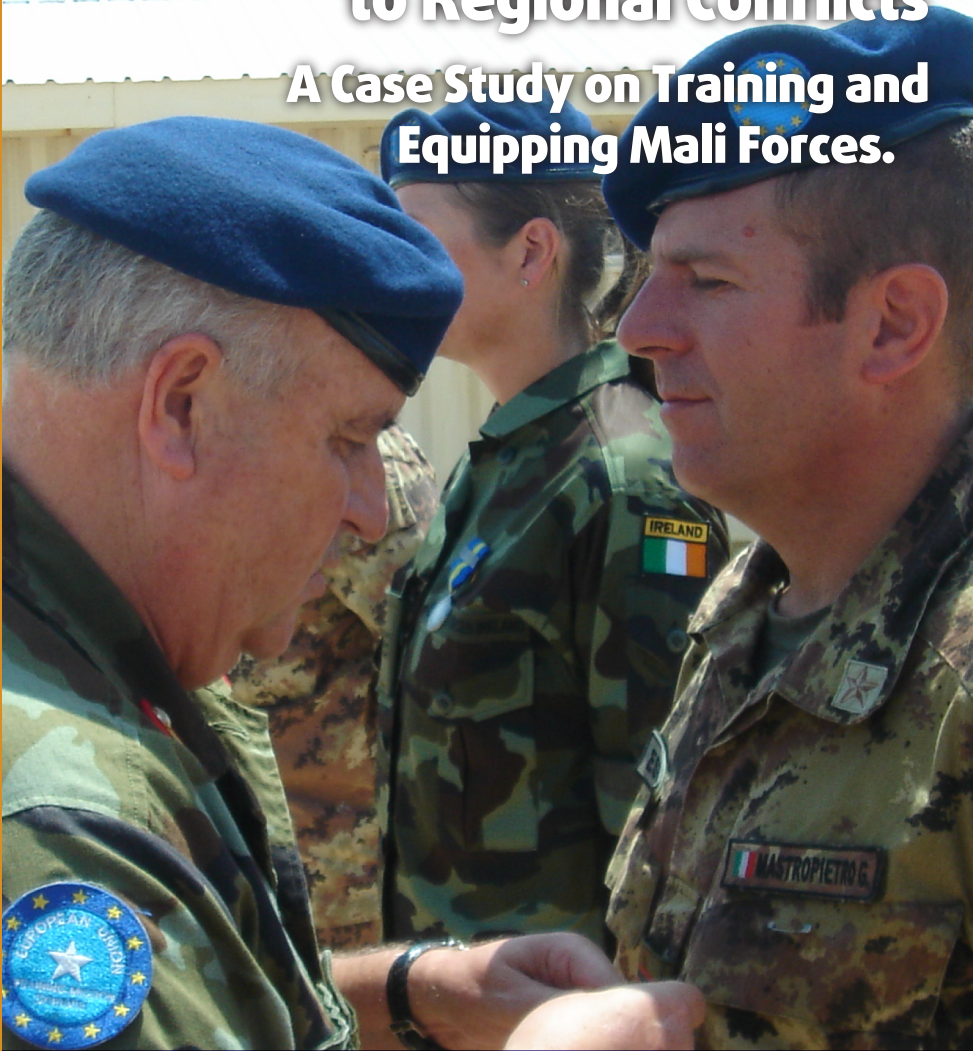


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# The European Peace Facility (EPF) as a Union Response to Regional Conflicts

## A Case Study on Training and Equipping Mali Forces.



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This Food for Thought paper is a document that gives an initial reflection on the theme. The content is not reflecting the positions of the member states but consists of elements that can initiate and feed the discussions and analyses in the domain of the theme. All our studies are available on [www.finabel.org](http://www.finabel.org)

Given the recent conflicts in Europe's neighbourhood, improving the EU's external action programme has become cogent. However, this improvement (especially on the financial side) has been somewhat difficult due to the fragmentation of the tools available. In this sense, the European Peace Facility (EPF) fills a void in the EU's external action toolbox by creating a single instrument to finance Common Foreign and Security Policy (CFSP) actions with military and defence implications. However, at the political level, it creates a controversial policy that faces a lot of criticism. The EPF has a global geographical reach and will replace the existent Athena mechanism and the African Peace Facility. Indeed, the EPF will, for the first time, allow the EU to arm non-EU actors through its train-and-equip clause, aiding foreign governments to increase regional stability. Financed outside the realm of the EU budget, member states (MS) have managed to convene approximately €5 billion to fund the EPF from 2021 to 2027. Many NGOs and other peace organisations have been alarmed by this development, especially because the EPF will provide military coalitions and national armies with small arms. These small arms have been claimed to be most at risk of misappropriation. The EPF will focus mainly on the Horn of Africa, which, in recent years, has suffered serious conflict and poor governmental management leading to potential authoritarian states. This analysis intends to contribute to the academic debate intended to establish whether the EPF legitimises and aids the CFSP's military capabilities abroad. Thus, this analysis aims to bridge the political debate concerning the EPF with the underlying causes of its creation, including the EU's ambition to become a stronger global actor and promote global stability. This paper will begin by analysing the EU's existing capabilities in security and defence, followed by the developments that have led to the creation of the EPF. Subsequently, we will look at the EPF itself and its controversial provisions, including its source of finance, the role of the EU's institutions within the EPF, and the political debate surrounding this instrument. Lastly, we will analyse the case study of the EU's integrated strategy in the Sahel and focus primarily on Mali and whether the use of the EPF and the EU's military missions in the region have succeeded.

This topic is relevant for Finabel MS as it concerns an innovative instrument that will allow the EU and its MS to finance and supply equipment and infrastructure in regions it previously could not reach. It will also help MS increase their influence and maintain stability and peace in other regions. MS will be informed of the new methods to provide military assistance abroad and therefore be able to use this instrument with ease.



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## **ABBREVIATIONS**

<b>AFISMA</b>	<b>African-led International Support Mission in Mali</b>
<b>APF</b>	<b>African Peace Facility</b>
<b>AQIM</b>	<b>Al-Qaeda group in the Islamic Maghreb</b>
<b>ATT</b>	<b>Arms Trade Treaty</b>
<b>AU</b>	<b>African Union</b>
<b>CBSD</b>	<b>Capacity Building for Security and Development Initiative</b>
<b>CSFP</b>	<b>Common Foreign and Security Policy</b>
<b>DEVCO</b>	<b>DG International Cooperation and Development</b>
<b>DRC</b>	<b>Democratic Republic of Congo</b>
<b>ECOWAS</b>	<b>Economic Community of West African States</b>
<b>EDF</b>	<b>European Development Fund</b>
<b>EEAS</b>	<b>European External Action Service</b>
<b>EPF</b>	<b>European Peace Facility</b>
<b>ESDP</b>	<b>European Security and Defence Policy</b>
<b>EU</b>	<b>European Union</b>
<b>EUTMS</b>	<b>EU Training Missions</b>
<b>IMF</b>	<b>Integrated Methodological Framework</b>
<b>FAC</b>	<b>Foreign Affairs Council</b>
<b>FYROM</b>	<b>The Former Yugoslav Republic of Macedonia</b>
<b>IFS</b>	<b>Instrument for Stability</b>
<b>IcSP</b>	<b>Instrument contributing to Stability and Peace</b>
<b>MNLA</b>	<b>National Movement for the Liberation of the Azawad</b>
<b>NATO</b>	<b>North Atlantic Treaty Organisation</b>
<b>NGO</b>	<b>Non-Governmental Organisation</b>
<b>TEU</b>	<b>Treaty of the European Union</b>
<b>UN</b>	<b>United Nations</b>
<b>UNSC</b>	<b>United Nations Security Council</b>

