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Evaluation of EU Support for Security Sector Reform in Enlargement and Neighbourhood Countries (2010-2016)

Final Report

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List of Acronyms and Abbreviations

AA	Association Agreement
AML	Anti-Money Laundering
CARDS	Community Assistance for Reconstruction, Development, and Stabilisation
CBSD	Capacity Building in Support of Security and Development
CFCU	Central Finance and Contract Unit
CFSP	Common Foreign and Security Policy
CIS	Commonwealth of Independent States
CMPD	Crisis Management and Planning Directorate
CoE	Council of Europe
COTER	Working Party on Terrorism (International Aspects)
CPCC	Civilian Planning and Conduct Capability
CRIS	Common External Relations Information System
CSDP	Common Security and Defence Policy
CSO	Civil Society Organisation
CT	Counter-terrorism
CVE	Countering Violent Extremism
DCAF	Geneva Centre for the Democratic Control of Armed Forces
DDR	Disarmament, demobilisation, and re-integration of ex-combatants
DG DEVCO	Directorate-General for International Cooperation and Development
DG HOME	Directorate-General for Migration and Home Affairs
DG JUST	Directorate-General for Justice
DG NEAR	Directorate- General for Neighbourhood and Enlargement Negotiations
EEAS	European External Action Service
EIDHR	European Instrument for Democracy and Human Rights
EaP	Eastern Partnership
EC	European Commission
ENI	European Neighbourhood Instrument
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood Partnership Instrument
EQ	Evaluation Question
EU	European Union
EUAM	European Union Advisory Mission
EUBAM	European Union Border Assistance Mission to Moldova and Ukraine
EUD	European Union Delegation
EUFOR Althea	European Union Force Althea
EULEX	European Union Rule of Law Mission in Kosovo
EUO	EU Office
EUPM	EU Police Mission

EUPOL COPPS	EU Coordinating Office for Palestinian Police Support
EUREP	European Union Representative (West Bank and Gaza)
FRONTEX	European Border and Coast Guard Agency
OHR	Office of the High Representative
GRECO	Group of States Against Corruption
GRETA	Group of Experts on Action Against Trafficking in Human Beings
GiZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
IBM	Integrated Border Management
ICJ	International Court of Justice
ICMDP	International Centre for Migration Policy Development
IcSP	Instrument contributing to Stability and Peace
IfS	Instrument for Stability
IoM	International Organisation for Migration
IPA	Instrument for Pre-Accession Assistance
IR	Inception Report
HLC	Holy Land Co-ordination
ISG	Inter-Service Steering Group
JC	Judgement Criteria
JFS	Justice, Freedom and Security
JHA	Justice and Home Affairs
M&E	Monitoring and Evaluation
MENA	Middle East and North Africa
MFF	Multi-annual Financial Framework
MMA	Monitoring, Mentoring and Advising
MN	Meeting Note
MoD	Ministry of Defence
MS	Member States
NATO	North Atlantic Treaty Organisation
NCE	No Cost Extension
NGO	Non-governmental organisation
OECD	Organisation for Economic Co-operation and Development
OECD-DAC	Organisation for Economic Co-operation and Development - Development Assistance Committee
OHR	Office of the High Representative
OSCE	Organisation for Security and Cooperation in Europe
PAMECA	Police Assistance Mission of the European Community to Albania
PCP	Palestinian Civil Police
PECK	Project Against Crime in Kosovo
PPD	Political and policy dialogue
PRISM	Prevention of Conflicts, Rule of Law/Security Sector Reform, Integrated Approach, Stabilisation and Mediation

PVE	Preventing Violent Extremism
ROM	Results Oriented Monitoring
SAA	Stabilisation and Association Agreement
SALW	Small arms and light weapons
SGUA	Support Group for Ukraine
SIGMA	Support for Improvement in Governance and Management
SMR	Six-Monthly Report
SSR	Security Sector Reform
TA	Technical Assistance
TACIS	Technical Aid to the Commonwealth of Independent States
TAIEX	Technical Assistance and Information Exchange instrument
TEU	Treaty of the European Union
ToC	Theory of change
ToR	Terms of Reference
TJ	Transitional justice
TWP	Council Working Party on Terrorism
UN	United Nations
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
UXO	Landmines and unexploded ordnance

Executive Summary

The evaluation of **EU Support for Security Sector Reform in Enlargement and Neighbourhood Countries (2010-2016)** was conducted for DG NEAR/the European Commission (EC) to help strengthen democratic accountability and transparency and improve policy and practice through evidence-based learning. The evaluation's primary purpose has been to provide an ex-post assessment of the performance (*relevance, efficiency, effectiveness, coherence, complementarity and coordination, impact, sustainability and EU value added*) of EU support (political and policy dialogue and financial assistance) to security sector reform (SSR) in the Enlargement and Neighbourhood beneficiaries[1] between 2010-2016, on the basis of the 2006 EU policy framework on SSR.[2]

The evaluation covered the following thematic areas of SSR: 1) democratic oversight and accountability; 2) defence reform; 3) intelligence and security service reform; 4) integrated border management; 5) police reform; 6) justice reform; 7) prison reform; 8) private security companies; 9) civil society and 10) preventing violent extremism/countering violent extremism/counter-terrorism. The areas of transitional justice and humanitarian mine action were outside the scope of the evaluation.

The evaluation methodology consisted of a comprehensive data collection and analysis approach comprising a desk review of available EU SSR policy documents and related evaluations; a mapping exercise analysing a portfolio of 1,996 EC-financed contracts and TAIEX events (of which 1,189 are EC-financed contracts and 807 are TAIEX events[3]), and 6 CSDP missions/operations[4]; a detailed review of documents for 39 selected interventions covering the 10 thematic SSR areas; interviews with relevant stakeholders, including EU institutions, EU Delegations/Offices and NATO staff, as well as beneficiaries, civil society, implementing partners and other international actors carried out during field missions in Albania, Bosnia and Herzegovina, Kosovo*, Serbia, Turkey, Georgia, Moldova, Ukraine, Jordan, Lebanon and Palestine*.

The evaluation findings confirm that the EU achieved positive effects through its promotion of EU values and interests in the Enlargement and Neighbourhood regions and, in particular, through its support of SSR between 2010 and 2016, notably:

- integration of security sector reform areas into national and regional strategies, action plans and programming tools;
- the use of political and policy dialogue to encourage beneficiary political support for security sector/system reforms, especially in the context of pre-accession negotiations and for beneficiaries with association agreements;
- increased achievement of EU SSR intervention outputs;
- improved procedural compliance by Enlargement and Neighbourhood East beneficiaries, such as changes in legislation or the development of sector strategies;
- greater conformity in a number of beneficiaries with respect to higher standards of human rights in the judiciary and security sectors;
- some sustainable results attributable to EU support, such as in visa liberalisation and border management;

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[1] The IPA beneficiaries are Albania, Bosnia and Herzegovina, Montenegro, Kosovo, the former Yugoslav Republic of Macedonia, Serbia and Turkey. The ENI partners are Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Republic of Moldova, Morocco, Palestine, Syria, Tunisia and Ukraine.

[2] Council of the European Union, Draft Council conclusions on a Policy Framework for Security Sector Reform, Document 9967/06, 6 June 2006. http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%209967%202006%20INIT.

[3] https://ec.europa.eu/neighbourhood-enlargement/tenders/taiex_en

[4] https://eeas.europa.eu/headquarters/headquarters-homepage/431/common-security-and-defence-policy-csdp_en

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

* This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of the Member States on this issue.

- value added of EU support recognised in the SSR areas of rule of law and good governance, human rights protection, integrated border management, prison reform, police reform; and

- existence and utilisation of coordination mechanisms, such as EU Heads of Mission meetings, donor mapping, sector specific working group meetings and joint programming.

The challenge for the EU now is to build upon what has been achieved so that it can further improve its support of SSR by linking policy and instruments together in more coherent, coordinated, and complementary ways. In doing so, the scope of its ambitions to extend the respect for human rights, democracy, the rule of law, and the principles of good governance can be more effectively realised.

To that end, the evaluation has drawn conclusions and identified 16 policy recommendations in four key areas of particular relevance to the EU's engagement in SSR in the Enlargement and Neighbourhood regions: 1) enhancing the EU's Role as a strategic actor; 2) strengthening national ownership; 3) improving the effectiveness of funding modalities; and 4) achieving greater results.

Enhancing the EU's role as a strategic actor

Recommendation 1: The EU should review the existing SSR portfolios and needs in each IPA and ENP beneficiary. This assessment should form the basis of the development of an EU SSR strategic approach towards the beneficiary in question. The EU strategic approach to SSR for each beneficiary should: 1) provide a strategic vision for coupling technical and political aspects of reform so that the synergies between political dialogue and technical assistance are capitalised on. This includes synergies between bilateral and regional support, between EU Delegations/Offices and CSDP missions/operations and between EU support and Member State support; 2) draw on the principles of the 2016 Joint Communication on an EU-wide strategic framework for SSR as well as relevant IPA and ENI policy and programming documents; 3) define common SSR objectives to be achieved in each beneficiary and how EU support would help achieve those objectives; 4) be grounded in national ownership; 5) identify key challenges on the part of beneficiaries and the EU itself, including EU Member States (MS); and 6) indicate how such challenges to the achievement of the EU's strategic objectives could be overcome. The EEAS and Commission should utilise the inter-service SSR task force to determine the most efficient and effective way forward of implementing this recommendation, such as utilising the new Security Sector Governance Facility.[5]

Recommendation 2: The inter-service SSR task force should ensure that regular monitoring and evaluation is conducted on the uptake/implementation of the EU SSR strategic approach in beneficiaries where SSR is a priority area of engagement.

Recommendation 3: The inter-service SSR task force should develop guidelines and provide additional training to EU Delegations/Offices about how to operationalise the 2016 Joint Communication on an EU-wide strategic framework for SSR in their SSR programming and implementation to ensure momentum and positive results, while taking into account the specificities of the accession process in the Enlargement region.

Strengthening national ownership

Recommendation 4: To address one of the major risks to EU support for SSR – insufficient national political commitment – and to promote national ownership, the EU should identify ways of strengthening synergies between political dialogue intended to build commitment to reforms, on the one hand, and EU financial and technical assistance, on the other. This process would both draw on and reinforce the development and implementation of coordination matrices foreseen in the 2016 EU-wide strategic framework for SSR and the EU SSR strategic approach at beneficiary level proposed in Recommendation 1 in the context of established Enlargement and Neighbourhood policies and procedures. This would require EU Delegations/Offices, supported by operational units in DG NEAR and EEAS as well as CSDP missions/operations where relevant, to identify the level of commitment or resistance to change among key

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[5] For information on the Security Sector Governance Facility, see https://issat.dcaf.ch/Learn/SSR-in-Practice/Countries-Regions/European-Union/Delivering-the-European-Union-Security-Sector-Governance-Facility

beneficiary SSR actors, their connections, positions and interests. It would also involve developing clear but flexible pathways for employing all relevant EU tools and members of the EU family to foster greater commitment to reform processes on the part of these key SSR actors.

This process would include determining how best to engage with actors that the EU currently does not routinely engage with in the defence, security and intelligence spheres and how best to bolster the capacity and influence of governance and oversight actors (discussed further in Recommendation 7 below). This would involve continuously assessing key security and justice areas and actors to ensure that EU SSR support is grounded in political realities, and that emerging blockages to such support can be identified and neutralised where possible.

Recommendation 5: In providing SSR support to Enlargement and Eastern Partnership[6] beneficiaries, the EU should be sufficiently flexible so that its support addresses the broader EU SSR agenda and alignment with Chapters 23, 24 and 31 of the *acquis*[7]*,* and also provides a strong foundation for sustainable change. The EU – particularly EEAS and DG NEAR operational units and EU Delegations/Offices – should ensure that it identifies the broad range of SSR needs in beneficiaries and that the problems that could undermine the ability of beneficiaries to implement EU and international standards are addressed on a priority basis.

Recommendation 6: In order to develop national ownership, the EU should acknowledge that there are multiple paths to achieving EU SSR objectives. EU Delegations/Offices, supported by DG NEAR and the EEAS, should pursue an iterative approach to the provision of EU support to SSR that takes into account beneficiary political will and technical and financial absorption capacity. This approach would be built on dialogue with beneficiaries to identify specific priorities in the SSR area(s) that the EU is ready to support and would use those priorities as entry points for meeting broader reform objectives. Theories of change would help identify pathways for achieving broader reform objectives. This would enable the EU to work with beneficiaries to identify a series of steps that would take the beneficiary along a path leading from addressing their concrete priorities to implementing the *acquis* and EU/international standards or meeting EU security objectives.

The EU should adjust its expectations on the pace of change. Working at the pace of the beneficiary is likely, in the long term, to create the capacity and conditions that will facilitate moving beyond procedural compliance. It therefore makes good sense where political will and absorption capacity are shown to be limited to slowly build the foundation for change, in both Enlargement and Neighbourhood contexts. This could perhaps be facilitated by the application of a limited 'more for more' approach, where meeting agreed benchmarks would be tied to modest incentives.

Recommendation 7: The EU should increase its support for the involvement of the wider citizenry in security sector reform in Enlargement and Neighbourhood beneficiaries. EU Delegations/Offices should clearly indicate the EU's interest in hearing perspectives from the broadest range of societal actors on areas related to SSR. EU Delegations/Offices should systematically and frequently consult with independent actors who can articulate the diverse views of different social groups to prepare for the EU's political/policy dialogue with governments and seek ways to enable these actors to engage in that dialogue as well, for example through meaningful consultations on the development and implementation of the government's SSR-relevant strategies. In particular, the EU should give more attention to working with public intellectuals, academics, journalists and other civil society actors to generate innovative proposals and foster momentum for promoting change and to maintain pressure on governments to create better, more humane societies and to adhere to their commitments to comply with EU and other international standards and practices. EU Delegations/Offices should also actively encourage the involvement of these actors throughout the entire management cycle of interventions, including at the early stages of project design. EU Delegations/Offices should also work closely with other members of the international community, including EU Member States, to help capacitate parliamentarians to oversee the security sector/system.

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[6] https://eeas.europa.eu/topics/eastern-partnership_en

[7] https://ec.europa.eu/neighbourhood-enlargement/policy/conditions-membership/chapters-of-the-acquis_en

Improving the effectiveness of funding modalities

Recommendation 8: In order to maximise the effectiveness of EU financial assistance for SSR, EU Delegations/Offices should base their choice of funding modality and management mode on the nature of the intervention and on beneficiary capacity and context. Developing a strategic approach to SSR in each beneficiary (Recommendation 1) would facilitate this process by providing the detail on beneficiary context and capacity in the addressed SSR area, including political will that is necessary to determine which funding modality and management mode is likely to be most effective. EU Delegations/Offices should consider recent experience with different funding modalities in different beneficiary institutions to assist their decision-making process. EU Delegations/Offices should also consider how best to combine different funding modalities into a package that provides the most appropriate assistance to SSR in a given beneficiary capacity and context.

Recommendation 9: In order to maximise the effectiveness of sector budget support programmes, which disburse large amounts of funding and have significant expectations in terms of policy reform, DG NEAR and EU Delegations/Offices should assess beneficiaries' understanding of sector budget support (how it functions, the tight linkage to policy reform, what constitutes sound indicators) and its readiness to implement budget support programmes in order to provide technical assistance as required in a timely fashion before the design and during the implementation of budget support programmes. EU Delegations/Offices should also ensure that they have the staff capacity to help design and manage budget support programmes.

Recommendation 10: The EU should seek opportunities to mobilise complementary funding for interventions from EU Member States in order to maximise a coherent approach within the EU family to agreed EU SSR objectives and priorities. At the senior political level, the EU should reach agreement with its Member States as a matter of priority on the use of ongoing joint mapping, analysis and programming processes, including coordination matrices, to promote closer coordination on financing. This should include joint financing of EU interventions to the extent possible. EU Delegations/Offices should work closely with EU Member States to identify opportunities for complementary funding from EU Member States.

Achieving greater results

Recommendation 11: The EU should recruit more personnel with appropriate SSR backgrounds, bring in more external expertise, provide additional SSR training for staff and, where possible, utilise more expertise from EU Member States. Further to this point, the EU and its Member States should address human resource constraints at the HQ level and in EUDs by implementation of some/all of the following solutions:

- Increased Member State national secondments (i.e. military advisers, Counter-terrorism/Countering Violent Extremism advisers, integrated border management advisers, prosecutors, etc.) to EU Delegations/Offices that require enhanced SSR expertise because there is a large SSR portfolio and/or a thematic area of targeted importance in that beneficiary setting;

- Additional personnel allocated to DG NEAR's Centre of Thematic Expertise Crisis Reaction and Security Sector Reform so that it can better support the EU Delegations/Offices in the Enlargement and Neighbourhood regions as well as effectively cooperate with relevant EEAS counterparts;

- Enhanced cooperation and pooling of resources among relevant DG NEAR Centres of Thematic Expertise that have a link to SSR (i.e. Rule of Law/Fundamental Rights and Democracy, Civil Society Support, Migration, Public Administration Reform);

- Augmented co-financing by the European Commission and Member States for the placement of seconded national SSR experts in EU Delegations/Offices and/or DG NEAR;

- Secondments of CSDP personnel to the European Commission (e.g. EULEX[8] or Operation Althea[9] could recruit a Member State expert to work in DG NEAR or DEVCO) to increase synergies between European Commission and CSDP SSR support;

- Expanded use of EUROPOL[10], EUROJUST[11], and FRONTEX[12] liaison officers to more beneficiaries in order to enhance EU Delegations/Offices expertise and increase bilateral engagement.

Recommendation 12: In rolling out the use of coordination matrices identified in the 2016 Joint Communication on an EU-wide strategic framework for SSR, priority should be accorded to those beneficiaries where there are CSDP missions/operations and evidence of a need for improved sequencing, coordination and coherence.

Recommendation 13: The design of EU SSR support should provide increased attention to defining indicators with baselines and targets. This will require additional training for Headquarters and EU Delegations/Offices staff on 1) the differences among outputs, outcomes and impact; 2) qualitative and quantitative methodologies in SSR; 3) differentiating between types of impact (e.g. strategic, functional, societal, political); and 4) utilising formal conflict sensitive assessments to 'Do No Harm' as well as the use of structured context analysis to avoid unintended negative impacts. The EU Delegations/Offices should increase their collaboration with beneficiary partners to ensure that there is an agreed approach for benchmarking progress, including regular review of both political and policy dialogue and technical assistance, as well as attention on the involvement of civil society in programme design.

Recommendation 14: The EU should introduce a gender lens into SSR programming that moves beyond a mere focus on achieving numerical increases of women in justice and security sector institutions. The EU should develop an operational capacity for enhancing its gender-based approach to SSR in Headquarters and EU Delegations/Offices. Additionally, the EU should provide training on gender mainstreaming in SSR to Headquarters and EU Delegations/Offices staff designing and implementing SSR interventions.

Recommendation 15: The EU should increase its engagement with defence, security and intelligence agencies, as well as counter-terrorism police branches. Relatedly, the EU should give special attention to the quality of design and implementation of Counter-terrorism/Countering Violent Extremism programming, defence and intelligence reform, areas in which the EU is a relative newcomer and in which there have been comparatively few EU SSR interventions. The pooling of resources and expertise among the EU, Member States and CSDP should be explored in these sectors, as well as possible synergies with NATO on the basis of the 2016 EU-NATO declaration[13] to strengthen their security cooperation in the Western Balkans and the Eastern and Southern Neighbourhoods. EU support to these sectors should be accompanied by a human-rights risk management mechanism at the level of implementation. Although niche, this expertise can be found within, for example, ombudsperson's institutions, international non-governmental organisations, and other expert networks.

Recommendation 16: In order to enhance the visibility and knowledge of EU SSR support among beneficiary populations, EU Delegations/Offices should give increased attention to SSR in their strategic communications and public relations strategies. The EU should adopt a stronger focus on the benefits that security sector reforms will bring to beneficiary populations, including how such reforms will improve individual security and fundamental human rights. Outreach campaigns - conducted in partnership with civil society – could be a useful tool for improving the public perception of EU support to SSR.

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[8] http://www.eulex-kosovo.eu

[9] http://www.euforbih.org/eufor/index.php

[10] https://www.europol.europa.eu

[11] http://www.eurojust.europa.eu/Pages/home.aspx

[12] https://frontex.europa.eu

[13] Council of the European Union, *EU-NATO Joint Declaration by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organization,* 8 July 2016, Belgium: Press Release.http://www.consilium.europa.eu/en/press/press-releases/2016/07/08-eu-nato-joint-declaration/.

1.   Introduction

1.1. Evaluation aims and scope

The Final Report is the last deliverable for the "Evaluation of European Union Support for Security Sector Reform in Enlargement and Neighbourhood Countries (2010-2016)", funded by the European Commission under Framework Contract COM 2015 (EuropeAid/137211/DH/SER/Multi). The primary purpose of the evaluation is an ex-post assessment of the performance of European Union (EU) interventions (political and policy dialogue and financial assistance) to support Security Sector Reform (SSR) in the countries covered by the Instrument for Pre-Accession Assistance (IPA I, II) and the European Neighbourhood Partnership Instrument (ENPI)/European Neighbourhood Instrument (ENI) in the period 2010-2016. As such, the evaluation has judged the performance of EU SSR support (2010-2016) on the basis of the 2006 EU policy framework on SSR.[14] The evaluation also includes forward looking recommendations on how to improve current and future EU support to SSR in line with the principles outlined in the Joint Communication JOIN (2016) 31 final – 'Elements for an EU-wide strategic framework to support security sector reform' and the 'Global Strategy for the European Union's Foreign and Security Policy'.

As specified in the Terms of Reference[15], the four specific objectives of this evaluation are to:

- "Assess the performance (relevance, efficiency, effectiveness, coherence, impact, sustainability and EU value added) of EU support (policy dialogue and financial assistance) to SSR in partner countries during 2010-2016;

- Assess the coherence, complementarity and coordination of EU interventions[16] financed from IPAI/II and ENPI/ENI with other actions financed from other EU instruments, Common Foreign and Security Policy/Common Security and Defence Policy (CFSP/CSDP) actions and actions carried out by Member States, regional and international donors (state and/or international organisations) for SSR in the partner countries;

- Assess the intervention logic of IPA II and ENI (2014-2020) planning documents addressing SSR, in terms of their coherence with the new policy framework;

- Provide conclusions and recommendations both at policy and financial instrument level on how to further improve the support provided to SSR, including cross-fertilisation between IPA and ENI experiences".

The Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) works on the development and implementation of the EU's Neighbourhood and Enlargement policies. The DG NEAR A4 Unit of the European Commission has been responsible for managing and supervising the evaluation. An Inter-service Steering Group (ISG) has been established for this evaluation. It consists of representatives of DG NEAR, the Directorate-General for International Cooperation and Development (DG DEVCO), the Directorate-General for Migration and Home Affairs (DG HOME), the Directorate-General for Justice (DG JUST), the Secretariat General and the European External Action Service (EEAS). The ISG is tasked with

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[14] Council of the European Union, *Draft Council conclusions on a Policy Framework for Security Sector Reform, Document 9967/06*, 6 June 2006. http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%209967%202006%20INIT.

[15] ToRs *Evaluation of European Union Support for Security Sector Reform in Enlargement and Neighbourhood Countries (2010-2016)*, 2016, p. 2-3.

[16] The definition of 'intervention' in accordance with DG NEAR guidelines on linking planning/programming, monitoring and evaluation is "a generic expression referring to the coordinated set of activities and means put in place to implement a given strategy/objective. It can be a project, a complex programme (articulated around a set of projects, a budget support operation or a mix of BS and other typologies of contracts), a policy, a legislation, an action plan, etc". DG NEAR, 2016, Guidelines on linking planning/programming, monitoring and evaluation, p. xi, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/financial_assistance/phare/evaluation/2016/20160831-dg-near-guidelines-on-linking-planning-progrming-vol-1-v-0.4.pdf.

guiding the progress of the evaluation, providing input and information, ensuring quality control on the different draft deliverables, and verifying that there is an action plan after completion of the evaluation.

The *legal scope* for this evaluation is in accord with the European Commission's 'evaluation first' principle, whereby it carries out performance evaluations of its policy, instruments, and programmes for the purposes of democratic accountability, and transparency, and to improve policy and practice, especially in the context of planning new interventions. Recipients of the evaluation are the European Commission (DG NEAR) and the beneficiaries of the IPA and ENI.

The *geographic scope* includes all IPA and ENI beneficiaries, thus providing for comparative analysis of countries and regions. The IPA beneficiaries are **Albania, Bosnia and Herzegovina, Montenegro, Kosovo, the former Yugoslav Republic of Macedonia, Serbia and Turkey**. The ENI partners are **Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Republic of Moldova, Morocco, Palestine, Syria, Tunisia and Ukraine.** Fieldwork has been conducted in Albania, Bosnia and Herzegovina, Kosovo, Serbia, Turkey, Georgia, Moldova, Ukraine, Jordan, Lebanon and Palestine, the 11 beneficiaries that were selected as case studies for the evaluation.

The *temporal scope* of this evaluation focuses on SSR interventions that were implemented and/or decided in the period 2010-2016, which will enable a longitudinal assessment of EU SSR impact. The *institutional scope* spans all of the EU's SSR activities – both those led by the Commission and CSDP actions – as well as EU cooperation with other international organisations and bilateral donors. Accordingly, the evaluation includes SSR political and policy dialogue at bilateral, regional and cross-border levels, as well as EU financial assistance.

The *thematic scope* of the evaluation covers SSR interventions in the following areas:

Democratic oversight and accountability: This includes capacity building for external oversight/accountability actors such as parliaments[17], auditors general, constitutional courts, ombudsperson's offices and similar agencies, provided that the activities supported by the EU cover the justice or security sectors, as well as support to executive branch bodies so that they function effectively and efficiently, including in the area of public finance management, anti-corruption, anti-money laundering efforts (AML) and state regulators and administrative oversight bodies in relation to justice and security.

