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NOTE	
From :	Secretariat
To :	Delegations
Subject :	Concept for EU Monitoring missions

Delegations will find attached the Concept for EU Monitoring Missions as endorsed by the Political and Security Committee on 27 of May 2003.

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Reference documents

- "Towards a wider use of EU monitoring missions" (Coreu SEC 13/03), noted by the PSC on 10 January 2003 (Coreu SEC 132/03)
- Conclusions by the PSC of 22 October 2002 (Coreu SEC 2480/02)
- Outcome of proceedings COWEB 17 October 2002 (DS 588/02 22 October 2002)
- SG/HR Report on the European Union Monitoring Mission (EUMM): Review and Recommendations (30 September 2002, cf. Joint Action (2001/845/CFSP), Article 3.3)
- Ministerial declaration adopted by the Civilian Crisis Management Capability Conference on 19 November 2002 (Council Conclusions, 14184/02 Presse 351)
- Presidency Conclusions from Helsinki European Council (Annex 2 to Annex IV doc. 12323/99, doc 11044/1/99 REV 1)

1. INTRODUCTION

The Political and Security Committee (PSC) has requested the General Secretariat of the Council, in co-operation with the Commission, to further develop the concept and basic principles for the wider use of EU Monitoring missions, including the potential input and lessons learned of the EUMM to the development of a broader monitoring capability[1]. The PSC tasked the Committee for Civilian Aspects of Crisis Management (Civcom) to prepare advice and recommendations, including whether work should be taken forward on the use of the Co-ordinating Mechanism for Civilian Aspects of crisis management to also cover monitors (in addition to Police, Rule of Law, Civilian Administration and Civil Protection). In this task, Civcom should seek advice from EUMM and COWEB[2].

This concept is a working tool, to be developed and reviewed as appropriate.

2. AIM

The purpose of this paper is to provide a concept for monitoring missions as a crisis management instrument. This concept should be flexible enough to be drawn on and adapted for the needs of each specific Monitoring mission on a case by case basis. The paper also raises some questions as regards further steps.

For a more general consideration of the issue of the generic instrument of EU Monitoring Missions, see the discussion paper prepared by the General Secretariat of the Council drawing on contributions from the Commission and the EUMM (Coreu SEC 13/03).

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[1] Several years of ECMM/EUMM operations have given insights in the tasking and operation of a Monitoring mission. However, it is important to bear in mind that ECMM/EUMM experience is time and location specific to the crises in Western Balkans. ECMM/EUMM, and more recently also EUPM, have produced important experience in mission set-up, logistics, security, communications, financing, personnel, reporting procedures and other mission support and administration tasks that provides practical lessons-learned that can be drawn on for Monitoring missions.

[2] Coreu SEC 132/03. Civcom on 21 January 2003 had a discussion of draft outline of the concept. It was at that occasion briefed by the Policy Unit on EUMM experience. COWEB delegates were invited to attend.

3. SCOPE

"Monitoring mission" will for the purpose of this paper apply to the generic tool for conflict prevention/resolution and/or crisis management and/or peace-building that consists of a mission whose primary activity is to observe, monitor and report to the sending organisation on the general political and security situation in the host country or in relation to a specific agreement. Other important potential roles may include e.g. contribution in confidence building among former disputing parties, either directly or indirectly, low level conflict resolution and de-escalation assistance, facilitating contacts between civil society and government and/or disputants etc.

"Monitoring" refers to the working methodology that may be applied in a wide range of different ESDP missions in crisis management and conflict prevention. Example: Monitoring local police is one of the tasks of the EU Police Mission in Bosnia and Herzegovina (EUPM). However, EUPM is not a Monitoring mission.

It should be kept in mind that Monitoring missions are distinct from other forms of conflict prevention and crisis management interventions in that they:

- lack coercive deterrent capacity;
- tend not to have inspection authority;
- are not involved in implementing programmes.

Monitoring missions tend to be characterised by their objective/impartial stance and/or reactive, rather than pro-active, role. Their most specific role may be the collection and transmission of information. This information feeds into the policy-making of the sending organisation.

When the EU is envisaging to undertake a crisis management operation, consideration should be given to the possibility of entrusting such an operation with monitoring tasks. There could be, however, cases, where a specific monitoring operation will be warranted.

This paper focuses on Monitoring missions within the area of civilian crisis management. As regards the importance of close co-ordination and synergy with military aspects, see 'Further steps to be considered', point 6 below.

The scope of this concept does not cover election monitoring and is without prejudice to other activities undertaken under the first pillar.