## INTRODUCTION

This paper will treat recent innovations in the field of defence and security and, more specifically, the birth of the European Peace Facility (EPF) mechanism, which replaced the previous ATHENA mechanism and the African Peace Facility (APF). The reason why the European Union (EU) decided to invest time and money in a new plan for defence and security is surely linked to the growing need for affirmation on an international level. The first attempts at military cooperation date back to the 90s, but concrete and notable steps towards creating a real and functional mechanism were only taken in 2003. However, the above-mentioned Athena and APF were structured to be non-budgetary tools. Therefore, the actions they allowed were rather limited and not effective. To obtain more influence on third countries and ensure stability in these countries that can affect EU MS, the EU implemented a new mechanism: the EPF. This new tool allows the EU to carry out training and provide equipment to third countries that struggle to maintain internal or external stability. The EPF consists of an off-budget fund with a financial ceiling of €5.692 billion, financed by MS contributions. Even though the EPF became operational only recently, on 1 July 2021, several controversies have already arisen. Besides the ethical implications deriving

from the fact that a civil organisation is actively involved in the military field by providing training and lethal equipment, it must be highlighted that the EPF is also controversial regarding its political and legal implications. These controversial issues will be thoroughly analysed in the following chapters to explain the connection between the theoretical risks and their concrete management. This background will allow the reader to understand the Mali case study. In Mali, on 18 August 2020, a group of soldiers from the Malian army orchestrated a coup d'État and arrested President Ibrahim Boubakar Keita. The president was forced to resign and dissolve the government and national assembly. Although the putschists promised to organise elections and reinstate the constitutional order, no ac-



tions were taken to this end. The coup has further destabilised the Sahel area and has had severe consequences for the EU and its military operations in the region. Those consequences will be expanded upon in this Food

for Thought to correctly single out the role of the EU in the latest events in the Sahel and answer the original question: does an instrument like the EPF boost the image of the EU as a global actor?

## THE BIRTH OF THE EPF AND ITS GENERAL FRAMEWORK

### 2.1 The Power of the European Union and the Birth of a Defence and Security Programme

Although the EU is an organisation that has been active for well over half a century, its approach to the international scene has undergone several changes. Many times, the EU has alternated between moments of strong presence on the international scene and moments in which its presence was decidedly more marginal, often determined by the individualism of its MS or by the opposition of other international actors. This has led to a discrepancy in the academic perception of the EU. Some scholars recognise a decisive European influence on all current international developments. Other academics believe that the power of the EU is merely superficial and that the EU does not affect the national and international superpowers in an incisive way.<sup>1</sup> Precisely by a progressive spread of the latter school of thought, the EU has strengthened its role on the international stage in recent years. In particular, this emphasis was applied to the EU as an external actor. This is,

in fact, the area in which European influence has always been more fragile. According to the classical realism International Relations (IR) theory, to achieve this increase in global and external action, three sectors must be strengthened, and their capacity for intervention needs to be increased. The first is the economy, which is supposed to be strong; the second is diplomacy, which must be capillary and effective politically; and the third is military capacity.<sup>2</sup> While the diplomatic and the economic sectors have been in a constant state of development and improvement since the birth of the EU, it must be admitted that it is a relatively young actor when it comes to the military. In fact, in December 1998, French President Jacques Chirac and British Prime Minister Tony Blair signed a bilateral agreement (known as the St. Malo Declaration), which led to the launch of the European Security and Defence Policy (ESDP) the following year.<sup>3</sup> The development of a European military power thus began in 1998 and has led to revolutionary developments in the EU's security and defence policy compared to the vague progress made in the previous 50

1. Tuomas Forsberg, "The power of the European Union - What explains the EU's (lack of) influence on Russia?", *Politique Européenne* 1, no.39 (2013): 22-42.

2. Henrik Larsen, "The EU: A Global Military Actor?", *Cooperation and Conflict* 37, no. 3 (2002): 283.

3. Giovanni Grevi, Damien Helly, and Daniel Keohane, (2009) 'European Defence and Security Policy - The first 10 years (1999-2009)', Institute for Security Studies. [online] Available at: [https://www.iss.europa.eu/sites/default/files/EUISSFiles/ESDP\\_10-web\\_0.pdf](https://www.iss.europa.eu/sites/default/files/EUISSFiles/ESDP_10-web_0.pdf).

years.<sup>4</sup> Indeed, in the first half-century following its creation the EU, scarred by its recent history of war and destruction, sought only to establish its presence on the diplomatic scene. However, these ideals of absolute pacifism failed in the 1990s when one of the bloodiest conflicts of the post-war period occurred on the European continent: the Balkan Wars. This made the EU realise that it did not have the necessary tools to pacify such a conflict, although it was profoundly affecting many of its MS.

Aware of its inability to effectively intervene in conflicts, the EU understood the need to increase its influence in external relations and launch its first military missions. The first military mission ever undertaken by the EU was called Concordia. This mission started in 2003 in the former Yugoslav Republic of Macedonia (FYROM) and was a takeover of a previous UN mission in 2001. For the first time in its history, the EU had a leading role in negotiation and conflict resolution. Since the Concordia mission represented an impressive success, the following year, a similar mission was launched in Bosnia and Herzegovina to stabilise the situation in the Balkans after the wars. This operation, called EUFOR Althea, certainly improved relations between the EU and NATO and strengthened the EU's position as a geopolitical actor.<sup>5</sup> These two first missions are pivotal to understanding the development of a security and defence policy within the European Union. In EU external relations, they represented the first occasion to step out of "the traditional approach of us-

ing enlargement, the neighbourhood policy, trade, development cooperation, and international agreements to spread the EU model of integration and advance its interests".<sup>6</sup>

## 2.2 New Geographical Horizons for the European Security and Defence Policy: Operation Artemis

Although the Balkans represented the right moment for the EU to develop its security and defence policy (SDP), the EU soon felt the need to expand its activities. The opportunity to do so arose in Africa, which was (and in some cases still is) torn apart by internal conflicts. Thus, the EU had the opportunity to further develop its CSDP programme in the continent. Its first African military intervention, Operation Artemis, took place in the Democratic Republic of Congo (DRC) in 2003. However, the first contact between the DRC and the EU dates back to December 2002, when the EU called for the end of violence in the Ituri region. At the same time, the UN's Security Council called for and succeeded in withdrawing Ugandan troops from the same region. This led to several internal conflicts between clans that further escalated the situation in the DRC. In 2003, the UN observers reported massacres among civilians, and the humanitarian conditions quickly deteriorated, which resulted in an increasing number of displaced refugees. The peacekeepers sent by the United Nations (UN) started risking their own lives, as they were directly attacked and lacked the skills or capabilities to

4. Maartje Rutten, "From St Malo to Nice. European Defence: core documents", Chaillot Papers, no. 47 (May 2001): 87.

5. Eva Gross, Operation CONCORDIA (FYROM) in European Security and Defence Policy - The first 10 years (1999-2009), in Institute for Security Studies, 2009, p. 174.

6. Eva Hagström Frisell, Emma Sjökvist, To Train and Equip Partner Nations, in FOI: International Military Missions no.7468, 1.



defend themselves or end the violence.<sup>7</sup> Given the state of ferocity in the DRC, the UN General Secretary Kofi Annan requested the then-High Representative for Common Foreign and Security Policy Javier Solana for EU support. Among the MS, France was the first country to show a willingness to participate in this mission. This intervention gave birth to Operation Artemis nearly a month before the EU formal decision to join the mission. France had a preeminent role in managing the operation and mainly provided troops and generals. France, Germany, Sweden, the UK, and Belgium all sent significant forces to the DRC. However, most of the other European countries remained aloof from the battlefield and only provided support to the mission headquarters in Paris.<sup>8</sup> Therefore, while Operation Artemis represents an important precedent in the history of European military missions on the African continent, it should be emphasised that it was substantially driven by a single nation and its foreign policy. This demonstrated the lack of cohesion of the EU on the front of military interventions. There was still a long way to go to create an authentic common foreign and security policy for Europe. Not all MS welcomed the expansion of the EU's powers in this sector. The reasons for this mistrust will be clearly explained in the following paragraphs.

