foreign policy of the EU on behalf of its Member States. It has mainly been represented by diplomatic activities of the respective High Representative for Foreign and Security Policy (HR) on behalf of the Union, first Javier Solana (1999-2009), followed by Catherine Ashton (2009-2014) and currently Federica Mogherini (2014-).³¹¹

Already in 2003, *Crowe* pointed out that early on in EU engagement in Iraq, de facto decision-making patterns privileged the HR over the formal tasks of the Political and Security Committee (PSC) regarding coordination with other key players and with Council endorsement. Still HR Solana’s empowerment found its limits if tensions existed between MS and the Council and particularly the respective Presidency.³¹² Solana’s empowerment was not least due to the leadership role he de facto played in certain aspects of EU policy on the Balkans and the FYROM. His role was significantly strengthened due to the personal

³⁰⁸ See Gebhard 2011, 107f.

³⁰⁹ See Missiroli 2001; Gebhard 2011; Bartholmé 2007.

³¹⁰ Kuzmicheva 2006, 1.

³¹¹ See for details: European External Action Service (EEAS) 2017; note: with the Lisbon Treaty (2009), the HR for Common Foreign and Security Policy was not just renamed into HR for ‘High Representative of the Union for Foreign Affairs and Security Policy’ but moreover became Vice-President of the EU Commission meant to reach a higher integration of the supranational and the intergovernmental aspects of EU foreign policy making. Ibid.

³¹² See Crowe 2003, 541.

invitation by the Egyptian President or the UN Secretary-General to represent the EU in the Middle Eastern Quartet.³¹³

Coordination among EU institutions as well as between the EU institutions and external actors was also a challenge concerning the EUJUST LEX integrated rule of law mission under CFSP and thus formally Council control. In view of the mission's narrow mandate and – due to the awkward security situation – limited in-country presence “cooperation with the European Commission, the US and European bilateral programmes was crucial,” as *Korski* reported:³¹⁴

“The main vehicle for international cooperation has been the Rule of Law Sector Working Group, chaired by the Iraqi Chief Justice. Three EU institutions are represented at the group's meetings: EUJUST LEX, the Commission Delegation and the EU Presidency. An initial member of the mission's Baghdad office was also a Commission official. Yet with the Commission itself only having a limited presence in Baghdad, most of the coordination took place in Brussels.”

Hence, functionally as much as politically, to have two offices, a Coordination Office in Brussels and a Liaison Office located in the British embassy in Baghdad, accompanied a year later by the European Commission office, on the one hand might give rise to suspicion for enhanced coordination problems and thus lack of policy coherence.³¹⁵ However, given limited information access regarding the early years of the mission to the knowledge of this author, coordination between EU institutions (horizontal coherence) as much as between institutions and MS (vertical coherence) problems within Iraq can be assumed to be mitigated by the various institutions location on the same British compound in Iraq. By virtue of this arrangement, the British moreover provided for the security of the others in view of the varying security situation in Bagdad and Iraq.³¹⁶

In sum, institutional coherence remains a political and functional challenge for every complex institutions and thus also for the EU's foreign policy-making. What the public as well as researches get to see in terms of lacking coherence, one might suspect without being unfair, are different sizes of the tip of the iceberg. Available evidence, however, suggests assessing this challenge being of moderate significance and its overall impact on EU effectiveness as moderately negative.

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

³¹³ See *ibid.* 542.

³¹⁴ *Korski* 2010, 236.

³¹⁵ See *ibid.*, 235.

³¹⁶ Policy analysis of the EU's long term engagement – as in Iraq – is severely hampered by difficulties of information access even via background talks in Brussels and elsewhere. As in national ministries, respective personnel on relevant positions in the Council, the Commission or nowadays the EEAS are also 'revolving' that is normally changing posts after two to four years thus abolishing the opportunity for building up 'institutional memories'.

plausibility of the 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?

Match of EU Problem-Definitions with those of Experts?

a) the EU as model for the world

Summing up section 1.3 (see above), it was already asserted that EU strategic and intermediate objectives covered briefly improving security, stability and prosperity. These objectives were identified and formulated against the backdrop of the respective political, economic and social challenges perceived as besetting Iraq. As proposed, these features could be dubbed the essentials for a state or society to survive – as has been indicated by the Council, Commission, and member states alike.³¹⁷ The EU strategic objectives as well as the intermediate aims (or grand strategies) are easily discernible from EU policy output that is pertinent EU documents on its crisis response to the identified challenges. Concerning intermediate aims or grand strategies, however, these are already coloured by the Unions identity as a pluralistic polity founded on the principle of ‘unity in diversity’ facilitated and legitimized by democratic institutions based on the principles of human rights, and the rule of law. By promoting its constitutive set of social and political norms and practices, the EU once more promoted, based on its own historical experience, itself as a role model in term of externalizing and exporting its ‘institutions’ to Iraq.

This deeply ingrained feature of the EU’s foreign policy also in Iraq is certainly ‘understandable’ in terms of the EU and its MS history and identity formation. However, should the ‘model EU’ serve as orientation for policy-making towards the outside world? Answers to these questions might be ambiguous: Yes, if and insofar this model is guiding policy-making without constraining it like a straight-jacket. That is to say that for reasons of internal and external legitimacy, the EU cannot risk losing credibility by allowing policy objectives to justify ‘contradictory’ policy strategies and tools. No, if and insofar as this would mean to assume that this model can easily be exported as a recipe for successful conflict and crisis management. However, the EU is on the one hand said to follow a one-size-fits-all approach, on the other hand proclaims in its programmatic statements the necessity of local ownership and adjustment of its policy to the respective social and political context.³¹⁸

³¹⁷ See for general official policy description: European Union Website. *Political & Economic Relation in Iraq*. Delegation of the European Union to the Republic of Iraq. 2016.

http://eeas.europa.eu/delegations/iraq/eu_iraq/political_relations/index_en.htm

³¹⁸ See also the summary for sub-section 2.1.1.

Problem-definition and crisis response: the EU's policy-cycle model

This empirical case study – and this holds similarly true for the complementary ones on EE engagement in Afghanistan and Iraq – points to a basic shortcoming regarding the EU's concept of the "Conflict Cycle" as incorporated to EEAS documents. It goes without saying that concepts never fully match reality, however, the thorough reading of EU documents renders some implicit and explicit assumptions dubious especially if we assume that these assumption may be to varying degrees govern crisis response policy.