Defence reform: This includes projects and programmes aimed at reforming the institutional capacity of the defence sector; oversight and management of defence-related institutions; accountability of the sector to civilian oversight and control; reform of military justice; addressing the problem of Small Arms and Light Weapons (SALW); support for demobilisation, disarmament and reintegration (DDR); and assistance to increase regional defence cooperation.

Intelligence and security service reform: This includes projects and programmes that are, for example, aimed at improving institutional capacity, civilian/democratic oversight, and international cooperation.

Integrated border management (IBM): This includes programmes and related projects aimed at institution and capacity building, and accountability in the effective performance of border police services, border guards, coast guards, customs services and other state authorities involved in IBM security related issues; as well as the development of European or regional common standards and operating procedures, including entry/exit/visa policies and management aspects pertaining to IBM security.

Police reform: This includes (but is not necessarily limited to) programmes and related projects targeted at building police and law enforcement agencies' capacities; accountability to parliamentary and regulatory agencies; effective and transparent administration of police agencies and community policing; police scientific investigation capacity; international police cooperation based on bilateral and multilateral

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[17] Such oversight does not compromise the independence of the judiciary, but ensures that parliamentarians have the necessary expertise to fulfil the function of providing democratic oversight and accountability.

agreements information-sharing among police agencies at national or trans-national levels; relationship with the judiciary, regional and cross-regional information-sharing.

Justice reform: This includes support to reform of the criminal justice system (penal courts, prosecutor's office, and corrections) as well as institution and capacity building for the judiciary with regard to criminal justice.

Prison reform: This includes (but is not necessarily limited to) capacity building of the prison administration system; support to the regulation and monitoring of places of detention; the prevention of ill-treatment and detainee access to complaints mechanisms; staff training and harmonisation of policies in this regard; and the development of alternative punishments.

Private security companies: This includes support to projects concerning the regulation of these actors and their accountability to civilian oversight bodies, including parliaments.

Civil society (including media, academia and NGOs): This includes (but is not necessarily limited to) projects and programmes related to EU support for civil society policy advice and monitoring of the security and justice sectors, as well as provision of security sector reform expertise to national parliaments and decision-makers. Interventions addressing the role of civil society in mediation, peace building, and conflict prevention are excluded.

Preventing Violent Extremism (PVE)/Countering Violent Extremism (CVE)/Counter-terrorism (CT): These recent concepts include assistance that targets law-making in the spheres of prevention of violent extremism and counter-terrorism by national parliaments and policy-making bodies (such as Defence and Security Councils); support for improvements in investigative and preventative capabilities of the relevant security sector and law enforcement agencies to prevent radicalised persons from committing violent acts; regional information-sharing on PVE/CT; and cooperation with the relevant human rights' bodies and civil society to ensure that PVE/CT measures comply with human rights' standards. Grassroots initiatives and community cooperation projects that do not have an explicit link with security sector agencies are excluded, as well as initiatives on tackling the root causes of violent extremism.

In line with the Terms of Reference for this evaluation[18] and in consonance with the Organisation for Economic Co-operation and Development - Development Assistance Committee (OECD-DAC) approach to SSR, two types of intervention have been excluded from this evaluation. These are:

- Transitional justice (TJ) and
- Humanitarian mine action dealing with landmines and unexploded ordnance (UXO).

1.2. Background and context of EU SSR support

The EU is a well-established foreign and security policy actor with financial, diplomatic, humanitarian, trade, development, political, and security tools and instruments. The history of European integration, as well as contemporary EU policies and strategies, underscores the indivisible links between peace, security and development. This important nexus informs the direction and content of EU external policies and foreign policy, as well as its cooperation with other international organisations such as the Organisation for Security and Cooperation in Europe (OSCE), the Organisation for Economic Cooperation and Development (OECD), the World Bank, and the United Nations (UN).

Referencing both the 2003 European Security Strategy and the 2005 European Consensus on Development, the Council Conclusions on Security and Development of 19-20 November 2007 affirm the strategic and political importance of addressing the security and development nexus in EU external

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[18] ToRs *Evaluation of European Union Support for Security Sector Reform in Enlargement and Neighbourhood Countries (2010-2016)*, 2016.

affairs.[19] More specifically, The Lisbon Treaty (Article 21(c) TEU) identifies preserving peace, preventing conflict, strengthening international security, and fostering sustainable development as explicit goals for EU external relations. The EU pursues these objectives not just for political, moral, or legal reasons, but because "it also enhances the effectiveness, efficiency, impact and sustainability of [its] development, neighbourhood and pre-accession policies".[20]

In particular, SSR measures are designed to help beneficiaries create and sustain democratically governed and accountable security sectors, which is an essential prerequisite for peace building and development in fragile and post-conflict countries. EU support to SSR is provided through a range of instruments that can be country-specific, multi-country/regional or global in coverage. The European Commission supports SSR in beneficiaries using a wide range of instruments and policies such as Enlargement, the European Neighbourhood Policy (ENP), and Development Cooperation. The broad scope of European Commission interventions includes different modalities of assistance: (i) budgetary support for civilian capacity building in the sectors of justice, security, and border management; (ii) political and policy dialogue; (iii) technical cooperation; (iv) advice and training; (v) twinning, twinning light, Technical Assistance and Information Exchange instrument (TAIEX), and SIGMA; and (vi) the provision of essential, non-lethal equipment and materials.

On the Council side, Member States may agree to deploy civilian and military missions and operations through the Common Security and Defence Policy (CSDP), an intergovernmental instrument of the EU's Common Foreign and Security Policy (CFSP).[21] CSDP was launched in order to redress the capability limitations that the EU and its Member States faced in responding to the Balkan crises in the 1990s; it equips the EU with important tools of crisis management. During the time frame of this evaluation in 2010-2016, there were eight CSDP missions/operations in IPA and ENI beneficiaries (Bosnia and Herzegovina, Kosovo, Georgia, Ukraine, Libya, and Palestine), six of which had SSR-related components.[22]

Prior to 2016, two separate policy concepts defined the EU policy framework on SSR: the 'EU Concept for ESDP Support for Security Sector Reform'[23] and the 'Concept for European Community Support for Security Sector Reform'.[24] In recognition that "SSR is a holistic, multi-sector and long-term process", the 6 June 2006 Council Conclusions agreed that the two SSR concepts would jointly comprise the EU policy framework on SSR, and that case by case decisions should be taken to determine whether EU SSR support should be provided using Commission instruments, CSDP, or a combination of both.[25]

In practice, this case-by-case decision-making process is frequently fraught with tension. In the early years of CSDP, Member States conceived of it as a short-term instrument for crisis management to address security gaps, especially in cases where the Commission lacked expertise, funds, and a mandate for action and where an EU level response was preferable to ad hoc bilateral interventions.[26] As CSDP has evolved over time, the Member States have launched civilian and military missions and operations of short, medium, and long-term duration.

[19] Council of the European Union. *Council Conclusions on Security and Development. 2831st External Relations Council meeting Brussels*, 19-20 November 2007. Belgium: Press Office Consilium Europa, 2007 http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/gena/97157.pdf.
[20] European Commission, *Security and development, conflict prevention and the comprehensive approach,* 2017. http://ec.europa.eu/europeaid/node/1415_fr.
[21] For an evaluation of the evolution and performance of the CSDP, see Ginsberg, R., and Penksa, S. E., *The European Union in Global Security: The Politics of Impact.* UK: Palgrave Macmillan, 2014.
[22] The CSDP operation/missions with SSR components are in Bosnia and Herzegovina (EUFOR Althea, EUPM), Kosovo (EULEX), Ukraine (EUAM), Palestine (EUPOL COPPS) and Libya (EUBAM).
[23] Council of the European Union, *EU Concept for ESDP support to Security Sector Reform (SSR), Document 12566/4/05, REV 4*, 13 October 2005. http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2012566%202005%20REV%204.
[24] European Commission, *Annexes to the Communication from the Commission to the Council and the European Parliament "A Concept for European Community Support for Security Sector Reform" {COM (2006) 253 final}. SEC (2006) 658*, 24 May 2006. http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52006SC0658&from=EN.
[25] Council of the European Union, *Draft Council conclusions on a Policy Framework for Security Sector Reform, Document 9967/06*, 6 June 2006. http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%209967%202006%20INIT.
[26] Ginsberg and Penksa, 2014, p. 59.

The financing mechanisms for CSDP also impact the efficiency and coherence of EU SSR support. Civilian CSDP operations are paid through the CFSP budget line managed by the European Commission. The Multiannual Financial Framework (MFF) is a spending plan that translates the EU's policy priorities into financial terms and sets the maximum annual amounts that the EU may spend in different policy areas. Under Article 41.2 of the Treaty of the EU (TEU), CSDP operations with a military or defence implication cannot be funded by the EU budget. Military CSDP operations are financed by the Member States on the principle of 'costs lie where they fall', meaning that each contributing Member State to a military CSDP operation covers its own cost, with the exception of narrowly determined common costs financed by the Athena mechanism.[27] Funding shortfalls and ineffectual financing mechanisms have constrained the EU's provision of timely, adequate, value-added security assistance.[28]

In the 2007-2013 MFF, the Council and Commission introduced the Instrument for Stability (IfS), a strategic tool to address security and development challenges and that allows for rapid and flexible funding in short-term crisis situations and disasters.[29] The IfS also provided complementary actions to support other longer-term EU foreign policy instruments. The IfS support to SSR was provided through the crisis response component (IfS Art. 3) and IfS Assistance in the context of stable conditions for cooperation (Art. 4). In 2014, the IfS was replaced by the Instrument contributing to Stability and Peace (IcSP); it pursues the same broad political objectives and mechanisms as the earlier IfS. It is one of the external financing instruments (EFIs) passed in a package of reforms designed to create a more explicit link between security and development policies and it is managed both by the Service for Foreign Policy Instruments (FPI) and DG DEVCO.[30]

Different approaches to SSR have been visible in the assistance provided by the Commission services, CSDP missions, and bilateral Member State actions, especially in beneficiary contexts where there are multiple EU and Member State instruments on the ground without an overarching and long-term political strategy to coordinate assistance. Because the institutions of the security and justice sectors are embedded and function within political systems, SSR assistance requires both technical and political guidance and an overarching strategic approach.[31]

Without question, the EU has taken incremental steps to strengthen its capacity to link its security and development assistance in ways that are complementary and coherent, and that will bolster its leverage in global affairs. The many innovations of the Lisbon Treaty, such as the EEAS (launched on 1 January 2011), already have rectified some of the historic fissures in EU foreign and security policy that previously diminished the impact of the EU as a global security provider. [32]

In a continued effort to augment the EU's capacity to provide an integrated, strategic and coherent response to conflicts and crises, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy (HR) issued a 2013 Joint Communication on the 'Comprehensive Approach to External Conflicts and Crises'.[33] This 2013 communication on the comprehensive approach was followed by a 2015 Joint Communication on 'Capacity Building in Support of Security and Development' (CBSD),

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[27] The Athena mechanism for financing the common costs of CSDP operations with a military or defence implication was established by the Council on 1 March 2004. The Treaty on the European Union (Article 41.2) clarifies the rules on contributions to Athena: member states contribute an annual share based on their Gross National Income. Athena financing covers common expenses such as HQ implementation and running costs; in theatre medical services and evacuation; and reimbursements to/from NATO or other organisations (e.g. the UN). The Athena procedure is currently under review and may be reformulated in the future.

[28] For an analysis of the politics of financing CSDP missions and operations, see Ginsberg and Penksa, 2014, p. 80-84.

[29] Security situations deteriorated in several countries during the review period (2010 – 2016), which required a rapid response from the EU and had an attendant impact on the type, scale, and sustainability of EU SSR assistance. For example, there was a new focus on PVE programming, an upward trend in assisting countries in the MENA region due to increased insecurity, and challenges to the sustainability of reforms in Turkey.

[30] Pawlak, 2017, p. 2.

[31] Ginsberg and Penksa, 2014, p. 11; and Van Veen, Erwin, 2016, *Improving Security and Justice Programming in Fragile Situations: Better Political Engagement, More Change Management*, OECD Development Policy Papers, no. 3, http://dx.doi.org/10.1787/5jm0v3vd5jg0-en.

[32] See Ginsberg and Penksa, 2014.

[33] European Commission, High Representative of the European Union for Foreign Affairs and Security Policy. *Joint Communication to the European Parliament and the Council - The EU's Comprehensive Approach to External Conflicts and Crises, JOIN (2013) 30 Final*, 11 December 2013. http://www.eeas.europa.eu/statements/docs/2013/131211_03_en.pdf.

which proposed the establishment of an EU-wide Strategic Framework for Security Sector Reform. [34] The EU-wide Strategic Framework for SSR[35] was adopted by the Commission in July 2016 and endorsed by the Council in November 2016.

This 2016 Joint Communication on an EU-wide strategic framework for SSR provides a conceptual guide for the whole of EU SSR assistance, with the anticipated outcome of refining and streamlining the EU's approach to SSR and amplifying the strategic effects of its interventions. The framework embodies the EU's comprehensive approach. It applies to all actors and instruments: the EU's external action instruments; political-diplomatic initiatives; CSDP and all other relevant CFSP tools; freedom, security and justice actors; and the EU Member States that are encouraged to frame their bilateral SSR programmes within the framework through joint programming.

Moreover, the framework "applies in all contexts, not only in conflict and post-conflict situations" and, while its principles also pertain to Enlargement countries, it should be noted that, "the accession process involves different measures and procedures to ensure that the countries meet the accession criteria".[36] As the framework indicates, "the overarching goal of this EU-wide strategic framework is to help to make states more stable and individuals more secure. To this end, it aims to enhance the EU's effectiveness in promoting and supporting (1) partner countries' efforts to ensure security for individuals and the state; and (2) the legitimacy, good governance, integrity and sustainability of the security sector of partner countries".[37]

Of interest to the present evaluation is the constraint on using EU funds to finance institution and capacity building in the military sector (both equipment and training). [38] "The EU's external financing instruments – comprising both geographic cooperation with developing countries and horizontal crisis response – have focused on supporting security sector reform with a civilian objective primarily…at present, none of the existing [EU] financing instruments within the field of external action explicitly allows for building the capacity of the military in partner countries in order to contribute to sustainable development, despite urgency on the ground".[39] This missing instrument in the EU toolkit impedes the EU from comprehensively addressing global security and development challenges, especially those at the borders of the Union.

Although the revised OECD-DAC reporting guidelines of 2016 allow for limited possibilities of engaging with military institutions in partner countries, there is still a need for the EU to mutually reinforce its development cooperation with peace and security interventions.[40] To redress this shortfall, the 2016 Impact Assessment of the CBSD calls for a clarification of the EU's primary law and the allocation of additional funding, with the recommendation of a short-term revision of the IcSP to provide financing to all security actors in partner countries, including the military.[41] The CBSD assessment notes that, "today challenges show that additional

[34] European Commission, High Representative of the European Union for Foreign Affairs and Security Policy. *Joint Communication to the European Parliament and the Council - Capacity Building in Support of Security and Development – Enabling Partners to Prevent and Manage Crises, JOIN(2015) 17 Final,* 28 April 2015. http://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:52015JC0017.

[35] European Commission, High Representative of the European Union for Foreign Affairs and Security Policy. *Joint Communication to the European Parliament and the Council - Elements for a-wide Strategic Framework for supporting Security Sector Reform (SSR). {SWD (2016) 221 final}. JOIN (2016) 31 final.* 5 July 2016. http://ec.europa.eu/dgs/fpi/documents/key-documents/join_2016_31_f1_communication_from_commission_to_inst_en_v2_p1_854572.pdf.

[36] European Commission, High Representative of the European Union for Foreign Affairs and Security Policy. Joint Communication to the European Parliament and the Council - Elements for a-wide Strategic Framework for supporting Security Sector Reform (SSR). {SWD (2016) 221 final}. JOIN (2016) 31 final. 5 July 2016. Available at: http://ec.europa.eu/dgs/fpi/documents/key-documents/join_2016_31_f1_communication_from_commission_to_inst_en_v2_p1_854572.pdf, p. 4, Footnote 20.

[37] Ibid. p. 4.

[38] For additional information about the constraints on EC funding instruments, see Pawlak, P., *EU Legislation in Progress - Briefing. The EU's new approach to funding peace and security.* European Parliament, 2017.

[39] European Commission. *Joint staff working document. Impact Assessment. Capacity Building in Support of Security and Development. Accompanying the document Proposal for a Regulation from the European Parliament and the Council amending Regulation (EU) No 230/2014 of 11 March 2014 establishing an instrument contributing to stability and peace, 2016 Germany:* High representative of the European Union for foreign affairs and security policy. http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016SC0222&from=EN p. 8.

[40] For additional information on the revised OECD-DAC guidelines, please consult the OECD-DAC High Level Communique of 19 February 2016, https://www.oecd.org/dac/DAC-HLM-Communique-2016.pdf.

[41] European Commission. *Joint Staff working document. Impact Assessment. Capacity Building in Support of Security and Development. Accompanying the document Proposal for a Regulation from the European Parliament and the Council amending Regulation (EU) No 230/2014 of

efforts are needed [to] improve the functioning of security forces in a manner consistent with the respect for human rights, democracy, the rule of law and good governance principles".[42] This evaluation of EU SSR assistance to 23 beneficiaries from 2010-2016 will elucidate what "additional efforts" may be needed in order to further improve the EU support provided to SSR, amplifying the positive and long-term effects of the EU's SSR interventions.

1.3. Structure of the final report

The Final Report is comprised of an Executive Summary, the main report, and eight annexes organised in three different files for readability and transferability purposes.

The Executive Summary provides a concise overview of the key evaluation findings, conclusions and recommendations.

Section 1 of the main report outlines the evaluation aim and scope (1.1), the background and context of EU support to SSR (1.2), and the structure of the Final Report (1.3).

Section 2 describes the methodology used for this study, including overall evaluation approach (2.1), the sample of case studies and interventions used for the analysis (2.2), and key data collection and analysis approaches (2.3).

Section 3 highlights the analysis of financial assistance, and comprises an introduction (3.1) and a presentation of the key results arising from the mapping exercise (3.2).

Section 4 provides an overview of EU political and policy dialogue (PPD) in SSR. Following an introduction (4.1), there is an analysis of PPD in the Enlargement region (4.2) and the Neighbourhood region (4.3).

Section 5 presents findings per each of the seven assessed evaluation criteria (*relevance; effectiveness; efficiency; impact; sustainability; coherence, complementarity and coordination; and EU added value*).

Section 6 discusses the evaluation conclusions and provides 16 policy recommendations to assist the EU in moving forward to achieve its goal of making states more stable and individuals more secure.

The annexes of the Final Report comprise the intervention logic (Annex 1), the portfolio analysis of SSR contracts and CSDP missions/operations (Annex 2), evaluation matrix (Annex 3), the list of interviewees (Annex 4), the bibliography (Annex 5), the evaluation team (Annex 6), the Terms of Reference (Annex 7), and the portfolio of SSR contracts and CSDP missions/operations (Annex 8).

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2. Methodology

2.1. Overall evaluation approach

The evaluation methodology employed was intended to develop an understanding of the types of SSR-related support (financing and policy/political dialogue) provided to IPA and ENI beneficiaries[43] that have worked and under what conditions. This has led to recommendations for improving programming and implementation of EU support to SSR in line with the principles underpinning the joint communication to the European Parliament and the Council 'Elements for an EU-wide strategic framework to support security sector reform'[44] and the Global Strategy for the European Union's Foreign and Security Policy.[45] The evaluation team examined ENI and IPA support within its wider political, socio-economic and security contexts and assessed how that support influenced and was affected by these contexts.

IPA and ENI beneficiaries encompass a wide variety of political and security environments, but the broad objectives of SSR in both regions are the same: well-functioning, democratically governed security and justice sectors operating within the rule of law. The paths that IPA and ENI beneficiaries follow to achieve these objectives are different. As explained in more detail in section 4, reform processes for IPA beneficiaries are tied to the achievement of the EU *acquis,* while the assistance provided to ENI beneficiaries tends to be tailored to their individual needs. That said, the adoption of EU standards and norms is a major focus for Neighbourhood beneficiaries, particularly Neighbourhood East beneficiaries with Association Agreements. Additionally, EU assistance flows through a wide variety of potential channels: ENI and IPA, political/policy dialogue, CSDP missions/operations, High-Level Adviser (HLA) missions, a range of smaller funding sources such as the IcSP and TAIEX events as well as bilateral support from EU Member States and other members of the international community and multilateral support from a range of actors. This makes it particularly important to give adequate consideration to the unique contexts in which SSR is being delivered in order to assess how effectively planning has incorporated upstream political analysis and consultations with the relevant EU Delegations, Member States, other parts of the EU (including relevant specialised agencies like FRONTEX and Europol), international partners and national partners.

In order to give adequate consideration to SSR processes in both IPA and ENP contexts, the evaluation adopted a comprehensive data collection and analysis approach comprising:

- a broad desk review of available policy documents relating to support for SSR delivered through the above-mentioned channels as well as existing evaluations of these activities;
- analysis of available documentation through a mapping exercise of EU SSR interventions, with a detailed review of 39 selected interventions;
- interviews with relevant stakeholders, including EU institutions, EU Delegations and NATO staff as well as beneficiaries, civil society, implementing partners and other international actors in: Albania, Bosnia and Herzegovina, Kosovo, Serbia, Turkey, Georgia, Moldova, Ukraine, Jordan, Lebanon and Palestine; and
- 11 in-depth field-based case studies.

The evaluation matrix can be found in Annex 3 and the reconstructed intervention logic in Annex 1. Annex 8 contains a presentation of the evaluation portfolio. An analysis of the data in the portfolio is found in Section 3, with more detail in Annex 2.

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[43] IPA includes both IPA I and IPA II. ENI includes both ENPI and ENI.

[44] European Commission. *Joint communication to the European Parliament and the Council, Elements for an EU-wide strategic framework to support security sector reform*, 5 July 2016. Strasbourg: High Representative of the Union for Foreign Affairs and Security Policy, 2016. https://ec.europa.eu/europeaid/sites/devco/files/joint-communication-ssr-20160705-p1-854572_en.pdf

[45] European Union, *European Union Global Strategy - Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union's Foreign and Security Policy*, June 2016. https://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf

2.2. The sample of case studies and interventions

The evaluation identified 11 case studies for detailed document review, Brussels interviews and field visits: Albania, Bosnia and Herzegovina, Kosovo, Serbia, Turkey (Enlargement Region); Georgia, Moldova, Ukraine (Neighbourhood East); and Jordan, Lebanon, Palestine (Neighbourhood South). These were chosen on the basis of the following criteria: (i) geographic coverage to ensure a geographic balance among IPA and Neighbourhood beneficiaries, bearing in mind that the IPA region accounts for 56% of total EU SSR financing; (ii) budget size; (iii) total number of SSR interventions to obtain the richest source of information to enable the team to answer the Evaluation Questions (EQs); (iv) thematic diversity to obtain a balance within the core areas of the security sector (e.g. police reform, defence reform, integrated border management, justice reform and so on) for the 11 case studies; and (v) CSDP link to maximise the representation of beneficiaries with CSDP missions/operations.

For desk review, documents were retrieved for a sample of interventions for the 11 case study beneficiaries. The interventions were chosen using the following criteria: (i) thematic coverage of the ten SSR areas within beneficiaries and regions and with respect to the overall project sample for the 11 case studies as a whole; (ii) budget size; (iii) flagship projects identified by DG NEAR country teams/EUDs as significant projects; (iv) multi-year projects, including those continued during different programming cycles; (v) diversity of aid instruments, such as ENI, IPA, Instrument for Stability (IfS)/IcSP, EIDHR, etc.; (vi) different aid modalities, such as budget support, technical assistance, TAIEX/Twinning, etc.; (vii) decision year, i.e. balance between projects implemented in the early years and those from the later years; and (viii) CSDP activities that support SSR.

An average of six interventions per case study beneficiary were selected for document retrieval. Ten EUDs/DG NEAR desks provided feedback on flagship projects.[46] These were taken into account in selecting the sample interventions to the extent possible. In some cases, the interventions proposed were outside the timeframe or the thematic scope of the evaluation. Once documents were retrieved, the candidate interventions were reviewed again and 27 interventions for ten case studies were identified for detailed review during the desk phase. Only one intervention in Lebanon could be examined during the desk phase due to insufficient documentation and lack of requested information from the EUD. There were also delays in receiving information on Turkey. More information became available during the field phase, and in the end, 39 interventions for 11 beneficiaries were examined in detail to form the basis of assessments in this evaluation report.

These 39 interventions are shown in Table 1, mapped against the criteria described above. Table 1 also rates document availability. In terms of the thematic distribution of sample interventions, eight involve police reform; ten involve justice reform; nine involve IBM; four involve democratic oversight; one intervention involves both IBM and police, and one intervention involves both defence and intelligence reform. This distribution is reasonably representative of the overall portfolio (Figure 8 in Annex 2 provides a thematic breakdown of the total portfolio).