### 2.3 Financing of Military Operations: the ATHENA Mechanism and the African Peace Facility (APF)

For the first part of its history, the EU, as a global military actor, mainly focused, through CSDP, on peacekeeping and crisis management operations. However, after a few years of limiting its actions to these operations, the EU felt the urge to further develop this programme by strengthening African capabilities through military means and training. Nevertheless, the idea of giving support through military equipment and training to external countries was strongly contested by some MS. The basis for this contestation was Article 41(2) of the Treaty on the European Union (TEU), which prohibited the use of the EU budget for “expenditure arising from operations having military or defence implications”.<sup>9</sup> However, some other countries and many European economists appealed to the so-called ‘security nexus’. According to this theory, security and development are interconnected; drawing on the EU development budgets to support any kind of security operations would be possible.<sup>10</sup> The European Council, meeting in Helsinki on 10 and 11 December 1999, agreed in particular that “cooperating voluntarily in Union-led operations, Member States must be able, by 2003, to deploy within 60 days and sustain for at least one year, military forces of up to 50,000 to 60,000 persons capable of the full range of Petersberg Tasks”.<sup>11</sup>

Taking into account what has been said before – since legally speaking operations having military or defence impli-

7. Michael Koenig, (2012), ‘Operation Artemis: The efficiency of EU peacekeeping in The Congo’, E-International Relations. [online]. Available at: <https://www.e-ir.info/2012/10/05/operation-aramis-the-efficiency-of-eu-peacekeeping-in-the-congo/>.

8. Ryan C. Hendrickson, Jonathan R. Strand, Kyle L. Raney, “Operation Artemis and Javier Solana: EU Prospects for a Stronger Common Foreign and Security Policy”, Canadian Military Journal. [online] Available at: (<http://www.journal.forces.gc.ca/vo8/no1/hendrick-eng.asp>)

9. Article 41(2) of the Treaty on European Union

10. Maria Stern, Joakim Ojendal, “Mapping the Security Development Nexus: Conflict, Complexity, Cacophony, Convergence?”, Security Dialogue 41, no.1 (2010) 5- 30.

11. Council Decision 2015/528/CFSP of 27 March 2015 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena) and repealing Decision 2011/871/CFSP

cations cannot be financed from the EU budget – two different mechanisms for financing of military operations were created, namely the *ATHENA* mechanism and The African Peace Facility (APF). On 17 June 2002, the Council approved the arrangements to finance EU-led crisis management operations with military or defence implications. Later, on 14 May 2003, the Council confirmed the need for a rapid reaction capability, particularly for humanitarian and rescue tasks. Eventually, on 22 September 2003, the Council decided that the EU should be able to flexibly manage the financing of common costs of military operations of any scale, complexity, or urgency. By 1 March 2004 at the latest, this would be facilitated by setting up a permanent financing mechanism to assume charge of the financing of common costs of any future EU military operation.<sup>12</sup> On 23 February 2004, the Council adopted Decision 2004/197/CFSP to establish a mechanism to administer the common costs of EU operations with military or defence implications for the EU.<sup>13</sup> That mechanism was called Athena, and it was officially implemented on 1 March 2004. All EU MS, except for Denmark, agreed to contribute financially to EU military operations. Moreover, Denmark decided to opt out of CSDP on military matters completely. In general, Athena can finance the common costs of EU military operations and the national costs linked to national contingents.

Occasionally, Athena can fund further expenses, but only when requested by the Operation Commander and approved by the Special Committee. The Special Committee manages all operations under the authority of the MS, which, in turn, finance the whole mechanism. Moreover, in this Athena Special Committee, the duty of general management falls on an administrator appointed by the EU Council. In the decision-making process, third states, which contribute to financing a certain operation, may be allowed to participate in the meetings relevant for that operation. However, they are not allowed, under any circumstances, to vote. The EEAS and the Commission can also attend the Special Committee's meetings but cannot vote either.<sup>14</sup> Furthermore, the mechanism works as an intergovernmental system, and the amount of funds requested by each MS is based on its Gross National Income.<sup>15</sup> In 2017, €61 million was allocated to the Athena mechanism compared to around €70 million the year before. This only covered a tiny part of the total costs of military CSDP operations (between 5% and 15%). The remaining costs are meant to be covered by participating MS on a “cost[s] lie where they fall” basis.<sup>16</sup> The other mechanism to be analysed is the African Peace Facility (APF). This mechanism was established to donate funds to the African Union (AU). Created in 2004 and planned to be active until 2021, the African Peace Facility is a fund dedicated to promoting continental stability and peace. Between 2004 and 2019,

12. *Ibid.*

13. Council Decision 2004/197/CFSP of 23 February 2004 (O.J. No L 63, 28 February 2004, p. 68).

14. Council of the European Union Press Office, 'Financing of military operations: the ATHENA mechanism.' [online] Available at: <https://www.consilium.europa.eu/en/policies/athena/> [Accessed 27 July 2021].

15. Matthias Deneckere, (2019) 'The uncharted path towards a European Peace Facility', ECDPM. [online] Available at: <https://ecdpm.org/publications/uncharted-path-towards-europe-an-peace-facility/>

16. *Ibid.*



it provided €2.7 billion in financial support to the AU and other African institutions to support conflict prevention. More than 91% of this was spent on peace support operations, resulting in a set of 16 different missions spread across the continent. It is important to underline that this mechanism exclusively covers mission costs such as troop transport, soldiers' living expenses, communication infrastructure, and medical equipment. It was forbidden to cover soldiers' salaries, arms, ammunition, or military equipment and training.<sup>17</sup> However, the introduction of this mechanism was not smooth. On the contrary, its results were rather controversial. Again, exactly as with the Athena mechanism, not everyone agreed on the supposed link between development and security. Consequently, many countries (12 out of the then 15 MS) expressed several doubts about using part of the budget for

developments on military operations.<sup>18</sup> Given these doubts, France mainly carried out the project since it had the strongest interests in Africa. After many negotiations among the MS, the APF was approved, but with a clause. The APF must be “exceptional and transitional”, and, above all, it must be limited to civilian measures.<sup>19</sup> As briefly mentioned above, the APF mechanism was prohibited from contributing to African peace support by providing combat equipment or military training to local soldiers. Nevertheless, despite this ban, the APF was never just a civilian mechanism. By funding transports, accommodations, and food supplies for military personnel, the EU enabled most of the recent military operations in the region. This kind of assistance constituted the basis on which most peace missions were

17. International Crisis Group, “How to Spend It: New EU Funding for African Peace and Security”, Africa Report no. 297, (2021): 3. [online] Available at: <https://reliefweb.int/sites/reliefweb.int/files/resources/297-eu-au-funding-2021.pdf> [Accessed 18 July 2021]

18. Sébastien Loisel, “La création de la «Facilité de paix pour l’Afrique - Jeux sectoriels dans l’élaboration d’un instrument européen de gestion des crises”, Politique européenne 51, no. 1.

19. Santopinti and Maréchal, EU Military Assistance Under the New European Peace Facility, 9.

built, clearly outlining the essential value of EU intervention in the military field. In general, the APF concretely improved the influence and power of the EU on the global security and defence sector, but it nonetheless proved to be limited. As noted above, it is not possible to finance any military activity, and it prohibits the EU from engaging in bilateral military cooperation with a third country.<sup>20</sup> The need to overcome these limits arose roughly 10 years ago when the first military training missions were launched in Somalia and Mali, and the EU did not have the means to equip and train its partners' soldiers. To fill this huge gap, the EU adopted the 'Train and Equip' formula, which uses the development budget for equipping soldiers and troops who fall under the scope of a bilateral agreement of training.<sup>21</sup> This formula was concretised in the "Capacity Building for Security and Development" (CBSD) under the Instrument contributing to Stability and Peace (IcSP). However, CBSD faced the same limits of any other instruments used before as the European Commission prohibited financing any sort of military equipment.<sup>22</sup>

## 2.4 The New European Peace Facility (EPF) Proposal

As discussed in the previous paragraphs, until 2017, the EU had several different tools available, but none of them allowed complete

management of military missions. Many gaps remained in security and defence. The EU soon felt the urge to merge the Athena mechanism and the APF into a more effective instrument that could concretely impact the military dimension of EU intervention. On 13 December 2017, during a conference on the future of EU security and defence policy, Federica Mogherini, the then EU's High Representative for Foreign Affairs and Security Policy, announced the idea of creating a European Peace Facility (EPF)<sup>23</sup> and only one year later a concrete proposal was presented to the EU MS.<sup>24</sup> However, concrete adoption of this new instrument had to wait three more years, progressing through various negotiations, to be officially adopted as the main European defence and security mechanism. On 22 March 2021, the Council adopted a decision establishing the EPF, an extra-budgetary fund worth around €5 billion for 2021-2027, financed through contributions from EU MS.<sup>25</sup> But, besides the huge flow of money directed to this mechanism, what is unique about the EPF and what makes it so different from its predecessors? First, this new mechanism is meant to deal with three distinct missions:

- funding EU military operations;
- supporting their partners in their operations of peacekeeping; and
- providing military training, equipment, and infrastructure to partners' armed forces.