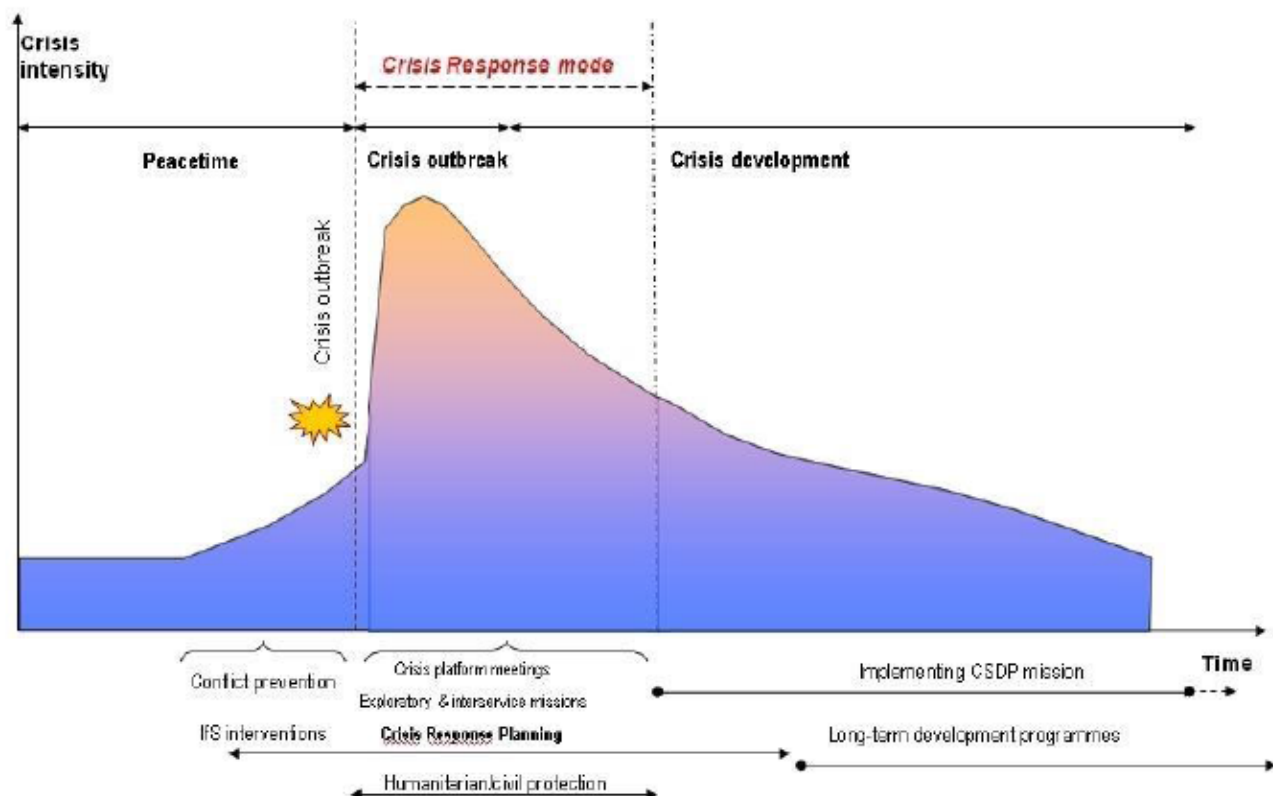


Figure 1

Source: http://www.eeas.europa.eu/crisis-response/what-we-do/response-cycle/index_en.htm

As the EEAS figure 1 – reproduced above – the standard depiction of the conflict cycle shows, the phases of the cycle (Pre-crisis/Crisis/Post-Crisis) are not defined by attributes of the crisis in question (mounting conflicts, verbal threats, escalation to violent action etc.) but are defined by the variations of EU action. Hence it this cycle represents a circular, tautological argument. The analyst – the EU internal one preparing policy-making as much as external think tanks of academic research – needs to focus on the issue in which conflict phase the EU responds with which actions. Thus, we require indicators for the phases independent from EU action. However, this is not to say that social scientist necessarily have all the answers. For example, the traditional literature measures and divides conflict-phases merely by using the indicator 'number of casualties'. But isn't this to narrow an approach to do justice the challenges at hand? Thus, we – the researchers of WP 7 – have decided to rather take up the offer from the HIK Conflict Barometer for which three indicators are used and then merged for our purpose:³¹⁹ 1)

³¹⁹ Heidelberg Institute for International Conflict Research, Conflict Barometer 2004ff.
<https://www.hiik.de/en/konfliktbarometer/>.

casualties (Uppsala UCDP); 2) casualties' through terrorist attacks (global terrorism data-base); 3) IDPs/refugees (UNHCR populations statistics data base)

Applying these indicators still requires taking specific conflict environments into account (i.e. in Mali: 'refugee flows' might be caused by food crisis but not by violent conflict). However, our graphs used in sub-sections of our case studies depicting the conflict cycles for the cases Iraq, Afghanistan and Mali are revealing that the model used inside the EU/EEAS has nothing to do with reality of protracted conflicts marked by more or less pronounced oscillating levels of 'conflict' / intensity of conflict violence. The EEAS rather seems to be appropriate for a standard fire alarm, fought by immediate action resolving the challenge in the foreseeable future.

Moreover, this sort of 'ideal-type' conflict cycle can easily cover up when and how the EU is actually engaging in an identified conflict or crisis situation. As we have learned from the empirical case study, EU engagement has strongly been marked by a 'security first' approach: without a low level of manifest violence, institutional reforms, development and state-building activities are bound to fail. This is easy to grasp and conclusive. However, since the EU is – at least not engaging in directly fighting violence to bring the level of conflict down, EU engagement is confined to those points in time when the curve of violence is as close as possible to the x-axis in the graph, instead of what is suggested by the ideal-type graph of the EEAS. Hence, what we have here is a very pronounced mismatch of conceptual and political realities in EU crisis response policy-making.

Match of causal assumptions believes with policy strategies & Match of chosen strategies with operational policy tools?

Additional mismatches have been addressed by the expert literature, for example *Richard Youngs* early on raised the question whether the almost exclusive focus on long-term engagement at the expense of immediate EU action in Iraq was appropriate in view of the challenges at hand.³²⁰ However, though this strategy might not be clever functionally, he rightly point to political ramifications since the discussion of a new strategy for Iraq in 2003/4 had been the first substantial debate on Iraq inside the EU. What might seem to be technically or functionally appropriate is one thing, however what is politically agreeable and feasible is defined on political terms is another. The same argument applies to *Youngs*' report of that time, according to which the EU donors did not follow a clear state-building strategy and also no proactive policy for stemming the drift towards sectarian politics or secular-ideological parties or other measures which would have been in line with EU concerns and especially criticism of such elements lacking in US policy-making vis-à-vis Iraq.³²¹ Hence, while the appropriateness of EU problem-definitions seems to be given at least in general, the devil might, however also in this case lie with the detail and with the translations of words, claims, and policy programmes into action. We can thus expect to get more information on this issue when investigating policy implementation in Reports D 7.2, 7.3. and 7.4.

³²⁰ Youngs 2004, 5.

³²¹ See *ibid.*, 11.

3.4. Intermediate Summary: Output Effectiveness of EU Crisis Response in Iraq

What are our core findings? By establishing three context dimension in preparation for the actual case study on EU engagement (section 1), already the summary of the EU's multiple engagement in Iraq in section 1.3 it became clear that the EU as a multiple actor – aside from some of its Member State has confined its policies to a broadly defined civilian policy. 'Collective' military engagement was out of the question from the beginning due to the diverging policy choices of MS during the Iraq campaign in 2003. As part of that overview of EU policies applied, section 2 provided for a detailed account by a systematic investigation of the EU's policy features, further focussed on the sub-cases of the EU-Just-Lex-Iraq CSDP mission run by the Council/ EEAS and the Commission's reconstruction and development policy. However, for this report, the investigation was confined to the output-dimension of foreign policy-making which will be followed by an implementation and impact analysis at a later stage.

The focus on policy-output, however, requires qualification since the case study covers a time span of more than ten years (2003-2016). This scope covers many micro, meso and macro policy-cycles and thus is not purely focussing 'just' on the output dimension. Rather the analysis of output – EU documents and statements across the said period – unavoidably also entails lessons learned or consequences drawn by policy-makers from previous policy cycles – but still focused on the respective documented output refraining from getting lost in doing all at once.

Section 3 covered the analytically most challenging part of this analysis, the evaluation of the EU's effectiveness regarding its crisis response output in the Iraq case. What has to be noted without going into detail regarding the results or findings of this study:

- In terms of **actor unity and policy determinacy**: The EU has problems of getting its act together; yes but in view of its multi-actor-quality and the Member States remaining the gate-keepers of what is politically agreeable, diverging preferences at the outset are not surprising. Even though it took some time – even some years – to overcome these differences, the Council and the Commission were able to define a broad set of policies marked by a complementary set of strategic objectives and grand strategies fully matched by resonating objectives, strategies and tools on the operational level. This in itself is already an achievement without, however, prejudicing the political significance of this in terms of actually contributing to conflict and crisis management in terms of de-escalation and reduction of violence, humanitarian suffering, and state- and peace-building.
- The Analysis of '**process coherence**' in terms of policy features was positive since the main policy elements were pursued continuously and visible across levels of policy-making. It is understood that the issue of process coherence will be high on the agenda again when investigating policy implementation.
- The **coherence concerning core concepts** characterizing EU crisis-response policy delivered a mixed picture also reproduce in the quantitative analysis: The comprehensive approach is not just a 'speech act' but indeed an appropriate concept for describing the scope of EU policies conducted by the Council/ EEAS as much as by the Commission. More ambiguous are the findings regarding the concepts of 'local ownership' and 'conflict sensitivity'. Both concept address very important features for policies meant to external intervention in complex conflict and crisis situations.
- Moreover the **causal assumption underlying these policy premises** of a proper policy for effective interventions seem to conclusively define the indispensable features of policies which at the same time are supposed to remain legitimate and effective also in the eyes of 'local actors' across the

various levels of political and social organization. The investigation revealed that the Council and the Commission are both declaring and pursuing the comprehensive approach in inherently conclusive manner. At the same time, however, it became clear that the Commission is much more ascribing to local ownership and conflict sensitivity though evidence to the relevance of the latter is not abundant.