Table 1 – Sample of interventions for review

	Beneficiary	Thematic Area	Instrument	Decision Year	Identified as flagship or recommended by EUD	Budget	Implementation Period	Aid Modality	Link to CSDP	Document availability
ALBANIA	**156267** - Police Assistance Mission of the European Community to Albania (PAMECA III)	Police Reform	IPA	2008	Yes	7,268,790	2008-2011	Grant	No	Good
	316763 - Consolidation of the Law Enforcement Capacities in Albania (PAMECA IV)	Police Reform	IPA	2013	Yes	2,999,629	3 years	Grant	No	Moderate
	331863 - Together against police and prison torture	Civil Society	IPA	2013	No	198,208	27 months	Grant	No	Limited
	346900 – Consolidation of the Justice Systems in Albania (EURALIUS IV)	Justice Reform	IPA	2013	Yes	3,954,894.14	2014-2017	Grant	No	Limited
BIH	**290719** - Support to the area of law enforcement	Police Reform	IPA	2012	Yes	7,000,000	2012-2014	Grant	Yes, to EUPM	Good
	327273 - Capacity Building for Judicial Reform in Bosnia and Herzegovina	Justice Reform	IPA	2013	No	1,125,000	2013-2016	Service Contract	No	Good
	375750 - Strengthening law enforcement	Police Reform	IPA	2016	Yes	4,500,000	2016-2018	Twinning	Yes, to EUPM	Moderate
KOSOVO	**336253** - Strengthening Criminal Investigation Capacities against Organised Crime and Corruption	Democratic Oversight and Accountability	IPA	2013	Yes	1,650,823	2014-2016	Grant	Yes to EULEX	Moderate
	32353 – Project Against Economic Crime in Kosovo (PECK II)	Democratic Oversight and Accountability	IPA	2015	Yes		2016-2018	Grant	Yes to EULEX	Limited
	282152 - Project Against Economic Crime in Kosovo (PECK)	Democratic Oversight and Accountability	IPA	2011	Yes	974,094	2012-2015	Grant	Yes to EULEX	Moderate

	Beneficiary	Thematic Area	Instrument	Decision Year	Identified as flagship or recommended by EUD	Budget	Implementation Period	Aid Modality	Link to CSDP	Document availability
S E R B I A	**249981** - Police Reform – Internal Affairs	Police Reform	IPA	2010	No	850,000		Grant	No	Good
	294841 - Establishment of Efficient System for Prevention and Suppression of Illegal Migrations on the Territory of Serbia	IBM	IPA	2012	Yes	1,000,000	2012-2014	Twinning	No	Moderate
	300223 - Implementation of Strategy for Fight against Drugs (supply and demand reduction component	Other (drugs)	IPA	2012	Yes	1,500,000	2012-2014	Grant	No	Good
G E O R G I A	**022562** - Support to the Criminal Justice Sector	Justice Reform	ENPI	2011	No	18,000,000	2012-2016	Budget Support	No	Moderate
	024347 - Enhancing Georgia's Capacities for Border Management and Migration	IBM	ENPI	2012	Yes	3.200.000	48 months operational implementation and 24 months closing period	Budget support	No	Moderate
	327135 - Promoting Criminal Justice Reforms in Georgia through the Engagement of Civil Society	Civil Society	ENPI	2013	No	130,000	2013-2016	Grant	No	Limited
M O L D O V A	**330109** - Support to Justice Sector	Justice Reform	ENPI	2012	Yes	58,200,000	Sept 2013 for 72 months	Budget support	no	Very limited
	024405 - Support to implementation of Visa Liberalisation Action Plan	IBM & police reform	ENPI	2013	Yes	21,000,000	2014 for 48 months	Budget support	No	Limited
	355024 - Construction of Jointly Operated Border Crossing Point Palanca on the territory of the Republic of Moldova	IBM	ENPI	Unknown	Yes	5,000,000	2015-2018	Grant	No, but , EUBAM is an EC-project akin to an CSDP mission	Good

	Beneficiary	Thematic Area	Instrument	Decision Year	Identified as flagship or recommended by EUD	Budget	Implementation Period	Aid Modality	Link to CSDP	Document availability
UKRAINE	**328160** - Support to Justice Sector Reform	Justice Reform	ENPI	2010	No	8,487,467	2013 - 2017	Grant	Yes, to EUAM	Moderate
	351692 - Consolidation of Justice Sector Policy Development	Justice Reform	ENI	2014	No	1,000,640	2014-2016	Grant	No	Moderate
	150033 - Improving Integrated Border Management; Follow-Up to the Reinforcing the State Border Guard Service of Ukraine Human Resource Management (Huremas 2)	IBM	Technical Aid to the Commonwealth of Independent States (TACIS)	2006	No	1,102,531	2008-2010	Grant	No	Moderate
JORDAN	**23471** - Support to the Justice Sector Reform in Jordan	Justice Reform	ENPI	2012	Yes	27,000,000	2013-2017	Budget support	No	Good
	324286 - Strengthening the Capacity of the Public Administrations to Combat Cyber Crime in the Hashemite Kingdom of Jordan	Cyber-crime	ENPI	2013	Yes	900,000	2013-2015	Twinning	No	Good
	371864 - Technical Assistance to the Ministry of Interior to support the Government of Jordan's efforts to prevent violence extremism	CVE	IcSP	2015	Yes	4,499,908	2015-2017	Service Contract	No	Moderate
LEBANON	**306399** - Component on 'Rule of Law and Fight against Crime', of Developing national capability for Security and Stabilisation programme	Justice Reform	ENPI	2012	No	3,646,980	2012-2016	Technical Assistance	No	Moderate
	372828 - Technical assistance to the Lebanese Armed Forces (LAF) and to the General Directorate of General Security (GS)	Defence Reform & Intelligence Reform	ENPI	2016	Yes	3,601,000	2016 -	Technical Assistance	No	Extremely limited

	Beneficiary	Thematic Area	Instrument	Decision Year	Identified as flagship or recommended by EUD	Budget	Implementation Period	Aid Modality	Link to CSDP	Document availability
PALESTINE	**296488** - Developing National Capability for Integrated Border Management in Lebanon	IBM	ENPI	2012	Yes	12,000,000	2012-2016	Grant	No	Moderate
	349836 - Follow up to the project "Developing National Capability for Integrated Border Management in Lebanon	IBM	ENPI	2014	Yes	899,315	2014 -	Grant	No	Moderate
	299322 - Construction of Community Police Stations	Police Reform	ENPI	2011	Yes	6,100,000	2013-2015	Indirect centralised method	Yes, to EUPOL COPPS	Moderate
	271613 - Enhancing the capacity and professionalism of the lawyers' community in the oPT	Justice Reform	ENPI	2011	No	1,421,000	2011-2014	Grant to local implementer	No	Good
	312500 - Technical Assistance Programme for the Palestinian Civil Police (PCP) in the Occupied Palestinian Territories	Police Reform	ENPI	2013	Yes	2,481,000	2013-2015	Technical Assistance	No	Good
	312320 - Support to the Creation of a Specialised Juvenile Justice System in the Occupied Palestinian Territory	Justice Reform	ENPI	2013	Yes	1,765,500	2013-2015	Service Contract	No	Good
	288303 - Strengthening Civil-Democratic Governance in the Security Sector in the oPt	Democratic Oversight and Accountability	ENPI	2012	No	700,000	2012-2015	Grant to INGO	No	Very limited
TURKEY	**TR0124.02.03-02** - Increasing Border Surveillance Capacity of Borders between Turkey and Greece	IBM	IPA	2013	Yes	1,821,030	2017-2020	Grant	No	Limited
	TR0702.18 - Dissemination of Model Prison Practices and Promotion of the Prison Reform in Turkey	Prison Reform	IPA	2007	Yes	7,200,000	2009-2012	Grant + Supply Contract	No	Good

	Beneficiary	Thematic Area	Instrument	Decision Year	Identified as flagship or recommended by EUD	Budget	Implementation Period	Aid Modality	Link to CSDP	Document availability
	349053 - Regional Cooperation on Border Management among Turkey, Greece and Bulgaria – Phase 1	IBM	IPA	2014	Yes	1,600,000	2014-2016	Grant	No	Limited
	TR0124.02.02-01/001 - Technical Assistance for Improving Administrative Capacity Border Management at local level	IBM	IPA	2013	Yes	1,698,235	2016-2018	Grant	No	Limited

2.3. Data collection and analysis

Document collection: Once the sample of interventions were identified for the desk phase, the relevant documentation was retrieved from the Common External Relations Information System (CRIS).[47] Priority was given to financing decisions, Council decisions, contracts, contract addenda, budgets, Terms of Reference, descriptions of action, monitoring reports, screening reports, annual reports, internal reports, and external evaluations (mid-term and final). Key policy and strategy documents were also collected for the case study beneficiaries. These included annual action plans, annual progress reports, country and regional strategies, multi-annual indicative planning documents, and agreements between the EU and individual beneficiaries. Some of these documents provide information on political/policy dialogue. However, few political/policy dialogue (PPD) documents have been made available to the team. Information on PPD was primarily gathered from open source material and interviews. For the twelve non-case study beneficiaries, the team collected outstanding annual reports and external evaluations.

Several regional projects were briefly surveyed and information on them was collected through DG NEAR and field interviews. In addition, a range of secondary sources have also been collected to provide contextual information: 430 partner or region-specific publications such as reports by international organisations, INGOs or think tanks, analytical studies, and data on projects and programmes implemented by other donors.

The bibliography in Annex 5 provides references to all of this material.

Interviews: Some 55 interviews were conducted with targeted stakeholders among EU officials in Brussels (DG NEAR and EEAS), NATO Headquarters in Brussels and civil society in Brussels in line with the analytical framework guiding the evaluation. There were between one and four participants in each interview. The interviews were based on a protocol geared towards different stakeholders. Most interviews were conducted during three missions to Brussels (22-25 May 2017; 3-7 July 2017; 18-22 September 2017). A few were conducted via phone/Skype.

Between 15 and 35 interviews were conducted during each of 11 field missions. Targeted stakeholders included national authorities, EU officials, representatives of EU Member States and other international actors, national and international civil society, and project implementers. There were between one and four participants in most interviews. A few interviews involved larger groups. The interviews were based on an interview guide that was tailored to different stakeholders. The field visits took place between 16 October and 08 December 2017.

All interviews were conducted under the Chatham House rule. As such, they are coded as Meeting Notes (MN) with identifier numbers to maintain confidentiality of sources (e.g. MN 333). The list of individuals interviewed during the evaluation is found in Annex 4.

Data analysis: The evaluation team prepared a desk report that presented initial findings by EQ based on document review, comments provided by EUDs and Brussels-based interviews. The desk report was presented to the Inter-Service Group and circulated for comments to EUDs. Following the field missions, the team prepared a field mission report that described major findings by EQ for each case study beneficiary. This was circulated to the ISG and EUDs. Feedback from both reports has been incorporated into the final report, which also underwent several rounds of review by the ISG, EUDs and EU Member States.

2.4. Data collection and processing challenges

During the course of the evaluation, the team encountered a number of challenges collecting and processing data. The greatest challenges lay in accessing two types of key information: political/policy dialogue and documentation for EC-financed interventions. The team received very limited PPD

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[47] CRIS contains very few relevant documents for Turkey as the vast majority of interventions were implemented under indirect management mode.

documentation. PPD involves sensitive political-security discussions and the majority of PPD documents are not open source. Key programming documents were frequently not available, particularly progress and monitoring reports, baselines, mid-term and final evaluations, and other forms of assessment. There were two main reasons for this. First, some of these missing documents were simply not filed in CRIS, but many of those were supplied by EUDs and implementing partners prior to or during field visits. Second, ROMs and evaluations are not conducted for every intervention.[48] In consequence, the availability of assessment documents varied among case studies.

Interviews during field visits helped to fill some of the gaps. It was sometimes possible to speak with individuals who had participated in EU interventions or with local staff in EUDs who had been in post for much of the 2010-2016 period. Nonetheless, because of problems of institutional memory in EUDs and at headquarters, the team experienced gaps in interview information for the years 2010-2013. Interviews were also important in understanding the nature of PPD with individual beneficiaries. Along with the gaps in monitoring and evaluation documentation, this inevitably affected the completeness of the team's assessments on key issues such as achievement of purpose and overall objectives, PPD, impact, sustainability and EU's added value.

Additionally, the team encountered some resistance to the evaluation. Whilst our evaluation manager helped overcome many obstacles, contacts with some officials in HQ and at EUDs were difficult to establish, affecting the ability of the team to maximise information gathering. The level of responsiveness of the EUDs and their receptiveness to mission preparation requests varied. The dates of the missions in several cases were difficult to agree. Substitution of team members for field visits took place. Initial mission preparation challenges were largely overcome in the field.

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[48] Final and ex-post evaluations are mandatory only for contracts above EUR 10 mn. ROMs are conducted based on risk assessments and specific criteria. On the latter, see, European Commission, 2017, *ROM Handbook: Results Oriented Monitoring*, Version 4.0, pp. 11-13, https://ec.europa.eu/europeaid/sites/devco/files/rom-handbook-2017_en.pdf.

3.   Mapping analysis of financial assistance

3.1. Introduction

The evaluation portfolio contains three types of financial assistance: 1) EC-financed contracts; 2) TAIEX events; and 3) CSDP missions/operations. Together these comprise 'EU SSR financial assistance'.[49] However, the reporting formats for these three forms of assistance are not comparable. EC-financed contracts and TAIEX events are based on annual, calendar-year budgets and it is possible to assign a thematic scope to each contract/event. CSDP missions/operations report expenditure according to mandate timeframe. As a result, some CSDP budget figures cover exactly a year (but not necessarily a calendar year) while others cover more than 12 months and yet others cover less than 12 months. Additionally, some CSDP mission/operation mandates cover multiple areas of SSR and the mission-wide data provided to the Evaluation Team do not allow thematic scope to be determined. Finally, budgets for individual TAIEX events were not made available to the Evaluation Team, although annual TAIEX expenditures were disaggregated by geographic region. Total TAIEX funding and the number of TAIEX events were also broken down by thematic area.

In consequence, a portfolio-wide analysis has been possible only for the total expenditure (**EU SSR financial assistance**) and the geographic distribution of the total expenditure. Analyses of annual financial allocations, distribution of assistance by thematic area (based on the number of contracts/events) and financing mechanism (bilateral, regional, global) are derived from data for **EC-financed contracts and TAIEX events**. The analysis of financial assistance by beneficiary and per capita financial support is based on **EC-financed contracts and CSDP missions/operations** data. Analyses of thematic composition (based on budgets), financing instruments and the implementing partners are based solely on **EC-financed contracts**.

The data presented here and in Annexes 2 and 8 offer the best approximation of EU SSR financial assistance and its constituent parts, subject to the following two caveats:

- The definition of 'security sector reform' is not precise in EC contracts and its boundaries are open to interpretation, both between and within contracts, while TAIEX data are classified into slightly different categories from EC-financed contracts.

- Time boundaries are approximate because some financing decisions were signed before 2010 and, given a time lag between decisions and contracting which can amount to over three years, interventions under financial decisions adopted in 2014 – 2016 continued to be contracted as the evaluation progressed. When actions have not been yet contracted, data on allocations based on financial decisions were used, such as the amounts entered in the Annual Action Plans and similar programming documents. Additionally, when start and end dates were unclear, an inclusive approach was adopted.

Despite these caveats, this mapping provides sufficient data to observe trends. In the mapping exercise, the unit of analysis is the contract/event, rather than the broader intervention as elsewhere in this report.[50] The portfolio currently contains 1,996 EC-financed SSR-related contracts and TAIEX events funded by EU-financing instruments. Supply contracts are included although some argue that the provision of infrastructure and equipment does not constitute 'reform'.

The section below provides a summary analysis of the mapping results according to six categories: (i) budget; (ii) geographical coverage; (iii) thematic composition of the portfolio; (iv) instrument; (v)

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[49] EU support for SSR is financed primarily through the EU budget (external financing instruments), with the exception of CSDP military operations, which are financed by EU Member States. For the purposes of mapping EU financial support to SSR, it has been necessary, as will be described below, to distinguish between financing for CSDP missions/operations and SSR financing channelled through contracts ('EC-financed contracts') and TAIEX events.

[50] 'Intervention' is defined in Section 1.1 above.

implementing partner; and (vi) bilateral/regional/global breakdowns.[51] Details are in Annex 2, and the mapping database is in Annex 8.

It was not possible to categorise all financing decisions and contracts according to the ten areas that comprise the thematic scope of the evaluation (Section 1 above). Therefore, the mapping has two additional categories:

- '**Other**' includes 173 contracts/events in thematic areas that are either (a) not explicitly covered by the SSR definition but may nonetheless be SSR or; (b) clearly relevant but about which too little information was available to assign them to a specific category;

- '**Unspecified**' includes 42 contracts/events that were coded as SSR in the databases, but for which information was too scarce to be able to interpret them and ascribe to a thematic area.

3.2. Analysis of mapping results

An analysis of the data in the evaluation portfolio has produced the following main findings:

- The EU allocated approximately EUR 3 bn to support SSR in the Enlargement and Neighbourhood beneficiaries between 2010 and 2016 through EC-financed contracts, TAIEX events and CSDP missions/operations.

- Most EU SSR financial assistance was allocated to the Enlargement region (approx. EUR 1.8 bn), followed by Neighbourhood East (approx. EUR 750 mn). Neighbourhood South beneficiaries received the smallest share of EU SSR financial assistance (approx. EUR 550 mn), despite having the largest population. Kosovo and Bosnia and Herzegovina were the top IPA recipients of EU SSR support due to the presence of CSDP missions/operations, although Kosovo received far more assistance than Bosnia and Herzegovina. While Turkey received the third largest allocation in the Enlargement region, its per capita assistance was modest, due to its larger population. Other than that, assistance within the region reflected population size (larger Serbia received more than small Montenegro).

- In the Eastern Partnership (EaP), Ukraine and Moldova, which are located on the EU borders, were the largest recipients of SSR assistance. Both the Neighbourhood South and Neighbourhood East regions showed significant variation in aid distribution across beneficiaries. Palestine, which hosted a CSDP mission, benefited considerably more than its more populous regional neighbours. Assistance was then spread relatively evenly amongst Lebanon, Morocco, and Jordan, which are among the largest recipients of EU SSR assistance in the Neighbourhood South region.

- Most EC-financed contracts and TAIEX events focussed on state security actors. Assistance to police reform, IBM and justice reform makes up nearly two thirds of these two streams of financing. This reflects the high priority of these sectors for the EU and the fact that they are reasonably conducive to external intervention. Relatively few contracts focussed on civil society. No spending went into engagement with private security companies because it was not relevant to these three regions.

- Most of the EC-financed contracts (64%) were implemented by contracted, non-state actors: local and international, commercial and not-for-profit.

- Financial commitment to SSR-relevant CSDP missions/operations in the IPA and Neighbourhood beneficiaries totalled approximately EUR 993 mn. CSDP missions/operations played a major role in a beneficiary's SSR portfolio. Generally, the beneficiaries with such missions/operations tended to receive a larger share of total EU SSR assistance than those without a mission/operation.

- The temporal distribution of SSR funding allocated through EC-financed SSR contracts plus TAIEX events was uneven, with peaks of varying magnitudes in 2011, 2013, 2015 and 2016. There is no obvious explanation for these changes. Assistance provided through CSDP instruments fluctuates according to the shifts in context. It scaled down considerably in 2010-2012 in the Western Balkans
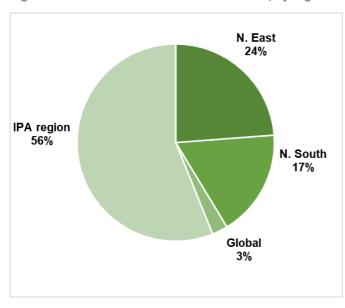
- following improvements in the region's security and increased in Ukraine due to the deterioration in the security situation there.

- ENI and IPA were the financial instruments most frequently used to fund specific activities whilst CFSP resources were allocated to missions/operations, apart from small-scale 'quick impact' projects run by project cells.

- Most EC-financed SSR contracts/TAIEX events involved a single beneficiary (91%). Regional projects were most important in the Enlargement region (82 contracts/events), followed by the Neighbourhood South (25) and Neighbourhood East (9). The expenditure on regional programmes in Neighbourhood East (approx. EUR 19 mn) is just over 20% of the amount spent in the Enlargement region (approx. EUR. 83 mn) between 2010 and 2016. Spending on regional programming in Neighbourhood South (nearly EUR 55 mn) was approximately two-thirds of the amount spent in the Enlargement region. In calculating the distribution of funding for regional contracts/events among recipients, it is assumed that each partner benefitted equally.[52] Cross-regional contracts/events, i.e. those including beneficiaries from more than one region, as well as from outside Neighbourhood and Enlargement area, were added to global projects.

Geographic scope of EU SSR support

Figure 1 - Share of EU financial commitments, by region

Total EU SSR financial assistance (EC-financed contracts plus TAIEX events plus CSDP missions/operations) has been concentrated in IPA beneficiaries, as shown in Figure 1. These data suggest that the EU was prepared to finance its political commitment to assist IPA beneficiaries on their European path. More details on the geographic breakdown of funding can be found in Annex 2, Figures 4–6.

When CSDP financial information is excluded, the distribution of financial assistance is roughly the same with the share of the IPA region decreasing slightly to 53% (approx. EUR 1.4 bn) and the share of the Neighbourhood East region increasingly slightly to 27% (just over EUR 725 mn).
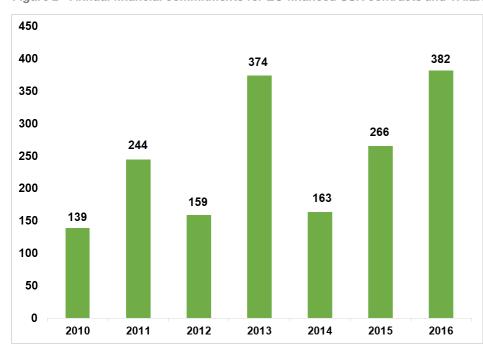
The allocation of funding delivered through EC-financed contracts and CSDP missions/operations[53] within the IPA region was heavily concentrated in Kosovo (48%). Allocations to Bosnia and Herzegovina (14%), Turkey (11%), Albania (8%) and Serbia (8%) combined were less than that received by Kosovo. Palestine (25%) benefitted from the largest financial allocation in the Neighbourhood South, followed by Lebanon (15%), Morocco (14%) and Jordan (11%). Ukraine (35%) and Moldova (30%) enjoyed the largest share in the Neighbourhood East, followed at a considerable distance by Georgia (14%) and Armenia (13%).

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[52] The Evaluation Team recognises that the distribution is not equal within regions but did not have the resources to disaggregate regional programming budgets.

[53] While financial information on regional allocations of funding of TAIEX events was provided to the Evaluation Team, the budgets of individual TAIEX events was not made available. Therefore, country comparisons are based solely on EC-financed contracts and CSDP missions/operations, which accounted for the vast majority of EU SSR financing. Table 1 in Annex 2 compares the amounts of financing received through CSDP missions/operations with the value of EC-financed contracts for Bosnia and Herzegovina, Kosovo, Libya, Palestine and Ukraine.

Budget and timeline

Figure 2 - Annual financial commitments for EC-financed SSR contracts and TAIEX events, € million
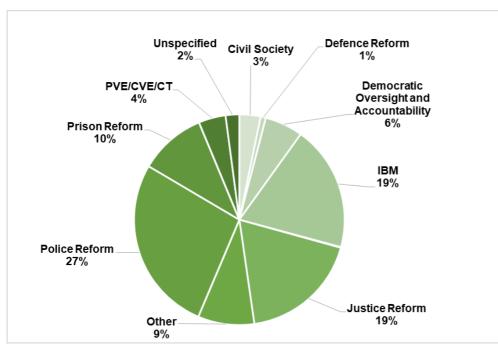

Approximately EUR 2.7 bn was committed to EC-financed SSR-contracts and TAIEX events between 2010 and 2016. As Figure 2 shows, the largest financial commitments occurred in 2016 (approx. EUR 380 mn), closely followed by 2013 (approx. EUR 375 mn). Smaller peaks occurred in 2015 (approx. EUR 265 mn) and 2011 (approx. EUR 245 mn).[54]

All years are classified as 'the implementation year' in the chart. The detailed mapping findings in Annex 8 specify the implementation period where it was known. Information on the number of contracts/events contracted per year is found in Annex 2, Figure 1, which shows that the largest number of EC-financed SSR contracts and TAIEX events is from 2013 (307), closely followed by 2014 (286).

Thematic composition of the SSR portfolio

Figure 3 - Share of EC-financed SSR contracts and TAIEX events, by thematic area

The overwhelming majority of EC-financed SSR contracts and TAIEX events focused on state security actors during the 2010-2016 period (Figure 3). Police reform received 27%, followed by IBM and justice reform, both at 19%. Democratic oversight and accountability, which involved support to activities targeting state actors, constituted 6% of the portfolio. Few contracts/events targeted defence sector reform (1%) and intelligence services reform (less than 0.2%). A relatively small share of contracts/events focused on civil society, media, independent research and non-state oversight processes (3%). The thematic distribution of support has changed over time. For example, CT/CVE/PVE has become more important in recent years, particularly in Neighbourhood South. Additional information on the thematic composition of the portfolio disaggregated by number of contracts and geographic area is found in Annex 2, Figures 9-16.
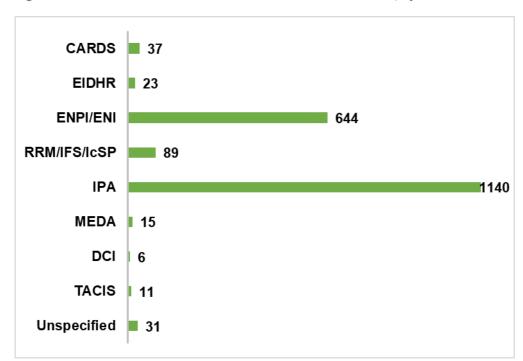
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[54] See Annex 2, Figure 2 for details.

The type of services provided include: (i) construction and rehabilitation of infrastructure and facilities, and provision of equipment; (ii) policy and technical/operational advice, coaching and mentoring; (iii) training courses, study tours, capacity-building workshops, and other short-term consultancy services; (iv) legal education, research and evaluations; (v) national and regional-level dialogue and advocacy, (vi) legal drafting and revision of national legislation. Many of the projects include a combination of these services.