20. Ibid.

21. Ibid.

22. European Commission Fact Sheet, Question and Answers: Measures in support of security and development in partner countries. [online] Available at: ([https://ec.europa.eu/commission/presscorner/detail/it/MEMO\\_16\\_24081](https://ec.europa.eu/commission/presscorner/detail/it/MEMO_16_24081)) [Accessed 13 July 2021]

23. Matteo Bonomi, "Walking the Strategic Talk. A Progressive EU Foreign Policy Agenda Conference Report", IAI Istituto Affari Internazionali 36. [online] Available at: [https://www.esteri.it/MAE/resource/doc/2020/04/iai\\_-\\_eugs\\_watch.pdf](https://www.esteri.it/MAE/resource/doc/2020/04/iai_-_eugs_watch.pdf)

24. Ibid.

25. Consiglio Europeo, L'UE istituisce lo strumento europeo per la pace. [online] Available at: (<https://www.consilium.europa.eu/it/press/press-releases/2021/03/22/eu-sets-up-the-european-peace-facility/>).

The previous mechanisms already supported the first two missions. As was explained previously, the Athena mechanism was used to cover all EU military operations expenses. On the other hand, the APF, created under the European Development Fund and managed by the Directorate-General for International Cooperation and Development (DEVCO), used to support the AU's peace support operations.<sup>26</sup> However, the best news comes from the third point of action. The EPF goes beyond Africa by removing any kind of geographic border and allowing the EU to operate worldwide militarily.<sup>27</sup> This new tool enables the EU to notably expand its competencies by getting permission to transfer defence equipment, including lethal equipment and allowing for military support to a single third state in the framework of a bilateral relationship.<sup>28</sup> It goes without saying that such a development and augmentation of activities requires a considerable amount of money. For this reason, as mentioned, €5 billion were allocated for this new mechanism compared to the 'mere' €2.4 billion allocated to the APF over the past years. With these funds, the EU can transfer non-lethal and lethal weapons to its partners to improve their defence equipment.

## 2.5 Legal Basis

It goes without saying that this mechanism has had pivotal implications on the legal side. High Representative Federica Mogherini proposed establishing the EPF on the basis of Article 30(1) of the TEU.<sup>29</sup> According to this

Article,

any MS, the High Representative of the Union for Foreign Affairs and Security Policy, or the High Representative with the Commission's support, may refer any question relating to the common foreign and security policy to the Council and may submit to its initiatives or proposals as appropriate.

As mentioned in the previous paragraph, the process of creating the EPF has correctly carried out the steps indicated in Article 30(1) TEU. After Mogherini's proposal, the Council decided to implement this instrument under the CFSP with the support of the Commission.<sup>30</sup>

## 2.6 EPF's General Framework

One of the main pillars of the EPF is the ability to supply weapons in the context of military operations. However, a distinction must be made when it comes to exporting weapons. Most of the MS have exported and still export arms and weapons to countries outside the EU, mainly for economic reasons. Profits coming from the sale of weapons abroad still make up the vast majority of their financial profits. The EU, on the other hand, does not hide behind any economic purpose: the export of arms is subordinate to the stability of partner countries, and the will to support peace and, for this reason, monitoring the money flow is essential to maintain a clean image for the EU. However, so far, no actual tools or

26. Eva Hagström Frisell, Emma Sjökvist, To Train and Equip Partner Nations – Implications of the European Peace Facility, 2.

27. Santopinti and Maréchal, EU Military Assistance under the new European Peace Facility, 12.

28. Ibid.

29. Beatrix Immenkamp, European Peace Facility - Investing in international stability and security, in European Parliament Think Tank [online] Available at: ([https://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS\\_BRI\(2021\)690641](https://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_BRI(2021)690641)).

30. Ibid.

mechanisms have been created to guarantee the effectiveness of these controls. The Council decision only stated the possible intervention of the Political and Security Committee in case of controversial actions, but such an intervention seems unlikely.<sup>31</sup> However, this is not the only risk related to the EPF, as there is also the risk that the support provided by the EU will not be considered satisfactory by its partner countries. This is especially true when comparing the EU's actions to support from countries with a strong history of military intervention, such as Turkey and Russia, which provide arms, tools, and equipment without the need for precise monitoring.<sup>32</sup> Another risk is then constituted by the possibility that the troops equipped and trained by the EU can exploit the knowledge and tools acquired to carry out actions that go beyond EU planning, as occurred in Mali. This case study will be analysed in the following chapters, along with a deeper analysis of the critical aspects of the new EPF.<sup>33</sup> It is also necessary to consider the possibility that troops and soldiers included in the EU support programs may decide to desert these programs and join groups of insurgents. In this case, EU intervention would no longer provide a benefit to internal stability but rather the exact opposite, namely the nourishment of pre-existing rivalries and conflicts.<sup>34</sup> As a result, many risk management strategies have been proposed to the EU MS

participating in the EPF. So far, the main tool used in this sense is the provision of unanimity for any decision made in the EPF sector. Furthermore, only the HR/VP and MS are allowed to propose actions so that the European Parliament will not have any power of control but will only obtain regular briefings and updates about the EPF.<sup>35</sup> Moreover, another tool for risk mitigation comes straight from some MS, which called upon the provision of Article 31 of the Treaty on the Europe Union (TEU)<sup>36</sup> to withdraw from certain specific actions of the EPF.<sup>37</sup> Besides these techniques of legal containment, the only action taken by the EU for managing the risks mentioned above is represented by the establishment of the secretariat of the EEAS. This secretariat conducts risk assessments for new EPF actions and proposes necessary mitigation measures and conditions for potential assistance. The EEAS aims to reinstate the dialogue with authorities and local NGOs.<sup>38</sup> Eventually, the EPF upheaves new questions about how risk management practices deem military support. At the same time, it provides an acceleration of the procedure of militarisation of the EU. The extraordinary results and critical issues will be analysed further in the following chapters by giving an overview of one of the most controversial EPF missions: the training and equipment of the Mali forces.

31. Marijn Huijink and Hanna L. Muehlenhoff, 'The European Peace Facility and the Legitimation of European Arms Exports', E-IR. [online] Available at: <https://www.e-ir.info/2021/06/01/gunning-for-peace-the-european-peace-facility-and-the-legitimation-of-european-arms-exports/>.

32. Eva Hagström Frisell, Emma Sjökvist, 'To Train and Equip Partner Nations', 2.

33. *Ibid.*

34. *Ibid.*

35. Beatrix Immenkamp, 'European Peace Facility - Investing in international stability and security' European Parliament Think Tank. [online] Available at: ([https://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS\\_BRI\(2021\)690641](https://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_BRI(2021)690641)) [Accessed 26 July 2021].

36. Article 31 of the TEU.

37. Eva Hagström Frisell, Emma Sjökvist, 'To Train and Equip Partner Nations', 3.

38. Elena Lazarou, 'Peace and Security in 2020 Overview of EU action and outlook for the future', European Parliamentary Research Service. [online] Available at: (<https://eprthinktank.eu/2020/09/10/peace-and-security-in-2020-overview-of-eu-action-and-outlook-for-the-future/>) [Accessed 1 August 2021].