4. BASIC PRINCIPLES

4.1 Objectives of an EU Monitoring mission

Monitoring missions are a conflict prevention and crisis management tool. An important function of Monitoring missions may be to contribute to "prevention/deterrence by presence". They also enhance EU visibility on the ground, demonstrating EU engagement and commitment to a crisis or region. Their objectives usually include collection of information from a particular area. This function contributes to the decision-making basis for the determination of EU policy towards the mission area and/or conflict in question. Information collected may also benefit the international community as a whole and/or dialogue and confidence building between disputing parties. The objectives of the mission might develop over time during the different phases of a crisis.
In some instances, publication of information collected is part of a preventive strategy. An appropriate balance between preventive presence and information gathering must be ensured.

As for any other crisis management operation, the objectives for the Monitoring mission (Mission Statement) should be defined in such a way that they are possible to fulfil. A mechanism to assess progress and/or an end state as well as an exit strategy should be included in the Mission Statement. Time limited mandates for EU Monitoring missions, renewable after comprehensive evaluation, should be included.

4.2 Context where an EU Monitoring mission might be considered (indicative examples)

- The EU has a privileged and/or impartial position in relation to the parties on the ground (acceptability, access and/or political and economic weight);
- The EU is substantially involved (Community/CFSP/ESDP activities);
- The EU has the lead in implementing an agreement between parties on the ground;
- The EU has comparative advantages as compared to international organisations (e.g. developed a high capacity to set up a mission - rapid response element, rapid mobilisation of personnel and financial resources);

4.3 Co-operation with International Organisations

A monitoring mission can be undertaken both as an autonomous EU-led crisis management operation or in support of efforts of a lead international organisation.

4.4 Types of Monitoring missions (indicative examples)

There is a wide range of Monitoring missions. A specific Monitoring mission, and its specific role, must be established in relation to the particular specific conflict and/or crisis situation being addressed.

However, especially in considering the specific capabilities that may be required, a variety of types of Monitoring missions can be envisaged:

(i) variables according to the phase of the conflict:

- conflict prevention
- peace-keeping
- conflict resolution
- peace building

(Illustrative examples of monitoring of these types: OSCE Mission to Georgia, International Peace Monitoring Team for the Solomon Islands,...)

(ii) variables according to specific functional monitoring tasks

- cease-fire agreement/peace agreement
- demobilisation and disarmament
- border issues
- refugee return
- human rights
- rule of law issues
  ...

(Illustrative examples of missions with these types of tasks: EUMM, United Nations Mission in Ethiopia and Eritrea (UNMEE), OSCE Mission to Georgia, UN Iraq/Kuwait Observer Mission (UNIKOM), UN Verification Mission in Guatemala (MINUGUA), OSCE Mission in Kosovo,...)

Function-specific missions may have differing compositions depending on the nature of the tasks involved (e.g. experts in border control, gender and child protection experts, rule of law experts, experts on disarmament, demobilisation and reintegration of combatants...).

- *variables according to short-term/rapid deployment or longer term, capable of taking on different tasks.*

Short-term missions may be deployed with specific, limited tasks and, as a result, may be small in number. However, as already mentioned, there may be an evolution of the objectives and tasks of the Monitoring mission over time.

4.5 Integral part of the broader EU policy

Irrespective of whether an autonomous (EU-only or EU-led) or EU contribution to wider efforts (e.g. led by international organisations such as UN and OSCE), an EU monitoring effort is part of the broad EU policy towards a country or region.

When drafting the crisis management concept (or its equivalent) to be adopted by the EU to deal with a crisis, it should be ensured that the monitoring mission constitutes an integral part of an overall EU effort to prevent or resolve a conflict. There should be a clear co-ordination with other EU actors and instruments in the same area. This also means that careful consideration must be given to issues such as objectivity/impartiality, credibility and perception by the local population of the mission.

To ensure the consistency of external action of the EU, the activities of the Monitoring mission should be under the authority of the High Representative, acting in close co-ordination with the Presidency and the Commission. In the field, close liaison[1] should be maintained with the EUSR (if appointed), the Presidency, the Commission and EU Heads of Mission.

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[1] wording along the lines of the Council Joint Action on mandate for EU Special Representative in fYROM (article 8) (doc. 14004/02).

4.6 Command and control

Experiences from other CFSP/ESDP actions as regards command and control should be taken into account. The PSC will exercise the political control and strategic direction of the mission. The chain of command should allow for a co-ordinated approach at all levels (cf. remarks above about the Monitoring mission as an integral part of the overall EU effort towards the crisis). The chain of command should be from the Head of the Monitoring mission to the High Representative/Secretary General through the EUSR if appropriate.