- The investigation pointed to some question marks concerning **policy consistency** in terms of EU policy-features matching expert knowledge (which is, of course, in itself diverse!). This concerns the conceptual level of policy-making (the EEAS's policy-cycle model) as well as operational definitions of objectives and strategies pointing, for example, to a prime concern with long term engagement, while immediate measures are first covered by the EU Commission's humanitarian aid via ECHO.
- Moreover, this apparent concern about the **long-term perspective** seems to run counter to the vanishing support for policies aiming at major social reconstruction after only seven years, as it was the case with the Rule of Law mission, which was abandoned only one year after it had entered into full operation in-country, reportedly due to vanishing support of Member States. Long-term engagement and demanding policy operations do not go well with politics!
- Aside from the summary of substantial findings across the distinctive analytical steps, it is indispensable to end with a **cautionary remark regarding availability of information/** the data base as well as regarding the evaluation of policy-output effectiveness:³²² Information always remains incomplete and especially for a time-span of some 12-years-plus even awkward for the early years. Research can only work with the available information beefed up by background interviews with involved policy actors; however the latter are getting rare soon as further back the process under investigation are. Likewise, the evaluation remains highly subjective even though we have tried to base our research on transparent and comprehensible methods. Judgements unavoidable remain subjective, however, simultaneously based on evidence allowing the reader to make up his or her own mind on the viability of the offered qualitative evaluations.
- The results of this 'subjective' **evaluation are summarised in table 8** below indicating some differences in effectiveness of EU-output dimensions: Are these statements on effectiveness too positive too optimistic? Or are they too negative or pessimistic? These statements are addressing the EU-output performance are these 'fair' in comparison of crisis response policies of other international actors (the US or the United Nations)? Are we coming closer to rendering foreign policy evaluation in the realm of conflict and crisis management a scientific endeavor or does it – as Alexander George once concluded – remain rather an art?

³²² See also the introduction to section 3!

TABLE Iraq-8 'Output effectiveness': Success and failure of EU crisis response in Iraq 2003-2016			
Category	Criteria	Indicators	Output effectiveness
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	++ + +/++
PROCESS COHERENCE	a) coherence of identified policy features (premises, objectives, strategies, instruments) and b) coherence of core concepts c) institutional coherence	'Continuity' and 'visibility' of core features and concepts across levels of policy-formulation, i. e. on strategic and operational level Specific concepts: 1. 'Comprehensive approach' 2. 'Conflict sensitivity' 3. 'Local ownership' Regular involvement of EU institutions and agencies as defined in mandates in EU treaty or basic documents	Policy features: ++ CC: qualitatively + quantitatively 1) +++ 2) Council: -- Commission: + 3) ++ -
SUBSTANTIAL CONSISTENCY	Appropriateness of identified policy features <(problem definitions, policy objectives, strategies and instruments)> in view of given problems at hand;	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?	- / + + ++

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ANNEXES

Annex 1: Compilation of method aspects used for policy evaluations in section 3

This annex belongs to every of our three case-studies on EU Crisis Response in the Extended Neighbourhood.

For the sake of saving space, it is only added once at the very end of the compilation of case studies!

Annex 2: Method aspects regarding the quantitative analyses in sub-sections 3.1.2 and 3.2.5

Table 3: Coding of EU determinacy in core documents

Strong	Action	Categories		Wording
		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
Weak		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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Linguistical Analyses_ Atlas.ti: determinacy

Atlas.ti commands:

SUPPORTIVE:=supports|supporting|assist|assists|assisting|contribute|contributes|contributing|provide|provides|providing|aims|aiming|ensure|ensures|ensuring

REFLECTIVE:=notes|noting|recognize|recognizes|recognizing|consider|considers|considering|views|viewing|intend|intends|intending

EXECUTIVE:=firmly|actively|strongly|reaffirm|reaffirms|reaffirming|affirm|affirms|affirming|confirm|confirms|confirming|determine|determines|determining|commit|commits|committing|will|must|do its utmost

EXPRESSIVE:=expresses the hope that|reiterate|reiterates|reiterating|encourage|encourages|encouraging|strive|strives|striving|recalls|recalling|calls on|urge|urges|urging

Linguistical Analyses_ Atlas.ti regarding EU Core Concepts

Table 6: Coding for Quantitative Analysis of Core Concepts

Concept	Wording
Conflict Sensitivity	- Sensitive, sensitivity - Impact - Effect - Risk, risks
Comprehensive Approach	- Comprehensive, comprehensiveness - Integrated - holistic
Local Ownership	- Civil, civic, civilian - Local - Non-state - NGO

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LOCAL OWNERSHIP:=civic|civil|civilian|local|non-state|NGO

CONFLICT SENSITIVITY:= sensitive|sensitivity|impact|effect|risk|risks

COMPREHENSIVE APPROACH:=comprehensive|comprehensiveness|integrated|holistic

in order to avoid autocodation of nouns we preclude: support, aim, note, view, recall