Instruments

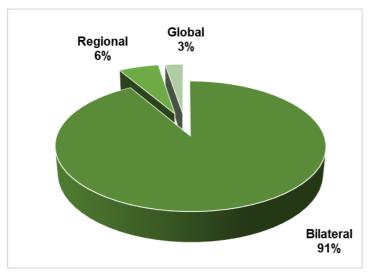*Figure 4 - Number of EC financed SSR contracts and TAIEX events, by instrument*

ENI and IPA were the most frequently used EC financing instruments. Other instruments that were used occasionally include: Community Assistance for Reconstruction, Development and Stabilisation (CARDS); the European Initiative for Democratic Institutions and Human Rights (EIDHR); Rapid Response Mechanism (RRM)/ Instrument for Stability (IfS)/ Instrument contributing to Stability and Peace (IcSP); MEsures D'Accompangnement (MEDA)[55]; and Technical Assistance to Commonwealth of Independent States (TACIS). The instrument was not specified for 31 contracts. Figure 4 illustrates the allocation of support for EC-financed contracts and TAIEX events by instrument. Additional information on support provided through Council-mandated CSDP missions/operations is found in Annex 2, Figures 17-20 and Table 1.

Financing mechanism

Figure 5 - Share of EC-financed SSR contracts and TAIEX events, by financing mechanism
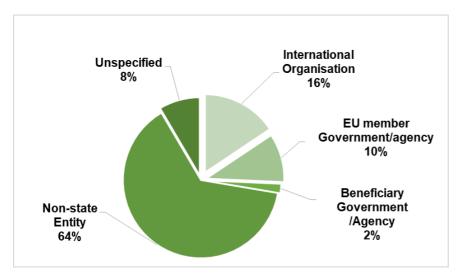

Bilateral support accounted for the vast majority (91%) of EC financed SSR contracts and TAIEX events in Enlargement and Neighbourhood beneficiaries (Figure 5). Regional interventions were mostly implemented in the IPA beneficiaries (just over EUR 80 mn). ENI East had relatively modest regional programming, with approximately EUR 20 mn against just under EUR 55 mn for ENI South. Additional information on regional and global support is found in Annex 2, Figures 4-6 and 21.

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[55] The MEDA programme was the main financial instrument of the Euro-Mediterranean partnership, http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:r15006.

Implementing partners

Figure 6 – EC-financed SSR contracts, by implementing partner

The EC-financed SSR contracts have been implemented by different lead implementing partners (or contracting partners), some of which have had their own project partners and sub-contractors. The team has classified these actors into four different categories:

- EU bodies (e.g. FRONTEX, European Police College), EU Member States' governments or their agencies (e.g. GIZ, Civipol).

- International organisations, such as the United Nations (UN) agencies, Organisation for Security and Cooperation in Europe (OSCE), Council of Europe (CoE), Interpol, International Organisation for Migration (IoM) etc.

- Non-state and private entities, such as international NGOs, private companies, consultancy firms, individual consultants and local NGOs.

- Beneficiary government/agency.

The majority of EC-financed SSR contracts have been implemented by non-state entities (Figure 6). In about 8% of the cases (100), it was impossible to categorise the implementer. This was primarily because data were unavailable.

4. EU political and policy dialogue in SSR

4.1. Introduction

Section 4 provides an overview of EU political and policy dialogue in SSR to the Enlargement region and the Neighbourhood region. IPA and ENP are distinct instruments that have different frameworks for addressing SSR issues. For IPA beneficiaries, the SSR reforms they undertake are tightly linked to the achievement of the EU *acquis* with regard to Chapters 23 (Judiciary and Fundamental Rights), 24 (Justice, Freedom and Security) and 31 (Foreign, Security and Defence Policy). This involves IPA beneficiaries both aligning national legislation with the EU *acquis* and implementing the revised legislation so that EU standards and good practices are applied. Without that, there can be no EU membership.

In contrast, the SSR support provided to beneficiaries in the European Neighbourhood is more flexible and tailored to the specific context of each beneficiary. In dialogue with the EU, ENP beneficiaries at bilateral level agree with the EU an ENP Action Plan (or an Association Agenda in the case of the eastern partners that delineates their commitment to democracy, human rights, rule of law, good governance, market economy principles and sustainable development). Despite these differences, the direction of change and desired effects of EU SSR assistance to both IPA and ENP are broadly similar: well-functioning, democratically governed security and justice sectors operating within the rule of law.

4.2. The Enlargement region

The Treaty of European Union stipulates that any European country may apply for membership in the European Union if it respects and promotes its democratic values. New members of the EU are only admitted when they have successfully demonstrated that they can comply with all of the EU's standards and rules (the EU *acquis*). The "Copenhagen Criteria" delineate the conditions for EU membership: (i) stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; (ii) a functioning market economy and the capacity to cope with competition and market forces in the EU; and (iii) the ability to take on and implement effectively the obligations of membership, including adherence to the aims of political, economic and monetary union.[56]

Beneficiaries are expected to demonstrate ownership of the reform agenda as they work to adopt and implement the *acquis*. There are 35 different policy fields (chapters) of the EU *acquis*, each of which is separately negotiated and evaluated as part of the candidate country process of accession. The three pertinent fields for SSR are Chapter 23, Judiciary and Fundament Rights; Chapter 24, Justice, Freedom and Security; and Chapter 31, Foreign, Security and Defence Policy. These chapters cover issues related to enshrining and upholding the rule of law; guaranteeing democracy, justice, human and minority rights, and internal security; and fighting against corruption and cross-border organised crime. The European Commission has assessed the annual progress of each country in an autumn report.[57]

The EU backs reforms in the IPA beneficiaries through financial and technical support funded by the IPA 2007-2013. IPA funds assist beneficiaries with implementing the multiplicity of reforms that are essential to the European path. For the period 2007-2013 IPA had a budget of some EUR11.5 billion for actions that supported the strengthening of democratic institutions and the rule of law. Its successor, IPA II, has allocated EUR11.7 billion for the period 2014-2020.[58]

IPA II has instituted a new strategic framework for pre-accession assistance. In dialogue with beneficiaries, the European Commission developed Indicative Strategy Papers for the 7-year period that identifies expected results, necessary actions, and progress indicators. Implementation plans are then developed in

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[56].European Commission, *European Neighbourhood Policy and Enlargement Negotiations. Conditions for membership*, 2016. https://ec.europa.eu/neighbourhood-enlargement/policy/conditions-membership_en

[57] Starting in 2018, the reporting will be moved to spring (and there will be no autumn 2017 report).

[58] European Commission, *European Neighbourhood Policy and Enlargement Negotiations. Overview - Instrument for Pre-accession Assistance, 2016.* https://ec.europa.eu/neighbourhood-enlargement/instruments/overview_en.

Action Programmes, which channel the majority of IPA II assistance to address the needs in priority sectors. Additional funding is allocated to enhance regional and cross-border cooperation via Multi-Country Action Programmes and Cross-Border Cooperation Programmes. The enhanced strategic focus of IPA II is an important advancement; its targeted, sector approach is intended to produce stronger ownership by beneficiaries, which is also one of the main goals of EU SSR assistance.

The EU Enlargement policies and programmes that have been developed for IPA beneficiaries have not been tailored and developed with security sector/system as an explicit reform objective. For example, the yearly Enlargement Strategy Papers from 2011 to 2016 have mapped the path of a "fundamentals first" approach that highlights the rule of law and fundamental rights, public administration reform and economic governance as the three fundamentals of the enlargement process, and which underpin the transposition and implementation of the *acquis.* This is the policy framework that serves as the foundation of relations between the EU and Enlargement beneficiaries. The driving focus of IPA assistance has been to support and encourage the reforms critical to establishing and improving the rule of law and practices of good governance essential to the European path, thereby enhancing the security of IPA beneficiaries by supporting the synergies between security and justice reform. As this evaluation demonstrates, in pursuing this approach, the EU has provided elements of SSR assistance to IPA beneficiaries through various mechanisms: financial measures, political/policy dialogue, and CSDP.

In the enlargement process, the scope of SSR is partly covered under the political Copenhagen criteria for EU membership (i.e. guaranteeing democracy, the rule of law, human rights, respect and protection of minorities), as well as by specific security obligations which fall under the purview of EU Justice and Home Affairs (JHA) policy (i.e. border management, migration, asylum and visa liberalisation, police cooperation, judicial cooperation in criminal or civil matters).[59] The dialogue channels follow a trajectory governed by the *acquis* under Chapters 23, 24, and 31. The objectives and issues that frame the parameters of EU SSR support in PPD are focused on assisting IPA beneficiaries with the reforms "…critical to establishing and improving the rule of law and practices of good governance essential to the European path, thereby enhancing [their]…security…by supporting the synergies between security and justice reform".[60]

The PPD scope in SSR is politically focused, not project driven, while EU financial support is project and expert based. The challenge for the EU is to match its political/security priorities in the Enlargement neighbourhood with relevant EU assistance through financial allocations to SSR projects and EC expert assistance. As the European Commission has explained,

> "[the EC]…through its policy dialogue…has systematically encouraged political support for reforms in the rule of law area by the beneficiaries. This dialogue, while not directly addressing project-related issues, has a direct bearing in ensuring that the political conditions are in place or are being addressed. Moreover, the Commission would like to highlight the particular challenge in imposing strict conditionalities, whilst not excessively curtailing financial support in the area of the rule of law. This requires careful calibration through policy dialogue, programming and project implementation".[61]

When the beneficiary has been firmly set on the 'European path', dialogue has been more technical and issue-based. Turkey, however, is a special case due to its long and controversial path towards EU accession. There is a security sector agenda with Turkey that is broader than compliance with the *acquis* and the EU has been systematic in linking political and technical meetings.[62]

In the Western Balkans, additional conditions for membership were established in the so-called 'Stabilisation and Association process', such as relating to regional cooperation and good neighbourly

[59] The Annexes of the 2006 *"A Concept for European Community Support for Security Sector Reform"* provide a summary of SSR in the context of enlargement policy. http://www.europarl.europa.eu/registre/docs_autres_institutions/commission_europeenne/sec/2006/0658/COM_SEC(2006)0658_EN.pdf, p. 4.
[60] IR, 2017, pp. 6-7.
[61] European Court of Auditors, *EU pre-accession assistance for strengthening administrative capacity in the Western Balkans: A meta-audit. Special Report no. 21.* Luxembourg, 2016, p. 54. http://www.eca.europa.eu/en/Pages/DocItem.aspx?did=37609.
[62] MN 361.

relations. The Stabilisation and Association Agreement (SAA) is the framework for contractual relations and dialogue prior to accession negotiations. An integral component of the SAA are the discussions that the EU and beneficiary authorities regularly have on technical and policy issues in relation to the European agenda.

The SAA structure and process are the same across all IPA beneficiaries that have an SAA in place. The SAA bodies include the Stabilisation and Association Council, the Stabilisation and Association Committee, as well as SAA Sub-Committees, which cover a wide range of the EU *acquis*. The meetings of the SAA bodies provide direct input into the European Commission's annual reports. Each sub-committee meeting is an opportunity for the EU and beneficiary authorities to "take stock", monitor the progress of the beneficiary, and identify how the EU can assist in the delivery of reforms. In the area of SSR, the relevant sub-committee is the Justice, Freedom and Security (JFS) sub-committee; it discusses and monitors the whole spectrum of rule of law issues and meets once a year. The meeting is prepared over weeks and months and includes informal contacts, senior level missions and the outcomes of project implementation. SAA Committee and Sub-Committee meetings are co-chaired by the European Commission and the beneficiary authorities. Each meeting results in jointly agreed follow-up actions to be taken by the beneficiary.

For accession negotiations, the Commission is a negotiator on behalf of the Council. A "screening process" determines to what degree a beneficiary meets the membership criteria and what work remains to be done. The Council adopts a negotiating framework, and negotiations are formally opened. Negotiations open on specific chapters of the *acquis*; the chapters close once the EC determines that sufficient progress was achieved.

Throughout the negotiations, the EC monitors the candidate's progress in applying EU legislation and meeting its other commitments, including any benchmark requirements. This process "gives the candidate additional guidance as it assumes the responsibilities of membership, as well as an assurance to current members that the candidate is meeting the conditions for joining".[63] The EC is also obliged to share information with the EU Council and European Parliament throughout the process.

DG NEAR provides financial assistance, covering accession and internal political developments in beneficiaries, while the EEAS leads on foreign policy and external relations.[64] For beneficiaries with an enlargement path, DG NEAR is responsible for policy. In order to effectively design and implement SSR support, the EU needs effective inter-service cooperation among all the relevant Directorate-Generals of the EC (i.e. DG NEAR, JUST, HOME); the EEAS; the EUDs; and, in some instances, CSDP missions and EUSRs. As EQ 6 will show, cooperation, complementarity and coordination is not easily facilitated among EU actors and instruments.

PPD occurs at both *technical level* (i.e. annual Sub-Committee of JFS; visa liberalisation roadmaps; Annual SA Committees and relevant sub-committees; Sector Budget Support Programmes; etc.) and *high level/political levels* (i.e., SA Council; EU-Western Balkans Ministerial forum on Justice and Home Affairs; Belgrade-Pristina Dialogue; High Level Dialogues; Inter-service 'Task Force' for the Security Union; Joint High Level Visits of EC, EEAS and CT Coordinator, etc.). Discussions and negotiations involve cross-cutting issues of SSR and include the fight against organised crime; irregular migration; human trafficking and the smuggling of persons; terrorism, terrorism financing; CVE; cybercrime and other cyber threats; and conflict resolution (i.e. The Belgrade-Pristina Dialogue).

Among the IPA case study beneficiaries, Albania, Serbia and Turkey are candidate countries. Bosnia and Herzegovina and Kosovo are both potential candidates for membership; Bosnia and Herzegovina applied for EU membership in February 2016. Candidate beneficiaries have a higher-level political relationship with the EU; for example, they receive invitations to EU Council meetings open to candidate countries. Among the five IPA case study beneficiaries, visa liberalisation has entered into force in Albania, Bosnia and

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[63] European Commission, *European Neighbourhood Policy and Enlargement Negotiations. Conditions for membership,* 2016.
[64] For example, in the case of Turkey, there is high level PPD dialogue on counter-terrorism and security; high level political dialogue with security aspects; geographic dialogues on Eastern Europe, Middle East and North Africa (MENA), the Western Balkans, and Asia; and mini summits. In all of these instances, there is a security component and potential SSR aspects.

Herzegovina and Serbia while in Kosovo dialogue opened in 2012 for the visa liberalisation roadmap and visa liberalisation dialogue was launched with Turkey in December 2013.

IPA beneficiaries have made progress on converging policies, legislation and regulations across a wide range of SSR areas, in particular Chapters 23 and 24. Annual reports published by the European Commission provide an extensive overview of progress in all areas of the *acquis.* There is not a dedicated section on SSR; SSR relevant issues are assessed under political criteria and in progress on meeting European standards in justice, freedom and security. As elucidated in the evaluation findings for EQ 4, Impact, all of the Enlargement beneficiaries have made some progress in SSR during the time frame of 2010-2016; nevertheless, progress is more rapid for some beneficiaries than others.

Among the notable SSR reforms evident among IPA beneficiaries, the 2016 *EC Communication on Enlargement Policy* identifies continuing efforts to modernise legal frameworks and infrastructure as well as to provide better training to judges and prosecutors, along with visible efforts to strengthen frameworks for tackling corruption and organised crime.[65] However, progress is urgently required in setting up functioning and independent judicial systems that are more efficient, independent and accountable.[66] Terrorism and radicalisation are ongoing security threats to the EU and the Enlargement area; the scope of PPD to include these issues also reflects MS priorities to address these threats.

The PPD process is a crucial element of reinforcing and multiplying the positive effects of EU financial assistance and CSDP missions. The EU has used PPD to encourage IPA beneficiary political support for SSR reforms, especially in the context of association agreements, pre-accession negotiations, and visa liberalisation, and the EC has directed funding to high-priority areas of SSR. While some progress has been made in SSR among all IPA beneficiaries, continued momentum is threatened by insufficient political will and buy-in to the reform agenda. As the European Commission has noted,

> "Given the complex nature of the necessary reforms, it is a long-term process and structural shortcomings persist…at the same time, it is important to recognise that accession negotiations are not – and never have been – an end in themselves. They are part of a wider process of modernisation and reforms. The governments of the Enlargement beneficiaries need to embrace the necessary reforms more actively and truly make this their political agenda – not because the EU is asking for it, but because it is in the best interest of their citizens".[67]

4.3. The Neighbourhood region

Whilst the Western Balkans and Turkey have a European perspective, the European Neighbourhood to the east and south is also a high priority area of EU foreign and security policy. The 2004 enlargement of the EU brought in 10 new members, bringing the membership of the EU from 15 to 25. In an effort to avoid the emergence of new fault lines and increased economic disparities between the enlarged EU and its neighbours, the EU instituted in 2003 the European Neighbourhood Policy (ENP) with the goals of reaching "…the closest possible political association and the greatest possible degree of economic integration".[68]

In dialogue with the EU, ENP beneficiaries at bilateral level agree with the EU an ENP Action Plan/ Association Agenda that delineates their commitment to democracy, human rights, the rule of law, good governance, market economy principles and sustainable development. The agreements specify the plans for political and economic reforms, with short and medium-term priorities of three to five years. At regional level, the Commission is engaged in policy dialogue with the Eastern countries of the ENP through the Eastern Partnership, a policy framework launched at the Prague Summit of May 2009. For the Southern

[65] European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. 2016 Communication on EU Enlargement Policy,* 9 November 2016, p. 3. https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_strategy_paper_en.pdf.
[66] For an overview of beneficiary progress for each IPA partner, see pages 10-13 of the 2016 EC Communication on Enlargement Policy.
[67] European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. 2016 Communication on EU Enlargement Policy*, 9 November 2016, p. 2.
[68] European Union External Action, European Neighbourhood Policy (ENP), 2017. https://eeas.europa.eu/headquarters/headquarters-homepage/330/european-neighbourhood-policy-enp_en.

Neighbourhood, the framework for the political and policy dialogue on issues of relevance for the Mediterranean region is the Union for the Mediterranean (UfM), which was launched in 2008, replacing the Barcelona process. However, SSR-related issues are currently not directly addressed under the UfM.

Of the 16 ENP beneficiaries (*Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Republic of Moldova, Morocco, Palestine, Syria, Tunisia and Ukraine*), 12 are fully participating as partners in the ENP, having agreed on ENP action plans or Association Agendas. Algeria is currently negotiating an ENP Action Plan, whilst Belarus, Libya and Syria remain outside of most of the ENP structures.

In 2007-2013, the European Neighbourhood Partnership Instrument (ENPI) replaced the previous funding mechanisms of MEDA (South) and the Technical Aid to the Commonwealth of Independent States (TACIS) (East). ENPI has provided financial support for ENP projects in the sectors of ENP cooperation, including security, justice and home affairs. Grants worth EUR12 billion were given to ENP-related projects from 2007-2013. The allocation of support is "…policy driven, and depends on the needs and absorptive capacity of the beneficiary countries as well as on their implementation of agreed reforms".[69] The ENI is the new funding instrument for the period 2014-2020 and totals EUR15.4 billion. It replaces the ENPI and it continues to provide support for bilateral, regional, and cross-border programmes.

As a result of the 2011 Arab Spring and continued political and economic upheavals in the wider European region, the ENP underwent a comprehensive strategic review process in 2011 in order to determine how the EU and its neighbours could build more effective partnerships. The ENP was revised to incentivise reform measures in partner countries around the "more for more" principle: the EU will deliver greater support to those partner countries that are committed to democratisation, providing mutual accountability and allowing for differentiated treatment.

In November 2015, alongside the broader work on the EU Global Strategy on Foreign and Security Policy, the European Commission and High Representative published the results of a public consultation and review on the future of the ENP.[70] Henceforward, "differentiation and greater mutual ownership will be the hallmark of the new ENP, recognising that not all partners aspire to EU rules and standards, and reflecting the wishes of each country concerning the nature and focus of its partnership with the EU".[71] Stabilisation is identified as the main political priority of the new phase of ENP engagement, even as the EU continues to promote the universal values it holds as foundational elements to its own progress and stability: democracy, human rights and the rule of law, and economic openness.

The 2015 ENP review calls for a more coherent and coordinated effort by the EU and the Member States in pursuing a united foreign policy in the region, including identifying common priorities, supporting their implementation, and engaging in joint programming.[72] "The key principles of the revised ENP are differentiation amongst partner countries, flexibility, joint ownership, greater involvement of the EU Member States, and shared responsibility".[73] The new ENP focuses on four priority sectors: (i) good governance, democracy, rule of law and human rights; (ii) economic development for stabilisation; (iii) security and; (iv) migration and mobility.

Since 2016 the EEAS and the European Commission have released country-specific reports ahead of the Association Council meetings or other similar high-level events. Previously, these reports were released annually and were not connected to high-level events. The Association Agendas and Partnership Priorities build on existing legal agreements with the EU – Partnership & Cooperation Agreements (PCAs) or Association Agreements (AAs). The Association Councils remain the highest formal bodies established

[69] European Commission, *Building partnerships for change in developing countries. European Neighbourhood and Partnership Instrument (ENPI),* 2017. http://ec.europa.eu/europeaid/funding/european-neighbourhood-and-partnership-instrument-enpi_en.

[70] European Commission, *Joint communication to the European parliament, the council, the European economic and social committee and the committee of the regions - Review of the European Neighbourhood Policy, 2015.* High representative of the European Union for foreign affairs and security policy.

[71] Ibid, p. 2.

[72] Ibid, p. 5.

[73] European Union External Action, European Neighbourhood Policy (ENP), 2017.

under the Association Agreements to supervise the implementation of the Agreements and to discuss issues of mutual interest.[74]

PPD takes place in the context of focused discussions on security (e.g. justice and home affairs subcommittee meetings and CT/security dialogues), which include SSR issues as a result of the new emphasis on resilience and stabilisation reflected in the 2015 ENP Review. The PPD agenda includes the need to counter terrorism and radicalisation, as well as enhancing the role of civil society. For example, SSR is a shared objective with a number of ENP beneficiaries and, together with countering terrorism, is among the Partnership Priorities already adopted with Lebanon and with Jordan at the end of 2016.

The allocation of financial support is "…policy driven and depends on the needs and absorptive capacity of the beneficiary countries as well as on their implementation of agreed reforms".[75] As a means to reward progress, the ENI incentive-based mechanism recognises the commitment of partners to political reform. For the 2016 funding exercise, "Georgia, Tunisia and Ukraine were allocated additional funds that were used to increase support for priority activities, including public administration reform, anti-corruption, rule of law and civil society support".[76] In addition to funding classic projects/interventions, the EU is using budget support measures, such as for police reform in Moldova. While ENI provides the main funding source for SSR interventions, the IcSP and CFSP budget also fund interventions.

In the Neighbourhood East, the prospect of political association and economic integration has deepened cooperation. PPD has centred around i) progress in reform to accept European standards and practices, and to approximate the EU legislation in national contexts, ii) incentives offered by the EU for achieving these objectives, such as visa liberalisation, and iii) domestic political issues and geopolitics.

The EU and partner countries leaders meet every other year in Eastern Partnership Summits. Relevant SSR related topics of the EaP include a focus on strengthening institutions and good governance.

Association Agreements with Georgia (2016), Moldova (2016) and Ukraine (2017) have driven SSR progress in line with the ENP. Visa liberalisation dialogues with Georgia, Moldova and Ukraine are successful examples of dialogue combined with financial assistance in the context of visa liberalisation roadmaps and interventions that address, amongst others, migration management and the fight against cross-border crime.

For example, through funding of the European Union Border Assistance Mission to Moldova and Ukraine (EUBAM), the EU has supported IBM along the Moldovan-Ukrainian border. Since 2014, PPD with Ukraine has intensified on all levels. The dialogue process has fed into the design and deployment of the EUAM by dedicating assistance to supporting civil society, and establishing the Support Group for Ukraine (SGUA) that maintains the link between PPD and the design/implementation of specific financial interventions. Two issues - IBM and justice reform - are consistently raised in policy documents and are accompanied by financial assistance to these sectors.[77]

In the Neighbourhood South, the goal is also political association and economic integration, combined with the preservation of statehood and internal stability and resilience. There is regular PPD with all Neighbourhood South beneficiaries in the context of association agreements, committees and council meetings where security developments and SSR are discussed, as well as dedicated subcommittees on justice and home affairs and CT/security dialogues with several countries. The EU and its partners exchange views on policy priorities, as well as conduct joint assessments of issues like terrorism, the fight against illegal trafficking, and drug smuggling. PPD has revolved around (i) the provision of SSR support for the internal stabilisation of partners, which requires capable, democratically controlled and respected law

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[74] European Union External Action, European Neighbourhood Policy (ENP), 2017.

[75] European Commission, *Building partnerships for change in developing countries. European Neighbourhood and Partnership Instrument (ENPI)*, 2017.

[76] European Commission, *Joint Report to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Report on the Implementation of the European Neighbourhood Policy Review*, 18 May 2017. Belgium: High Representative of the Union for Foreign Affairs and Security Policy, 2017, p. 14. https://eeas.europa.eu/sites/eeas/files/2_en_act_part1_v9_3.pdf.