4.7 Analysis of information

The geographical and/or thematic Council working group concerned provides a forum for the main recipients of the information gathered and should therefore provide the PSC with analysis and proposals on the substantive activities of the mission in order for the PSC to exercise political control and strategic direction. EU HoMs in the mission area might also be invited to contribute to PSC's considerations.

4.8 Evaluation of the mission

Impact and relevance of the mission should be regularly evaluated on the basis of the provisions set out in the Mission Statement. Criteria and tools for such an evaluation should be developed. Lessons to be learned during and after the mission are of key importance.

5. CORE REQUIREMENTS

In constructing a monitoring mission, notably the following basic core requirements need to be taken into account.

5.1 Formal acceptance by the host country/authorisation

As a prerequisite for the EU to undertake or contribute to a Monitoring mission an invitation from the host State or an authorisation by the UN Security Council or otherwise in accordance with the

UN charter or another authorisation permitted under international law will be necessary[1]. The conditions of deployment should be agreed upon in a SOFA (Status of forces agreement)/SOMA (Status of mission agreement). The agreement should be such that it permits the mission to fulfil its mandate unhindered, including the provision of access to all areas and objects to be monitored.

5.2 Mandate

The mandate for the Monitoring mission should
- set out clear objectives and tasking;
- set out geographic area(s) of operation;
- be goal oriented and include an evaluation mechanism based on the objectives set,
- be time-limited and set out a clear exit strategy;
- include flexibility in the tasking:

(i) remain sufficiently responsive to developments on the ground, giving flexibility to the HoMM within the framework of the strategic guidance by the PSC and direction of the HR;

(ii) respond to new demands with minimum amendment and, if possible, without renewed negotiations with the host parties.

5.3 Security

A monitoring mission can only be deployed where a basic degree of security and order exists in the conflict/crisis area. A monitoring mission may not tend to be deployed

a) if the level of tension has risen to very high and/or violence is already breaking out;

b) when violence is actively being waged between disputants;

c) immediately after a conflict has subsided.

Monitors are normally unarmed. The primary responsibility for ensuring their security lies with the Host State (SOFA/SOMA). In some situations, a military protection force may provide additional security to monitors (e.g. EU operation Concordia).

Monitors may need armoured vehicles depending on the mission. Other security needs may include notably GPS, vehicle-tracking system, mine awareness training.

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[1] In exceptional cases, no state authorities might exist. The presence of the UN as transitional authority would also substitute the need for formal acceptance by the Host State.

5.4 Staffing and job descriptions

Personnel should possess as far as possible:

- familiarity with the country/region of operation;
- interpersonal/negotiating/diplomatic skills;
- skills in the mission language, as well as, where possible, in local languages
- report-writing skills and, appropriate political analytical skills;
- for monitoring missions with thematic or sector focus, staff should possess the necessary specialist skills or experience, e.g. on refugee issues, human rights, in military affairs, civil-military relations etc

The objectives of the monitoring mission should be reflected in the job requirements.

Consideration must be given to the balance between personnel with region specific knowledge and personnel with functional expertise. Special consideration must also be given in the process of drawing up job descriptions and mobilising personnel at national level so as to ensure the quality of the monitors. The Head of Mission is responsible for selecting candidates proposed by contributing states (cf. EUPM). Duration of deployment (one-year minimum?) is another issue to take into consideration.

A method for quality controlling of the staff proposed need to be developed.

5.5 Training

In addition to training organised by the seconding member states within existing national training programmes, EC training projects etc., further training prior to deployment could be organised by the EU or by staff of an existing monitoring mission. The mission itself should conduct induction training upon arrival[1]. Instruments for assessment/evaluation of any training regime proposed need to be developed.

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[1] A lack of training has continuously been identified as a problem within EUMM. EUMM provides two days of basic training, which has been felt as insufficient. EUPM provides one week of induction training.

5.6 Deployment conditions (privileges, immunities and other relevant provisions)

Privileges and immunities and other relevant provisions for the international personnel of the Monitoring mission should be set out in the SOFA/SOMA.