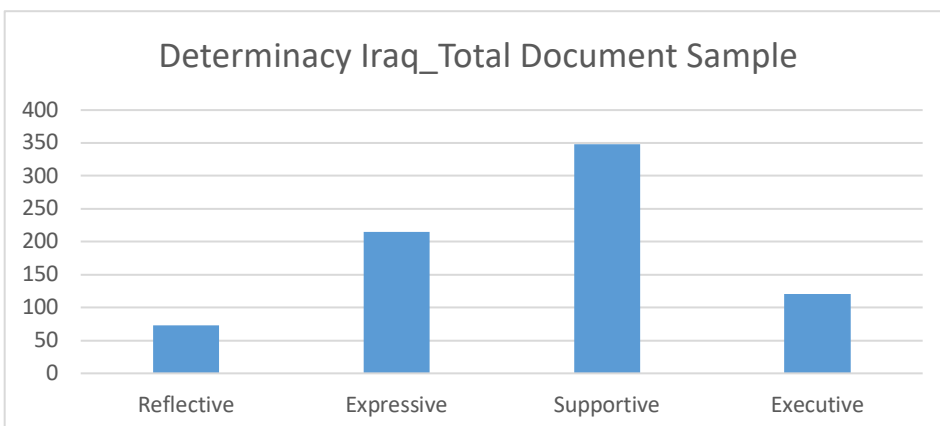
CASE STUDY: IRAQ

Analysis Iraq: Total Docs Sample

TOTALS	
Reflective	73
Expressive	215
Supportive	348

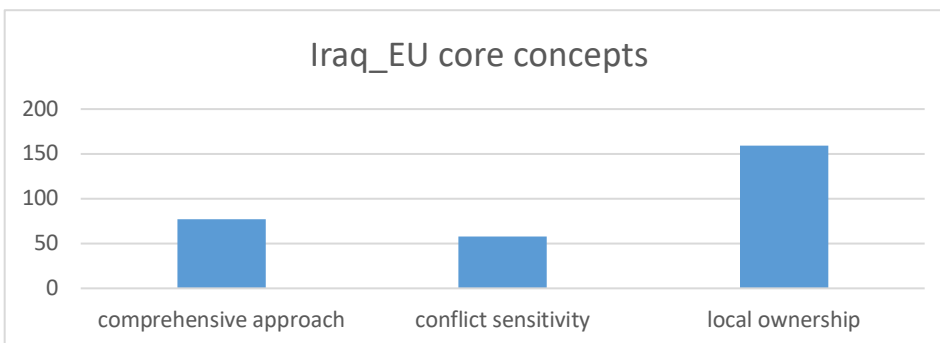
Executive 121

TOTALS: 757



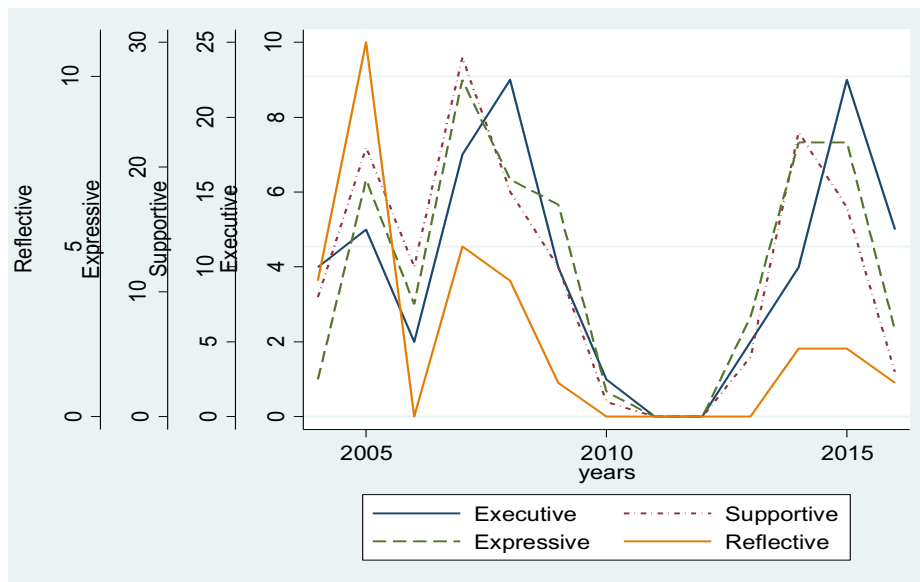
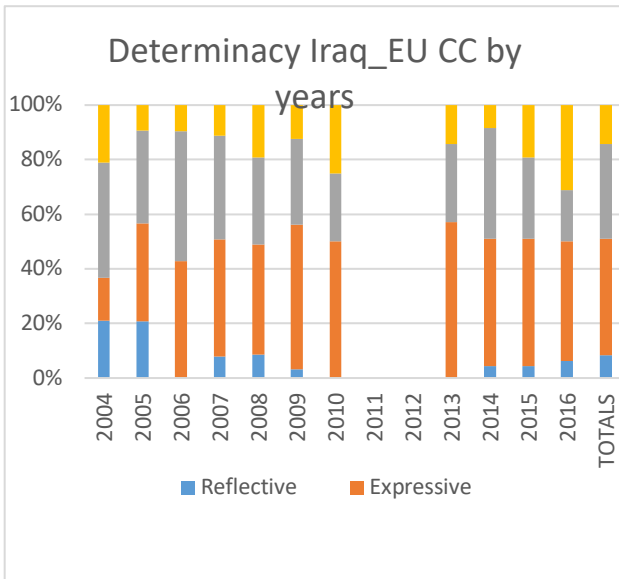
Analysis Iraq: Total Core Concepts

	TOTALS
comprehensive approach	77
conflict sensitivity	58
local ownership	159
TOTALS:	294



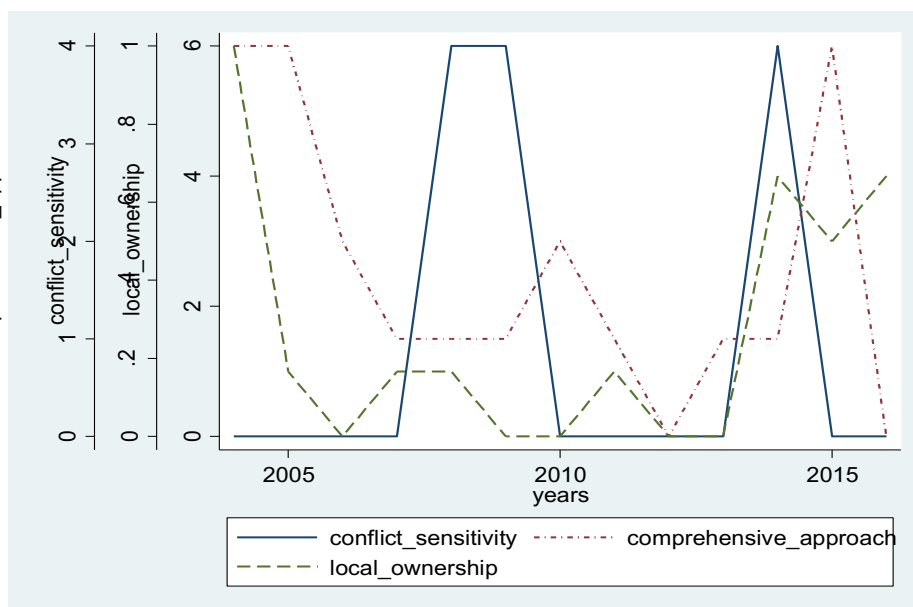
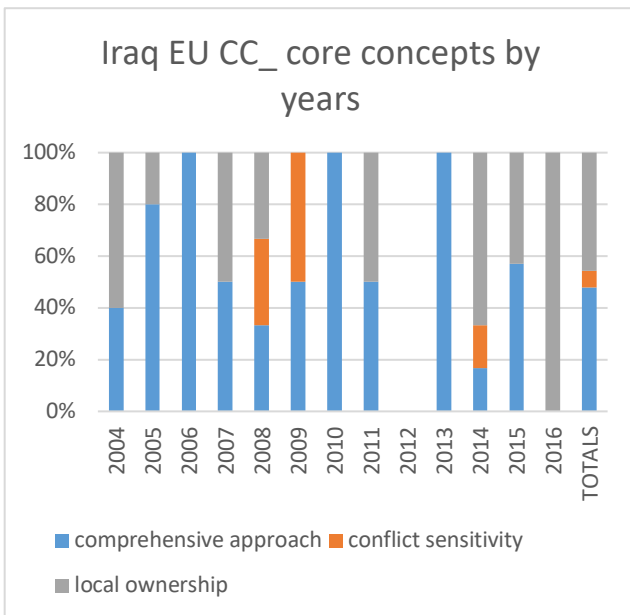
Analysis Iraq: EU CC Docs Sample

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	TOTALS
Reflective	4	11	0	5	4	1	0	0	0	0	2	2	1	30
Expressive	3	19	9	27	19	17	2	0	0	8	22	22	7	155
Supportive	8	18	10	24	15	10	1	0	0	4	19	14	3	126
Executive	4	5	2	7	9	4	1	0	0	2	4	9	5	52
TOTALS:	19	53	21	63	47	32	4	0	0	14	47	47	16	363



Analysis Iraq: Iraq EU CC_core concepts by years

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	TOTALS
comprehensive approach	4	4	2	1	1	1	2	1	0	1	1	4	0	22
conflict sensitivity	0	0	0	0	1	1	0	0	0	0	1	0	0	3
local ownership	6	1	0	1	1	0	0	1	0	0	4	3	4	21
TOTALS:	10	5	2	2	3	2	2	2	0	1	6	7	4	46



Source: Tarnoff 2009, summary.

