Assessing the European Union's Strategic Capacity: The Case of EUNAVFOR MED Operation Sophia

Anne Ingemann Johansen[1]

Department of Social Sciences and Business, Roskilde University, Roskilde, Denmark

This article argues that the European Union's capacity to use an operational instrument for the purpose of a desired security objective constitutes an important, but conceptually neglected and empirically underexplored, element of its security actorness. In order to fill this gap, the article introduces the concept of strategic capacity and develops an analytical framework for systematic empirical assessments thereof. Drawing on 22 qualitative expert interviews, the framework is applied to the EU's maritime operation against human smugglers in the Central Mediterranean. The article finds that the EU so far has displayed a medium degree of strategic capacity in its fight against human smugglers, but that this only has translated into a low degree of strategic effectiveness. It argues that this low degree of strategic effectiveness is a result of a disconnect between two of the central components of the EU's strategic capacity: its analytical capacity and its strategic decision-making capacity. The EU possessed a high degree of analytical capacity that allowed it to predict the challenges faced by the operation. This did, however, not feed into the political decision-making process as the Council decided on a military instrument prior to any consultation with the European External Action Service.

Keywords: European Union, Strategy, Common Security and Defence Policy, EUNAVFOR MED Operation Sophia, Human Smuggling.

Introduction

The literature on the European Union (EU) as a strategic actor has made important contributions to our theoretical understanding of why it has often been difficult for the EU to establish itself as a fully-fledged strategic actor in the field of security and defence (Biava, Drent, & Herd, 2011; Biscop, 2013; Biscop & Norheim-Martinsen, 2011; Engelbrekt, 2008; Hallenberg, 2008; Hyde-Price, 2004, 2008; Lindley-French, 2002; Norheim-Martinsen, 2011, 2013, Rynning, 2005, 2011a, 2011b; Simón, 2012; Wedin, 2008). While some scholars are more optimistic (Biscop, 2013; Biscop & Norheim-Martinsen, 2011; Norheim-Martinsen, 2013) than others (Hyde-Price, 2008; Rynning, 2011a, 2011b) in terms of the prospects of the EU developing into a strategic actor, there is general agreement in the literature that the EU at present often displays a low degree of strategic capacity. The EU's limited capacity to engage in strategic reasoning and action is

[1] **Correspondence address:** Anne Ingemann Johansen, Department of Social Sciences and Business, Roskilde University, Universitetsvej 1, 4000 Roskilde, Denmark. Email: aijohansen@ruc.dk . Telephone: +45 4674 2837

often explained with reference to the plurality of national interests, its lack of recourse to independent military means and the absence of a common strategic culture. While this literature offers several assessments of the EU's (lack of) strategic capacity, a clear definition of the concept and an analytical framework allowing for systematic empirical assessments have yet to be developed. As a result, existing assessments are often based on theoretical arguments and/or implicit ad-hoc criteria as opposed to structured and focused empirical analyses. In order to fill this gap, this article introduces the concept of strategic capacity and develops an analytical framework for empirical assessments. To illustrate its value, the analytical framework is applied to the case of the EU's maritime operation against human smugglers in the Central Mediterranean.

Defining Strategic Capacity

This article conceptualises an actor's capacity to engage in strategic action as its strategic capacity, which it defines as its internal capacity to select and use an instrument for the purpose of a desired end, if action is needed to achieve this end, taking into consideration and adapting to contextual factors. This definition highlights the two features that distinguishes strategic action from other types of action. The first distinctive feature of strategic action is that it is instrumental in nature. It serves a specific purpose. It seeks to safeguard or advance a particular objective (with more or less success) through the use of instruments (Freedman, 2013; Gray, 1999, 2010, 2016; Howard, 1976). This is not necessarily the case with other types of action. The second distinctive feature is that strategic action takes place in an environment that is characterised by interdependency and conflict and that it takes this into account (Freedman, 2013; Gray, 1999, 2010; Howard, 1976; Schelling, 1960). Other actors may have opposing interests to those of oneself and their efforts to pursue these may exert a conditioning effect on one's ability to achieve a desired objective. While other types of action can also take place in such an environment, strategic action distinguishes itself from the former category by seeking to take contextual factors into account *ex ante* and by trying to adapt to them *ex post*.

The definition of strategic capacity developed in this article has three important implications. First, it underlines that strategic capacity has to do with the linking of means to ends, not ends to means (Norheim-Martinsen, 2011). Second, it emphasises that this linking activity does not take place in a vacuum (Freedman, 2013). Third, it highlights that inaction in some cases can be considered as reflective of strategic capacity. Having presented a definition of the concept of strategic capacity, the following section goes on to develop indicators for empirical assessments.

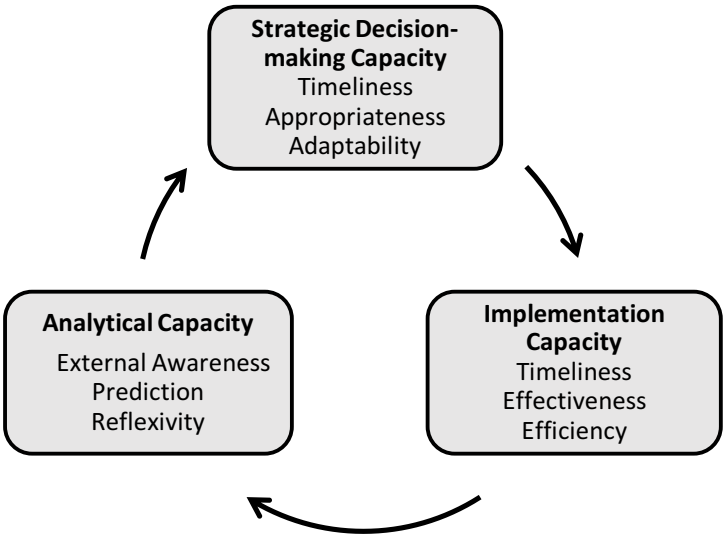
Operationalising Strategic Capacity

Although the existing literature on the EU and strategy offers several assessments of the EU's (lack) of strategic capacity, most of these are based on what Adcock and Collier (2001) would characterise as a background concept. That is, implicit and not necessarily corresponding understandings of what it means for an actor to be in possession of strategic capacity. Engelbrekt (2008)'s conceptualisation of a strategic actor proper marks a rare exception to the rule, but this contribution stops short of developing indicators that can be used for empirical assessments. This is, in turn, what this article sets out to do. For this purpose, Engelbrekt (2008)'s conceptualisation serves as a useful starting point for identifying the qualities needed for engaging in strategic (in)action as it defines the different functions of strategic action.