## ANALYSIS OF THE EPF FRAMEWORK AND ITS IMPLICATIONS

The EU's intentions to create an integrated approach to foreign conflicts and crises have been expressed in multiple strategies and policy papers. In its 2016 EU Global Strategy, the EU also recognised the need to include regional, local, and global actors.<sup>39</sup> The EU has since introduced multiple legal instruments that increase its strategic capabilities, including the EPF. As established in the last chapter, this tool will allow the EU to fund military training and provide equipment and infrastructure to foreign nations. Indeed, it has both a military and political element, as its purpose will be to increase the effectiveness of EU military training and increase the EU's presence in foreign countries.<sup>40</sup> The origin of such a tool was driven by the EU's objective to increase its foreign military presence and increase its geopolitical power to advance its foreign strategy. The EPF will drive the EU to become "a more robust and credible security actor".<sup>41</sup> A further potential reason for the development of the EPF by the EU concerns the EU's desire to be at the same level as other multilateral security organisations. Indeed, the EU aims to provide military equipment to foreign nations more easily. However, it is still bound by its intricate constitutional complexities, such as complex decision-making procedures, which will continuously slow it down.<sup>42</sup> As evident from the first chapter, the EPF aims to provide a different instrument for the EU and fill a gap within the EU's fi-

ancial tools.

Following the initial analysis of the EU's existent strategic military capabilities and, in turn, the creation of the EPF, this chapter will provide a deeper analysis of the framework of the EPF and its controversial provisions. These are a novelty in the EU's military capabilities and have caused great controversy among MS, which greatly differ in their opinions.

### 3.1 The EPF's and its Controversial Provisions

While the EPF contributes to the EU's global ambitions and increases its military capabilities, it has also brought many dilemmas. Indeed, the EPF did not arise without criticism, as providing lethal equipment and training to foreign troops in conflict states may worsen their condition. Particularly when some of these states "have (semi-)authoritarian regimes and/or a poor track record on human rights and good governance".<sup>43</sup> Furthermore, other factors are required to be taken into consideration when providing lethal equipment to a foreign state. These include analysing the mode of governance existent in such a state and whether there is any political polarisation within the military or the state itself that could lead to a potential military coup. Critics have also expressed fears of the EU's transition from 'soft' power to 'hard' power.<sup>44</sup> Indeed,

39. Deneckere, "The uncharted path towards a European Peace Facility".

40. Eva Hagström Frisell, Emma Sjökvist, 'To Train and Equip Partner Nations', 2.

41. *Ibid.*

42. *Ibid.*, 19.

43. Deneckere, "The uncharted path towards a European Peace Facility", 8.

44. Eva Hagstrom Frisell and Emma Sjökvist, (2021), 'To train and equip partner nations - implications of the European Peace Facility', FOI. [online] available at: [file:///Users/RitalLobo/Downloads/FOIMemo7468%20\(2\).pdf](file:///Users/RitalLobo/Downloads/FOIMemo7468%20(2).pdf)

the EU has traditionally boasted a strong economic power, which has provided it with a degree of influence and soft power within the external field. However, the EU has been attempting to build and increase its external security and defence capabilities throughout the years. Indeed, this is evident in the European Procurement directive, the EDF and more recently, the EPF. The EPF allows the EU to supply lethal weapons to foreign states, which will aid these states in conflict prevention and peacebuilding while also furthering the EU's geopolitical agenda.

As mentioned in the first chapter, this financial instrument will allow the EU to supply

lethal weapons to support ongoing EU military missions and finance other countries that do not have existent EU military mandates with current EU military missions. This poses many questions for legislators and critics as the EU will have the liberty to choose countries that perhaps have not been on their radar before.<sup>45</sup> Furthermore, it may also lead to regional and local discontent within some foreign countries that do not wish to have western (EU) intervention. First, we will look at the general risks of the EPF, which include the 'Train and Equip' clause and the supply of small arms. Afterwards, we will discuss the specific risks of the EPF, including situations



45. Ibid.



of local discontent with the government and/or military forces resulting in the misuse of the EPF.

### 3.1.1 'Train and Equip' clause

The most significant EPF controversy does not come from applying this mechanism but from the text itself, in the 'Train and Equip' clause, which allows the EU to arm foreign forces. This clause is a novelty for the EU as it will be the first time it will be able to directly provide foreign states and their military with lethal weapons and infrastructure.<sup>46</sup> The 'Train and Equip' clause also compensated for the recurring shortcomings in the EU training missions (EUTMs).<sup>47</sup> Indeed, in the first training mission to Somalia, the EU faced significant legal constraints that prevented it from providing military equipment and infrastructure. In turn, without equipment, training is not as effective. The Somali forces also suffered from a lack of non-lethal equipment, such as boots, water bottles, and adequate living conditions. The development of EPF will help fill this capability gap of the EUTMs and thus provide both lethal and non-lethal equipment. By providing this equipment to foreign troops, their morale will increase, which consequently improves military capabilities.<sup>48</sup>

### 3.1.2 Distribution of Small Arms

Notably, the EPF also includes a clause that allows for the procurement of small arms.<sup>49</sup> This has caused great controversy as small arms "frequently [cause] the most harm and [are] most at risk of misuse and diversion in fragile contexts".<sup>50</sup> Furthermore, several arms experts have said that small arms have a long life span, making them possibly highly detrimental, as the EPF will be focusing on the Horn of Africa, a region already "awash with weapons that have accumulated over decades of war".<sup>51</sup>

### 3.1.3 Specific Risks that the EPF Could Aggravate

When the local population holds a certain distrust of a state's security forces, it causes internal division. As will be established in the following chapter, many young people in Mali have joined "non-state armed groups"<sup>52</sup> due to this sense of insecurity. Indeed, the situation in Mali escalated when the democratically elected government of Mali was overthrown in 2020.<sup>53</sup> The coup was led by the Mali Armed Forces and was the second coup in the last 10 years.<sup>54</sup> The political situation in Mali is extremely unstable, and therefore there lies considerable danger in providing training and weapons to their armed forces. On the other hand, the military personnel involved in the coup has not been proven to have been trained by the EU. However, this event clearly

46. Hooijink and Muehlenhoff, (2021), 'The European Peace Facility and the Legitimation of European Arms Export'.

47. Eva Hagström Frisell and Emma Sjökvist, (2021), 'To train and equip partner nations - implications of the European Peace Facility', FOI. [online] available at: [https://www.foi.se/rst-apt/rapport/FOI%20Memo%207468\\_p.4](https://www.foi.se/rst-apt/rapport/FOI%20Memo%207468_p.4)

48. Ibid.

49. Saferworld, (2021) 'Weapons for peace? What to expect in 2021 from the EU's new 'peace facility''. [online] available at: <https://www.saferworld.org.uk/resources/news-and-analysis/post/936--weapons-for-peace-what-to-expect-in-2021-from-the-eus-new-peace-facility>.

50. Ibid.

51. Ryan Klem, (2019), 'EU Weapons Exports will backfire'. PeaceLab. [online] available at: <https://peaceclab.blog/2019/08/eu-weapon-exports-will-backfire>.

52. Deneckere, "The uncharted path towards a European Peace Facility", 9.

53. Eva Hagström Frisell, Emma Sjökvist, To Train and Equip Partner Nations, 2.

54. Ibid.

illustrates the risk involved in training foreign military troops without properly assessing the region's stability.

Another example is Somalia, where lethal weapons ended up in the wrong hands due to the lack of civilian oversight and other monitoring schemes.<sup>55</sup> The EU had funded an AU mission in Somalia to deter Al-Shabaab, but the terrorist organisation continuously confiscated equipment from the EU's operation.<sup>56</sup> Once again, this demonstrates how the EPF can be a dangerous tool in conflict-torn countries and, instead of promoting peace and security, can unintentionally drive regional instability.