Annex 3: Summary of Proposals for Phased Engagement of EU Commission (2004)

Annex I Summary of Proposals

PHASE I – IMMEDIATE ACTIONS	PHASE II – POST ELECTIONS	PHASE III – MEDIUM-TERM
Support for elections, including assistance for civil society development, rule of law and voter education	On-going assistance for democratisation and human rights	Sustained assistance for democratisation and human rights and rule of law
Troika visit and launch of EU/Iraq informal political dialogue including HoMs dialogue with interim government and Iraqi civil society.	Launch of a formal political dialogue with the Provisional Government including an EU/Iraq Joint Declaration Creation of working groups in sectors of mutual interest	Open negotiations for EU/Iraq contractual relations
Encourage positive engagement on the part of Iraq's neighbours, including launching possible confidence-building measures	Continued support to regional dialogue and confidence-building measures	Support creation of a regional framework
Administrative cooperation towards application of GSP preferences, as circumstances permit. Consultation and coordination on debt forgiveness/restructuring and related economic policy conditionality	Potential use of other EC instruments to alleviate external financial needs and implement reform	EIB lending
On-going implementation of €305 million package of humanitarian and reconstruction assistance	Additional EC contribution to reconstruction, including expansion of bilateral technical assistance and capacity building programmes	Assistance for economic diversification and poverty reduction
Opening of European Commission office		Opening of European Commission delegation

Source: EU Commission 2004, Framework Document, 11.

Annex 4: New EU Objectives for Iraq According to the Joint Strategy Paper (2011)

Main objective: Improved governance, citizen-friendly justice administration, enhanced service delivery
National Development Priorities:
NPD, PRS set the realisation of “good governance” as prerequisite to attain development objectives.
Specific objective nr 1: Support to public sector modernisation
<ul style="list-style-type: none"> - financial planning and management - development of human resources (organisation, performance, working conditions). - development and implementation of policies and procedures - quality management system - role of the civil society component in the reform process
Specific objective nr 2: Support to justice administration:
<ul style="list-style-type: none"> - development of the administration of justice from an organizational and policy perspective - judicial chain management - citizen-friendly legal aid system - creation of networks between different rule of law institutions on central and local levels, especially judiciary and penitentiary
Specific objective nr 3: Support to local governance in enhancing basic services delivery:
<ul style="list-style-type: none"> - planning and management - enhancing service delivery capacities with the main focus on education and water - participatory governance
Key Development Outcomes:
<ul style="list-style-type: none"> - strengthened and improved public administration at central, regional and local levels with improved institutional accountability - more effective mechanisms of coordination, at all levels - improved delivery of basic services by state institutions - improved operational rule of law framework for administration and access to justice - increased citizens' confidence in public administration, and administration's confidence in citizens' participation.
Mainstreaming and cross-cutting issues:
human rights, anti-corruption, juveniles, women, children, disabled persons, IDPs/returnees
Main indicators³⁰
<ul style="list-style-type: none"> number of civil servants trained and proportion of the budget dedicated to this purpose confidence ratings of citizens regarding public administration efficiency and access to justice

- number of regulatory frameworks adopted concerning civil service and justice administration
- level of financial resources available for local authorities
- % of population benefitting from the better service delivery
- number of all vulnerable groups benefitting from programmes
- number of all vulnerable groups asserting their fundamental rights
- number of civil society organisations benefitting from and participating in programmes

Source: Joint Strategy Paper 2011-2013, 35f.

Annex 5: EU Commission's Sector Intervention Framework according to the MAIP 2014

5.3 Sector intervention framework

The results, indicators and means of verification specified in the present annex may need to evolve to take into account changes intervening during the programming period.

Baselines will be included in Action documents at the latest.

Sector 1: Rule of Law and Human Rights		
Specific objective 1: Support to the democratic development of Iraq including through enhanced functioning of parliamentary democracy		
Expected Results	Indicators	Means of verification
Improved functioning of democratic institutions.	<ul style="list-style-type: none"> Number of enacted legislative reforms by Parliament vis-à-vis the last legislative period; Number of enacted legislative documents to address the UPR recommendations; Frequency of exceptional interruptions of Parliamentary sessions; Duration of exceptional interruptions of Parliamentary sessions; Number of Civil Society initiatives in support or opposing legislative endeavours; Voter turnout in the next Iraqi electoral cycle (2017/2018). 	<ul style="list-style-type: none"> Amended laws ratified; UPR review; IHCHR Annual report on Human Rights Iraq; UNAMI Reports on Human Rights Iraq; UNAMI Annual Report to UNSC; US Annual report on HR / Iraq; Documents produced by CSOs; The Internal report of the EU experts on general Elections Iraq.

Specific objective 2: Improve the national Rule of Law and Human Rights protection system in order to increase the performance of public institutions and strengthen monitoring capabilities of CSO		
Expected Results	Indicators	Means of verification
Increased functionality of the Rule of Law system in particular but not limited to monitoring and referral processes for Human Rights violations.	<ul style="list-style-type: none"> • % of UPR recommendations implemented; • Number of laws introduced in accordance to international standards and relevant International Conventions and Treaties. 	<ul style="list-style-type: none"> • UPR review; • Laws ratified; • CSOs reports; • IHCHR Annual report on Human Rights Iraq; • UNAMI Reports on Human Rights Iraq; • UNAMI Annual Report to UNSC; • US Annual report on HR / Iraq.
Strengthened role and organisational capacities of Civil Society to oversee government activities.	<ul style="list-style-type: none"> • Number of CSO reports on government's action and inaction. 	<ul style="list-style-type: none"> • IHCHR Annual report on Human Rights Iraq; • UNAMI Reports on Human Rights Iraq; • UNAMI Annual Report to UNSC; • US Annual report on HR / Iraq; • UPR Review; • CSOs reports.
Strengthened role and capacities of Civil Society and Human Rights defenders to advocate for Human Rights, monitor violations and promote basic services.	<ul style="list-style-type: none"> • Ranking of Iraq in Press Freedom Index; • Number of incidents related to discrimination in all its forms - ethnic, sectarian, religious, gender, tribal - reported. • No of incidents related to discrimination in all its forms - ethnic, sectarian, religious, gender, tribal - processed. 	<ul style="list-style-type: none"> • Press freedom index; • INGOs and NGOs activity reports; • IHCHR Annual report on Human Rights Iraq.

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Specific objective 3: Promote the principle of judicial independence and sustain the Security Sector Reform process		
Expected Results	Indicators	Means of verification
Improved curriculum for justice sector professionals.	<ul style="list-style-type: none"> • Number of training sessions, mentoring and/or other know how transfer activities in accordance to international standards and/or curriculum for students, academics and professionals in the juridical sector; • Number of drafted and incorporated codes, regulations and instructions issued for legal professionals including the penitentiary personnel. 	<ul style="list-style-type: none"> • Training session reports; • Regulations, codes and instructions issued.
Improved footprint of the principle of fair trial in Iraq, notably through improved access to legal advice, appeal procedure, access to evidence, limited use of exceptional tribunals.	<ul style="list-style-type: none"> • % of prisoners profiting from minimum international rules on prison conditions; • Number of CSOs reporting on prison conditions. 	<ul style="list-style-type: none"> • National and international surveys (UNAMI, Human Rights Watch, Amnesty international, etc.); • Perception surveys; • International and national media; • Police data.
Enhanced managerial and institutional capacities of national Rule of Law authorities and Human Rights actors.	<ul style="list-style-type: none"> • Number of training institutions applying a curricula in accordance to international standards; 	<ul style="list-style-type: none"> • Curricula.
Improved detention policy framework and managerial capacities in accordance to international Human Rights standards and international rules or treatment of prisoners.	<ul style="list-style-type: none"> • Number of detention facilities under the authority of the Ministry of Justice managed in accordance to international standards. 	<ul style="list-style-type: none"> • Feedback from Ministry of Justice and Ministry of Interior; • National and international surveys (UNAMI, Human Rights Watch, Amnesty international, etc.).