According to Engelbrekt (2008), a strategic actor displays five characteristics. (1) It has an independent capacity to collect and assess information, which it uses to make an independent study of the world around it. (2) It is able to settle on objectives and priorities. (3) It is able to make an intelligent choice among available means. (4) It has the ability to implement this choice in practical action on the ground in the attempt to reach its formulated goals. (5) It is able to assess what has happened in a given situation and to learn from this experience (Engelbrekt, 2008, p. 3). This article adds an additional characteristic to those of Engelbrekt by arguing that a strategic actor not only learns from its experience, but also (6) actively makes use of this learning by introducing adjustments to policy if needed. The cardinal value of Engelbrekt (2008)'s conceptualisation is that it underlines the interdependence of the constituent elements of strategic action and their sequencing. As a result, the individual components cannot be assessed in isolation from one another.

While Engelbrekt (2008)'s conceptualisation captures the different functions of strategic action, this article argues that only three types of capacities are needed to perform these: an *analytical capacity* (needed for step 1 and 5), a *strategic decision-making capacity* (step 2, 3 and 6) and an *implementation capacity* (step 4). Therefore, this article conceptualises an actor's strategic capacity as being made up of these three different, but highly interdependent, capacities. The interdependency of the three capacities are reflected in figure 1, which also presents the indicators identified and developed for empirical assessments in the following paragraphs.

Figure 1: Key Indicators of Strategic Capacity



Analytical Capacity

In order for an actor to engage in strategic action, it needs to possess an *analytical capacity* that allows it to collect and analyse relevant information and intelligence about the external context and on-going activities (Engelbrekt, 2008). It is also this capacity that allows it to anticipate effects of alternative courses of action and enables it to monitor and evaluate its own implementation of instruments (ibid.). The output of these exercises often take the form of risk and threat assessments, trends and forecasting analyses, options papers or strategic reviews. *External awareness*, *prediction* and *reflexivity* are here developed as key indicators of an actor's analytical capacity. *External awareness* refers to the actor's knowledge of the external environment and its ability to understand it. In this context, understanding refers to the ability to identify and understand relevant causal relations in the external environment. *Prediction* refers to the ability on the part of the actor to foresee outcomes and anticipate the opportunities, challenges and effects associated with alternative courses of action. Whereas *external awareness* has to do with one's knowledge and understanding of the existing, *prediction* is instead reflective of one's ability to use this knowledge and understanding to engage with "what if" scenarios and anticipate outcomes. The third indicator of *reflexivity* is an expression of the actor's ability to evaluate own actions and to identify causes of discrepancy between actual and intended effects. It is also this capacity that enables it to develop policy proposals that address the challenges and/or opportunities faced by the people involved with implementation. An actor's *reflexivity* is partially dependent on a flow of information from its implementation capacity to its analytical capacity. In order for policy-planners to be able to engage in reflective activity and suggest relevant adjustments to an already established link

between ends, ways and means, it is important that they are aware of the strategic context and the challenges and/or opportunities faced at the level of implementation.

Strategic Decision-making Capacity

Strategic action also requires a *capacity for strategic decision-making* that enables the actor to establish a link between ends, ways and means (Engelbrekt, 2008; Norheim-Martinsen, 2013). If action is needed, the outcome of this activity is a mandate. It is also this capacity that allows the actor to adapt to contextual circumstances *ex post* by reconsidering an already established link between ends, ways and means. *Timeliness, appropriateness* and *adaptability* are here developed as indicators of an actor's strategic decision-making capacity. *Timeliness* refers to the adoption of a decision (not) to act and whether it is taken in a timely manner with regard to the objective desired. A decision may at one point reflect an appropriate link between ends, ways and means, but if it is taken too early or too late, the strategic analysis on which it is based may be premature or obsolete. *Appropriateness* refers to the nature of the link between ends, ways and means. It is an indicator of whether, and if so, the extent to which, the nature of the selected instrument, and the way in which it is used, can be considered as likely to contribute to the desired objective. The final indicator of *adaptability* refers to the ability and willingness on the part of decision-makers to reconsider an established link between ends, ways and means if adjustment is needed in order to improve or maintain its appropriateness. All these indicators are partially dependent on the actor's analytical capacity. One cannot make a timely and appropriate (adjustment to a) link between ends, ways and means without an analytical capacity that allows one to anticipate the effects of alternative courses of action.

Implementation Capacity

Finally, strategic action also requires an implementation capacity that enables the actor to employ the selected instrument. This activity takes place at the level where the intended link between ends, ways and means interacts with the context (Clausewitz, Howard, & Paret, 1989). It is usually carried out by people belonging to a specialised profession, such as the military. Drawing on Peen Rodt (2014)'s indicators for evaluating the internal success of military operations launched under the Common Security and Defence Policy, this article uses *timeliness, effectiveness* and *efficiency* as key indicators of the EU's implementation capacity. In order to maintain the intended link between ends, ways and means, it is important that the selected instrument is implemented according to schedule (Peen Rodt, 2014). *Effectiveness* refers to mandate fulfilment, whereas *efficiency* refers to the extent to which the instrument has been

implemented at the lowest possible cost through an efficient use of assets, resources and personnel (Peen Rodt 2014). All these indicators are partially dependent on the actor's strategic decision-making capacity. *Timeliness* is, for instance, often dependent on access to relevant assets, resources and personnel, all of which are at the disposal of decision-makers. In the same way, *efficiency* is not only a question of making efficient use of delegated resources and assets, but also a question of whether the instrument(s) selected by decision-makers can be characterised as cost-effective in light of the objective pursued. Finally, *effectiveness* is closely intertwined with the appropriateness of the link between ends, ways and means, the timing of the political decision and the ability and willingness on the part of decision-makers to introduce appropriate adjustments to policy.

Assessing Strategic Capacity

When assessing an actor's analytical, strategic decision-making and implementation capacity, this article distinguishes between low, medium and high degrees.

A high degree of analytical capacity is characterised by a nuanced understanding of the external environment and on-going activities that allow for a qualified assessment of the possible advantages and disadvantages of alternative courses of, or adjustments to, (in)action. A medium degree of analytical capacity is characterised by a good, but somewhat simple, understanding of the external environment and on-going activities that allows for a partially informed, but imperfect, assessment of the possible advantages and disadvantages of alternative courses of, or adjustments to, (in)action. A low degree of analytical capacity is characterised by an inadequate understanding of the external environment and on-going activities that leads to a flawed or inaccurate assessment of the possible advantages and disadvantages of alternative courses of (in)action.