In other cases, the arms provided by the EPF were used to suppress the civilian population by impeding protests. In turn, supplying lethal weapons to third states can be disadvantageous for the EU and end up causing further regional instability. Furthermore, training foreign military forces and providing them with weapons can also illegitimate the operation, as some have previously committed human rights breaches or failed to protect civilians. Indeed, if the lethal weapons provided by the EU end up in the wrong hands, this could consequently undermine and discredit the EU itself.<sup>57</sup> According to a study, another concern of applying this 'Train and Equip' tool to foreign troops is that trainees might potentially "desert their troops" and join adversary groups.<sup>58</sup>

This can occur when there is a shift in loyalty

between state armed forces and local armed groups.<sup>59</sup> This is a tangible risk in foreign states, where locals distrust the government and, therefore, its military forces and in situations where the relationship between the government and the military has been damaged, causing the military to seek other, usually illegitimate alternatives.<sup>60</sup> Indeed, if the government neglects the welfare of its people or soldiers, then the latter tend to divert to other communities and take their skills and weapons with them.<sup>61</sup> This example will be evaluated more thoroughly in the following chapter.

Based on the analysis above, it is evident that the 'Train and Equip' clause gives rise to pressing concerns on the potential misappropriation of skills and equipment, which can work against local people and even the democratic structures of the concerned country.<sup>62</sup> Therefore, legal and political safeguards are of utmost importance within an instrument such as the EPF. Indeed, members of the European Parliament have emphasised the importance of strong legal and political safeguards to prevent these weapons from being misappropriated.<sup>63</sup> Other stakeholders, such as non-profit organisations, have also shown strong dissent for implementing the EPF mechanism and have expressed serious concerns that providing lethal weapons to a state in conflict could cause problematic situations, such as creating an authoritarian state.<sup>64</sup> Another critique arose from a Belgian think tank that claimed a similar opinion regarding the misuse of lethal

55. *Ibid.*

56. Lucia Montanaro and Tuuli Raty, (2019), 'EU's new €10bn 'peace facility' risks fuelling conflict', *EU Observer*. [online] available at: <https://euobserver.com/opinion/146718>.

57. Santopinto and Maréchal, (2021), 'EU military assistance under the new European Peace Facility', p.17.

58. Eva Hagström Frisell, Emma Sjökvist, *To Train and Equip Partner Nations*, 2.

59. *Ibid.*

60. *Ibid.*

61. *Ibid.*

62. *Ibid.*, 3.

63. *Ibid.*

64. Alexandra Brzozowski and Tiago Almeida, (2021), 'EU adopts €5 billion fund to train and equip foreign military forces', *Euractiv*. [online] available at: <https://www.euractiv.com/section/eu-council-presidency/news/eu-adopts-5billion-fund-to-train-and-equip-foreign-military-forces/>.

weapons and training in countries that suffer from “poor governance and management”.<sup>65</sup> Thus, these safeguards should include human rights checks, monitoring schemes, and effective exit protocols if the EU has to quickly withdraw assistance in case of serious violations, breaches of trust, or internal conflicts.<sup>66</sup> However, the benefits of providing training and weapons to third states are evident as the EU will be able to assist and ensure stability in other states and act as a true global actor.<sup>67</sup> Nevertheless, the issue here is that the EU must assess when such weapons should be provided and when it should refrain from doing so.<sup>68</sup>

### 3.2 Source of Finance for the EPF and the Role of the European Institutions

As mentioned in the first chapter, the EPF will be financed outside of the EU budget. The reason for this goes back to Article 41.2 TEU,<sup>69</sup> which prohibits the EU budget from financing “operations having military or defence implications”.<sup>70</sup> In turn, this means that the institution responsible for the EPF is the Council. Conversely, the European Parliament holds a solely advisory position and boasts no parliamentary control.<sup>71</sup> Indeed, it will have a restricted role both within the EPF and in ensuring its transparency and accountability.<sup>72</sup> In an attempt to reassure concerned

MS, The Council has stated that it will make sure the EPF is in accordance with “international standards”.<sup>73</sup> Furthermore, included in the EPF is the Integrated Methodological Framework (IMF), which provides a risk assessment for the EPF to follow the procedure on a case-by-case basis for assistance measures that include the provision of lethal weapons.<sup>74</sup> The IMF also has a political aspect. The country that will be supplied with equipment and infrastructure has to undergo a test of compliance with international law, physical security, stockpile management, and export control.<sup>75</sup> In other words, the IMF ensures that the EU complies with international law and the Arms Trade Treaty (ATT). The latter has been formerly criticised for merely legitimising “arms trade and maintains racialised global hierarchies”.<sup>76</sup>

Another reason why the EU’s budget does not finance the EPF is to ensure that certain MS who do not wish to participate in “sensitive transfers” may do so.<sup>77</sup> This will also include a financial abstention from contributing to the EPF. Thus, while still contributing to the EPF, these states may publicly assert that they abstained from supporting specific missions and have no affiliation with any resulting consequences.<sup>78</sup>

65. *Ibid.*

66. Santopinto and Maréchal, (2021), ‘EU military assistance under the new European Peace Facility’, 18.

67. *Ibid.*, 20.

68. *Ibid.*

69. Consolidated Version of the Treaty on the European Union (2008) OJ C115/13.

70. Eva Hagström Frisell, Emma Sjökvist, To Train and Equip Partner Nations, 2.

71. Hoijtink and Muehlenhoff, (2021), ‘The European Peace Facility and the Legitimation of European Arms Export’.

72. Eva Hagström Frisell, Emma Sjökvist, To Train and Equip Partner Nations, 7.

73. *Ibid.*

74. Hoijtink and Muehlenhoff, (2021), ‘The European Peace Facility and the Legitimation of European Arms Export’.

75. *Ibid.*

76. *Ibid.*

77. Santopinto and Maréchal, (2021), ‘EU military assistance under the new European Peace Facility’, 17.

78. *Ibid.*, 17.

### 3.3 Legal Safeguards of the EPF: Article 64

The EU put legal and political safeguards to ensure that the EPF is used for its intended objectives. Article 64 of the Council decision<sup>79</sup> includes a suspension and termination of assistance measures provision. This provision may be resorted to by MS or the High Representative in situations where there are existing concerns that the country provided with assistance can no longer guarantee the effectiveness and safe use of the equipment and infrastructure.<sup>80</sup> However, as has been noted by the IMF, this provision is highly political, and a thorough case-by-case analysis of the circumstances is required.<sup>81</sup>

Because the EPF is a highly political instrument, the EU and its MS are required to vote unanimously, and therefore undergo the decision-making process as determined by the Common Foreign and Security Policy. Furthermore, as mentioned, a case-by-case analysis is required, which considers the risks and conditions of the concerned foreign state. This assessment also includes a constant exchange with local authorities, NGOs, and other stakeholders in the field. In turn, this assessment ensures a well-studied approach while simultaneously reducing the development of any potential risks. Other preventive measures that ensure the correct implementation of the EPF include conditions linked to human rights and humanitarian law. Others suggest that the EU should follow the UN's human rights due diligence policy until the

EU develops its own. Indeed, many precautionary measures may be introduced within the EPF to ensure the correct use of the training and equipment by foreign troops. This could include preventive measures analysing where such resources should go and follow-up mechanisms to ensure that trained personnel and equipment do not end up switching sides. As mentioned, the IMF provides a legal and political safeguard for the EPF to ensure compliance with the Arms Trade Treaty (ATT). Notably, the 2019 update to the Common Position 2008/944/CFSP failed regarding the common rules governing controls of EU MS exports of military technology and equipment with the ATT.<sup>82</sup> Specifically, Article 7.4 was not updated, which demands state parties to refrain from exporting any military equipment if there is the risk that it is being used “to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children”.<sup>83</sup> Follow-up mechanisms are of paramount importance, as trained personnel may end up applying their knowledge in ways that the EU did not intend. Therefore, the EU has proposed to begin offering training in remote locations and “for trainees to be accompanied by partner units in the field to monitor the implementation of the training”.<sup>84</sup> Based on the analysis above, the EPF represents the EU transition from its previously characteristically soft power into hard power. However, the EPF and its procedures have also posed serious questions in the EU community, including questions relating to