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Bibliography

- Abdullah, Thabit. 2014. *A short history of Iraq*. London and New York: Routledge.
- Allawi, Ali A. 2008. *The occupation of Iraq: Winning the war, losing the peace*. New Haven: Yale University Press.
- Alterman, Jon B. 2003. Not in My Backyard: Iraq's Neighbors' interests. *The Washington Quarterly* 26(3): 149-60.
- 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:
- Babarinde, Olufemi, and Gerrit Faber. 2004. From Lomé to Contonou: Business as Usual? *European Foreign Affairs Review* 9(1): 27-47.
- Bailes, Alyson J. K. 2005. *The European Security Strategy. An Evolutionary History*. Vol. No. 10, *SIPRI Policy Papers*.
- Baram, Amatzia. 1997. Neo-tribalism in Iraq: Saddam Hussein's tribal policies 1991–96. *International Journal of Middle East Studies* 29(01): 1-31.
- 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.
- Berdal, M. 2004. The UN after Iraq. *Survival* 46(3): 83-+.
- Blight, James G, Janet M Lang, Hussein Banai, Malcolm Byrne, and John Tirman. 2012. *Becoming Enemies: US-Iran Relations and the Iran-Iraq War, 1979–1988*: Rowman & Littlefield Publishers.
- Börzel, Tanja A., and Thomas Risse. 2004. One Size fits all! EU Policies for the Promotion of Human Rights, Democracy and Rule of Law. In *Paper prepared for the Workshop on Democracy Promotion*. Stanford University.
- Boston, William 2003. *European leaders, public at odds over war with Iraq*. The Christian Science Monitor, January 17, 2003.
- Bouris, Dimitris. 2014. *The European Union and occupied Palestinian territories: state-building without a state*. Abington & New York: Routledge.
- Bowden, Mark. 2007. *Guests of the Ayatollah: The Iran Hostage Crisis: The First Battle in America's War with Militant Islam*: Grove/Atlantic, Inc.
- Bremer, Paul. 2016. I ran Iraq in 2003. Washington hadn't prepared for the aftermath of war (The Guardian July 6, 2016). Available from <https://www.theguardian.com/commentisfree/2016/jul/06/iraq-war-aftermath-paul-bremer> [22.03.2017] (Accessed.
- Brimmer, Esther. 2004. Reflections in the Strategic Mirror: The European Security Strategy and the U.S. National Security Strategy. In *The European Security Strategy. Paper Tiger or*

- Catalyst for Joint Action?*, edited by Marco Overhaus, Hanns Maull and Sebastian Harnisch, 15-23: German Foreign Policy in Dialogue
- Burke, Edward. 2009. The case for a new European engagement in Iraq. *FRIDE Working Paper* no. 74.
- Bush, George W. 2002. The President's State of the Union Address. Washington, DC: The White House.
- . 2003. Address of the President to the Nation. In *The White House*. Washington, DC: The White House.
- . 2003. President Bush Addresses United Nations General Assembly In *The White House*. Washington, DC: The White House.
- Bush, Kenneth. 1998. A Measure of Peace: Peace and Conflict Impact Assessment of Development Projects in Conflict Zones. The Peacebuilding and Reconstruction Programme Initiative and The Evaluation Unit, IDRC., Working Paper No. 1
- Byman, Daniel. 2003. Constructing a Democratic Iraq. *International Security* 28(1): 47-78.
- Central Intelligence Agency (CIA). 2017. The CIA World FactBook on Iraq Available from <https://www.cia.gov/library/publications/the-world-factbook/geos/iz.html> (Accessed 07.04.2017).
- Chilcot, Sir John. 2016. The Iraq Inquiry: The Chilcot Report. Available from <http://www.iraqinquiry.org.uk/the-report/> [12.03.2017] (Accessed.
- Christova, Alina. 2013. Seven Years of EUJUST LEX: The Challenge of Rule of Law in Iraq. *Journal of Contemporary European Research* 9(3): 424-39.
- Council of the European Union. 2001. European Union Programme for the Prevention of Violent Conflicts. 9537/1/01. Brussels:
- . 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.
- Crowe, Brian. 2003. A common European foreign policy after Iraq? *International Affairs* 79(3): 533-46.
- Daalder, Ivo H., and James M. Lindsay. 2004. *America Unbound. The Bush Revolution in Foreign Policy*. Washington, DC: Brookings.
- Directorate-General for International Cooperation and Development - EuropeAid, and European Commission. June 2015. Operating in situations of conflict and fragility. An EU staff handbook. . Tools and Methods Series. Reference Document No 17
- Dodge, Toby. 2004. A Sovereign Iraq? *Survival* 46(3): 39-58.
- Donais, Timothy. 2008. *Local ownership and security sector reform*: LIT Verlag Münster.
- . 2009. Empowerment or Imposition? Dilemmas of Local Ownership in Post-Conflict Peacebuilding Processes. *Peace & Change* 34(1): 3-26.
- 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).
- European Commission. 2003. Communication from the Commission to the Council and the European Parliament. The Madrid Conference on Reconstruction in Iraq 24 October 2003. In *COM(2003) 575*, 11. Brussels: European Commission.

- . 2004. Communication from the Commission to the Council and the European Parliament. The European Union and Iraq. A Framework for Engagement. In *COM(2004) 417 final*. Brussels.
 - . 2006. Communication from the Commission to the Council and the European Parliament "Recommendations for renewed European Union engagement with Iraq" COM (2006) 283, Brussels.
 - . 2010. Cooperation between the European Union and Iraq, Joint Strategy Paper 2011-2013, Brussels.
 - . 2012. Partnership and Cooperation Agreement (PCA) with Iraq. [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22012A0731\(01\)&qid=1459426532262&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22012A0731(01)&qid=1459426532262&from=EN) (10.10.2016) (Accessed
 - . 2014. Multiannual Indicative Programme for Iraq 2014-2017, Brussels.
 - . 2015 Joint Communication to the European Parliament and the Council. Elements for an EU regional strategy for Syria and Iraq as well as the Da'esh threat (06 February), Brussels: High Representative of the European Union for Foreign Affairs and Security Policy.
 - . 2016. About International Cooperation and Development - DG DEVCO. Available from http://ec.europa.eu/europeaid/general_en (Accessed 10.04.2017).
 - . 2017. International Cooperation and Development. 2016 Special Measure "Funding Facility for Stabilization" in favour of Iraq (07.10.2016). Brussels: Available from http://ec.europa.eu/europeaid/2016-special-measure-funding-facility-stabilization-favour-iraq_en (Accessed 10.04.2017).
 - . 2017. International Cooperation and Development. Annual Reports. Brussels: Available from https://ec.europa.eu/europeaid/annual-reports_en (Accessed 10.04.2017).
 - . 2017. International Cooperation and Development. Funding Instruments. Brussels: Available from https://ec.europa.eu/europeaid/funding/funding-instruments-programming/funding-instruments_en (Accessed 10.04.2017)).
 - . 2017. Iraq. Brussels: European Civil Protection and Human Rights (ECHO), Available from http://ec.europa.eu/echo/where/middle-east-north-africa/iraq_en (Accessed 13.04.2017).
 - . 2017. Trade. Policy. Countries and Regions: Iraq. Brussels: Available from <http://ec.europa.eu/trade/policy/countries-and-regions/countries/iraq/> (Accessed 20.04.2017).
- European Council. 2004. Final Report: EU Strategic Partnership with the Mediterranean and the Middle East (June), Brussels.
<http://www.consilium.europa.eu/uedocs/cmsupload/partnership%20mediterranean%20and%20middle%20east.pdf> 12.12.2016 (Accessed 12.12.2016).
- . 2005. Council Joint Action 2005/190/CFSP of 7 March 2005 on the European Union Integrated Rule of Law Mission to Iraq, EUJUST LEX, Brussels. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:062:0037:0041:EN:PDF> (12.10.2016) (Accessed
 - . 2005. COUNCIL JOINT ACTION 2005/797/CFSP of 14 November 2005 on the European Union Police Mission for the Palestinian Territories, Brussels: European Council.