A high degree of strategic decision-making capacity is characterised by timely and appropriate (in)action by decision-makers and a continuous effort to make sure that the nature of the selected instrument, and the way in which it is employed, remains conducive to the overall objective pursued. A medium degree of strategic decision-making capacity is characterised by (in)action that is relatively timely and which at least partially contributes to the objective desired, while another course of (in)action could be characterised as more appropriate. A low degree of strategic decision-making is characterised by a failure to agree on common action or untimely (in)action that does not contribute to, or works against, the overall objective desired, while decision-makers display no or an inappropriate form of adaption.

A high degree of implementation capacity is characterised by timely launch and implementation of the selected instrument, a high degree of goal attainment and an efficient

use of assets and resources. A medium degree of implementation capacity is characterised by a relatively timely implementation of the instrument that partly, but not completely, jeopardises the intended link between ends, ways and means, and which is able to fulfil parts of the mandate in a reasonably efficient way. A low degree of implementation capacity is characterised by an inability to implement the selected instrument or a highly premature or delayed implementation of it that destroys the intended link between ends, ways and means, an inability to fulfil the mandate and a highly inefficient use of resources.

High scores on all or most indicators are coded as a *high degree of strategic capacity*. Medium scores or a mix of low, medium and high scores on the nine indicators are coded as a *medium degree of strategic capacity*. A majority of low scores on the indicators are coded as a *low degree of strategic capacity.*

Assessing the EU's Strategic Capacity in the Case of EUNAVFOR MED

In order to illustrate its value, the article goes on to apply the analytical framework to the case of the EU's maritime operation in the Central Mediterranean that goes under the acronym EUNAVFOR MED Operation Sophia (EU Naval Force Mediterranean Operation Sophia). The analysis draws on data collected from document analysis, 22 semi-structured expert interviews[2] and observations from field visits to the Operational Headquarter of EUNAVFOR MED in Rome, the Force Headquarters of EUNAVFOR MED (that is, the Italian Light Air Craft Carrier GARIBALDI), the EU's Regional Task Force Office in Catania, Sicily, and the International Coordination Centre of Frontex's Joint Operation Triton in Rome. The semi-structured interviews were carried out in Brussels, Rome, Pomezia and Catania in the period from February 2016 to March 2017 with key actors contributing to the EU's analytical, strategic decision-making and implementation capacity in the case of EUNAVFOR MED. The list of interviewees includes one Foreign Minister from a Member State of the EU, one high-ranking official from the Cabinet of the High Representative, one representative to the European Union Military Committee, one representative to the Political and Security Committee, two members of the Political-Military Working Party, five officials from the European External Action Service, two officials from the Operational Headquarters in Rome, two officials from the Force Headquarters, an Italian prosecutor and three Frontex officials. Having explicated the sources of data, the remaining part of the article presents an assessment of the EU's strategic capacity in the case of EUNAVFOR MED. As the operation is still on-going, it is too early to undertake a conclusive assessment, but a preliminary assessment can nevertheless be made. It is important to undertake a preliminary

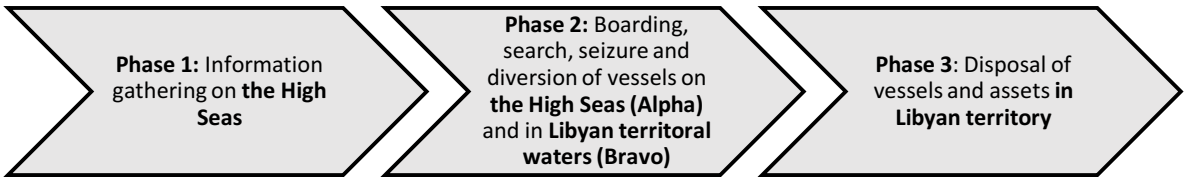
[2] There is a list of the interviews at the end of this contribution.

assessment as it can explain why the operation so far has been unable to transition beyond phase 2 Alpha and shed light on the chances of the operation ever being able to fulfil its mandate. The timeframe of the analysis spans the summer of 2013 to March 2017.

Background for EUNAVFOR MED Operation Sophia

On the night of 18 April 2015, a ship carrying over 800 migrants capsized off the coast of Libya (Miglierini, 2016). While this was not the first of such incidents, it marked the largest loss of life in a single incident in the Mediterranean. Irregular migration to the EU via the Mediterranean had been increasing since late 2013 due to a combination of push factors in the EU's southern neighbourhood. The scale of the flows reached previously unseen levels in 2014 and 2015, as did the number of deaths. 2014 marked a particularly lethal year with over 3500 fatalities, but by early spring of 2015, it was clear that this number was going to be surpassed within a few months (UNHCR, 2015). The 18 April shipwreck took place just days before a joint Foreign and Home Affairs Council scheduled for 20 April, where EU Ministers of Interior and Foreign Affairs pledged to reinforce the fight against human smugglers (European Commission, 2015). The joint Council meeting was followed by an extraordinary European Council on 23 April, where Heads of States invited the High Representative to "immediately begin preparation for a possible CSDP operation" to undertake "systematic efforts to identify, capture and destroy vessels before they are used by traffickers" (European Council, 2015). The operation was officially established on 18 May under the name EUNAVFOR MED[3]. The core mandate of the operation is "to undertake systematic efforts to identify, capture and dispose vessels and enabling assets used or suspected of being used by migrant smugglers or traffickers, in order contribute to wider EU efforts to disrupt the business model of human smuggling and trafficking networks in the Southern Central Mediterranean and prevent further loss of life at sea". The operation is divided into three sequential phases (see figure 2).

Figure 2: Timeline of EUNAVFOR MED



Phase 1 was initiated on 26 June 2015 and ran until 7 October 2015. It focused on information gathering on the High Seas. On 7 October 2015, EUNAVFOR MED transitioned into

[3] The name of the operation was subsequently changed into EUNAVFOR MED Operation Sophia after a Somali woman gave birth to a baby on-board a German frigate taking part in the operation.

the first part of phase 2 (that is, phase 2 Alpha). As of March 2017, which marks the end date of this analysis, the operation is still in phase 2 Alpha. Phase 2 Alpha focuses on the boarding, search, seizure and diversion of vessels suspected of being used of human smuggling on the High Seas. Phase 2 Bravo is to expand this activity to the territorial waters of Libya. Phase 3 marks the final stage of the operation, where the area of operation is expanded to also include action on Libyan territory.