79. Hoijtink and Muehlenhoff, (2021), ‘The European Peace Facility and the Legitimation of European Arms Export’.

80. Eva Hagström Frisell, Emma Sjökvist, To Train and Equip Partner Nations, 2.

81. *Ibid.*

82. Hoijtink and Muehlenhoff, (2021), ‘The European Peace Facility and the Legitimation of European Arms Export’.

83. United Nations, Arms Trade Treaty, 24 December 2014. Article 7.4.

84. Eva Hagström Frisell, Emma Sjökvist, To Train and Equip Partner Nations, 2.

management practices and the legitimacy of providing lethal weapons to conflict-torn countries. Furthermore, the fact that the EPF falls outside the EU's budget scheme and excludes supervision from some of the EU's institutions leads to increasing concerns on accountability issues. Lastly, the IMF, which supposedly aids in the legality and supervision of the EPF, further legitimises the EU's involvement as an external actor in foreign

states and conceals the politics and repercussions of this move. In the following chapter, the EPF and its application in the Horn of Africa will be analysed. Furthermore, we will also be able to evaluate whether these legal and political safeguards work. Simultaneously, the EU's attempts to strategically use these global security instruments to prevent migration to Europe, tackle counter-terrorism and assist marginalised people will be discussed.<sup>85</sup>

## **CASE STUDY ON MALI AND THE TRAINING OF THEIR MILITARY FORCES**

### **4.1 The EU Integrated Strategy in the Sahel**

Following the analysis of the EPF and its general and specific risks, we can now discuss both the Sahel case study in general and Mali specifically.

The EU and Sahel countries are partners bound by history and geography, and the EU's involvement in the Sahel crisis is not new. The first official EU intervention commenced in March 2011 with the EU Strategy for Security and Development in the Sahel. Its main aim was to achieve peace, security, and stability in the region and fight extremist violence and radicalisation.<sup>86</sup>

In the beginning, the strategy targeted Mali, Mauritania, and Niger, while Burkina Faso and Chad were only included in

March 2014, resulting in the involvement of all the G5 Sahel countries. The Council reconfirmed the strategy in 2015. In April 2015, the Foreign Affairs Council (FAC) adopted the Sahel Regional Action Plan (2015-2020) to strengthen the stability and security in the region. This was a reaction to the deteriorating situation in the region because of the rebellions in northern Mali, the fall of the Libyan regime, and the rise of the Islamic State of Iraq and the Levant.<sup>87</sup>

Furthermore, in the 2020s, the Sahel Region faces new challenges because of the aggravation of the existing tensions, insufficient economic growth, unemployment, migration, and the Covid-19 health crisis. As a cooperation partner, the EU is engaged to contribute to fur-

85. Hoijtink and Muehlenhoff, (2021), 'The European Peace Facility and the Legitimation of European Arms Export'.

86. European Union External Action Service Strategy for Security and Development in the Sahel (2011). [online] At: [https://ecas.europa.eu/archives/docs/africa/docs/sahel\\_strategy\\_en.pdf](https://ecas.europa.eu/archives/docs/africa/docs/sahel_strategy_en.pdf).

87. EU-SAHEL. Regional action plan (2015-2020): a tangible holistic approach, pg. 2-4. [online] Available at: [http://www.iecc.es/en/Galerias/fichero/docs\\_analisis/2015/DIEEPA50-2015\\_UF-Sahel\\_JAMT\\_ENGLISH.pdf](http://www.iecc.es/en/Galerias/fichero/docs_analisis/2015/DIEEPA50-2015_UF-Sahel_JAMT_ENGLISH.pdf).

ther improving the situation in the Sahel region. In this light, the EU Council approved a new set of conclusions for its new Sahel Strategy on 16 April 2021, known as the EU's Integrated Strategy in the Sahel.<sup>88</sup> This Strategy ensures the long-term continuation of the cooperative partnership with the G5 Sahel countries. The key priorities of the EU's Integrated Strategy in the Sahel are to provide a specific legal framework to fulfil its policies and actions and to contribute to the fight against terrorism, armed groups, organised crime, and cross-border trafficking. This is in full accordance with the 2020 Council conclusions on EU external action on preventing and fighting terrorism and violent extremism.<sup>89</sup> Furthermore, this strategy aims to continue supporting the development of the security sector reform by using the principles of democracy, International Humanitarian Law, and the specific legal provisions of International Human Rights Law as a legal basis. It aims to support the development of the decentralisation process in the region by pursuing initiatives to strengthen the trust between state institutions and civilians and support the increasing public participation in local decision-making processes. Under Resolution 2250 on Youth, Peace, and Security, the EU's Integrated Strategy in the Sahel aims to give the youth a central place in policies and development.<sup>90</sup> Moreover, in accordance with the 2030 Agenda for Sustainable Development, the Strategy aims to contribute to achiev-

ing the Sustainable Development Goals.<sup>91</sup> The key mechanism through which the EU plans to achieve the aforementioned priorities and implement the EU's Integrated strategy in the Sahel is stronger political cooperation and dialogue between the EU and its MS and between the G5 Sahel and its MS.

## 4.2 EU Presence in Mali and its Objectives

The conflict between the Tuareg people and Mali's Government has been ongoing since the 1960s, with the proclamation of Mali's independence. In the 1990s, the Tuareg people began a rebellion to achieve territorial autonomy. The situation worsened in 2011 when the recently created regional al-Qaeda group in the Islamic Maghreb (AQIM) moved to Tuareg land because of the Libyan revolution. In March 2012, the AQIM group and the leading rebel group, the National Movement for the Liberation of the Azawad (MNLA), joined forces and created a harsh military rule in the north. After a few months, both groups moved towards the capital of Mali, Bamako. When they reached Konna, the Mali government asked for the French intervention.<sup>92</sup>

The French intervention commenced on 11 January 2013 in the form of Operation Serval and was carried out in accordance with Article 51 of the UN Charter, according to which "nothing shall impair the inherent right of individual or collective self-defence if an armed attack occurs

88. EU's Integrated Strategy in the Sahel (2021). [online]. Available at: <https://data.consilium.europa.eu/doc/document/ST-7723-2021-INIT/en/pdf>

89. Council conclusions on EU external action on preventing and fighting terrorism and violent extremism (2020). [online] At: [https://www.consilium.europa.eu/media/44446/st08868\\_en20.pdf](https://www.consilium.europa.eu/media/44446/st08868_en20.pdf).

90. Resolution 2250 on Youth, Peace and Security (2015). [online] Available at: <https://www.un.org/press/cn/2015/sc12149.doc.htm>

91. 2030 Agenda for Sustainable Development (2015). [online] Available at: <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>.

92. Rachel Dicke, "The European Union Training Mission in Mali: A case study" *Croatian International Relations Review* 20, no.71 (2014), 91-119.

against a Member of the United Nations until the Security Council has taken measures necessary to maintain international peace and security”.<sup>93</sup>

Almost a week later, on 17 January 2013, the EU Foreign Ministers held an emergency meeting of the Foreign Affairs Council (FAC), during which they discussed the establishment of the EU Training Mission in Mali (EUTM). This followed Resolutions 2071 and 2085 of the UN Security Council (UNSC) and was in accordance with the Malian Authorities Direct Appeal to the EU, and led to the approval of the EUTM, and the naming of French General Francois Lecointre as Mission Commander.