[77] See section 3 for more detail.

enforcement, judicial and security forces/agencies; (ii) assistance to border and coastal patrols for the prevention of refugee flows to Europe; and (iii) CVE/CT.[78]

Based on extensive PPD, counter-terrorism (CT) roadmaps and action plans have been developed with Lebanon and Jordan. The action plans are at the level of the EU, not the Commission, but it is the Commission that finances specific actions.[79]

Member States are not part of these political dialogues and CT action plans. The Council Working Party on Terrorism (TWP) consists of Member States; it leads and manages the Council's general agenda on counter-terrorism. The working party cooperates with the EU counter-terrorism coordinator and EUROPOL and shares work in several policy areas with the Working Party on Terrorism - International Aspects (COTER). Bilateral security assistance may sometimes conflict with EU initiatives. Member State relations with security sector stakeholders are often stronger than the EU's (e.g. Jordan).[80]

The Mashreq/Maghreb Working Party deals with the EU's CFSP and community competence with regard to Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, the Western Sahara conflict, Palestine, Syria and Tunisia.[81] It also addresses EU cooperation with countries in North Africa and the Middle East. The office of the EUSR also engages in political dialogue. Thorny issues are the Gaza strip, settlements and progress on the Middle East regional security context.[82]

Finally, the sequencing of agreements can be a significant factor in achieving success. This has been the case with visa facilitation agreements and readmission agreements. With some Neighbourhood South partners, the EU was clear that it wanted to work on visa agreements simultaneously with readmission agreements. Some governments were not keen to do this. Before the Arab Spring, the position of the Commission was quite strict – "first agree to proceed with negotiations on readmission and then when that is done we will see what scope there is for visa liberalisation".[83] The national governments did not wish to cooperate much on these terms. Then the EU changed its approach to work for mobility partnerships with the Neighbourhood South. They offered a stronger package of incentives – more financing, clearer perspective for visa facilitation and more structured cooperation with EU MS. There are now mobility agreements with several beneficiaries.[84]

4.4. Conclusion

As the evaluation findings in Section 5 will reveal, SSR cannot be imposed on beneficiaries; its success and long-term sustainability depends on the political willingness of the beneficiary to engage in such reforms. Political willingness and national ownership is key, but so is the ability of the EU to flexibly and quickly adapt its support to SSR and to achieve coherent, complementary, and coordinated interventions among PPD, EU financial support, and CSDP missions/operations.

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[78] MN 304.
[79] MN 301; MN 607.
[80] MN 304.
[81] Similar Council Working Parties exist for the Western Balkans (COWEB, CoELA) and the Neighbourhood East (CoEAST).
[82] MN 303.
[83] MN 601.
[84] MN 601.

5.   Evaluation findings

5.1. Evaluation Question (EQ) 1 Relevance

To what extent has the political/policy dialogue and programming carried out in both bilateral and regional contexts been in line with the objectives set out in the EU policy framework on SSR and with the wider goals of EU external cooperation, and to what extent has EU support (financial assistance and political/policy dialogue) addressed identified needs in the countries concerned?

Summary answer	**EU SSR interventions were in line with the objectives set out in the 2006 Communication of the European Commission on a Concept for European Community Support for SSR, integrated into strategies and programming tools, and matched wider EU external action goals. All interventions responded to the objectives in the IPA I/II Regulations and Enlargement Strategy or ENPI/ENI Regulations. The EU has used dialogue to encourage political support for SSR reforms, and priorities were matched by provision of the relevant EU assistance. The EU had an adequate understanding of political and security environments, but faced challenges in translating this understanding into programming. Geopolitical factors, lack of in-depth relationships and the technical approach of approximating EU legislation, standards and practices in different contexts affected the quality of EU SSR programming. A more strategic approach to SSR could have enhanced it. Adherence of intervention logics to formal beneficiary strategies and other commitments did guarantee they reflected the local context. Gaps often existed between broadly defined objectives and narrowly defined activities. Absorption capacity has not always been factored into programming. The EU lacks a systematic and well-thought-out approach for transformation of security sector institutions and practices in conflict-affected and volatile contexts and in those contexts where undertaking reforms to follow the European path presents a serious challenge to the dominance of beneficiary elites.**

Judgement Criteria (JC) 1.1	**The (original) objectives, defined in the policy/programming/planning documents, have been in line with the EU policy framework on SSR and wider EU external action goals.**

EU support for SSR has been in line with the objectives set out in the 2006 Communication of the European Commission on a Concept for European Community Support for Security Sector Reform, both generally and in relation to the case study beneficiaries. SSR issues were frequently addressed in PPD at both the strategic and intervention levels. Linkages of varying intensity have been established between PPD and EU SSR financial assistance in the case study beneficiaries. The EU SSR policy frameworks in force during the 2010-2016 period had overarching goals of strengthening good governance, democracy, the rule of law and the protection of human rights.[85] The 2016 Joint Communication on an EU-wide strategic framework for SSR maintains this focus on good governance and stresses efforts to ensure security for individuals and the state.[86] Of the 39 interventions examined for 11 case studies, all have objectives that are consistent with these overarching goals: promoting rule of law, capacitating local stakeholders in a manner consistent with international/EU standards and good practice, and supporting security and access to justice for citizens. [87] Prominent sectors of EU support have included law

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[85]Council of the European Union, *Draft Council Conclusions on a Policy Framework for Security Sector Reform.* Belgium, 2006; Council of the European Union, *EU Concept for ESDP support to Security Sector Reform (SSR).* 2005 *12566/4/05, REV 4.* Brussels, 2005; Commission of the European Communities, *Communication from the Commission to the Council and the European Parliament. A Concept for European Community Support for Security Sector Reform,* 24 May 2006, Belgium. http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52006DC0253&from=EN.

[86] European Commission, *Joint communication to the European Parliament and the Council. Elements for an EU-wide strategic framework to support security sector reform,* 5 July 2016. Strasbourg: High Representative of the Union for Foreign Affairs and Security Policy.

[87] See Annex 1 for the evaluation Intervention Logic which describes differences between IPA and ENI beneficiaries.

enforcement, justice and rule of law, prison reform, and IBM. Many interventions in both IPA and ENP beneficiaries had a governance dimension mainstreamed into their design, such as the EURALIUS and Police Assistance Mission of the European Community to Albania (PAMECA) programmes in Albania or Support to Justice Sector Reform in Ukraine where assistance was provided on anti-corruption and integrity measures as well as on human resource management.

SSR was integrated into national and regional strategies, action plans, and programming tools for all of the 11 ENI/IPA case study beneficiaries. The IPA I Regulation includes "strengthening…the rule of law, including its enforcement" under its scope of assistance,[88] while the IPA II Regulation states that "strengthening the rule of law, including the fight against corruption and organised crime" remains one of the key challenges in the IPA beneficiaries.[89] Additionally, SSR is recognised as "an integral part of the stabilisation and Association Process…[and] partly covered under the political Copenhagen criteria" for candidate and potential candidate beneficiaries.[90] In the IPA region, SSR has consistently been integrated into IPA I multi-annual indicative planning documents, annual Enlargement Strategy Papers and annual and multiannual programmes, as well as financing agreements between the Commission and the beneficiary.[91] It was integrated under country and multi-country indicative strategy papers established under IPA II, as well as annual, multiannual, country-specific and multi-country programmes.[92] In the Neighbourhood region, programming tools included action plans, multiannual programming papers and multiannual indicative programmes under the European Neighbourhood and Partnership Instrument (2006 - 2013).[93] Since 2014, a Single Support Framework (SSF) has been adopted for assistance to beneficiaries in the Neighbourhood region under the ENI Regulation.[94] Many of these key documents included provisions relevant for SSR. In Palestine, the integration was indirect. Until 2013, financial support was channelled primarily through Special Measures to fund the Direct Financial Support mechanism intended to provide reliable and unconditional contributions to the Palestinian Authority.

The objectives of EU SSR support were in line with the EU's wider external action goals to a significant extent. In all 11 IPA and ENI case study beneficiaries, SSR support was in line with EU policies in areas such as promoting regional cooperation; fighting corruption, organised crime, terrorism, and trafficking in humans and drugs; protecting borders; mitigating conflicts and crises; protecting human rights; and promoting development and aid effectiveness.

The EU has used PPD to encourage political support for SSR reforms, especially in the context of pre-accession negotiations and for beneficiaries with association agreements. However, this dialogue sometimes did not address intervention-level issues. With the exception of Albania, dialogue in the Western Balkans tended not to address intervention-related issues directly, focussing instead on ensuring broader political support for comprehensive rule of law reforms.[95] In some of the other beneficiaries, PPD and EU SSR assistance have been more closely linked. In Albania, policy dialogue and EURALIUS went hand in hand. In Georgia, there has been an EU-Georgia policy dialogue with government and civil society framed by the Criminal Justice Sector Policy Support Programme[96] while assistance

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[88] Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA), article 2, p. 4.

[89] Regulation (EU)No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II), (9), p. 2. For the relevant thematic priorities of assistance see Annex II, point (B), p. 11.

[90] http://www.europarl.europa.eu/registre/docs_autres_institutions/commission_europeenne/sec/2006/0658/COM_SEC(2006)0658_EN.pdf.

[91] Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA), Article 6, p. 4.

[92] Regulation (EU)No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II), article 6, p. 6, and article 7, p. 7.

[93] Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument, Article 7.

[94] Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument, Article 7.

[95] European Court of Auditors, *EU pre-accession assistance for strengthening administrative capacity in the Western Balkans: A meta-audit. Special Report no. 21.* Luxembourg, 2016. p. 52.

[96] ROM. 2013. Background Conclusion Sheet: BCS-146860 / C-301629 / MR-146860.01. Support to the Reform of Criminal Justice System in Georgia. November.

matched dialogue in Moldova where budget support was provided to the justice sector and IBM, which were key EU reform priorities.[97]

Political priorities on the whole were matched by provision of the relevant EU assistance. Tools to follow through on PPD commitments included financial allocations to SSR interventions, CSDP missions, peer reviews and expert accompaniment by the seconded or contracted EU personnel and have been applied according to context. CSDP missions have amplified the SSR focus, as in Palestine where EUPOL COPPS was deployed in 2006 to support the establishment of a modern law enforcement system after the 2nd Intifada.[98] However, the CSDP mission has worked only with the Palestinian Civil Police. Other important local security actors, such as the Preventive Security Organisation, have remained outside of its remit. In Ukraine, a gap between the kind of CSDP mission the beneficiary wanted and what the EU was willing to provide accounted for: 1) the initial lack of rapport between the mission and the national stakeholders, which derived from the fact that the role and focus of the mission was not explicitly shaped jointly by the EU and the beneficiary, EUAM's strategic constituency was initially unclear, advice was more supply than demand-driven, and the operational capacities of EUAM were constrained by the lack of funds to pursue projects on the ground; 2) the time it took for the CSDP mission to adapt its capacities to the context, including a change in mandate and the resources to pursue capacity-building projects; and 3) the need to adapt to programmes already developed by other international actors.[99]

Moreover, relevance is a dynamic concept because beneficiary contexts are not static. Some beneficiary stakeholders have questioned the continued relevance of EULEX (deployed in Kosovo since 2008) and called for a clear exit strategy. Over time, EULEX has lost support among Kosovar authorities, as well as citizens who hoped that the mission would achieve greater results with its executive mandate.[100] The need for adaptation to fluid and precarious contexts also applies to financial assistance.

JC 1.2	EU support for SSR (financial assistance and political/policy dialogue) has reflected a realistic understanding of partners' SSR needs and capacities.

Neither formal assessments of the security sector nor sectoral needs assessments have routinely been carried out by the EU in order to inform its SSR support. Nonetheless, the EU frequently has an adequate understanding of beneficiaries' political and security environments. Information on context derives from a variety of sources: (i) longstanding political relationships; (ii) long-term EU sectoral engagement, including the ability to build on previous programming (e.g. in Albania, PAMECA is now in its fifth phase and EURALIUS is in its fourth); (iii) use of implementers with extensive local experience; (iv) use of existing needs assessments and government strategies; (v) use of needs assessments conducted by EU implementing partners and/or beneficiaries; (vi) knowledge available among national staff of the EUDs and beneficiary counterparts. The evidence that regional programming reflected an understanding of context is mixed.[101]

In general, EU support to SSR has reflected critical EU objectives. For Enlargement beneficiaries, EU SSR support has been heavily focussed on achieving the EU *acquis* in Chapters 23, 24 and 31. A number of EUD interlocutors expressed their belief that the application of a holistic concept of SSR could allow

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[97]For Moldova, see European Commission, External Relations Directorate General; European Commission, *Programming of the European Neighbourhood Instrument (ENI) Single Support Framework for EU support to Moldova (2014-2017)*; European Union, *Association Agreement between the European Union and the European Atomic Energy Community and their Member State, of the one part, and the Republic of Moldova, of the other part*, Official Journal of the European Union, 30 August 2014, http://eur-lex.europa.eu/legal-content/en/ALL/?uri=uriserv%3AOJ.L_.2014.260.01.0004.01.ENG and the European Commission, *Identification Fiche for Sector Policy Support Programme: Sector Budget Support to the Justice Sector Reforms, ENPI/2012/ 23420, Republic of Moldova*; and MN 320.

[98] The mission's mandate expanded since January 2006 when it was originally deployed, to include justice reform, engagement with prosecutor's office and coordination, see http://www.eupolcopps.eu/en/content/what-eupol-copps.

[99] MN 321; MN 317; MN 620; MN 678; International Security Sector Advisory Team and The Folke Bernadotte Academy, *Country Case Studies to Inform the EU-Wide Strategic Framework for Supporting SSR: Findings from Mali, DRC and Ukraine,* Final Report, 11 March 2016. http://issat.dcaf.ch/download/105238/1883902/Country%20case%20studies%20for%20EU%20SSR%20policy%20-%20Final%20report.pdf.

[100] MN 07; MN 19; MN 20; MN 21; MN 22; MN 25; MN 32.

[101] For evidence of insufficient relation of regional programming to context, see MN 329; MN 406; MN 678. Evidence of relevance at the regional level include: ROM Report, 2016, 'International Cooperation in Criminal Justice: the Prosecutors' Network of the Western Balkans', IPA/2014/350650; MN 719; MN 725.

gaps and missing links to be identified more readily than by viewing the reform process solely through the prism of the *acquis*. It was also suggested that IPA could learn some useful lessons from the Neighbourhood in this regard.[102] In Neighbourhood East and South, SSR support is more flexible and tailored to the specific context of each beneficiary. That said, EU SSR support to Neighbourhood beneficiaries has largely reflected EU objectives in the areas of rule of law, state building/stabilisation, engagement of civil society in promoting reforms, counterterrorism, cyber-security, IBM and law enforcement. In the Neighbourhood East, support is also intended to provide an alternative to close relations with Russia. For three of the Neighbourhood East countries, Georgia, Moldova and Ukraine, their Association Agreements with the EU also commit them to meeting large parts of the *acquis*.

Enlargement and Neighbourhood beneficiaries have engaged in structured political dialogue with the EU that, in principle, provides beneficiaries the opportunity to explain their needs and priorities to EU counterparts. In practice, this does not always occur. Beneficiaries may not want to share their true priorities, because they are interested in maximising the benefits of their engagement with the EU – visa liberalisation, access to the EU market, support in addressing key political and security issues, financial assistance, upgraded infrastructure – and authorities do what is necessary to receive these benefits. For its part, the EU is heavily focused in formal dialogue on the progress that beneficiaries have made in meeting requirements in their joint action plans.[103] The EU engages in dialogue on policy areas with the Member States through the IPA/IPA II Committees, which have been established under the IPA Regulations.[104] This dialogue then feeds into the SAA Sub Committees, when specific issues need to be raised at policy level with the IPA beneficiary. Ongoing financial assistance is discussed in the IPA Monitoring Committees[105], which were set up to "review the overall effectiveness, efficiency, quality, coherence, coordination and compliance of the implementation of all actions towards meeting their objectives".[106] However, national counterparts have sometimes indicated that the quality of consultation was unsatisfactory. In Bosnia and Herzegovina, for example, the authorities reported that there was inadequate time during the Subcommittee meetings to discuss technical assistance and raised concerns over the application of a technical approach that was sometimes disconnected from PPD.[107]

The EU has faced challenges in translating its understanding of local context into programming. While beneficiaries frequently share the EU's overarching concerns and objectives, they are not always able or willing to undertake the fundamental reshaping of domestic political and economic relations or the comprehensive restructuring of institutions envisaged by accession and association. To a large extent EU programming is linked to government strategies and action plans that are developed in collaboration with EU officials and experts. In this way, the EU believes that its programming is based on the national authorities' commitment to reform. This is true where these strategies reflect a convergence of EU and beneficiary interests and priorities. The Georgian government, for example, has ambitious goals and uses EU support to achieve them. The convergence of interests is not perfect, but the government generally accepts that in order to achieve its strategic objective of embarking on a trajectory for EU membership, that it has to absorb certain elements of EU values.[108] For some of the other Enlargement and Neighbourhood

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[102] MN 352; MN 716.

[103] For example, *6th Subcommittee On Justice, Freedom And Security,* Tirana, 14-15 May 2014, Conclusions; Commission Staff Working Document, Turkey 2016 Report, EU Enlargement Policy; European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - 2016 Communication on EU Enlargement* Policy. COM(2016) 715 final; European Commission and High Representative of European Union for Foreign Affairs and Security Policy, *Joint Staff Working Document. Implementation of the European Neighbourhood Policy in Georgia Progress in 2014 and recommendations for action,* 25 March 2015; European Commission and High Representative of European Union for Foreign Affairs and Security Policy, *Joint Staff Working Document, Implementation of the European Neighbourhood Policy in Jordan Progress in 2014 and recommendations for action,* 25 March 2015.

[104] Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA), article 14, p. 7, and Regulation (EU)No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II), article 13, p. 8.

[105] Composed of representatives of the Commission, the NIPAC and other relevant national authorities and bodies of the IPA II beneficiary and, where relevant, international organisations, including international financial institutions and other stakeholders, such as civil society and private sector organisations

[106] Commission Implementing Regulation (EU) No 447/2014 of 2 May 2014 on the specific rules for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council establishing an Instrument for Pre-accession assistance (IPA II), Article 18.2, p. 8.

[107] MN 34; MN 36; MN 37; MN 39; MN 41; MN 47; MN 49.

[108] MN 695; MN 709.

beneficiaries, the formal strategies that underpin EU support often reflect government aspirations, but are more ambitious than what governments can realistically deliver on. There have been gaps between government priorities and what the EU has focused its assistance on, limited political willingness of elites to deliver reforms, insufficient capacity of bureaucracies to design and implement complex reform processes, and gaps between the interests of political elites and citizens.[109]

That said, consultation was a notable feature of sector budget support programmes, where the EU negotiated benchmarks and conditions with beneficiaries.[110] Where interventions have conducted needs assessments during an inception period (many twinnings), stakeholders have also had the opportunity to influence how work plans were designed. However, the quality of consultation varied and was not always considered sufficient by national counterparts.

Some interlocutors have raised questions about the appropriateness of the EU technical approach of approximating EU legislation, standards and practices in countries aspiring to EU membership. It is argued that this approach does not give adequate attention to the political economy of beneficiaries and expects even reasonably well-capacitated governments to accomplish too much in too short a period of time.[111] As one implementer in the West Balkans noted: "It is not always feasible to meet the EU *acquis* because the conditions necessary to implement *acquis* are not in place. The EU needs to prioritise and sequence adoption of the *acquis*".[112] The ability of the EU to re-sequence assistance to Bosnia and Herzegovina in late 2014 to revitalise the stalled reform agenda indicates that flexibility is possible, at least to remove major blockages. (See also JC 3.2 below).

Additionally, geopolitical factors have affected the programming process and jeopardised accountability. To take one example, in Serbia, the EU's focus has increasingly been on the normalisation of relations between Kosovo and Serbia. Some interlocutors (civil society and international SSR practitioners) have argued that rule of law and democratic governance reforms have taken a back seat under the pressure of geopolitical imperatives. The belief was expressed that all that mattered was to resolve the Kosovo issue and that fears of pushing Serbia closer to Russia caused a lenient attitude towards achieving important elements of the *acquis*.[113] In Moldova, where the belief is widely held that the EU is keen to increase its influence vis-a-vis Russia, endemic corruption was largely overlooked by the EU and other members of the international community prior to the discovery of a major banking fraud. An early warning system implemented by the Commission in 2012 to "be activated in cases where there is an immediate and severe deterioration of the situation or the occurrence of an event identified as risk that has a major impact on the programme objectives," may have worked once the fraud was made public but was not triggered prior to that despite the significant endemic corruption.[114] In Palestine, members of the international community raised concerns that diplomatic negotiations have not provided many visible gains for the Palestinians and that the lack of progress on a political solution leads to disempowerment and a loss of hope among

[109] MN 34; MN 37; MN 39; MN 41; MN 47; MN 49; MN 381; MN 649, 659; MN 670; Wolczuk, K., 2017, '*European Integration*', in The Struggle for Ukraine, ed. Timothy Ash et al., London: Chatham House, pp. 24- 25, https://www.chathamhouse.org/sites/files/chathamhouse/publications/research/2017-10-18-struggle-for-ukraine-ash-gunn-lough-lutsevych-nixey-sherr-wolczukV5.pdf.

[110] See for example Disbursement Report: Support to the Justice Sector Reform in Jordan. Agreement No ENPI/2012/023-471, 2016, p. 7; Annex II to Financing Agreement no. 2011/22562. Technical and Administrative Provisions, Support to the Criminal Justice Sector, 2012, section 1.1, p. 10.

[111] MN 302; MN 600; MN 627; MN 648; MN 650; MN 659; MN 663; MN 664; MN 678; Wolczuk, 2017; Ginsberg, and Penksa, 2014, Penksa, S. E., *Measuring impact: specific achievements and outcomes*. In Flessenkemper, T., & Helly, D, eds. *Ten years after: lessons from the EUPM in Bosnia and Herzegovina (2002-2012). Joint Report*, pp. 66 – 72, European Union Institute for Security Studies, 2013.

[112] MN 719.

[113] MN 715; MN 718; MN 720; MN 722. The February 2018 EU strategy for the West Balkans places a heavy emphasis on normalisation of relations between Serbia and Kosovo. European Commission, 2018, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, *A credible enlargement perspective for and enhanced EU engagement with the Western Balkans*, Strasbourg, 6.2.2018, COM(2018) 65 final, https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf.

[114] European Court of Auditors, EU Assistance for Strengthening the Public Administration in Moldova, Special Report no 13, 2016, https://www.eca.europa.eu/Lists/ECADocuments/SR16_13/SR_MOLDOVA_EN.pd, p. 12; MN 670; Gherasimov, C., '*Moldova's Proposed Electoral Change Is a Blow to Democracy. The EU Must Oppose It*', Chatham House, 10 May 2017, https://www.chathamhouse.org/expert/comment/moldova-s-proposed-electoral-change-blow-democracy-eu-must-oppose-it; Kostanyan, H., '*Why Moldova's European Integration is Failing*', CEPS Commentary, 3 March 2016 https://www.ceps.eu/publications/why-moldova%E2%80%99s-european-integration-failing.

Palestinians. This in turn leads to the erosion of human rights standards, stagnation of democracy and a drift towards authoritarian control.[115]

While the EU places great importance on national strategies to identify beneficiary priorities, there is no evidence of a comprehensive EU strategic approach to security sector/system reform in any of the 11 case studies although such an approach could enhance the quality of programming of EU support to SSR. As the 2016 Joint Communication on an EU-wide strategic framework for SSR underscores, SSR programming is strengthened by understanding the security environment as it is perceived by key social groups and assessing political commitment to reform, likely sources of resistance and how to build or reinforce constituencies to support change processes.[116] To date, EU stakeholders have not engaged in shared analysis of SSR as a precursor to joint planning and programming in the pursuit of overall agreed objectives for reforming the security sector/system in each beneficiary.

Absorption capacity has not always been factored into planning to realistically assess whether beneficiaries can achieve the anticipated results within the proposed timeframe and with the support available. Assessments indicate that some beneficiaries have had good or adequate absorption capacity in the relevant sectors or institutions, while insufficient absorption capacity has been documented for others.[117] The history of previous assistance has not always been taken into account when new programmes were planned. A number of factors determining intervention-level absorption capacity have emerged from document review and interviews: 1) presence of a sufficient number of committed individuals among the beneficiary with time to devote to interventions, 2) receptiveness of institutions to embrace reform, 3) ability of the EU to fill capacity gaps through technical assistance or expert accompaniment in a timely fashion, 4) sufficient level of technical subject knowledge (which can be low in political appointees), and 5) a minimal level of staff turnover and institutional re-organisation.[118] The EU has learnt lessons in this regard. Sector budget support programmes are now routinely complemented by technical assistance to help the beneficiary understand the modality and assist in implementation.[119]

JC 1.3	IPA and ENI support has responded to the objectives set out in the IPA I/II Regulations and Enlargement Strategy and ENPI/ENI Regulations.

All 39 interventions examined in detail for both IPA and ENPI/ENI beneficiaries have responded to the objectives in the IPA I/II Regulations and Enlargement Strategy or ENPI/ENI Regulations. All examined IPA I/II interventions reflect Chapters 23 and 24 of the *acquis,* which are intended to assist Enlargement beneficiaries to establish a society based on the rule of law as required by the Copenhagen criteria.[120] Most of the interventions in the evaluation portfolio for IPA beneficiaries are related to Chapter 24, Justice, Freedom and Security and support reforms in the areas of border control, external migration, organised crime, trafficking in humans and drugs, law enforcement, corrections, customs, criminal justice, anti-terrorism/violent extremism, and cybercrime. A smaller number are related to Chapter 23, Judiciary and Fundamental Rights, and support reforms in the areas of independence of the judiciary and corruption. The interventions are consistent with Article 2 of IPA I/II regulation, in particular strengthening democratic

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[115] Human Rights Watch, *World Report 2018: Palestine*, https://www.hrw.org/world-report/2018/country-chapters/israel/palestine; Hussein Agha and Ahmad Samih Khalidi, '*The End of This Road: The Decline of the Palestinian National Movement'*, The New Yorker, 6 August 2017, https://www.newyorker.com/news/news-desk/the-end-of-this-road-the-decline-of-the-palestinian-national-movement; MN 348, 355, 391, 392, 401, 402, 403, 409.

[116] European Commission, *Joint communication to the European Parliament and the Council, Elements for an EU-wide strategic framework to support security sector reform, JOIN (2016)31 final*, pp. 7-8; MN 649.