EU Analytical Capacity in EUNAVFOR MED

The EU's external awareness prior to the launch of EUNAVFOR MED paints a mixed picture. The European External Action Service (EEAS) had been monitoring the situation in Libya for years and possessed in-depth knowledge of developments within the region[4]. EEAS had engaged in advance planning[5] since the summer of 2013 and had already proposed several options papers on military action in Libya. All but one of these documents were, however, related to the provision of security and humanitarian assistance within Libyan territory and took the form of land operations [6]. EEAS had less situational awareness of what was going on in the Mediterranean. Recognising this, it had identified a need for greater information gathering and sharing by and among EU agencies as part of a Political Framework for a Crisis Approach for Libya in October 2014[7]. The proposal was further developed in an option paper that proposed an EU maritime operation in the Mediterranean modelled on the activities of the American Joint Inter Agency Task Force South in the Caribbean against illicit drug trafficking in the Caribbean[8]. The genesis of this proposal can be traced back to an informal discussion between an EEAS official and an American colleague that took place in Malta in the summer of 2014, where the latter shared information on how an amalgam of countries and agencies were cooperating to share information in the Caribbean[9]. EEAS identified a need for something similar in the Central Mediterranean, but made no link to the issue of human smugglers. Instead, the primary purpose of the proposed operation was to enhance the EU's situational awareness in the Central Mediterranean. No advance planning documents had therefore engaged with the questions of

---

[4] Interview (7) with EEAS official, May 2016

[5] EEAS distinguishes between advance planning and crisis response planning. Advance planning is characterised by on-going planning for potential crisis scenarios through the drafting of so-called options papers, whereas crisis response planning is concerned with the development of a response to a crisis that has already manifested itself (Mattelaer, 2010).

[6] Interview (7) with EEAS official, May 2016

[7] Interview (1) with EEAS official, March 2016

[8] Interview (1) with EEAS official, March 2016

[9] Interview (1) with EEAS official, March 2016

human smugglers prior to the political call for what became EUNAVFOR MED on 23 April 2015[10]. In spite of this, EEAS was only given a week to draft the Crisis Management Concept[11]. As the Council already at this time specified that it wanted to launch a maritime operation, EEAS found it natural to make use of the previously proposed operation and adapt it to the objective of disrupting the business model of human smuggling networks[12]. Although EEAS's external awareness of the Central Mediterranean was limited in the initial planning phase, this ended up having little, if any, impact on the EU's strategic capacity as it was compensated for through the design of EUNAVFOR MED's mandate. The operation was divided into three sequential phases where the first was to focus on information gathering in order to ensure that the Operation Commander (OpCdr) would have sufficient knowledge of the strategic environment he was to operate in. In this way, the EU managed to acquire a high degree of external awareness before the more executive parts of the operation were commenced on 7 October 2015 with phase 2 Alpha.

In spite of the limited initial external awareness, EEAS and the European Union Military Committee (EUMC) managed to display a high degree of *prediction*. The main challenges anticipated by the two agencies were, however, not addressed or reflected upon in the political decision. While it is normal procedure first to have EEAS draft a Political Framework for a Crisis Approach that lists and reviews all possible lines of action before the Council decides on a specific instrument, this was not done in the case of EUNAVFOR MED. At the joint Foreign and Home Affairs Council that took place just one and a half day after the 18 April shipwreck, EU Foreign and Interior Ministers agreed on a ten-point plan for immediate action to be taken in response to the 18 April shipwreck. One of the lines of action listed was a maritime operation against smugglers that should be inspired by the positive results obtained by the EU's anti-piracy operation off the coast of Somalia (EUNAVFOR Atalanta) (European Commission, 2015). The proposal was supported by the European Council just three days later on 23 April 2015, where the Council invited the High Representative to immediately begin preparations for a maritime operation against human smuggling networks in the Central Mediterranean. In this way, the link between the end and the mean was made at the political level without prior consultation with

[10] Interview (7) with EEAS official, May 2016

[11] If a military operation is considered as an appropriate response compared to or in combination with other instruments, the Political Security Committee (PSC) will ask EEAS' Crisis Management and Planning Directorate to draft a Crisis Management Concept. This document is a more detailed and concrete proposal for a military operation (Mattelaer, 2010)

[12] Interview (7) with EEAS official, May 2016

EEAS or the EUMC as regards to its appropriateness[13]. Had this been done, interviewees suggest that it is unlikely that either party would have recommended a military response[14].

Many of the challenges that were faced by the operation after its launch were anticipated and pointed out by EEAS and EUMC prior to its establishment. The most significant of these must be characterised as EUNAVFOR MED's inability to transition beyond phase 2 Alpha. From the very beginning, it was clear that the execution of phase 2 Bravo and phase 3 were entirely dependent on a UN Security Council Resolution (UNSCR) or an invitation from the Libyan authorities. In the spring of 2015, no Libyan government was recognised by the international community, and even if there had been, central actors in the EEAS seriously questioned whether it would have allowed foreign boots on the ground[15]. It was also sceptical of the chances of the EU getting a UNSCR due to the EU's strained relationship to Russia after its annexation of Crimea. In its comments on the Crisis Management Concept, EUMC warned decision-makers that EUNAVFOR MED would have limited, or even adverse effects, in the event that it did not acquire the legal framework to transition into phase three[16]. In addition, EEAS questioned the appropriateness of modulating an anti-human smuggling operation on an anti-piracy operation as EUNAVFOR MED, in their view, would be operating in a strategic environment that was qualitatively different from that of EUNAVFOR Atalanta. As argued by a (military) EEAS official:

"Sometimes people want to make a parallel to EUNAVFOR Atalanta but from a military perspective, the two operations are not comparable. When a pirate is kidnapping someone, he does not get his money right away. He needs to negotiate first. In the case of migrants, once they have left the shore or the coast of Libya, the smugglers have already won because they have gotten their money. At the political level, they said, 'okay, we want to disrupt the smuggling networks because we want to save lives at sea', but we [the military] said, 'okay, but if we analyse the threat, if we analyse our enemy, and this is always what we do, what is his centre of gravity? At which moment has he won?' The smuggler wins his war when he is in Libya, not at sea. At sea, it is already over for him. He has made his business, so he is fine. So that is why, when we identified the different steps of the operation, we identified that at the end, if we want to have an effective action, we need to be in Libya. That is why it is the third phase of the operation."[17]