5.7 Structure of the mission

The structure of the mission will depend on its size, type and expected duration. Based on experience from EUMM, the following indicative needs may be considered:

- Local Headquarter: Head of Mission (*), Chief of Staff, Chief Administrative Officer, Analysis section (**), Logistics Officer (*), Transport Officer, Financial/Procurement Officer (*), 4C section: Command, Control, Communications, Computers (*), Management Officer (Chief of Personnel) (*), Legal Adviser, Media Advisor, Security advisor

(*) necessary irrespective of size, type and duration
(**) if analysis of information to be reported is conducted by the mission itself

- Mobile teams: e.g. 3 monitors + 1 interpreter

- Adequate support at HQ level in Brussels, including back up from the Joint Situation Centre.

5.8 Equipment

As for the structure, the equipment needs of a mission will depend on size, type and expected duration. Based on experience from EUMM, the following indicative needs may be considered:

- Vehicles (e.g. 2 vehicles per team), including spare parts and maintenance;
- means of communication (data compatible GSM phones, satellite phones, internet, adequate means of secure communication);
- IT equipment;
- uninterrupted power supply units, generators
- security related equipment (see above)

5.9 Standard operating procedures

Standard operating procedures (SOPs) for EU Monitoring Missions should be developed, to be used in applicable parts to individual missions.

Mission-specific arrangements for personnel administration, including disciplinary measures, must also be considered.

5.10 Public Information policy

A Public Information policy for each Monitoring mission needs to be established, fully explaining the role of the mission to the local population.

5.11 Reporting

Procedures and format for reporting should be developed as well as a method for assessment of its quality.

6. FURTHER STEPS TO BE CONSIDERED

6.1 Capabilities

- Possible use of the Co-ordinating Mechanism for civilian aspects of crisis management

In its tasking to Civcom, the PSC specifically requested it to consider whether work should be taken forward on the use of the Co-ordinating Mechanism to also cover monitors. Each member state has national procedures for the mobilisation of monitors e.g. to the EUMM and for monitors and observers provided for international organisations. For some capabilities needed, Member States may lack a systematic approach for capacity mobilisation. Moreover, depending on the scope of a monitoring mission, specific expertise may be necessary for the mission in order to carry out its monitoring tasks in a professional way.

Against this background, the generic tool of Monitoring missions could benefit from a capacity-related work by the Co-ordinating Mechanism, similar to that on-going in the four priority areas of civilian crisis management (Police, Rule of Law, Civil Administration and Civil Protection). Accordingly, the Co-ordinating Mechanism could commence such work by collection of information on Member States' monitors currently deployed as well as a study of national 'best practices' in identifying capacity.

- Military aspects

In the development of concepts and capabilities, close co-ordination with the EUMC and EUMS should take place. The PSC may wish to request EUMC advice to ensure a comprehensive view.

6.2 Rapid deployment/fact-finding

Monitoring missions may need to be deployed at very short notice. The situation in the field may not allow the time normally required for the recruitment of personnel, appointment of the Head of Mission and procurement of equipment. Some situations may require a deployment of an advance party with associated equipment (IT, vehicles). When setting up a new Monitoring mission, it may be considered whether the resources of (future) existing missions could be used and such flexibility be foreseen by their mandates. Member States would also need to give specific authorisation to use their seconded monitors in the advance party outside the mission to which they were originally assigned. Such advance party with key functions and rapid deployment capability could be established drawing on existing missions. The advance party would have a fact-finding function in rapid deployment situations, in particular to identify needs and prepare for procurement. The advance party would be replaced upon the arrival of monitors, Head of Mission and equipment assigned specifically to the new monitoring mission.

6.3 Participation by third states[1]

Contributions of non-EU states in Civilian Crisis Management Operations are regulated by the document "Consultations and Modalities for the Contribution of non-EU States to EU Civilian Crisis Management" (doc. 15203/02). Regarding participation by third states to a Monitoring mission, a number of elements would need to be considered:

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[1] PM. Two third States take part in EUMM : Slovakia and Norway.

- The consideration of the possible inclusion of countries of the region and/or States with a specific interest/added value for the mission.

- The Joint Action should provide necessary indications on third States invited and modalities of their participation. Personnel from Third States (either seconded or contracted) should be covered by the SOFA/SOMA applicable to the mission. Third States participation should be based upon an appropriate legal basis. Issue of possible contribution from Third States to the common costs of the mission would have to be addressed.

6.4 Financing

PM.

6.5 Legal basis

Article 14 TEU (Joint Action) establishing the mission.

6.6 Lessons-learned by relevant international organisations

The PSC stressed the need to seek comparative advantages, complementarity and added value with the activities of relevant international organisations involved in monitoring. OSCE and UN experience should continue being explored in staff to staff contacts, to be learnt from and so as to ensure that any monitoring role for the EU brings added value.

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