[117] For good capacity, see, ENPI/2011/022562, 'Support to the Criminal Justice Sector in Georgia', ROM C-301629/MR-146860.01, November 2013, section 7.2. For problematic capacity, see, ENPI/2011/271613, "Enhancing the Capacity and Professionalism of the Lawyers' Community in the oPT", Monitoring Report, MR-145102.02, 15 October 2013, p. 3, and Monitoring Report, MR-145102.01, 8 October 2012, p. 1; and IPA/2011/282152 "Project Against Economic Crime in Kosovo (PECK)", PECK I Final Report, pp. 30-31.

[118] MN 331, 365, 373, 600, ENPI/2011/271613, "Enhancing the Capacity and Professionalism of the Lawyers' Community in the oPT" Monitoring Report, MR-145102.01, 8 October 2012 and Monitoring Report, MR-145102.02, 15 October 2013, ENPI/2013/328160 "Support to Justice Sector Reforms in Ukraine", Progress Report no. 1, October 2014 – March 2015 and ROM Report 2015, July-August 2015; see also references in JC 3.1 with regards to Moldova.

[119] European Union Delegation to the Kingdom of Morocco, *Issues Paper: A review of the Budget Support instrument in Morocco*, 3 March 2015, p. 4; European Court of Auditors, *EU Assistance for Strengthening the Public Administration in Moldova*, Special Report no 13, 2016, https://www.eca.europa.eu/Lists/ECADocuments/SR16_13/SR_MOLDOVA_EN.pdf, p. 26-29.

[120] European Commission, *European Neighbourhood Policy and Enlargement Negotiations*.

institutions (including the rule of law and judicial independence); the fight against corruption and organised crime; strengthening good governance; building capacity for law enforcement, border management and implementation of migration policy; strengthening civil society's capacity to participate effectively in SSR.[121]

All ENPI/ENI interventions examined for Neighbourhood East and South partners are consistent with Article 2 of ENPI regulation.[122] In particular, the interventions supported strengthening democratic institutions (including the rule of law and judicial independence and the elaboration and effective implementation of SSR policies); the fight against corruption and organised crime; strengthening good governance; building capacity for law enforcement, border management and implementation of migration policy; strengthening civil society's capacity to participate effectively in SSR.

It is important to note that the *acquis* can be a constraint as well as an enabling factor. Interlocutors in Serbia in particular noted that important aspects of SSR are not covered by the *acquis* including democratic oversight, intelligence and defence reforms, and strategic planning for security sector. When EU support focuses on the *acquis*, these issues are not addressed although they are of considerable importance to states governed by the rule of law.[123]

JC 1.4	The (explicit or implicit) theories of change and intervention logic for EU SSR support in Enlargement and Neighbourhood beneficiaries have reflected the local political and security context.

Adherence of intervention logics/theories of change to formal commitments is an essential, but not a sufficient condition for them to be relevant for the local context. The majority of the existing theories of change (mostly implicit), intervention logics and logframes were relevant to context as defined by documents such as country status reports, *acquis* requirements, commitments by beneficiary governments in ENP Action Plans, and policy/strategy documents detailing national priorities. However, as discussed in JC 1.2, these formal statements of national priorities do not always accurately reflect beneficiary priorities, capacities or political intentions. Development of theories of change is a fairly new requirement and only one of the 39 interventions examined in detail had an explicit theory of change.[124] Consequently, it was not always clear which assumptions lay behind interventions, how chosen pathways should lead to anticipated change and what gave the EU and implementers confidence that following the particular intervention logics would bring the desired results.

About two-thirds of interventions had intervention logics or logframes, but a gap often existed between broadly defined results/objectives and fairly narrowly defined activities. Several of the interventions in the earlier part of the evaluation timeframe had no requirement for intervention logics, much less theories of change. In Kosovo, although the examined programming documents lack explicit intervention logics, they are implicitly sufficiently tailored to the local political and security context. Where there were no formal statements of the theory of change, the national counterparts could sometimes articulate their understandings of it.[125] However, it was often not possible to construct an implicit theory of change from the available logframes. This made it difficult to assess how the activities to be carried out by the intervention would lead to the attainment of higher-level results/objectives.

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[121] Council of the European Union, *Council Conclusions on the Implementation of the Joint Declaration by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organisation. 15283/16*, General Secretariat of the Council. Brussels, 6 December 2006. http://data.consilium.europa.eu/doc/document/ST-15283-2016-INIT/en/pdf; European Parliament and Council of the European Union, *Regulation (EU) No 231/2014 of the European Parliament and the Council establishing an Instrument for Pre-accession Assistance (IPA II). Conditions for Membership: Chapters of the Acquis*, 11 March 2014. Official Journal of the European Union. https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/financial_assistance/ipa/2014/231-2014_ipa-2-reg.pdf

[122] European Parliament and Council of the European Union *Regulation (EU) No 232/2014 of the European Parliament and the Council establishing a European Neighbourhood Instrument* (European Parliament and Council of the European Union, 11 March 2014; *Regulation (EU) No 231/2014 of the European Parliament and the Council establishing an Instrument for Pre-accession Assistance (IPA II). Conditions for Membership: Chapters of the Acquis*. One of the interventions (IcSP/2015/38522), was funded through the IcSP and was consistent both with ENI objectives and with Title 1, Article 2 (a) of the IcSP Regulations: Regulation (EU) No 230/2014 of the European Parliament and of the Council.

[123] MN 716; MN 721; MN 724.

[124] Delegation of the European Union to the Hashemite Kingdom of Jordan, Service Contract for European Union External Actions, 'Technical Assistance to the Ministry of Interior to support the Government of Jordan's effort to prevent violent extremism', no. ICSP/2015/371-864, 29/12/3015, Annex II: Terms of Reference, 4.1.1.

[125] MN 327.

The EU lacks a systematic and well thought-out approach for transformation of security sector institutions and practices in conflict-affected and volatile contexts and in those contexts, where undertaking reforms in order to follow the European path presents a serious challenge to the political and economic dominance of elites. Underlying assumptions, pathways leading to the desired change, enabling and resistance factors were not defined, and it was not clear what gave the EU confidence that following certain reform measures would bring about the overall transformative results. Theories of change did not factor into the EU's own role as an actor in driving the process of change forward. Many interlocutors – in EUDs, the international community and civil society – underscored the need for the EU and its MS to apply pressure to achieve progress.[126]

5.2. EQ 2 Effectiveness

To what extent have the objectives defined in the budget/programming/planning documents been achieved, or can it reasonably be expected that these objectives will be achieved?

Summary answer	**The outputs of SSR interventions have largely been achieved for the 39 interventions examined in detail. There is some evidence of outcomes being achieved and contributing to intended objectives. The case studies identified factors that: 1) have contributed to the likelihood that anticipated outputs and outcomes will be achieved; 2) are likely to reduce the capacity of beneficiaries to achieve anticipated outputs and outcomes, and 3) have limited the EU's capacity to deliver effective SSR support. The outputs and outcomes of EU SSR support have in some cases contributed to the achievement of EU SSR objectives. The application of a comprehensive approach has the potential to improve the effectiveness of EU SSR support and it has increasingly been applied. One of the EU's strengths is the wide array of tools and instruments it can bring to bear in promoting reform. When these are employed in a strategic and coherent manner the opportunities for effective EU SSR support are enhanced. A common approach by the EU and its Member States strengthens the EU response and this has sometimes been achieved. There have also been cases where divergent objectives have made a comprehensive approach difficult or impossible. EU Delegations have routinely used EU financial and technical assistance as an entry point and leverage for political/policy dialogue with national authorities. Civil society has been involved in identifying, designing, implementing and monitoring EU SSR interventions and has had a voice in political/policy dialogue relating to SSR. This has not occurred consistently, however.**

JC 2.1	**The outputs and outcomes of EU SSR support have contributed to the achievement of the intended objectives defined in the financing and programming decisions.**

Programming documentation and interview evidence for the 11 case study beneficiaries confirm that the output of SSR interventions have largely been achieved for the 39 interventions examined in detail. There is less information about outcomes, but there is some evidence of outcomes being achieved and contributing to intended objectives. Reporting tends to focus on activities and outputs, with relatively few outcome indicators. There is also a tendency to confuse outputs and outcomes. Some 'outcomes' are in fact outputs. Most information on outcomes is provided by Results Oriented Monitoring (ROM) reports and compliance/disbursement reports for sector budget support programmes.[127] However, there were relatively few ROMs or evaluations conducted for the 39 interventions examined in detail (see Section 2.4 above). It is therefore difficult to say how often purpose and overall objectives have been achieved.

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[126] MN 648; MN 651; MN 659; MN 664; MN 666; MN 672; MN 678.

[127] For example, Songaila, N., Waldbauer-Hable, P., and Papaphiippou, A., *Assessment of the Compliance of Implementation of the Visa Liberalisation Plan (VLAP). ENPI/2014/348-701*, Letter of contract N 2014/348415, October 2014; and Disbursement Report: Support to the Justice Sector Reform in Jordan, Agreement no ENPI/2012/023471, 2016.

One of the specific objectives of the fourth PAMECA was to "improve the performance of the Albanian State Police (ASP) structures and the coordination with the General Prosecutor Office and other relevant agencies" with the overall objective of bringing "the law enforcement capacities of the Albanian institutions closer to EU standards in the field of policing and to provide trust, safety and a secure environment to the Albanian citizens".[128] EU officials report that as a result of assistance provided through a series of PAMECA interventions, the investigative capacity of the ASP has improved, leading to more cases being opened and going to prosecution. This can be said to fulfil the specific objective. However, there were hardly any significant investigations leading to prosecutions and convictions of individuals implicated in organised crime.[129]

The case studies identified a number of factors that have contributed to the likelihood that expected outputs and outcomes will be achieved. These include: 1) beneficiary commitment to intervention objectives and capacity to fulfil them; 2) long term support from donors in a particular thematic area; 3) flexibility of projects to identify and reflect beneficiary needs; and 4) good project preparation by EUD and beneficiary in a consultative process over an adequate period of time and continued engagement throughout the lifetime of the project.

The case studies also identified factors that are likely to reduce beneficiaries' capacity to achieve anticipated outputs and outcomes. These include: 1) inadequate national resources, particularly if co-financing is required, and especially for infrastructure and facilities or for post-intervention maintenance; 2) poor human resource capacity; 3) corruption; 4) political interference in the functioning of institutions/organisations; 5) overambitious scope of an intervention with multiple requirements to be met in too short a time with too few human or financial resources; 6) proposed activities no longer relevant when the project gets under way; and 7) difficulty in overcoming political blockages to specific reforms that challenge interests of power-holders.

Additionally, several factors have limited the EU's capacity to deliver effective SSR support across Neighbourhood and IPA beneficiaries. These include: 1) the absence of a strategic approach to SSR support at the beneficiary level; 2) the absence of theories of change that specify the pathways by which the activities undertaken with EU SSR support is intended to produce the anticipated outcomes; 3) inadequate EU staff knowledge of EU SSR policy frameworks; 4) programming support by generalists with limited practical experience of the beneficiary context and budget support programmes developed by individuals with inadequate understanding of that modality; 5) inadequate synergies among different EU actors (Commission, EEAS, EUD Operations, EUD Political Section, CSDP missions/operations); and 6) level of responsiveness on the part of EUDs to beneficiaries'/implementers' requests for modifications and adjustments.

Several issues were raised regarding indicators/benchmarks to measure progress. These included: 1) a focus on outputs (legislation prepared/reviewed) rather than outcomes (legislation adopted; legislation implemented); 2) inability to change indicators to accommodate a more effective way of achieving an objective (body cameras for border police versus fixed cameras in booths); 3) a lack of clarity on how to fulfil an indicator; 4) outcomes that cannot be achieved in the specified timeframe or country context.

When EU support to SSR achieves its intended outputs and outcomes, it can contribute to fulfilling EU SSR objectives. As the 2006 'Concept for European Community Support for Security Sector Reform' stated, "SSR should be seen as a holistic process, strengthening security for all citizens as well as addressing governance deficits".[130] EU SSR support to the 11 case study beneficiaries laid the basis for more effective, transparent and accountable justice and law enforcement systems, effective border control, democratic management of the security sector, greater civil society engagement in security and justice issues, among other objectives.

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[128] PAMECA IV: 1st Progress Report for the period 3 September 2013-2 March 2014, p. 6.
[129] MN 324; MN 352; MN 375; MN 377; MN 617.
[130] Commission of the European Communities, *Communication from the Commission to the Council and the European Parliament: A Concept for European Community Support for Security Sector Reform, {SEC(2006) 658}, COM(2006)*, 253 final, 24 May 2006, p. 3.

EU SSR support has produced outputs and outcomes that have clearly contributed to fulfilling some of the EU SSR objectives. In order to obtain visa-free travel status with the European Union, governments have to ensure that the necessary legal framework and institutional capacities are in place in four key areas, including integrated border management, migration management and asylum and public order and security to ensure that the conditions for well-managed and secure mobility are in place. Georgia, Moldova and Ukraine each received EU financial and technical assistance and engaged in policy dialogue with the EU to assist them in meeting the benchmarks in these areas.[131] Each of these beneficiaries has been granted visa-free status, indicating that the outputs and outcomes of EU SSR support were achieved. That said, interviews with a number of EU officials indicated that some requirements in Ukraine were relaxed for political reasons, which has created some concern for EU officials because of a failure to complete outstanding requirements. By strengthening IBM and law enforcement capacities, citizen's security has been enhanced, thereby contributing to EU SSR objectives.

However, the outputs of EU SSR assistance do not always contribute to the achievement of expected outcomes and EU SSR objectives. That is because the assistance has involved support for putting legislation in place, developing strategies, strengthening institutional capacity by, for example, restructuring organisations, procuring equipment, and upgrading skills without adequate attention to how – or indeed if – these outputs are actually utilised (see EQ 4 on Impact and EQ 5 on Sustainability).

JC 2.2	The application of the EU comprehensive approach has enhanced the effectiveness of EU SSR support.

Employing a comprehensive approach has the potential to improve the effectiveness of EU SSR support and it has increasingly been applied since 2013. The Joint Communication on the Comprehensive Approach was issued at the end of 2013 in recognition of the fact that "by drawing on the full range of its instruments and resources…[the EU can] make its external action more consistent, more effective and more strategic".[132] This communication called for the strategic and coherent use of EU's tools and instruments (diplomatic, security, defence, financial, trade, development cooperation and humanitarian assistance) and a shared responsibility among EU-level actors and EU Member States. While the term 'comprehensive approach' is not used frequently in the documentation examined by the Evaluation Team, there is evidence that the approach is increasingly being applied, that its application has in some cases improved the effectiveness of EU SSR support and that the comprehensive approach has not been applied as frequently or as effectively as it could be.

As the Joint Communication on the Comprehensive Approach underscores, one of the EU's strengths is the wide array of tools and instruments it can bring to bear in promoting reform. When these are employed in a strategic and coherent manner the opportunities for effective EU SSR support are enhanced.[133] In Moldova, the EU has employed policy dialogue, High-Level Advisers, a variety of funding modalities (i.e. budget support, twinnings, technical assistance, and TAIEX) and the European Union Border Assistance Mission to Moldova and Ukraine (EUBAM) to support SSR in Moldova. These often work together. For example, the Ministry of Internal Affairs and the EUD, with the support of the High-Level of Adviser for Police, developed the Police Strategy. The EU is supporting implementation of the Police Strategy by a sector budget support programme, complementary technical assistance, political dialogue and advice from the HLA Police. The role of the HLA is reportedly important in de-conflicting elements of the reform process. At the same time, Moldovan authorities are free to decide what advice to accept and they do not always take the advice of HLAs.[134] In Georgia, the EU Monitoring Mission and office

[131] For example, Annex I – The Action. ENPI/2013/333-562 and Annex II to Financing Agreement for ENPI/2013/24404. Technical and Administrative Provisions; European Commission, *Report from the Commission to the Council and the European Parliament, Sixth Progress Report on the Implementation by Ukraine of the Action Plan on Visa Liberalisation*, COM(2015) 905 final, 18 December 2015, https://ec.europa.eu/transparency/regdoc/rep/1/2015/EN/1-2015-905-EN-F1-1.PDF.
[132] *Joint Communication to the European Parliament and the Council on the EU's Comprehensive Approach to External Conflicts and Crises, JOIN (2013) 30 Final*, 2013. http://www.eeas.europa.eu/statements/docs/2013/131211_03_en.pdf, p. 2.
[133] *Joint Communication to the European Parliament and the Council on the EU's Comprehensive Approach to External Conflicts and Crises, JOIN (2013) 30 Final*, 2013, p. 3.
[134] MN 667; MN 727.

of the EU Special Representative for South Caucasus and the crisis in Georgia do not engage in SSR. They do, however, provide tangible proof of EU support to Georgia and as such increase EU leverage overall.

EU tools and instruments do not, however, always work effectively together, particularly where there are numerous EU instruments engaged and the political stakes are high. The Evaluation Team found multiple examples of a lack of coherence and even conflict among different EU actors and funding instruments/modalities. In some beneficiaries the Operational and Political Sections of Delegations appeared to work collaboratively; in others, poor relationships raised questions about the ability to deliver a truly comprehensive approach at the EUD level. There is often little linkage between bilateral and regional projects, for example in Jordan, Palestine, and Serbia. Similarly, CSDP missions and EUDs have sometimes appeared to work at cross purposes. The European Court of Auditors found: "The European Commission has provided capacity building support to Kosovo in the field of the rule of law since 2000. When the Council gave EULEX tasks in the same field, neither its comparative advantages nor opportunities for synergies with Commission projects were identified".[135] The political section of EUSR in Kosovo has recommended actions that run counter to recommendations from the Operations Section of the EU Office in Pristina and at times the EU Office has given different advice than EULEX.[136]

It is generally recognised that the EU response is stronger to the extent that both the EU and its Member States adopt the same approach to beneficiaries and there are cases where this has been achieved. However, the objectives of EU MS, expressed bilaterally or through the Council, can diverge from those of EU-level actors and make developing a comprehensive approach difficult or even impossible. The EU has conducted joint analyses and programming exercises for three Neighbourhood beneficiaries (Georgia, Moldova, and Palestine). The joint programming effort that flows from the joint analysis provides a common view of funding priorities, which some EU MS find helpful. This can lead to a division of labour among members of the EU family as in Palestine or complementary assistance from EU MS to EU programming as in Moldova.[137] Agreement between the EU and its Member States on issues enables them to speak with one voice, thereby exerting greater leverage on the beneficiary government.[138] At the same time, limits on these activities were identified. For example, a joint analysis can only produce a snapshot of context and because of the time it takes to produce the analysis, it can be seen as outdated by the time it is completed.[139]

Challenges to developing a comprehensive approach arise when the MS most active in SSR are resistant to collaboration or have divergent policies to the beneficiary in question such as Kosovo, Jordan and Turkey. But even where there is resistance to developing a comprehensive approach, there can be collaboration in specific thematic areas. In Lebanon, for example, Denmark and The Netherlands have provided support to border management through an EU-funded intervention.[140]

EU Delegations in all beneficiaries routinely use EU financial and technical assistance as an entry point and as leverage for political and policy dialogue with the national authorities. Some Delegations have been more effective in this regard than others and some funding modalities offer greater opportunities for linking to PPD. Budget support is widely viewed by EU officials at Headquarters and in EUDs as especially well-suited to link financing with policy reform. As one interlocutor noted: "Budget support is a wonderful instrument for policy dialogue if it is properly prepared and implemented. You have leverage that no other instrument/modality can offer". In Georgia, which has received three successive justice sector budget support programmes, financing had helped create access and given EU policy dialogue additional weight. What is more, the combination of financing and policy reform has proven to be a

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[135] European Court of Auditors, *Special Report Number 18, 2012, p. 26, European Union Assistance to Kosovo Related to the Rule of Law*, https://www.eca.europa.eu/Lists/ECADocuments/SR12_18/SR12_18_EN.PDF.
[136] MN 17; MN 20; MN 30; MN 31.
[137] MN 355; MN 401; MN 408; MN 666; MN 669.
[138] MN 662; MN 697.
[139] MN 669.
[140] MN 54. This pertains to ENI/2015/369460, 'Enhanced capability for Integrated Border Management (IBM Lebanon 2)'.

useful tool for pro-reformers in the government.[141] That said, other forms of financial assistance have offered opportunities for dialogue – through project steering committees, meetings organised by projects and the like.

JC 2.3	Civil society has been involved in the entire management cycle for EU SSR interventions.

Civil society has been involved in identifying, designing, implementing and monitoring EU SSR interventions and has had a voice in political/policy dialogue relating to SSR. This has not occurred consistently, however. The EU mainstreams civil society into financial assistance programmes by including civil society representatives in the bodies that oversee interventions/actions. There are also civil society facilities and other interventions to develop capacities in thematic areas and promote civil society engagement in reform processes. The objective is to enhance transparency and support consultation between government and citizens, including in areas relating to SSR.[142] Within neighbourhood and Enlargement beneficiaries, 5% of the SSR portfolio consists of interventions classified as targeting civil society.[143]

Perhaps the clearest example of how the EU can support the engagement of civil society in SSR programming and policy dialogue comes from Georgia where the EUD has prioritised civil society involvement in the entire project management cycle and in policy dialogue. Sector budget support (SBS) programmes for criminal justice reform and IBM have promoted civil society engagement in reform processes. Civil society was involved in consultations aimed at identifying and/or designing the second criminal justice SBS, both through the EU identification mission and indirectly through consultations on the criminal justice Strategy and Action Plan, which formed the basis of the SBS. Civil society participated in criminal justice working groups where policy documents and legislation were discussed. The quality and frequency of civil society engagement in the criminal justice reform process has reportedly declined in recent years, as the government has been less interested in engaging with civil society in this sector.[144]

The integrated border management/visa liberalisation intervention sought to improve transparency through involving civil society, to enable civil society to contribute to the implementation of the intervention and to play a role in monitoring. As a result, civil society organisations reportedly upgraded their capacity to engage in IBM/migration related issues and were able to monitor the reform process to some extent. CSOs continue to take part in State Commission on Migration Issues working groups. Additionally, Penal Reform International (PRI), an international NGO, led an intervention to create a civil society network to contribute to legislation, policy and implementation activities. However, the PRI effort was not sustainable due to resource constraints on the part of the local NGOs.[145]

Despite EU efforts, the involvement of civil society in policy dialogue in general in the 11 case study beneficiaries in policy dialogue is limited. The degree and quality of civil society engagement depends on several factors: 1) civil society capacity; 2) government willingness to engage; and 3) EU willingness to involve civil society in more substantive consultations than providing feedback on the annual country report. What is more, questions have been raised in several of the case study countries about who civil society actually represents. In Moldova, national authorities and international actors argued that CSOs have helped draft laws and strategies but have not been constructively engaged in implementing them, resorting instead to criticism of national authorities when they fail to implement reforms adequately. In Georgia, Moldova and Ukraine, some civil society organisations which are dependent on Western funding have been characterised as representing the views of the international community rather than those of the local population'. Other interlocutors, both from civil society and the international community, have stressed the

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[141] MN 698; MN 709.
[142] MN 608; MN 617.
[143] See Annex 5 for information on the distribution of civil society interventions.
[144] MN 695; MN 702.
[145] MN 698; MN 706.

watchdog value of civil society.[146] It was found that in a number of beneficiaries such as Jordan and Albania, civil society organisations act mostly as service-providers. They have a weak relationship with the grassroots and are unable to mobilise voices from society to generate pressure from below on the political establishment to enact change.

Finally, some IPA and Neighbourhood civil society actors have expressed disappointment in their engagement with the EU. While expressing their appreciation of EU funding, these actors have also stated that the EU did not adequately consult them in developing EU programming and/or annual progress reports or provide them with some degree of political cover when government authorities attacked civil society. What is more, some civil society groups noted that while the EU supports civil society's capacity to act as watchdogs, which involves critiquing their own governments, it does not welcome criticism of EU programming.[147]

5.3. EQ 3 Efficiency

To what extent has the EU ensured adequate, timely and flexible SSR expertise and support (financial assistance and political/policy dialogue) through its programmes and missions in Enlargement and Neighbourhood beneficiaries?

Summary answer	**EU regulatory and institutional factors have both enhanced and impeded the timeliness, flexibility and cost-effectiveness of EU SSR support. The EU adapted the type and amount of assistance, instrument and aid modality to major changes in the political and security context of beneficiaries, by scaling up, reprogramming or suspending/withdrawing assistance. Major shifts the political/security context in seven of the 11 case studies were reflected in political/policy dialogue with beneficiaries with the results of this dialogue feeding back into programming in four cases. The financing modalities employed were judged to be largely appropriate to context with some caveats, notably: 1) the potential of sector budget support to promote policy reforms did not always materialise and 2) the EU has experienced challenges in balancing its support for SSR with its geopolitical objectives. Monitoring and evaluation is recognised to be key to the effective, efficient and sustainable delivery of outcomes and impact, but monitoring and evaluation generally remains a work in progress. Particular challenges include developing baselines, conducting formal needs assessments and identifying and reporting against realistic outcomes and impacts. Finally, four critical constraints have been identified on the EU's ability to routinely monitor SSR processes: 1) EUD capacity; 2) capacity to apply the SSR concept; 3) headquarter capacity; and 4) gaps in country-level coordination/communication.**

JC 3.1	**The IPA and ENI regulatory and institutional set up has enhanced the timeliness, flexibility and cost-effectiveness of EU SSR support.**

EU regulatory and institutional factors have both enhanced and impeded the timeliness, flexibility and cost-effectiveness of EU SSR support, and it is not possible to identify areas in which interventions consistently performed well or consistently experienced difficulties. A crucial performance variable, for example, is the quality of key personnel. For some interventions, personnel inputs were deemed very good. For others, the efficient functioning of the intervention was hampered by problems such as overly ambitious and inflexible personnel requirements, unsuitable experts and team leaders who suddenly withdrew or were replaced because of poor performance or lack of beneficiary acceptance.[148]

[146] MN 385; MN 684; MN 713; Lutsevych, O., '*How to Finish a Revolution: Civil Society and Democracy in Georgia, Moldova and Ukraine*', REP BP 2013/01, London: Chatham House, January 2013, https://www.chathamhouse.org/sites/files/chathamhouse/public/Research/Russia%20and%20Eurasia/0113bp_lutsevych.pdf.
[147] MN 25; MN 721; MN 724.
[148] Monitoring Report, IPA/2013/327273, MR-146988.01, 28 March 2014; ROM Report: Support to coordination of the Justice Sector reform in Moldova, C-315649, Final, 15 April 2016, p. 3; UNDP, Interim Progress Report for Contract no. 2014/355024 for the period January 2016-March 2017; MN 331; MN 354; MN 715; MN 720; MN 722; MN 723.