---

[13] Interview (1) with EEAS official, March 2016; interview (12) with EUMC representative, February 2016; interview (13) with official from the Cabinet of the High Representative, April 2016; interview (9) with PSC official, April 2016; interview (11) with Minister of Foreign Affairs, March 2017

[14] Interview (1) with EEAS official, March 2016; interview (7) with EEAS official, May 2016; interview (12) with EUMC representative, February 2016; interview (8) with PMG member, May 2016

[15] Interview (1) with EEAS official, March 2016

[16] EEAS (2015) 696 REV 2; interview (7) with EEAS official, May 2016; Interview (12) with EUMC representative, February 2016

[17] Interview (7) with EEAS official, May 2016

While a maritime operation had turned out to be an appropriate instrument to attack the business model of pirates, EEAS considered it as a less appropriate instrument for attacking the business model of human smugglers. In contrast to EUNAVFOR Atalanta, EUNAVFOR MED could only be effective if it gained a legal mandate to operate on Libyan territory. Considering this unlikely, central actors in EEAS instead favoured a response that would focus on the money flows as opposed to the migratory flows as such a response would go after "the masterminds" as opposed to "the foot soldiers" of the smuggling networks[18]

As for the internal cooperation between the Member States, EEAS also foresaw legal uncertainties as regards to the question of who would be responsible for the migrants rescued and smugglers apprehended as it was unclear who would be taking on the responsibilities of the recipient state. If a group of migrants, for instance, were rescued by a German ship in Italian waters, should possible requests for asylum then be processed by Germany, Italy or through a common EU system[19]? Similar challenges were identified in relation to the legal finish of the operation (i.e., the arrest and prosecution of apprehended suspects). In the case of EUNAVFOR Atalanta, a regional country (Kenya) had accepted the responsibility for prosecuting the pirates apprehended by the operation, but no third state appeared willing to do so in the case of EUNAVFOR MED[20].

Moving on to the third indicator, EEAS has so far also displayed a high degree of *reflexivity*. This can be ascribed to a high degree of external awareness in terms of what is going on in the North African region and a strong flow of information from the EU's implementation capacity to its analytical capacity. EEAS have presented strategic reviews of the operation every six months. The content of these have reflected a distinct ability, on the part of the EEAS, to evaluate EUNAVFOR MED's on-going activities and critically reflect upon causes of discrepancy between intended and actual effects (European External Action Service, 2016). The strategic reviews have contained detailed information about recent and anticipated developments of relevance to the EUNAVFOR MED as well as suggestions for possible adjustments to action. Interviews[21] suggest that the detailed and nuanced appreciation of the challenges and opportunities faced by EUNAVFOR MED to a large extent has been facilitated by a close contact between EEAS and the OpCdr. The two agents have often been in daily contact in order to

[18] Interview (1) with EEAS official, March 2016
[19] Interview (7) with EEAS official, May 2016
[20] Interview (8) with PMG official, May 2016
[21] Interview (1) with EEAS official, March 2016; interview (8) with PMG member, May 2016, interview (14) with official from OHQ, August 2016; interview (15) with official from OHQ, August 2016

exchange information[22], which has resulted in a high degree of congruence between the focus of policy planners and the challenges and/or opportunities experienced by the OpCdr and his forces in the implementation of the operation.

EU Strategic Decision-making Capacity in EUNAVFOR MED

At first sight, the speed by which EUNAVFOR MED was established and launched seem to suggest a high degree of *timeliness,* but a closer look reveals a decision that was politically reactive, but legally premature. EUNAVFOR MED was established only four weeks after the 18 April shipwreck and launched a month later on 22 June 2015. No other EU military operation had ever been launched this quickly. This was, however, only possible because a lot of the normal crisis management procedures were skipped[23], incl. the Political Framework for Crisis Approach and the Military Strategic Option[24]. Interviewees suggest that the High Representative played a key role in the acceleration of the decision-making process by making it clear that she wanted to see results at every Foreign Affairs Council (FAC) meeting. At the following FAC meeting, she wanted the operation to be established, and at the one after that, she wanted it to be launched[25].

Yet, *timeliness* is more a question of acting at an appropriate time than acting in a fast manner. From this perspective, the political decision to establish and launch EUNAVFOR MED can be characterised as politically reactive, but legally premature. The 18 April shipwreck was not the first of its kind and human smuggling networks had been active in the Mediterranean for years. Until April 2015 both the criminal aspect of the irregular migratory flow in the Central Mediterranean was, however, primarily perceived as an Italian problem as opposed to a European concern. Italy tried to propose a maritime operation similar to that of Sophia in late 2013, but did not gain support from the other Member States[26]. This changed after the 18 April shipwreck as decision-makers now felt an urgent pressure "to do something"[27]. From this perspective, EUNAVFOR MED can be characterised as a reactive response from the EU that was a long time under way. From a legal point of view, the establishment and launch of

[22] Interview (1) with EEAS official, March 2016; interview (7) with EEAS official, May 2016; interview (14) with official from OHQ, August 2016

[23] Interview (8) with PMG official, May 2016

[24] The Military Strategic Option (MSO) details the military-strategic objectives related to the end-state of the military operation and specifies the military course of action as well as the resources and assets that are necessary in order to achieve the desired end. It also includes an assessment of feasibility and risk and an outline for a possible Command and Control structure (Mattelaer, 2010).

[25] Interview (13) with official from the cabinet of the HR, April 2016; interview with EEAS official, May 2016.

[26] Interview (3) with EEAS official, March 2017

[27] Interview (11) with Minister of Foreign Affairs, March 2017

EUNAVFOR MED can, however, be characterised as premature as the strategic analysis on which it was based presupposed a legal mandate to operate in Libyan territorial waters and on Libyan territory. No such mandate was acquired prior to the launch of the operation, which so far has made it impossible for the operation to transfer beyond phase 2 Alpha. EU strategic decision-makers can therefore only be said to have displayed a low degree of *timeliness* in the case of EUNAVFOR MED. Had decision-makers not waited so long to respond to the events unfolding in the Mediterranean, they would have had more time to lobby for a legal mandate from the UN to operate in Libyan waters or on Libyan territory.