- http://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/palestinian_territories_oj/_palestinian_territories_oj_en.pdf (Accessed 16.08.2017).
- . 2008. EU Council Conclusion Iraq 2004-2008, Brussels.
http://eeas.europa.eu/archives/docs/iraq/docs/iraq_council_2004-08_en.pdf 10022017 (Accessed
- . 2009. EU Council Conclusion Iraq 072009, Brussels.
http://eeas.europa.eu/archives/docs/iraq/docs/iraq_council_2004-08_en.pdf 10022017 (Accessed
- . 2010. European Council Decision 2010/330/CFSP on the European Union Integrated Rule of Law Mission for Iraq, EUJUST Lex-Iraq, Brussels.
- . 2013. EU Council Conclusion Iraq 042013, Brussels.
http://eeas.europa.eu/archives/docs/iraq/docs/iraq_council_2004-08_en.pdf 10022017 (Accessed
- . 2014. EU Council Conclusion Iraq 022014, Brussels.
http://eeas.europa.eu/archives/docs/iraq/docs/iraq_council_2004-08_en.pdf 10022017 (Accessed
- . 2014. EU Council Conclusion Iraq 082014, Brussels.
http://eeas.europa.eu/archives/docs/iraq/docs/iraq_council_2004-08_en.pdf 10022017 (Accessed
- . 2015. EU Council Conclusion Iraq 12/2015, Brussels.
http://eeas.europa.eu/archives/docs/iraq/docs/iraq_council_2004-08_en.pdf 10022017 (Accessed
- European External Action Service (EEAS). 2014. Common Security and Defence Policy: EU Integrated Rule of Law Mission for Iraq (EUJUST LEX-Iraq, Brussels.
- . 2014. Strengthening the efficiency and credibility of the criminal justice system and enhancing the rule of law Brussels/ Baghdad: Delegation of the European Union to Iraq (26.5.2014), Available from http://www.eeas.europa.eu/archives/csdp/missions-and-operations/eujust-lex-iraq/pdf/facsheet_eujust-lex_iraq_en.pdf (Accessed 06.10.2016).
- . 2015. Support to the Rule of Law and Justice. Brussels/ Baghdad: Delegation of the European Union to Iraq (26.5.2015), Available from http://www.eeas.europa.eu/archives/csdp/missions-and-operations/eujust-lex-iraq/pdf/facsheet_eujust-lex_iraq_en.pdf (Accessed 06.10.2016).
- . 2016. Iraq and the EU. Brussels: Available from https://eeas.europa.eu/headquarters/headquarters-homepage/690/iraq-and-eu_en#Culture (Accessed 03.03.2017).
- . 2017. High Representative/ Vice-President. Brussels: European External Action Service (EEAS), Available from https://eeas.europa.eu/headquarters/headquarters-homepage_en/3598/High%20Representative/Vice%20President (Accessed 15.03.2017).
- . 2017. Projects Brussels/ Baghdad: Delegation of the European Union to Iraq, Available from [https://eeas.europa.eu/delegations/iraq/search/site_en?page=1&f\[0\]=im_field_regions%3A199&f\[1\]=bundle%3Aeeas_project&culgamom=82Gb4CgzKb98G](https://eeas.europa.eu/delegations/iraq/search/site_en?page=1&f[0]=im_field_regions%3A199&f[1]=bundle%3Aeeas_project&culgamom=82Gb4CgzKb98G) (Accessed 06.10.2016).

- European Parliament. 2012. CSDP MISSIONS AND OPERATIONS: LESSONS LEARNED PROCESSES
Brussels: European Parliament.
[http://www.tepsa.eu/download/CSDP%20Missions%20and%20Operations-%20Lessons%20Learned%20Processes%20\(DG-%20External%20Policies\).pdf](http://www.tepsa.eu/download/CSDP%20Missions%20and%20Operations-%20Lessons%20Learned%20Processes%20(DG-%20External%20Policies).pdf)
(12.02.2017) (Accessed
- Everest, Larry. 2004. *Oil, Power, Empire. Iraq and the Global US-Agenda*. Monroe, USA: Common Courage Press.
- Fawcett, Louise. 2013. *International relations of the Middle East*: Oxford University Press.
- France, Germany, and Russian Federation. 2003. Joint Statement on the Occasion of the Adoption of the Resolution 1511 of the Security Council. New York: Global Policy Forum.
- Freedman, Robert O. 2003. Russian Policy toward the Middle East under Putin: The Impact of 9/11 and The War in Iraq. *Alternatives: Turkish Journal of International Relations* 2(2).
- Fuller, Thomas 2004. *Letter from Europe: What role for Europe in cleaning up Iraq?* International Herald Tribune, June 26, 2004, News.
- Fuller, Thomas , and Brian Knowlton 2003. *White House firm on decision limiting rebuilding contracts: U.S. allies irate over shutout on Iraq work*. International Herald Tribune, December 12, 2003.
- Gause III, F Gregory. 2007. Saudi Arabia: Iraq, Iran, the Regional Power Balance, and the Sectarian Question. *Strategic Insights* 6(2): 1-8.
- Gebhard, Carmen. 2011. Coherence. In *International relations and the European Union*, edited by Christopher Hill and Michael Smith. Oxford: OUP Oxford
- Girdner, Eddie J. 2005. The Greater Middle East Initiative: Regime Change, Neoliberalism and US Global Hegemony. *The Turkish Yearbook* 36: 37-71.
- Glennon, Michael J. 2003. Why the Security Council Failed. *Foreign Affairs* 82(3): 16-35.
- Gordon, Philip H., and Jeremy Shapiro. 2004. *Allies at War. America, Europe, and the crisis over Iraq*. New York et al.: McGraw-Hill.
- Haider, Huma. 2014. Conflict Sensitivity: Topic Guide. Birmingham, UK: GSDRC, University of Birmingham,
- Houghton, David Patrick. 2001. *US foreign policy and the Iran hostage crisis*. Vol. 75: Cambridge University Press.
- 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,
- Jervis, Robert. 2006. Reports, Politics, and Intelligence Failures: The case of Iraq. *The Journal of Strategic Studies* 29(1): 3-52.
- Joffé, George. 2016. The fateful phoenix: the revival of Al-Qa'ida in Iraq. *Small Wars & Insurgencies* 27(1): 1-22.
- Kalyvas, Stathis N, and Matthew Adam Kocher. 2007. Ethnic cleavages and irregular war: Iraq and Vietnam. *Politics & Society* 35(2): 183-223.
- Karsh, Efraim, and Inari Rautsi. 1991. Why Saddam Hussein Invaded Kuwait. *Survival* 33(1): 18-30.
- Katzman, Kenneth. 2005. Iraq: US regime change efforts and post-Saddam governance.
- Kemp, Geoffrey. 2005. *Iran and Iraq: The Shia connection, soft power, and the nuclear factor*: US Institute of Peace.