Flexibility: EU interventions have adjusted to emerging needs. For example, when it became evident that the Moldovan Ministry of Justice required assistance to implement the 2013 justice sector budget support programme, a complementary technical assistance contract was provided. The European Court of Auditors found this to be "an example of flexible adjustment to additional needs arising in the implementation of an SBS programme…"[149] Indirect management procedures and direct agreements with Pillar Assessed entities can also enhance flexibility because the implementer employs its own management procedures which are frequently, but not always, 'lighter' than EU procedures. An IBM intervention in Lebanon implemented by a Pillar Assessed entity, International Centre for Migration Policy Development (ICMPD), was said to have greater timeliness and flexibility than other interventions implemented under direct management procedures.[150] In contrast, it took 15 months to draft a twinning contract in Serbia under indirect management procedures due to delays on the Serbian side. Key experts were lost and the needs identified in the project fiche were not entirely relevant when the project began.[151] With regard to EU support more broadly, the policy level flexibility that the EU has shown on visa facilitation agreements and readmission agreements in Neighbourhood-South (see Section 4.3 above), and on the sequencing of reforms in Bosnia and Herzegovina (see JC 3.2 below) demonstrates a flexible approach to achieving key EU objectives.

Multiple interlocutors also reported frustration at the inability to change indicators when different and, in their eyes, more effective ways of meeting indicators are found. One of the criteria that the Moldovan Border Police had to meet for IBM support related to ensuring the integrity and security of personnel. Initially it was planned that CCTV would be installed in border police booths. However, since contact with the public occurs outside the booths, it was decided that body cameras were a more effective means of ensuring good performance of Border Police officers, vis-à-vis the public and protecting the police against false accusations of violations. The EUD did not allow the indicator to be changed, reportedly because changing indicators for budget support programmes entails a lengthy bureaucratic process.[152]

Cost-effectiveness: Beneficiaries raised questions about the cost-effectiveness of twinnings in view of the proportion of the twinning budget allocated to twinning advisers, for example in Jordan and Moldova.[153] EUD officials, international actors and beneficiaries also raised questions about the value for money provided by experts seconded to CSDP missions and the EU Border Assistance Mission to Moldova and Ukraine and employed as High-Level Advisers. That said, many beneficiaries also very much appreciated the peer-to-peer mentoring and advising which is generally not available through contracted technical assistance, as well as the opportunities that engagement with EU MS officials provided for networking in those countries.[154] The political significance of these various missions also needs to be weighed in the balance. In the case of EUBAM, it has been crucial in opening of the Joint Border Crossing Point in Kuchurghan-Pervomaisk on the Transnistrian segment of the border in 2017.

Timeliness: Although there are gaps in information and some programmes are ongoing, a relatively small number of the 39 interventions examined in detail for this evaluation appear to have experienced delays that significantly affected the achievement of outputs/outcomes. Approximately 15% experienced delays serious enough to affect the quality and achievement of outputs/outcomes. Many of these interventions had some degree of delay that did not have significant effect on outputs/outcomes. Almost all were granted No Cost Extensions (NCE), suggesting that the original timeframes were unrealistic in terms of achieving expected outputs/outcomes.

Both implementers and beneficiaries have pointed to the amount of time it takes to programmes under EU procedures and the challenges this implies in terms of forecasting needs several years into the future. IPA

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[149] European Court of Auditors, EU Assistance for Strengthening the Public Administration in Moldova, Special Report no 13, 2016, https://www.eca.europa.eu/Lists/ECADocuments/SR16_13/SR_MOLDOVA_EN.pdf, p. 29.
[150] MN 54; MN 57; MN 66; MN 67; MN 713.
[151] MN 715.
[152] MN 686; MN 688. In addition, one EUD official stated: "EU programming provides incentives to make reforms and provides assistance to break bottlenecks. Where it is less flexible is in changing benchmarks. If a country says, we will do X, then they need to X. We cannot change the benchmarks; that will have a bad outcome", MN 695.
[153] MN 338; MN 688.
[154] MN 338; MN 654; MN 664; MN 668; MN 720; MN 722; MN 723.

and Neighbourhood beneficiaries consistently commented on the amount of time required to move from a programming proposal to the beginning of implementation. Most EU financing cannot be delivered rapidly. One beneficiary expressed a view shared by many interlocutors: "It is necessary to have a 5-year perspective to programme IPA". Slow responses from EUD programme managers can also impede timeliness and ability to deliver outputs.[155] Procurement of equipment has proven particularly challenging in terms of timeliness. Issues cited included changing requirements regarding the need to tender, time-consuming procedures and the frequent need to reassess technical specifications once contracts are in place.[156] A twinning team in Serbia, which was unable to procure the specialised equipment it required, found that "procurement experts suggest that most EU procurement fails at the 1st and often the 2nd attempts". In this specific case, the supply contract failed because there was no response to the initial tender and it was impossible to retender because financing had been allocated from the 2007 IPA and would no longer be available by the time a second tender would have been prepared.[157] Many interlocutors have stated that one and two-year interventions do not provide enough time for implementation in view of time consuming EU regulatory and institutional factors. EUD officials, implementers and beneficiaries have all suggested that the duration of EU interventions should be three or more years rather than relying on No Cost Extensions.[158] The one to two-year timeframe is particularly problematic for twinnings but was also noted by other implementing partners.[159]

JC 3.2	SSR support in Enlargement and Neighbourhood beneficiaries has flexibly adapted to emerging needs.

The EU adequately adapted the type and amount of assistance, instrument and aid modality to changes in security and political context when beneficiaries underwent major shifts, with the nature of that shift determined by context. The EU's responses took three main forms: 1) scaling up assistance; 2) reprogramming assistance; and 3) suspending or withdrawing assistance.

Scaling up assistance: The EU responded to the events of 2014 in Ukraine (political transition, Russian annexation of Crimea and the conflict in the East) by massively increasing assistance, revising a previously designed justice project and establishing a CSDP mission. Similarly, it adapted to the burgeoning insecurity and volatility in the Neighbourhood South by increasing SSR assistance to Lebanon, launching new programmes and expanding its bilateral meetings on implementation of the EU-Lebanon Action Plan of June 2014. However, the EU did not adequately adjust its financing instruments and modalities to maximise the flexible delivery of assistance.[160]

The EU has also established new types of programming to address emerging threats such as cyber-security and CT/CVE. With regard to CT/CVE, for example, the issue has been addressed through PPD led by the office of the Counter-Terrorism Coordinator since 2007.[161] The EU has increasingly provided financial assistance, brought best practices from the most advanced CT actors among EU Member States, contributed financially to relevant interventions by EU MS, organised study visits and deployed a number of CT counsellors in political sections of EUDs (some of which have a regional mandate). While CT/CVE is considered an issue of concern to all of DG NEAR's 23 beneficiaries, the focus has very much been on the Western Balkans, Turkey and the Neighbourhood-South beneficiaries. For example, 2016 EU-Jordan Partnership Priorities lists "Strengthening cooperation on regional stability, security including counter-terrorism" as a key area for engagement.[162]

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[155] UNDP, Interim Progress Report for Contract no. 2014/355024 for the period January 2016-March 2017; MN 332; MN 354; MN 713; MN 714; MN 723.

[156] MN 331; MN 332; MN 354; MN 661; MN 71; MN 723.

[157] European Commission, Twinning Projects Interim Quarterly Report number 4. Police Reform – Internal Affairs, SR 07 1B JH 02', CRIS/2010/249-981, 11 October 2011, p. 6; MN 714.

[158] MN 34; MN 38; MN 702; MN 719.

[159] MN 702; MN 719.

[160] MN 600; International Security Sector Advisory Team and The Folke Bernadotte Academy, 2016, pp. 43-65; MN 66; MN 67; Single Support Framework, Lebanon 2014-2016, Summary.

[161] http://www.consilium.europa.eu/en/policies/fight-against-terrorism/counter-terrorism-coordinator/.

[162] European Commission and High Representative of the Union for Foreign Affairs and Security Policies, 2016, 'ANNEX to the Joint Proposal for a Council Decision on the Union position within the Association Council set up by the Euro-Mediterranean Agreement establishing an association

Re-programming assistance: The EU adapted to significant political change in Albania following the 2013 parliamentary elections by adding a component to PAMECA IV in response to a request from the Minister of Internal Affairs and DG Police for strategic advice on police reform as well as by redrafting the work plan to adapt to new priorities. The potential need for work plan revision had in fact been foreseen in the original work plan and the inception phase risk assessment. In response to political protests in Bosnia and Herzegovina in 2014, the high economic costs for Bosnia and Herzegovina recovery after massive natural disaster in 2014, general socio-economic decline and low morale, the EU sought to jump-start Bosnia and Herzegovina's progress along the European path. Following a written commitment to reforms by the Bosnia and Herzegovina institutions and leadership, the EU re-sequenced conditionalities and the SAA entered into force in June 2015.[163]

Withdrawing/suspending assistance: EU financing to Turkey was reduced in late 2017 in response to the "deteriorating situation in relation to democracy, rule of law and human rights" following the 2016 attempted *coup d'état* in Turkey. Sector budget support to Moldova was suspended in mid-2015 because of the banking fraud revealed in 2014 and the political instability resulting from the 2014 parliamentary elections. Some adjustments were made to the time table for the visa liberalisation sector budget support programmes after budget support was reinstated in late 2016.[164]

Shifts in political and security context were reflected in political/policy dialogue with beneficiaries. There is limited information, however, on the degree to which this dialogue influenced the subsequent design and implementation of EU SSR interventions. Major shifts in political/security context among the 11 case study beneficiaries occurred in Albania, Bosnia and Herzegovina, Georgia, Lebanon, Moldova, Turkey and Ukraine between 2010 and 2016. In addition, Palestine is in a state of political and security flux. In four cases, there is clear evidence of PPD feeding back into programming.

- In Albania, the election of a new reformist government in 2013 led to intensified political/policy dialogue. Albania adopted a strategic anti-corruption framework and an Ad Hoc Parliamentary Committee was established for a comprehensive justice system reform. When EURALIUS IV experts were invited to play a leading role in designing the new legislation by the Committee, DG NEAR encouraged the programme to be highly flexible to capitalise on the reform momentum.[165]

- The PPD process in Lebanon following the Arab Spring and the Syrian refugee crisis highlighted the urgent need for expanded EU assistance to multiple security sector areas in Lebanon, including CT/CVE. In early 2016, a roadmap was agreed to further strengthen EU-Lebanese security and counter-terrorism dialogue by augmenting cooperation on SSR areas that will receive continued EU funding: national CT strategy, justice and law enforcement, countering terrorism financing, border management, airport and aviation security, and countering violent extremism.[166]

- When sector budget support to Moldova was suspended in mid-2015, the government engaged actively in PPD in order to have budget support reinstated. After that occurred in late 2016, the timeline for the visa liberalisation SBS programme was amended. However, a decision was subsequently taken in EC HQ that there would be no new SBS programmes for Moldova until at

between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, with regard to the adoption of EU-Jordan Partnership Priorities and annexed Compact,' JOIN(2016) 41 final, p. 7, http://data.consilium.europa.eu/doc/document/ST-12384-2016-ADD-1/en/pdf.

[163] PAMECA IV: 1st Progress Report, 3 September 2013-2 March 2014, p. 6-7, 39; Addendum N° 1 to Grant Contract N° 2013/316-739 (IPA 2009) & 2013/316-763 (IPA 2012), 10 February 2014; Monitoring Report: MR-147144.01, October 2014, p. 14; *Commission Staff Working Document, Bosnia and Herzegovina 2016 Report accompanying the document Communication from the Commission to the European Parliament, the Council, The European Economic and Social Committee and the Committee of the Regions, 2016 Communication on EU Enlargement Policy*, 9 November 2016, p. 4; MN 06; MN 34; MN 35; MN 40; MN 42; MN 43; MN 44; MN 45; MN 46.

[164] MN 14; MN 300; MN 306; MN 358; MN 362; MN 364; MN 366; MN 609; '*In warning to Ankara, EU cuts funds for Turkey's membership bid*', Reuters, 30 November 2017. www.reuters.com/article/us-eu-turkey/in-warning-to-ankara-eu-cuts-funds-for-turkeys-membership-bid-idUSKBN1DU2D4; Uras, U., '*EU cuts Turkey funding after "democratic deterioration"*', AlJazeera, 19 Nov 2017, http://www.aljazeera.com/news/2017/11/eu-cuts-turkey-funding-democratic-deterioration-171119093145715.html; Fotis A. K. and Rupinder, S., Review of Moldova Sector Policy Support Programme ENPI/2012/023-420 "*Support to the Justice Sector Reforms*". Review Report, Request no. 2015/360992-Version 1, DAI Europe, n.d., p. 6; MN 691.

[165] MN 353; MN 382.

[166] MN 65; MN 66; European Commission. 'Lebanon', European Neighbourhood Policy and Enlargement Negotiations, https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/lebanon_en.

least 2018-2019 and that the project implementation modality would be prioritised. While the remaining budget support programmes were subject to enhanced conditionality and strengthened policy dialogue in the aftermath of the bank fraud, some interlocutors nonetheless suggested that the EU was not giving adequate attention to making this instrument effective in the Moldovan context.[167]

- Shifts in context in Turkey due to the crisis in Syria and the rise of threats of terrorism, including foreign fighters, were reflected in the Counter-Terrorism Dialogue and the allocation of IPA 2016 funding for 'Administrative and Institutional Capacity of the Law Enforcement Agencies in Fighting against all form of Terrorism'.[168]

JC 3.3	The financing modalities chosen were the most appropriate and cost-effective.

Many of the interventions examined in detail for the 11 case studies employed financing modalities that were judged to be appropriate to their context by EU officials, beneficiaries, implementing partners and external evaluators.[169] The main modalities employed in the 11 beneficiaries were: sector budget support, twinnings (direct and indirect management modes), TAIEX, High-Level Advisers, and technical assistance/projects (service contracts/direct agreements and direct/indirect management modes). The Evaluation Team found examples in both IPA and Neighbourhood contexts where each of these worked well, and examples where each faced challenges, often for the same beneficiary.[170]

Twinnings: The benefits of twinnings for many beneficiaries lay in: 1) peer to peer engagement which promoted a joint approach to problem-solving, rather than a teacher-pupil dynamic; 2) opportunities for networking with European professionals; and 3) for IPA and EaP beneficiaries, the ability to learn from 'old' EU Member State experts with strong technical capacities and an understanding of specific *acquis* and 'newer' EU MS experts with solid technical capacities and experience of the accession process. The main challenge of twinnings from the perspective of beneficiaries lay in the variability of the quality of technical assistance. While the resumés of Resident Twinning Advisers and project managers are shared with beneficiaries, those of Short Term Experts are not. Other benefits of twinnings cited by implementing partners and EUD officials included: 1) the flexibility of twinning contracts to encompass a range of approaches; 2) the ability to provide targeted assistance over a longer period of time than TAIEX; and 3) the ability to fill gaps in and provide support for longer-term sector budget support and large technical assistance interventions. Challenges identified by implementing partners and EUD officials included: 1) level of preparedness of beneficiary institutions and absorption capacity; 2) limited EUD leverage because twinnings involve contracts between the beneficiary government and EU MS; and 3) short timeframe, which complicates building trust with beneficiaries and cannot easily accommodate problems that slow progress.[171]

TAIEX: Beneficiaries appreciated TAIEX because it can be used to quickly address very specific problems and they are able to propose specific consultants to provide the requested technical assistance. This makes the beneficiaries feel in control of the process. From the perspective of EUDs and implementing partners, TAIEX is most useful when it is used in conjunction with SBS and other longer-term interventions. Stand-alone TAIEX is seen as too limited to make an impact.[172]

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[167] MN 647; MN 684; Court of Accounts of the Republic of Moldova, *Performance Audit Report of the 'Justice Sector Reform Strategy (JSRS) for 2011-2016 (8 months): generous resources – mixed results*, n.d.; Fotis A. K., Review of Moldova Sector Policy Support Programme ENPI/2012/023-420 "*Support to the Justice Sector Reforms*". Impact and Sustainability Assessment of the Programme, Final Report, Request no. 2015/360992-Version 1, DAI Europe and HCL Consultants, n.d., p. 8.

[168] MN 369.

[169] This Justification Criterion only discusses EU financial assistance. CSDP missions, which cannot use Commission funding, are excluded here. They are included elsewhere in this EQ where the discussion is more broadly focused on 'EU support'.

[170] Budget support is only being introduced into the Western Balkans in 2018.

[171] MN 10; MN 16; MN 17; MN 29; MN 31; MN 648; MN 650; MN 666; MN 684; MN 685; MN 707; MN 722; MN 723; Roch, S, 'Between arbitrary outcomes and impeded process: the performance of EU Twinning projects in the EU's Eastern Neighbourhood,' East European Politics, 33:1, 2017.

[172] MN 28; MN 29; MN 654; MN 707; MN 720; MN 723.

Technical assistance: <u>EUDs</u> appreciated technical assistance because it enables them to play a more active role than with twinnings and because the opportunities for political dialogue are also greater than with twinnings. Some interlocutors suggested that implementing partners are more likely to have better quality experts than those often fielded through twinnings. It was acknowledged that there are <u>issues of cost-effectiveness</u> with contractors (high overheads, highly paid staff). <u>Other challenges</u> cited included: 1) difficulty in adapting to changing beneficiary needs due to rigid EU rules, which can sometimes be mitigated by indirect management; 2) a need for strong 'backstopping' arrangements by contractors to address implementation problems; and 3) in some cases, relatively short timeframes (12-24 months).[173]

High Level Advisers: <u>A key benefit of HLAs</u> was said that they are able to develop a good understanding of context because they are co-located in beneficiary institutions (which improves the advice they provide), while at the same time they report to EUDs. <u>Questions were raised by beneficiaries and international actors</u> about whether HLAs are used appropriately by host governments, their qualifications as senior advisers and whether they provide advice based primarily on their own national experiences or if they are able to draw on a broader knowledge base.[174]

In addition, several general points about choice of funding modality have emerged:

- The variety of EU financing instruments and modalities enables support to be tailored to context, which varies by stakeholder and by main objective.[175]

- Financial assistance can be a tool but it is not, by itself, sufficient to produce change. Absent political will, financial assistance will not produce reform.[176]

- That being the case, policy dialogue is critical for encouraging beneficiaries to engage in a genuine reform process and to remain on the reform path.[177]

Sector budget support, which has been used to channel significant amounts of financing to several Enlargement and Neighbourhood beneficiaries, can be an effective means of promoting politically sensitive reforms as it combines dialogue and financing. However, it must be properly designed and implemented and that has not always been the case. The experience of Morocco (N-South), where programmes have been employed extensively, suggests three key characteristics of effective SBS: 1) an ambitious reform agenda, 2) a sizeable cooperation programme and 3) a well performing public administration. The Morocco experience also underscores the benefits of complementary assistance, i.e. combining budget support, policy dialogue, technical assistance, twinning and TAIEX.[178] Among the 11 case study beneficiaries, Georgia, Jordan, Moldova and Ukraine have implemented SBS with varying degrees of success and their experiences have supported the findings from Morocco.

Georgia has largely been successful in implementing SBS programmes. It has an ambitious reform agenda in areas such as visa liberalisation, justice, border management and a reasonably well performing public administration. Georgian authorities sometimes use SBS conditionality to help overcome domestic political hurdles. There is general agreement among EUD and government interlocutors that SBS should continue in order to retain the linkage with policy dialogue, particularly since the 'easy' changes have been made and Georgia is now facing more politically sensitive reforms.[179]

Various problems have arisen with implementing SBS in the other three countries where the reform agendas are not as well developed, the national bureaucracies are not as well capacitated, especially Moldova and Ukraine, and the political economy does not support thoroughgoing reform.[180] National authorities have also not fully understood how the budget support modality functions. For example, line

[173] MN 16; MN 17; MN 29; MN 66; MN 335; MN 650; MN 667.
[174] MN 666; MN 667; MN 670; MN 684; MN 685; MN 688.
[175] MN 696.
[176] MN 709.
[177] Particip, *Evaluation of the European Union's co-operation with Georgia (2007-2013)*, Contract no EVA 2011/Lot 4, Specific contract no. 2013/331560, Volume I, Final Report, May 2015, p. 24.
[178] European Union Delegation to the Kingdom of Morocco, *Issues Paper: A review of the Budget Support instrument in Morocco*, 3 March 2015, p. 4, 10; MN 647; MN 692.
[179] MN 695; MN 696; MN 697; MN 698; MN 706; MN 709.
[180] MN 648; MN 650.

ministries in all three beneficiaries have viewed SBS financing as additional to their budget, earmarked for specific activities, rather than a means of providing fiscal space to the government budget. However, good practice dictates that allocations from SBS financing to line ministries are subject to internal negotiation between line ministries and the Ministry of Finance. Where training in SBS was provided, it came late (7 years after the first SBS programme in Moldova) and was reportedly not very effective.[181] The use of SBS programmes to finance infrastructure have also run into problems. Infrastructure needs are not properly costed, are sometimes not discussed in detail with finance ministries and have significant budget implications. EUD officials have reported using SBS for infrastructure because that is the only means available to provide financing for construction.[182]

Management modes need to be tailored to the context to maximise the efficiency of EU interventions. In the view of some EUDs and implementers, indirect management by the beneficiary was seen as a serious cause of delays. One implementer of a twinning under indirect management mode reported that the beneficiary project manager was changed five times in the course of one year. Another implementer of a twinning under indirect management mode noted that it took over a year to negotiate the contract because of inefficiencies within the beneficiary institution responsible for contracting. This experience was in direct contrast to a previous experience by the same interlocutor with a twinning under direct management where project management was said to be very efficient. However, as discussed above (JC 3.1), indirect management and direct agreements with Pillar Assessed entities can in some cases enhance flexibility by by-passing cumbersome EU contracting and management procedures.[183]

Sequencing problems can undermine efficiency. The importance of TA to prepare beneficiaries for SBS programmes was highlighted by a 2011 ex-ante assessment of the justice sector in Moldova. It was suggested that the government would need assistance in developing a coordinated justice sector reform strategy, which underpinned the justice SBS programme. To address this problem, four technical assistance projects were planned but were delayed due to staff constraints in the EUD. One project started 2 months before the SBS financing agreement was signed in 2013, while the other three began 18 months later.[184]

The EU has experienced challenges in balancing its support for SSR, particularly the governance-related elements, with geopolitical objectives, affecting the cost-effectiveness of EU support to SSR. EUD officials, representatives of EU member states, and other international actors raised concerns about the degree to which the EU was willing to use conditionality to encourage beneficiary authorities to remain on the European path in circumstances where important parts of the government and large segments of the population questioned close alignment with the EU. There were concerns that the EU was too lenient when assessing compliance with intervention benchmarks.[185] A number of EU officials stressed the importance of clearly articulating and consistently applying incentives. According to these officials, when the EU is seen to add new conditions, it becomes perceived as an unreliable partner. When it is consistently seen as backing away from conditionalities, national authorities will feel emboldened to avoid meeting conditions they do not like. One frequently cited example is the granting of visa-free travel to Ukraine before all conditions were met.[186]

JC 3.4	EU SSR support is monitored on a regular basis and problems are addressed in a timely fashion at intervention, EUD and headquarter levels.

Monitoring and evaluation (M&E) of donor financed programmes, including the development of baselines, theories of change, and appropriate indicators of progress, are key to the effective,

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[181] MN 328; MN 329; MN 333; MN 335; MN 647; MN 689; MN 692; European Court of Auditors, EU Assistance for Strengthening the Public Administration in Moldova, Special Report no 13, 2016, p. 28; Support to the justice sector in meeting the required criteria for sector budget support. Contract: ENPI/2013/326-725, Final Report, May 2015, Altair Asesores in consortium with GIZ and ACRLI.

[182] MN 647; MN 698; MN 692; MN 697.

[183] MN 54; MN 57; MN 66; MN 67; MN 713; MN 715; MN 722.

[184] European Court of Auditors, EU Assistance for Strengthening the Public Administration in Moldova, Special Report no 13, 2016, p. 28.

[185] MN 648; MN 650; MN 667; MN 684; Court of Accounts of the Republic of Moldova, *Performance Audit Report of the 'Justice Sector Reform Strategy (JSRS) for 2011-2016 (8 months): generous resources – mixed results*, n.d.

[186] MN 670; MN 678; MN 689; MN 695.

efficient and sustainable delivery of outcomes and sustainable impact. But M&E generally remains a work-in-progress for most donors. The 2016 Joint Communication on an EU-wide strategic framework for SSR underscored the importance of measuring progress through monitoring and evaluation, highlighting the importance of baselines, realistic targets and impact indicators to measure results and objectives. As this and other evaluations demonstrate, SSR-related M&E confront the same challenges as M&E in other sectors.[187] Key factors in the Neighbourhood and Enlargement context are: 1) the quality of formal monitoring systems; 2) the use of baselines/needs assessments; 3) the realism of objectives; and 4) constraints on EU capacity to monitor SSR processes.