The link between ends, ways and means reflect a low degree of *appropriateness*. From the beginning, it was clear that there was a significant risk that EUNAVFOR MED never would be able to transition beyond phase 2 Alpha and that the operation in this case, in all likelihood, would be counterproductive to the overall objective pursued. In spite hereof, the Council decided to establish the operation without having gained a mandate from the UN to operate on Libyan territory. From the outside, the speed of the decision-making process indicated a high degree of unity and resolve among the Member States after the April shipwreck, but in reality, several Member States already at this time voiced concern about the proposed link between ends, ways and means. Some were dubious about the effectiveness of the operation and worried that it would become a pull factor or an extremely expensive search and rescue operation[28]. Others worried that it would violate international law or that they would be obliged to take on the responsibility of the recipient state[29]. Few Member States also offered assets and personnel during the initial force sensing[30], but this should also be seen in relation to the fact that costs lie where they fall in EU military operations[31]. In order to address the particular issue of prosecution, efforts were initially made to involve the International Criminal Court (ICC), but it quickly became clear that the ICC could only invoke jurisdiction in cases of human trafficking[32], not human smuggling[33]. Most of the practical issues were eventually resolved by Italy's acceptance to take on the role of the recipient state and its promise to fill any potential asset gaps. The question of the lack of a legal mandate to transition into phase 2 Bravo

[28] Interview (1) with EEAS official, March 2016; interview (10) with PSC representative, April 2016

[29] Interview (7) with EEAS official, May 2016; interview (10) with PSC representative, April 2016

[30] In the initial phase of force sensing, EUMS issues calls for contributions from Member States in order to acquire sufficient assets and resources to carry out the operation.

[31] Interview (7) with EEAS official, May 2016

[32] The principal difference between the two activities is that smuggled people have a consensual relationship with their smugglers and are not exploited after they reach their end destination, whereas this is not the case for trafficked persons. Human smuggling is furthermore always a transnational activity, whereas this does not have to be the case with trafficking.

[33] Interview (8) with PMG official, May 2016

and phase 3 was, however, left unaddressed as Member States conceded to the fact that this problem would have to be solved at a later stage[34]. The High Representative subsequently tried to establish support for a UN Security Council Resolution. However, it quickly became clear that Russia would block any resolution authorising the EU to intervene in Libyan territorial waters or on Libyan territory[35].

The EU's *adaptability* must also be characterised as low. Realising the inappropriateness of the original link between the end and the mean, decision-makers have sought to address the issue by adjusting the former to the latter as opposed to the other way around. As a result, new purposes and narratives of the operation have emerged in order to legitimise the initial choice of instrument. Within EEAS, EUNAVFOR MED has developed into a show-case for inter-agency cooperation[36], while the two additional tasks that were added to the mandate by the Council in the summer of 2016 instead have contributed to narratives of EUNAVFOR MED as a coast-guard training as well as an anti-weapon smuggling operation[37]. While the original purpose of the operation to a large extent reflected Italian interests, the two latest additions to the mandate instead reflect a German and French footprint, respectively[38]. Externally, EUNAVFOR MED has increasingly been framed as a search and rescue operation similar to Frontex's Operation Triton even though this is not part of EUNAVFOR MED's core mandate, but simply a legal obligation. In this way, the mean has not been adjusted to the end. Instead, new ends have emerged in order to justify to operation. This is coded as a skewed form of adaption.

EU Implementation Capacity in EUNAVFOR MED

The *timeliness* of the implementation of EUNAVFOR MED paints a mixed picture as phase 1 and 2 Alpha were launched and carried out in record time, while the lack of a UNSCR to intervene in Libyan territorial waters subsequently has forced the operation into a waiting position being unable to transition into phase 2 Bravo and beyond.

EUNAVFOR MED was initiated just four days after it was officially launched by the Council on 22 June 2016 and it reached full operational capability within 35 days[39]. The speed by which the operation was launched and commenced was enabled by close cooperation

[34] Interview (11) with Minister of Foreign Affairs, March 2017
[35] Interview with (9) PMG official, May 2016
[36] Interview (1) with EEAS official, March 2016
[37] Interview (15) with official from the OHQ, August 2016
[38] Interview (2) with EEAS official June 2016, interview (9) with PMG official, May 2016
[39] Interview (14) with official from the OHQ, August 2016

between CMDP, EUMS, the OHQ and the OpCdr from the stage of the drafting of the Crisis Management Concept (CMC) through the Initial Military Directive (IMD)[40] to the Operational Plan (OPLAN)[41]. During the EUMS' drafting of the IMD an advanced planning team was invited to Brussels from the OHQ of EUNAVFOR MED in Rome, which allowed the OpCdr to commence the drafting of the OPLAN before the IMD was completed. While a draft OPLAN is usually distributed to Member States for review three to four weeks after the IMD has been completed, the OpCdr was able to distribute it only one week after the IMD in the case of EUNAVFOR MED[42]. Less than one month after the launch of the operation, the OpCdr informed the Political and Security Committee (PSC) that EUNAVFOR MED was ready to transition from phase 1 into phase 2 Alpha. PSC gave its approval on 28 September, after which EUNAVFOR MED transitioned into phase 2 Alpha on 7 October 2015[43]. In his six monthly report presented in December 2015, the OpCdr declared that EUNAVFOR MED, from a military perspective, was ready to move to phase 2 Bravo and operate in Libyan Territorial Waters, but that there were a number of political and legal challenges that had to be addressed first. As a strategy to deal with one of these issues, and way to make use of the wait, the OpCdr proposed that EUNAVFOR MED engage in capability and capacity training of the Libyan navy and coastguard as a way to build confidence with the Libyan authorities (EUNAVFOR MED Op Sophia Operation Commander, 2016). The training of the Libyan coastguard was added to EUNAVFOR MED's mandate on 20 June 2016 (along with an enforcement of the UN arms embargo), and officially commenced after a PSC decision on 30 August 2016. In this way, the OpCdr and his forces have demonstrated an ability to launch and implement a military operation in a highly timely manner, but their efforts have been impeded by the lack of a legal framework to proceed to the final phases of the operation resulting in a medium degree of *timeliness*.

EUNAVFOR MED's inability to transition into phase 2 Bravo and beyond has resulted in a low degree of *effectiveness*. The operation has successfully achieved the objectives of phase 1 and 2 Alpha, but these results will contribute little to the overall objective of disrupting the business model of the human smuggling networks if EUNAVFOR MED remains unable to reach phase 3. One of the consequences of the operation's inability to operate in Libyan territorial waters has been that most of the suspects apprehended at best can be

[40] The IMD is drafted by EUMS. It translates the Crisis Management Concept and the Military Strategic Objective into military direction and guidance.

[41] The OPLAN is a highly detailed script of the operation in its entirety that is drafted by the Operation Commander (Mattelaer, 2010).

