

Assessing the Planning and Implementation of the EU Rule of Law Missions: Case Study of EULEX Kosovo

Blaž Grilj¹, Rok Zupančič²

ABSTRACT

The European Union Rule of Law Mission Kosovo (EULEX) is one of the most ambitious and complex EU Common Security and Defence Policy engagements to date. Its planning and deployment have gone through several political and legal difficulties that have challenged the overall EU planning process and exposed some of its internal flaws. This paper assesses the planning phase of EULEX and tries to identify some of the lessons learnt. It draws from the interviews conducted in Kosovo and takes into account both the EU and the non-EU perspectives. Both structural and political challenges affected the assessed planning process and delayed the deployment of EULEX in Kosovo. Due to the various partial interests among EU institutions and member states, the technical aspects of the planning have often been subject to political compromises. The paper further notes that the CSDP missions are positioned relatively low on the agenda of the member states and may occasionally rather serve as an instrument for the EU to “wave its flag” on the occasions where the EU cannot form a unified position. The initial CSDP framework was generally intended to serve as a rather short-term instrument; thus the paper comes to the

¹ CORRESPONDENCE ADDRESS: Blaž Grilj, e-mail: blaz.grilj@fdv.uni-lj.si

² CORRESPONDENCE ADDRESS: Rok Zupančič, PhD, Marie Curie Research Fellow, University of Graz, Centre for Southeast European Studies, Schubertstrasse 21/I., 8010 Graz, Austria, e-mail: rok.zupancic@uni-graz.at

ISSN 1855-7694 © 2016, European Perspectives, UDK: 327 (4)

conclusion that if the EU wants to plan and conduct complex, long-term civilian CSDP missions efficiently, then the mandates and general approach of the EU should be adapted accordingly.

KEY WORDS: EULEX, Kosovo, European Union, CSDP, mission, civilian planning

POVZETEK

Misija Evropske unije za krepitev pravne države na Kosovu (EULEX Kosovo) je ena izmed najbolj ambicioznih in kompleksnih angažmajev v okviru Skupne varnostne in obrambne politike (SVOP) EU. Načrtovanje in napotitev misije sta bili soočeni s številnimi političnimi in pravnimi ovirami, ki so predstavljale izziv za celostni proces načrtovanja misij EU in izpostavile nekatere notranje pomanjkljivosti. Članek obravnava načrtovanje misije EULEX in identificira pridobljene izkušnje v tem procesu. Prispevek temelji na intervjujih, ki so bili izvedeni na Kosovu in upošteva tako perspektivo EU kot tudi zunanje perspektive. Tako strukturni kot politični izzivi so vplivali na proces načrtovanja obravnavane misije in podaljšali čas, potreben za njeno ustanovitev. Zaradi parcialnih interesov EU institucij in držav članic so bili tehnični vidiki načrtovanja pogosto izpostavljeni političnim kompromisom. Članek ugotavlja, da so SVOP misije na političnih agendah držav članic pogosto uvrščene razmeroma nizko in lahko občasno, ko EU ne zmore oblikovati enotnega stališča, služijo zgolj kot instrument EU, da izkaže svojo navzočnost na konfliktnem oz. pokonfliktnem območju. Prvotni okvir SVOP misij je bil načrtovan predvsem kot instrument kratkotrajne narave, ne pa kot dolgoročni angažma EU na nekem območju. Avtorja ugotavljata, da v kolikor EU želi učinkovito načrtovati in izvajati kompleksne in dolgotrajne civilne SVOP misije, potem morajo biti mandati in pristop EU k njihovi izvedbi smiselno prilagojeni.

KLJUČNE BESEDE: EULEX, Kosovo, Evropska unija, SVOP, misija, civilno načrtovanje