- Keohane, Robert O., and Joseph S. Nye. 1977. *Power and Interdependence. World Politics in Transition*. Boston, Mass.: Little, Brown.
- Klare, Michael. 1995. *Rogue states and nuclear outlaws: Armerica's search for a new foreign policy*. New York.
- Korski, Daniel. 2010. EUJust Lex (Iraq). In *European Security and Defence Policy. The First 10 Years (1999-2009)*, edited by Giovanni Grevi, Damien Helly and Daniel Keohane, 231-42. Paris: EU Institute for Security Studies
- Kurowska, Xymena. 2007. The transformative European Security adn Defence Policy: between international refashioning and domestic rise of politics. In *Consent for Europe: Constructing Europe Network: Third EU-CONSENT PhD School: The CFSP/ESDP: Effective Multilateralism?* Cambridge.
- Kuzmicheva, Larisa. 2006. EU Foreign Policies in the Middle East--Iran, Iraq, Syria, Israeli-Palestinian Peace Process. Washington DC: Wilson Center, Available from <https://www.wilsoncenter.org/sites/default/files/kuzmicheva.pdf> (Accessed 07.01.2017).
- Lauth, Hans-Joachim, and Christoph Wagner. 2006. Methoden der Vergleichenden Regierungslehre. In *Vergleichende Regierungslehre. Eine Einführung*, edited by Hans-Joachim Lauth, 41-79. Wiesbaden: VS Verlag für Sozialwissenschaft
- Litwak, Robert, S. 2000. *Rogue States and U.S. Foreign Policy. Containment after the Cold War*. Washington DC.
- Makiya, Kanan, and Samir Khalil. 1989. *Republic of Fear: The Inside Story of Saddam's Iraq*: Pantheon.
- Malone, David M. 2007. *The international struggle over Iraq: Politics in the UN security council 1980-2005*: Oxford University Press on Demand.
- Manis, Athanasios. 2016. eCrisis Analysis for Iraq and the EU Relevance, 03/05/2016. Erbil (Kurdistan Region, Iraq): MERI Middle East Research Institute,
- Marfleet, B. Gregory, and Colleen Miller. 2005. Failure after 1441: Bush and Chirac in the UN Security Council. *Foreign Policy Analysis* 1(3): 333-60.
- Marr, Phebe. 2012. *The modern history of Iraq*. Boulder Col.: Westview Press.
- Menon, Anand. 2004. From Crisis to Catharsis: ESDP after Iraq. *International Affairs* 80(4): 631-48.
- Missiroli, Antonio. 2001. European security policy. The challange of coherence. *European Foreign Affairs Review* 01(6): 177-96.
- Müftüler-Baç, Meltem. 2014. Changing Turkish foreign policy towards Iraq: new tools of engagement. *Cambridge Review of International Affairs* 27(3): 538-52.
- NATO. 2016. Operations and missions: past and present. Brussel: Available from http://www.nato.int/cps/en/natohq/topics_52060.htm (Accessed 22.03.2017).
- Nizameddin, Talal. 1999. *Russia and the Middle East: towards a new foreign policy*: Macmillan.
- 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
- Nye Jr, Joseph S. 2003. US power and strategy after Iraq. *Foreign Aff.* 82: 60.
- Ohlers, C Alexander. 2017. Operation Inherent Resolve and the Islamic State: Assessing "Aggressive Containment". *Orbis*.

- Open Aid Data. 2017. Government & Civil Society-general: Iraq. Brussels: Available from <http://www.openaiddata.org/purpose/543/151/918/> (Accessed 13.04.2017).
- Ortega, Martin. 2002. *Iraq: a European point of view, Occasional Papers*. Paris: Institute for Security Studies.
- Ottaway, Marina, and Thomas Carothers. 2004. *The Greater Middle East Initiative: Off to a False Start*. Vol. 7: Carnegie Endowment for International Peace.
- Owen, Roger. 2002. *State Power and Politics in the Making of the Modern Middle East*. London & New York: Routledge.
- Özcan, Mesut. 2011. From distance to engagement: Turkish policy towards the Middle East, Iraq and Iraqi Kurds. *Insight Turkey* 13(2): 71.
- Pfaffenholz, Thania. 2005. Peace and Conflict Sensitivity in International Cooperation: An Introductory Overview. *International Politics and Society* 4: 63-82.
- Phythian, Mark. 1997. *Arming Iraq: how the US and Britain secretly built Saddam's war machine*: Northeastern University Press.
- Post, Svenja. 2015. *Toward a Whole-of-Europe Approach: Organizing the European Union's and Member States' Comprehensive Crisis Management*. Wiesbaden: Springer VS.
- Rathmell, Andrew. 2005. Planning post-conflict reconstruction in Iraq: what can we learn? *International Affairs* 81(5): 1013-38.
- 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.
- Roggio, Bill. 2014. ISIS takes control of Mosul, Iraq's second largest city. *The Long War Journal*. (10 June 2014). Washington DC: Foundation for the Defense of Democracy, Available from http://www.longwarjournal.org/archives/2014/06/isis_take_control_of.php (Accessed 23.02.2017).
- Saferworld. June 2012. EU External Action: Towards Conflict Sensitivity. *Saferworld Briefing*.
- Schimmelfennig, F., and U. Sedelmeier, eds. 2005. *The Europeanization of Central and Eastern Europe*. Ithaca, London: Cornell University Press.
- Sciolino, Elaine. 1991. *The Outlaw State: Saddam Hussein's Quest for Power and the Gulf Crisis*: John Wiley & Sons Inc.
- Simon, Reeva S, and Eleanor Harvey Tejirian. 2004. *The creation of Iraq, 1914-1921*: Columbia University Press.
- Smith, Karen E. 1998. The Use of Political Conditionality in the EU's Relations with Third Countries: How Effective? *European Foreign Affairs Review* 3: 253-74.
- Solana, Javier. 2003. European Union Security Strategy: A Secure Europe in a Better World. European Union, Available from <http://ue.eu.int/uedocs/cmsUpload/78367.pdf> (Accessed 26.1).
- Sponeck, Graf Hans-Christof. 2006. *A different kind of war: the UN sanctions regime in Iraq*: Berghahn Books.
- Tarnoff, Curt. 2006. Iraq: Recent Developments in Reconstruction Assistance. Washington DC: Congressional Research Service,
- . 2015. U.S. Agency for International Development.
- Tarnoff, Curt, and Marian L Lawson. 2016. *Foreign Aid: an Introduction*.

- The Pew Research Center. 2003. America's Image Further Erodes, Europeans Want Weaker Ties. In *The Pew Global Attitudes Project*, 20. Washington, DC: The Pew Research Center for the People & the Press.
- Therme, Clément. 2015. iran and iraq: between reconstruction and Containment. *The Neighbours of the European Union's Neighbours: Diplomatic and Geopolitical Dimensions beyond the European Neighbourhood Policy*: 145.
- 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.
- Toje, Asle. 2005. The 2003 European Union Security Strategy: A Critical Appraisal. *European Foreign Affairs Review* 10(1): 117-33.
- Trevar, Tim. 1999. *Saddam's Secrets. The Hunt for Iraq's Hidden Weapons*. London: Carper Collins.
- Tripp, Charles. 2002. *A history of Iraq*. Cambridge: Cambridge University Press.
- United Nations. 2002. Security Council Resolution 1441. In *Security Council*. New York: United Nations.
- . 2016. Security Council Resolution: UNAM Iraq, New York.
http://www.uniraq.org/index.php?option=com_k2&view=item&layout=item&id=1024&Itemid=636&lang=en [22.03.2017] (Accessed
- . 2017. WFP Iraq Situation Report 45 (25 January 2017 - 28 February 2017), New York.
http://www.uniraq.org/index.php?option=com_k2&view=itemlist&layout=category&task=category&id=161&Itemid=626&lang=en [08.03.2017] (Accessed
- US Department of State. 2017. Operation Inherent Resolve. Available from
https://www.defense.gov/News/Special-Reports/0814_Inherent-Resolve [15.02.2017] (Accessed.
- Wallander, Celeste A., Helga Haftendorn, and Robert O. Keohane. 1999. Introduction. In *Imperfect Unions. Security Institutions over Time and Space*, edited by Helga Haftendorn, Robert O. Keohane and Celeste A. Wallander, 1-18. Oxford: Oxford University Press
- Wedgwood, Ruth. 2003. The fall of Saddam Hussein: Security Council mandates and preemptive self-defense. *The American Journal of International Law* 97(3): 576-85.
- White, Brian. 1999. The European Challenge to Foreign Policy Analysis. *European Journal of International Relations* 5(1): 37-66.
- White, Stephen. 2008. EUJUST LEX: The EU integrated rule of law mission for Iraq. *Obrana A Strategie (Journal of Defence and Strategy)* 8(2): 97-103.
- Yildiz, Kerim. 2007. *The Kurds in Iraq: the past, present and future*: Pluto Press.
- Youngs, Richard. 2004. *Europe and Iraq: from stand-off to engagement?* Brussels: Centre for European Policy Studies.
- . 2008. What has Europe been doing? *Journal of Democracy* 19(2): 160-69.
- Zürn, Michael, and Stephan Leibfried. 2005. Reconfiguring the national constellation. *European Review*(1): 1-36.