[42] Interview (7) with EEAS official, May 2016.

[43] Interview (14) with official from the OHQ, August 2016

characterised as foot soldiers, and at worst, migrants, who have not been able to afford a regular "ticket" to cross the Mediterranean and therefore have agreed to take on the role of captain. Since the fall of 2016, the share of suspects falling within the latter group has increased[44]. One of the reasons for this is EUNAVFOR MED's policy on not leaving any vessels behind that can be reused by smugglers. While the policy is meant to prevent smugglers from endangering the lives of migrants by reusing unseaworthy vessels, it has had the unintended consequence that the networks no longer need to have a member on board that can return the vessel to Libya[45]. In effect, migrants that cannot afford a regular ticket can be used as captains, while the real members of the smuggling networks avoid capture. In the legal sense, it is therefore the wrong people that are apprehended, which has also been reflected in the latest sentences given by the Italian authorities.[46] EUNAVFOR MED can therefore at best be said to periodically have disrupted the business model of the networks, while it has been unable to sustain any improvement as the networks have been quick to adapt.

Finally, the implementation of the operation reflects a medium degree of *efficiency*. Close cooperation and coordination with Frontex has ensured an efficient use of EUNAVFOR MED and Triton assets as the two actors exchange patrolling schedules and also cooperate at sea[47]. If a group of migrants, for instance, is rescued by EUNAVFOR MED, these will often be transferred to a Frontex vessel at sea for disembarkation as EUNAVFOR MED vessels are able to stay out on the seas for a longer period of time than those of Frontex. In order to avoid premature port visits for EUNAVFOR MED vessels, Frontex will take on the responsibility for disembarkation. On the other hand, one could argue that the first phase of EUNAVFOR MED could have been carried out at a lower expense, as phase 1 could essentially have been carried out through the use of drones, air patrols and satellites. Such a proposal was originally suggested in the Political-Military Working Party, but it was turned down as light air craft carriers and frigates would signal a higher degree of political will and action[48]. The fact that EUNAVFOR MED in essence is a law enforcement operation carried out by military means also raises the question of whether the same type of activities could have been carried out through the use of less expensive assets such as those used by coast guards[49]. As was the case with the two former

[44] Interview (22) with Italian prosecutor, February 2017
[45] Interview (22) with Italian prosecutor, February 2017
[46] Interview (22) with Italian prosecutor, February 2017
[47] Interview (16) with official from FHQ, February 2017; interview (19) with Frontex official, May 2016; interview (18) with Frontex official, August 2016
[48] Interview (9) with PMG member, May 2016
[49] Interview (9) with PMG official, May 2016

indicators of the EU's implementation capacity, the impeding factors on EUNAVFOR MED's efficiency should be assigned to the nature and content of the political decision-making rather than the course of conduct of the OpCdr and his forces.

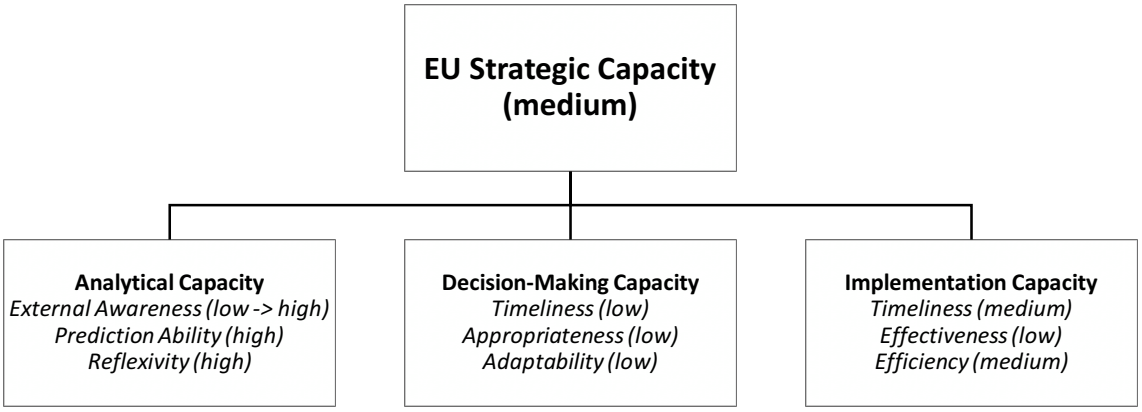
Conclusions

This article set out to establish a definition of an actor's strategic capacity and to develop an analytical framework for focused and systematic empirical assessments thereof. It defined an actor's strategic capacity as its internal capacity to select and use an instrument for the purpose of a desired end, if action is needed to achieve this end, taking into consideration and adapting to contextual factors. On the basis of this definition, three different capacities were identified as necessary in order for an actor to be able to engage in strategic action. It needs to display an analytical capacity, a strategic decision-making capacity and an implementation capacity.

To illustrate its value, the framework was applied to the case of the EU and its maritime operation against human smugglers in the Central Mediterranean. On the basis of the analysis, it can be concluded that the EU so far has displayed a medium degree of strategic capacity in the case of EUNAVFOR MED Operation Sophia as reflected in figure 3. The EU has demonstrated a high degree of analytical capacity that has enabled it to anticipate effects and outcomes of alternative courses of action. This capacity did, however, not feed into the political decision-making process as the Council decided on a military instrument prior to any consultation with the European External Action Service or the EU Military Committee. This has resulted in an inappropriate link between ends, ways and means which so far has made it difficult for the Operation Commander and his forces to fulfil the mandate they were given. In order to address this issue, the Council has introduced new narratives and tasks in order to legitimate the initial choice of instrument. While this has improved the link between ends, ways and means, strategic action is characterised by the linking of means to ends, not ends to means. The EU has therefore engaged in a skewed form of adaption.

While the findings of the empirical case study support many of the assessments found in the existing literature on the EU as a strategic actor, they reveal important nuances of the EU's strategic capacity as a security actor. This reflects the added value of the introduced framework. It not only allows us to distinguish between the constituent elements of an actor's strategic capacity and to explore their interdependency, but also offers an analytical tool for assessments and explanations.

Figure 3: EU Strategic Capacity in EUNAVFOR MED Operation Sophia



List of Interviews

Interview 1: European External Action Service, Crisis Management and Planning Directorate, Brussels, 11 March 2016.

Interview 2: European External Action Service, Crisis Management and Planning Directorate, Brussels, 6 June 2016 (same person as interview 1).