According to Resolution 2071 of the UNSC, the UN MS and international and regional organisations, including the EU, should provide coordinated assistance, expertise, training, and capacity-building support to Mali’s security and armed forces. This was carried out to restore the Malian government authority and reduce the threat from the rebel groups.<sup>94</sup> Meanwhile, according to Resolution 2085 of the UNSC, the African-led International Support Mission in Mali (AF-ISMA) was carried out in cooperation with the EU for an initial period of one year.<sup>95</sup> The launch of the EUTM in Mali was decided on 18 February 2013 to commence the operation in March of the same year. The headquarters were established in the northeast of Bamako. Approximately 500

European soldiers were deployed for an operation to train 650 Malian soldiers. The mission itself was placed under French command with an initial budget of €12 million. The EUTM’s activities in Mali were planned to cooperate with other international actors such as the UN and the Economic Community of West African States (ECOWAS).<sup>96</sup> After the expiration of the initial mandate, the EUTM in Mali was extended by the Council of the EU for two years. On 15 April 2014, the completion of the EUTM in Mali was extended to 18 May 2016. This longer period was financed by increasing the additional common costs of the EU MS to a total of around €27.7 million.<sup>97</sup> This trend continued. To continue providing military training to the Malian Armed Forces, the EU Council approved EUTM Mali’s third mandate in March 2016, which would last until May 2018.<sup>98</sup> This third mandate increased the EUTM responsibility in three main areas:

- it extended the area of responsibility by including the cities of Timbuktu and Gao;
- it started to support the headquarters and the units of military regions; and
- it improved the interoperability between the Malian Armed Forces and the other G5 Sahel Joint Force armies.

In 2018, the EU Council approved the EUTM Mali’s fourth mandate to last until May 2020. Under the fourth mandate, the EU support increased its training and adviso-

93. Article 51 of the UN Charter (1945). [online] Available at: <https://www.un.org/en/about-us/un-charter/full-text>

94. Resolution 2071 of the UNSC. (2012) [online] Available at: [https://digitallibrary.un.org/record/736069?ln=en\\_CN](https://digitallibrary.un.org/record/736069?ln=en_CN)

95. Resolution 2085 of the UNSC. (2012) [online] Available at: <http://unscr.com/en/resolutions/2085>

96. *Ibid.*

97. European Council, Long-term EU budget 2021-2027 and recovery package, 2021.

98. EU Training Mission in Mali (2016), pg.1. [online] Available at: [https://ecas.europa.eu/archives/docs/csdp/missions-and-operations/eutm-mali/pdf/factsheet\\_eutm\\_mali\\_en.pdf](https://ecas.europa.eu/archives/docs/csdp/missions-and-operations/eutm-mali/pdf/factsheet_eutm_mali_en.pdf)

ry activities. In 2020, it was decided yet again to extend the EUTM in Mali until 18 May 2024, making it the first time that a mandate of the EUTM has been extended for such a long period.<sup>99</sup>

In accordance with the fifth mandate, the EU Council authorised the extension of the EUTM not only in Mali but in all G5 Sahel countries. Also, considering the long-term duration of the fifth Mandate of the EUTM in Mali, the Council provided the mission with a total budget of €133.7 million.<sup>100</sup>

### *(i) The Identified Challenges by the EUTM in Mali*

From the beginning, the EUTM faced several challenges, some of them particularly relevant for this research paper. Mali was characterised by a weak government unable to provide protection, assistance, or public services to the local population. The lack of education and employment opportunities in Mali led the young population to join the armed rebel groups. Moreover, the lack of political cooperation at the Sahel regional level led to unilateral or poorly coordinated action, undermining security, effective regional initiatives, and the rule of law. Mali was subject to an insufficient operational and strategic capacity in security, law enforcement, and judicial sectors. It was unable to efficiently control its territory or ensure respect for human rights in its response to the various security threats. Finally, Mali was unable to prevent the development of violent extremism and radicalisation caused by

the increase of poverty and social exclusion.<sup>101</sup>

### *(ii) The Main Objectives of the EUTM*

The main objective of the EUTM in Mali was to restore democratic and constitutional order. Furthermore, it aimed to restore the state's authority throughout the country and achieve a national dialogue in a territory to achieve higher human rights standards and the rule of law.<sup>102</sup>

The main aim of the EUTM is to support the Malian armed forces in their operational needs by providing them advice regarding command, operational preparation, human resources, and logistic support. The mission is carried out in full accordance with international humanitarian law and human rights law. The EUTM aims to settle armed conflicts and bring stability and transmit European values to Mali. The current crisis management strengthens the perception that the EU MS are unwilling to use the civilian and military structures and institutions developed under the Treaty of Lisbon and designed for comprehensive crisis management.<sup>103</sup>

## 4.3 Success of the Mission

Despite the EUTM's influence in Mali, the mission progresses relatively slowly. The Malian Armed Forces are still far from being self-sufficient effective, and well-functioning armed forces able to address security challenges. The EUTM in Mali progressed slowly because of several challenges.

One of the main challenges was the failure of

99. EUTM Mali Mandate, (2021), [online] Available at: <https://eutmmali.eu/en/mandates/>.  
100. Ibid.

101. Human Rights Watch, Mali Events 2020. [online] Available at: <https://www.hrw.org/world-report/2021/country-chapters/mali>.

102. EEAS, (2014), 'Training Mission in Mali'. [online] Available at: [https://www.europarl.europa.eu/mecdocs/2014\\_2019/documents/scde/dv/scde240914factsheeteutmmali\\_/scde\\_240914factsheeteutmmali\\_en.pdf](https://www.europarl.europa.eu/mecdocs/2014_2019/documents/scde/dv/scde240914factsheeteutmmali_/scde_240914factsheeteutmmali_en.pdf)

103. Ibid.



the Malian government and the Ministry of Defence to implement all the EUTM training and education programmes. The government supports *ad hoc* training operations, while the Ministry of Defence seems to prioritise the quick operationalisation of the Malian Armed forces to fight the security threats.

Another challenge is that Mali lacks the necessary mechanisms to follow up on the trainees' performance after the EUTM training ends. Furthermore, the mission's mandate has prevented EU soldiers from accompanying the trainees out in the field. There is also a lack of political coordination between the EUTM, the Malian government, and the UN Multidimensional Integrated Stabilisation Mission in Central Africa. Moreover, the EUTM cannot provide the trained units with equipment and weapons under the current legal regulations. However, the EPF might change this situation.

Despite the fact that the Malian Armed Forces need the necessary equipment to carry out their operations successfully, equipping them in the current conditions increases the risk of misuse against the civilian population. Furthermore, it is important to emphasise that the EU limits its engagement mainly to financial assistance via the EDF, the IFS, the European Neighbourhood Policy Instrument, and other relevant programs. Indeed, this kind of development aid will not bring sustainable improvement to the general situation in the Sahel region and, more specifically, Mali. The biggest obstacle is the deeply rooted corruption in this region comprising the governments, its institutions and also, to some extent, the aid industries. Without close supervision and guidance, the financial aid vanishes without any positive effect on the ground.



## CONCLUSION

The EPF boosts the image of the EU as a global actor and strengthens the EU's capabilities to support security and stability on the international stage. Furthermore, it develops a stable funding arrangement to provide military support to international partners, particularly African nations. However, the EPF has been the object of criticism, especially regarding its ability to send military aid and weapons to foreign conflicts in which CSDP military missions are deployed, as seen in the case of Mali. Despite this criticism, the EPF represents a turning point in the history of the EU by bringing something fundamental that the EU lacked in the field of military assistance, namely flexibility.

Indeed, under the Athena mechanism and the APF, the EU was subject to a series of constraints and strict legal regulations, especially regarding its ability to provide equipment for

those territories in conflict. While the EPF allows for more flexibility, this does not necessarily mean that the EU will start transferring lethal equipment to countries all around the world. Rather, its main aim is to ensure that the EU is no longer prevented from sending weapons to conflict regions because of abstract legal regulations. The main issue regarding the EPF does not have to do with whether the EU should have the competence to transfer arms to its international partners but to understand when the EU should do so and when it should refrain from doing so.

It should be reiterated that the EU will have to be judged on a case-by-case basis regarding its decision to send arms to poor and conflict-ridden countries. Therefore, the EU should be prepared for an open debate regarding the appropriation of the implementation of the EPF, especially in African countries.

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