Interview 3: European External Action Service, Crisis Management and Planning Directorate, Brussels, 28 March 2017 (same person as interview 1).

Interview 4: European External Action Service, Crisis Management and Planning Directorate, Brussels, 25 April 2016.

Interview 5: European External Action Service, Counter-Terrorism Division, Brussels, 4 May 2016.

Interview 6: European External Action Service, European Union Military Staff, Brussels, 3 May 2016.

Interview 7: European External Action Service, European Union Military Staff, Brussels, 13 May 2016

Interview 8: European Council, Political-Military Working Party, Brussels, 3 May 2016.

Interview 9: European Council, Political-Military Working Party, Brussels, 17 May 2016.

Interview 10: European Council, Political and Security Committee, Brussels, 25 April 2016.

Interview 11: European Council, Foreign Affairs Council, location cannot be disclosed for anonymity reasons, 3 March 2017.

Interview 12: European Council, European Union Military Committee, Brussels, 12 February 2016.

Interview 13: Cabinet of the High Representative, Brussels, 29 April 2016

Interview 14: Operational Headquarters of EUNAVFOR MED, Rome, 2 August 2016.

Interview 15: Operational Headquarters of EUNAVFOR MED, Rome, 2 August 2016.

Interview 16: Force Headquarters of EUNAVFOR MED / The GARIBALDI Flagship, Catania, 3 February 2017.

Interview 17: Force Headquarters of EUNAVFOR MED / The GARIBALDI Flagship, Catania, 3 February 2017.

Interview 18: Frontex, International Coordination Centre of Joint Operation Triton, Pomezia, 2 August 2016.

Interview 19: Frontex, EU Regional Task Force Office, Brussels/Catania, 19 May 2016.

Interview 20: Frontex, EU Regional Task Force Office, Catania, 8 December 2016 (same person as interview 19).

Interview 21: Frontex, Liaison Officer to EUNAVFOR MED, location and date cannot be disclosed for anonymity reasons.

Interview 22: Prosecution office of Catania, Catania, 3 February 2017.

References

Biava, A., Drent, M., & Herd, G. P. (2011). Characterizing the European Union's Strategic Culture: An Analytical Framework. *Journal of Common Market Studies*, *49*(6), 1–22.

Biscop, S. (2013). Peace without money, war without Americans: Challenges for European strategy. *International Affairs*, *89*(5), 1125–1142.

Biscop, S., & Norheim-Martinsen, P. M. (2011). CSDP: The Strategic Perspective. In X. Kurowska & F. Breuer (Eds.), *Explaining the EU's Common Security and Defence Policy*.

Clausewitz, C. von, Howard, M., & Paret, P. (1989). *On War*. Princeton University Press.

Engelbrekt, K. (2008). Machiavelli and the Making of a European Security and Defence Strategy. In K. Engelbrekt & J. Hallenberg (Eds.), *European Union and Strategy: An Emerging Actor*.

EUNAVFOR MED Op Sophia Operation Commander. (2016). EUNAVFOR MED Op. Sophia - Six Monthly Report, 25 January 2016, Rome, EEAS(2016) 126.

European Commission. (2015). Joint Foreign and Home Affairs Council: Ten point action plan on migration. *Press Release*, 20 April 2015, Luxembourg. Retrieved from http://europa.eu/rapid/press-release_IP-15-4813_en.htm

European Council. (2015). Special Meeting of the European Council, 23 April 2015 - Statement.

European External Action Service. (2016). EUNAVFOR Med Operation Sophia (ENFM) Strategic Review, 13 April 2016, ST 7895 2016 INIT.

Freedman, L. (2013). *Strategy: A History*. New York: Oxford University Press.

Gray, C. S. (1999). *Modern strategy*. New York: Oxford University Press.

Gray, C. S. (2010). *The Strategy Bridge: Theory for Practice*. New York: Oxford University Press.

Gray, C. S. (2016). *Strategy and Politics*. New York: Routledge.

Hallenberg, J. (2008). Introduction. In *The European Union and Strategy - An Emerging Actor*. Routledge.

Howard, M. (1976). The strategic approach to international relations. *British Journal of International Studies*, *2*(1), 67–75.

Hyde-Price, A. (2004). European Security, Strategic Culture, and the Use of Force. *European*

Security, *13*(4), 323–343.

Hyde-Price, A. (2008). A Neurotic “Centaur”: the Limitations of the EU as a Strategic Actor. In K. Engelbrekt & J. Hallenberg (Eds.), *The European Union and Strategy - An Emerging Actor*. Oxon: Routledge.

Lindley-French, J. (2002). In the shade of Locarno ? Why European defence is failing. *International Affairs*, *78*(4), 789–811.

Mattelaer, A. (2010). The CSDP Mission Planning Process of the European Union: Innovatons and Shortfalls. In S. Vanhoonacker, H. Dijkstra, & Heidi Maurer (Eds.), *Understanding the Role of Bureaucracy in the European Security and Defence Policy*. European Integration online Papers (EIoP), Special Issue 1, Vol. 14.

Miglierini, J. (2016). Migrant Tragedy: Anatomy of a Shipwreck. *BBC News*. Catania.

Norheim-Martinsen, P. M. (2011). EU Strategic Culture: When the Means Becomes the End. *Contemporary Security Policy*, *32*(3), 517–534.

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

Peen Rodt, A. (2014). *The European Union and Military Conflict Management: Defining, Evaluating and Achieving Success*. London: Routledge.

Rynning, S. (2005). Less May Be Better in EU Security and Defence Policy. *Oxford Journal of Good Governance*, *2*(1), 45–50.

Rynning, S. (2011a). Realism and the Common Security and Defence policy. *Journal of Common Market Studies*, *49*(1), 23–42.

Rynning, S. (2011b). Strategic Culture and the Common Security and Defence Policy - A Classical Realist Assessment and Critique. *Contemporary Security Policy*, *32*(3), 535–550.

Schelling, T. (1960). *The Strategy of Conflict*. Cambridge: Harvard University Press.

Simón, L. (2012). CSDP, Strategy and Crisis Management: Out of Area or Out of Business? *The International Spectator*, *47*(3), 100–115.

UNHCR. (2015, April 20). UNHCR Calls for Urgent Action as Hundreds Feared Lost in the Mediterranean Boat Sinking.

Wedin, L. (2008). The EU as a Military Strategic Actor. In K. Engelbrekt & J. Hallenberg (Eds.), *The European Union and Strategy - An Emerging Actor*. Oxon: Routledge.