1) All interventions have reporting requirements (progress and financial reports) through which they are monitored. However, the quality of this reporting is uneven, as is the evidence of feedback from monitoring into programming. Monitoring systems for sector budget support programmes and twinnings are most likely to be used to identify and address problems that arise in the course of implementation. Sector budget support programmes have a well-established process for monitoring compliance with benchmarks and indicators in the policy matrix: interim external review mission reports, external compliance report, EUD assessment, DG NEAR (desk, head of unit, Director-levels). This monitoring system is used both for identifying areas where additional effort is needed and for determining disbursements. Final decisions about disbursements are made by the geographic Director at DG NEAR. SBS is often used in policy dialogue with the government. In the past, results orientation to benchmarks/indicators has often been weak but the EU is becoming stricter in assessing indicators (deadlines, satisfactory accomplishment of objectives).[188] Twinnings also have a well-structured reporting procedure which can be used to identify and address problems: Steering Committees, Interim Quarterly Reports, Final Reports and Twinning Review Mission reports. Quarterly Reports are discussed in Steering Committee meetings; it is not clear, however, how the review mission findings are used.[189]

ROM reports are an important tool to enable implementing partners and EUDs to monitor progress and make adjustments to programming. However, these are not routinely employed and the Evaluation only has limited information on the linkage between ROM reports and changes to implementation of interventions. Where ROMs have been available, the Evaluation has typically seen only one report per intervention, which is consistent with EC practice.[190]

Monitoring for contracted interventions in indirect management mode is much less rigorous and is the responsibility of the implementing partner. Some implementing partners use monitoring systems to identify and address problems during implementation. The EUD receives periodic progress reports, comments on proposed activities and participates in intervention activities. Some EUD programme managers are also in frequent contact with implementing partners, but this depends in part on EUD capacity, which is sometimes lacking.[191]

CSDP missions have a monitoring and evaluation process that informs internal mission management decisions and reporting from the field to the CPCC and EU Member States. The

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[187] European Commission and High Representative of the Union for Foreign Affairs and Security Policy, *Joint Communication to the European Parliament and the Council, Elements for an EU-wide strategic framework to support security sector reform, {SWD(2016) 221 final}, Strasbourg, JOIN(2016) 31 final,* 5 July 2016, pp. 10-11. For the challenges facing SSR-related M&E, see Bakrania, S. with Haider, H. *Safety, security and justice.* Topic Guide, 2016, Section on Monitoring and Evaluation, http://www.gsdrc.org/topic-guides/safety-security-and-justice/challenges/monitoring-and-evaluation/ and Hendrickson, D, Ball, N. and Weller, E., 2017, *Final evaluation of the IfS/IcSP support under Article 3 and 4 to Security Sector Reform in beneficiary countries (2007-2016),* Particip GmbH, October 2017, pp. 19-20.

[188] MN 333; MN 335; MN 650; MN 684; MN 697.

[189] MN 609; European Commission, Annex A: Twinning Contract and Other Relevant Annexes, Revision 2013. https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/financial_assistance/institution_building/2014/twinning_manual_-_2012_-_update_2013_-_2014.zip.

[190] "Normally, a ROM mission takes place only once over a project duration. It may nevertheless happen that a project is reviewed more than once if such a need exists, in particular if it has demonstrated very bad performance during a previous ROM review and for which internal monitoring revealed prolonged problems/issues/constraints which may render a follow-up ROM review important." European Commission, 2017, *ROM Handbook: Results Oriented Monitoring,* Version 4.0, p. 12, https://ec.europa.eu/europeaid/sites/devco/files/rom-handbook-2017_en.pdf. In the case of 'Capacity Building for Judicial Reform in Bosnia and Herzegovina, 'IPA/2013/327273, there were at least three ROMs conducted, and it is possible to get a sense of how the intervention proceeded. Monitoring Report, MR-146988.02, 38 March 2014; ROM Monitoring Questions, 'Capacity Building for Judicial Reform in Bosnia and Herzegovina,' 2013/327273, 27 September 2015; Monitoring Report, 'Capacity Building for Judicial Reform in Bosnia and Herzegovina,' 2013/ 327273, 5 January 2016.

[191] MN 66; MN 697.

Mission Implementation Plan (MIP) is the strategy for implementation of the Operational Plan. It highlights mission goals and specifies the activities and means to achieve these goals through an output-oriented process of identifying expected results, objectively verifiable indicators, and risk and mitigation measures. Indicators follow the SMART criteria. [192] The MIP is reviewed every six months following the Six-Monthly Report (SMR). CSDP monitoring and evaluation inform mission management decisions, provide input for briefing and influencing decision-making by the Member States, and ensures accountability. [193] Unlike EU financed SSR interventions, CSDP missions are not independently evaluated. [194] CSDP missions report directly to the CSDP structures in the EEAS while EUD project managers have their own reporting line to DG NEAR. Although the 2016 Joint Communication on an EU-wide strategic framework for SSR calls on EU Delegations to include "analysis of the security sector in their regular reporting (together with CSDP missions where present)", [195] this practice has not become standardised, which negatively affects the three Cs (EQ 6).

2) Very few of the 39 interventions examined in detail produced baseline studies, but most were informed by some type of needs assessment. Approximately 80% of the 39 interventions examined in detail are known to have conducted a baseline study and/or a needs assessment, although information is lacking for a few of these interventions. EU support has generally reflected a realistic understanding of beneficiaries' SSR needs and priorities (JC 1.2). Some concerns have been raised about the lack of formal baseline studies and needs assessments. [196] Some assessments have been conducted as the first step in implementation after the objectives had already been approved. Some of these have been used to further refine activities, if not the overall objectives of interventions. EU officials and beneficiaries reported that objectives and indicators are extremely difficult to change once they are approved. [197] Joint gaps and needs assessments prepared by EUD, national authorities and implementing partners during formulation have had good results. [198]

In most cases, reporting on progress has been done against deliverables/activities and meaningful measurement of reform progress has been limited. The linkage between broadly defined objectives and specific outputs/activities is often weak due to insufficient attention to outcomes, baselines and appropriate indicators. For most non-sector budget support interventions examined in detail for the 11 case studies, the objectives in logframes and work plans are primarily output-oriented, with some outcome indicators. This may reflect a broader EU focus on output monitoring. [199] It may also reflect a general lack of understanding of the process of monitoring both among EU officials and beneficiaries. [200] Some interventions adequately measured progress through strategic, operational and process indicators and specific sources of verification. [201] For many other interventions, logframes were weak and baselines and targets for the indicators were unrelated to interventions' objectives and activities. [202] For budget support programmes, the general and specific conditions in policy matrices are a combination of outcome and process-oriented indicators. The indicators used to measure achievement of conditions are partly quantitative and partly qualitative. These are sometimes vague and/or open to multiple interpretations. [203]

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[192] SMART indicators are Specific, Measurable, Achievable, Relevant and Time-bound.

[193] MN 20; See Ginsberg and Penksa, 2014, pp. 92-96, for an extended analysis of monitoring and evaluation of CSDP.

[194] Ginsberg and Penksa, 2014, p. 93.

[195] European Commission, *Joint Communication, Elements for an EU-wide strategic framework to support security sector reform, SWD (2016) 221 final,* p. 7.

[196] MN 16; MN 17; MN 24; MN 27; MN 31; MN 32.

[197] MN 688; MN 695; Twinning Project Final Report: Establishment of Efficient System for Prevention and Suppression of Illegal Migrations on the Territory of the Republic of Serbia', SR 10 IB JH 01, IPA/2012/294-841, 25 September 2014, p. 3, 12, 13, 26.

[198] MN 54; MN 59; MN 60; MN 61; MN 62; MN 66; MN 67.

[199] Hendrickson, Ball and Weller, 2017, p. 19.

[200] MN 34; MN 47.

[201] ENPI/2012/306399, Security and Stabilisation Program – Rule of Law and Fight against Crime Component Lebanon, Final Report, June-December 2015; MN 54.

[202] International Security Sector Advisory Team and The Folke Bernadotte Academy, 2016, pp. 43-65; Annex 1 – Description of Action for Eastern Partnership Implementation of Integrated Border Management Construction of Jointly Operated Border Crossing Point Palanca on the territory of the Republic of Moldova, n.d.

[203] Annex 1: Action Fiche for Georgia AAP. Support to the Criminal Justice Sector (ENPI/2011/022562), p. 4; Annex II to Financing Agreement no. 2011/22562. Technical and Administrative Provisions, pp. 6-8, 10, 13-20; MN 685; MN 698; European Court of Auditors, EU Assistance for Strengthening the Public Administration in Moldova, Special Report no 13, 2016.

3) Because most of the 39 interventions surveyed in detail report that their outputs and outcomes have largely been achieved, it could be argued that the targets established for achieving results have been realistic. However, the situation regarding impact realism is more complex. There are a number of factors that need to be taken into account along with 'results achieved'.

- Interventions have frequently tried to do too much in too little time or with too few resources. No Cost Extensions have frequently been granted and many implementers have stated that intervention timeframes of 12-24 months exceed the absorption capacity of beneficiaries (JC 3.1).[204]

- EUD officials, national stakeholders and implementing partners raised concerns about the EU 'moving the goal posts' during implementation of sector budget support programmes by re-interpreting indicators/benchmarks, including adding conditions that are not related to the sector. Some EUD officials worry that this behaviour risks undermining the EU's credibility as a predictable partner.[205]

- There are also unrealistic expectations about the outputs that beneficiaries are asked to accomplish. Some sector budget support programmes have had a very large number of benchmarks, which were difficult for beneficiaries with low public-sector capacity and weak political commitment to meet. Other interventions envisioned more activities than beneficiaries could carry out effectively.[206]

- Many interlocutors raised a concern about the use of external consultants, particularly short-term consultants, with weak knowledge of local context to develop policy matrices and intervention logics. This has led to indicators that cannot be met or responsibility for implementing indicators being assigned to the wrong government body. That said, some interlocutors pointed to the responsibility of government to correct such mistakes.[207]

- Lastly, some results have proven to be unrealistic with the passage of time or because of the inability to overcome political or technical constraints.[208]

4) While there are examples of EUD and headquarters staff who successfully monitor SSR processes, there are four critical constraints on the EU's ability to routinely monitor SSR processes, including receiving regular updates on EU SSR interventions and political/policy dialogue, identifying blockages and taking action to resolve problems and report on results. These constraints are: 1) lack of capacity at EUDs; 2) capacity to apply the SSR concept; 3) lack of capacity at headquarters and guidance from HQ to EUDs; and 4) poor coordination in the field.

EUD capacity: EUDs have lacked capacity in a number of respects. Some EUD interlocutors report there are not enough staff, which requires them to fulfil both substantive and administrative roles or diminishes the capacity of EUDs to play a strategic role. Others report that operational sections are staffed by project managers, and not by individuals with technical expertise (which lies outside the EUD in CSDP missions, in EUSR offices or among programme implementers). The relatively recent secondment of military/security advisers to EUDs has improved the situation somewhat but important gaps remain.[209]

Capacity to apply the SSR concept: Despite the existence of two SSR policy frameworks since the mid-2000s and the approval of a joint SSR policy framework in 2016, understanding of the SSR concept and its potential application to EU SSR support is weak in the vast majority of the 11 case study EUDs, including

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[204] ROM Report: Support to the Justice Sector Reforms in Ukraine, July-August 2015 (AAP 2010), D-21849; MN 702; MN 715; MN 719. See also MN 332; MN 331; MN 354 on Palestine.

[205] MN 666; MN 678; MN 689; MN 691; MN 692; Socor, V., *'Moldova's New Electoral Law Could Be Fatal to Pro-Western Parties (Part One)'*, Eurasia Daily Monitor, Volume: 14 Issue: 98, July 25, 2017, https://jamestown.org/program/moldovas-new-electoral-law-could-be-fatal-to-pro-western-parties-part-one/.

[206] MN 673; MN 690; European Court of Auditors, EU Assistance for Strengthening the Public Administration in Moldova, Special Report no 13, 2016, p. 17; ENPI/2014/351692, "Consolidation of Justice Sector Policy Development", ROM Report, 7 November 2016.

[207] MN 333; MN 335; MN 343; MN 630; MN 673; MN 685; MN 690; MN 692; MN 722.

[208] 'Twinning Projects Final Report: Police Reform – Internal Affairs', SR 07 1B JH 02 Justice and Home Affairs Sector, ENPI/2010/249-981, 30 June 2012; 'Twinning Projects Interim Quarterly Report number 1. Police Reform – Internal Affairs', SR 07 1B JH 02', CRIS/2010/249-981, 20 November 2010, p. 4, regarding the failure to transfer staff to the IA unit; MN 714.

[209] MN 15; MN 34; MN 43; MN 54; MN 57; MN 66; MN 67; MN 302; MN 329; MN 336; MN 600; MN 649; MN 678; MN 679; MN 676; 692; Ginsberg and Penksa 2014.

both IPA and Neighbourhood beneficiaries. There is confusion about what constitutes SSR and in some cases why EUDs should be concerned about SSR. EUDs do not consider the security sector/system as a whole when delivering EU support. The general weakness of an EU strategic approach to SSR at the beneficiary level – and indeed the understanding of EUD staff about why SSR is relevant – limits reporting. That said, a number of factors are promoting greater attention to SSR within Delegations: EU/EUD discussions of how development and EU funds can complement CSDP and how to make EU instruments more flexible and complementary;[210] the 2016 Joint Communication on an EU-wide strategic framework for SSR and associated training for EUD staff; efforts to develop EU SSR coordination matrices (currently being implemented in Georgia); and joint analysis and programming exercises (as in Palestine and Moldova).[211]

HQ capacity: Interlocutors cited a lack of capacity at HQ (within DG NEAR CoTE for Security and Crisis Management, as well as DG NEAR operational units) as affecting the quality of SSR monitoring. DG NEAR CoTE simply does not have enough staff to meet the demands imposed by 23 beneficiaries. EUD staff have more knowledge about the realities and challenges on the ground than HQ country desk staff who are not experts in SSR. The significant exception is SGUA.[212] On the CSDP side, CPCC manages the conduct of civilian CSDP missions and it is overstretched and under-resourced given the prevalence of CSDP civilian missions.

Coordination/communication in-country: The multiple issues that have affected coherence among different EU actors are discussed in detail in EQ 6. Here it will suffice to note that poor working relations among various EU actors in-country has negatively affected the ability of the EU to monitor its SSR work. This issue is particularly pronounced where there are CSDP missions present but it also affects working relations between the political section and operations section in EU Delegations in a number of the 11 case study beneficiaries.[213]

5.4. EQ 4 Impact

To what extent has EU support (political/policy dialogue and financial assistance) contributed to the development by Enlargement and Neighbourhood beneficiaries of security systems that respect internationally accepted human rights, the rule of law and democratic principles; that apply the good governance principles of transparency/openness, participation/inclusivity, and accountability; and fight against corruption?

Summary answer	**All of the case study beneficiaries have registered at least some progress in the reform of security systems; EU SSR support has enabled beneficiaries to move forward with measures to enhance the rule of law, respect human rights, and apply good governance principles. Nevertheless, there is a lot of work remaining, especially with improving the track record of implementation for new policies and strategies. The observed positive effects have contributed to the overall objectives of the EU's SSR policy objectives in that they have ushered in changes that would not otherwise have occurred, or would have taken longer to achieve. It must be noted that the assessment of impact is constrained because EU programming documentation inadequately specifies and differentiates among types of impact, emphasising a process-oriented approach of outputs and outcomes. The data on the equitable distribution of changes/effects across different groups in society is limited. Moreover, there is little evidence that the EUDs, CSDP missions and implementing partners have engaged in formal conflict sensitive, 'Do No Harm' assessments at the intervention level.**

[210] MN 34; MN 15; MN 43; Ginsberg and Penksa, 2014.
[211] EU Delegation to West Bank and Gaza Strip, UNRWA, EU Joint Programming in Palestine: European Joint Strategy in Support of Palestine, 2017-2020. https://eeas.europa.eu/sites/eeas/files/european_joint_strategy_2017-2020_2017_10_18_.pdf; European Union, European Union Joint Analysis: Programming in the Republic of Moldova until 2020, September 2016.
[212] MN 34; 15; MN 43; MN 620; MN 627; Ginsberg and Penksa, 2014, p. 77-78.
[213] MN 07; MN 24; MN 31; MN 649; MN 678; European Court of Auditors, Special Report Number 18, 2012, p. 7, European Union Assistance to Kosovo Related to the Rule of Law, https://www.eca.europa.eu/Lists/ECADocuments/SR12_18/SR12_18_EN.PDF.

JC 4.1	Observed changes/effects contribute to the achievement of the EU SSR policy framework's overall objectives in Enlargement and Neighbourhood beneficiaries.

Observed changes/effects in the Enlargement and Neighbourhood beneficiaries have generally contributed to the EU's overall commitment "…to assist partner governments to provide effective, legitimate and accountable security and justice services to their citizens, in a manner that is consistent with democratic norms, rule of law values, good governance principles and respect of human rights".[214]

During the time frame of 2010-2016, the cumulative effect of EU support is that IPA beneficiaries have moved closer to EU standards. Project designers and implementers are aware of the overall objectives of the relevant *acquis* for Chapters 23, 24 and/or 31 and they seek to inform their counterparts of what will need to be done to comply with those *acquis,* including the need to create a track record of implementation. For example, in the area of reducing corruption, beneficiaries need to demonstrate that they have prosecuted a number of high-level corruption cases, not merely that they have aligned national legislation with EU laws.[215] The analysis of EU annual reporting on beneficiaries, project documentation and field interviews reveals that *some* progress was achieved in SSR areas such as integrated border management (Albania, Turkey), preparation for visa liberalisation (Kosovo, Turkey); police reform (Albania, Bosnia and Herzegovina; Serbia); prison reform (Albania, Turkey) and the rule of law and control of corruption (Albania, Bosnia and Herzegovina, Kosovo, Turkey). Change is most evident in beneficiaries where there has been long-term EU engagement through multiple interventions, such as EU support to law enforcement agencies in Bosnia and Herzegovina (including EUPM); PECK I and II in Kosovo; and the EURALIUS and PAMECA projects in Albania.

While the IPA case study beneficiaries have achieved some level of preparation on their European path, they still have substantial work to do in order to meet EU objectives and targets in Chapters 23, 24 and 31.[216] IPA beneficiaries have made strides in cultivating the rule of law and good governance practices, but politically motivated pressures on the judiciary are still common in Albania, Bosnia and Herzegovina, Kosovo, Serbia and Turkey and judicial independence needs to be strengthened. Serbia has made progress towards the implementation of Chapters 23 and 24 of the EU *acquis*, however, the 2016 Annual EC Report on Serbia and a EU non-paper of May 2017 elucidates many areas in which additional implementation is needed, such as effective monitoring in anti-corruption and stepped up efforts in anti-money laundering.[217] An evaluation of IPA programmes in EU Justice and Home Affairs in Albania found that "the track record of investigation and prosecution of high profile cases is still poor".[218]

Most seriously, there is evidence that Turkey has backtracked in its reform path and diverged from relevant EU standards. Some of the reform gains that Turkey had previously made have been jeopardised by a worsening security environment and by government measures initiated following the July 2016 attempted coup with the consequence of on-going threats to judicial independence; the deterioration of prison conditions due to overcrowding and a regression of penitentiary reform; and the retraction of some citizens' rights and fundamental freedoms by the introduction of a state of emergency. [219]

Among the Neighbourhood East beneficiaries of Moldova, Ukraine, Georgia, there has been some convergence toward relevant international standards during the time frame of 2010-2016 that

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[214] https://ec.europa.eu/europeaid/policies/fragility-and-crisis-management/links-between-security-and-development/security-sector_en.

[215] MN 716; MN 720; MN 17; MN 31; MN 30; MN 34.

[216] A country by country reporting of all changes/effects is outside the scope of this evaluation. Annual EU country reports detail changes and progress achieved by the beneficiaries, including areas of needed improvement.

[217] Delegation of the European Union to the Republic of Serbia, *Non-paper on the state of play regarding chapters 23 and 24 for Serbia*, May 2017, http://www.mei.gov.rs/upload/documents/eu_dokumenta/non_paper_23_24/non_paper_23_24.1.pdf; https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_serbia.pdf.

[218] *Evaluation of Justice and Home Affairs Sector IPA programmes in Albania, contract 2015/ 368588, Final Report,* IBF International Consulting, April 2016, p. 17.

[219] MN 364; *Amnesty International Report 2016/2017: Turkey,* https://www.amnesty.org/en/countries/europe-and-central-asia/turkey/report-turkey/; Human Rights Watch*, 'World Report 2017: Turkey',* https://www.hrw.org/europe/central-asia/turkey; European Commission, *Turkey 2016 Report Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2016 Communication on EU Enlargement Policy {COM(2016) 715 final}.*

contributes to EU SSR policy objectives. Most commonly, beneficiaries made progress in regard to 'procedural compliance', such as changes in legislation or the development of strategies, rather than in the implementation of new legislation and policies. Concerns on this score were reported in IPA beneficiaries as well. Procedural compliance provides the framework within which the EU can continue to engage in political dialogue with the beneficiary authorities and thereby encourage implementation of policies.[220] For example, Moldova has approved legislation in the areas of human rights, rule of law and fundamental freedoms. It was the first member of the Commonwealth of Independent States (CIS) to have its visa regime lifted, in recognition of the high standards of its various border management agencies. Nevertheless, there is a mixed record of implementation for justice reform. As a consequence of the 2014 banking fraud and political instability in 2015, EU budget support to Moldova was suspended for 18 months, including to the justice sector; the Ministry of Justice has passed key legislation, but authorities still need to advance the actual implementation of new legislation and regulations, reduce politicisation, and increase transparency.[221]

The combination of financing and policy dialogue delivered through sector budget support has been useful in helping Georgia converge toward EU/international standards.[222] Georgia demonstrated increased compliance with international standards in both criminal justice and IBM during the period 2010-2016. Achieving visa-free travel status has been one of the government's top priorities; the pro-reform government was able to use political leverage afforded by that objective to gain buy-in for difficult reforms, such as in the Prosecutor's Office.[223] That said, corruption on the part of vested interests is still a problem in Georgia, including the impunity of law enforcement officials. Interlocutors suggested that the EU is undermining its political capital in this area by highlighting Georgia as a success story of the Eastern Partnership when in fact problems do remain.[224]

In both Georgia and Ukraine, there is evidence of convergence in border management with the Schengen Borders Code and in border guards' education where several courses meet EU criteria. Ukraine's State Migration Service is increasingly interested in learning about compliance procedures with EU best practice as a result of seeing the value-added of EU support.[225] Constitutional amendments that were part of the judicial reform process were vetted and revised based on feedback provided by the Venice Commission; contrary to expectations, the amendments were ultimately approved.[226] However, there is far less convergence in terms of Ukraine's legislation with regard to the police, military and security service where there is stiff resistance to change in these sectors.[227]

Among the Neighbourhood South beneficiaries of Palestine, Jordan, and Lebanon, there is modest evidence of convergence toward international standards. Despite myriad political and security challenges, Lebanon made some progress with improving border management and enhancing the capacity of its security services. It has taken steps to implement the ENP Action Plan, with certain achievements in human rights and fundamental freedoms, and it has maintained a successful security policy and evidenced resilience against regional threats and turbulence.[228] The formation of a new government in December 2016 ended a two-and-a-half-year phase of political deadlock.

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[220] Particip, *Evaluation of the European Union's co-operation with Georgia (2007-2013)*, Contract no EVA 2011/Lot 4, Specific contract no. 2013/331560, Volume I, Final Report, May 2015, pp. 22-23.
[221] ENPI/2012/023420, ROM Report, Support to coordination of the Justice Sector reform in Moldova, C-315649, Final, 15 April 2016; MN 670; MN 669; MN 672.
[222] MN 695; MN 709.
[223] MN 698.
[224] Council of Europe/Group of States Against Corruption, 2017, Fourth Evaluation Round: Corruption prevention in respect of members of parliament, judges and prosecutors: Evaluation Report Georgia, Adopted by GRECO at its 74th Plenary Meeting (Strasbourg, 28 November - 2 December 2016); 'NGOs Claim Georgia Needs Independent Investigative Body', *Georgia Today*, 18 January 2018, http://georgiatoday.ge/news/8796/NGOs-Claim-Georgia-Needs-Independent-Investigative-Body-; MN 695; MN 702; MN 709.
[225] MN 680; MN 662.
[226] MN 651.
[227] MN 635; MN 662; MN 659.
[228] Joint Staff Working Document, Implementation of the ENP in Lebanon, Progress in 2014 and recommendations for Action, 25 March 2015.

Positive changes in Jordan are evident in its 2014 adoption of a new law on the judiciary, improved financial management at the Ministry of Justice, and the strengthening of judicial independence.[229] However, Jordan and the EU differ on approaches to SSR; Jordan has de-linked justice and security (as stated in the King's Discussion paper), whereby European/international norms apply only to a certain extent in the sphere of internal security.[230] While EU support has resulted in some positive changes to the Palestinian security and justice systems, such as adoption of the Law on Juvenile Justice in February 2016 and significant improvement of judicial and social rehabilitation practices for juveniles, interlocutors agreed that the lack of progress in achieving a two-state solution and realisation of statehood for Palestine has led to an erosion of human rights and a drift towards more authoritarian control, where the justice system has been used to repress dissent.[231] Political-security-justice challenges in the Neighbourhood South remain substantial and require long-term EU engagement in SSR.

JC 4.2	The outputs and outcomes of SSR support have been translated into the impacts anticipated in programming documentation.

The reviewed programming documentation inadequately specifies impact, emphasising a process-oriented approach of outputs and outcomes. Project reports frequently stipulated that activities were successful, without analysing the actual impact. As one EU interlocutor aptly stated, "the vast majority of EU SSR interventions have measured results (outputs), not impact."[232] Furthermore, there was a lack of clarity on what constitutes impact, as opposed to outputs or outcomes. The mandatory results of twinning interventions are frequently measured by activities that can be equated to outputs. The majority of SSR project documentation described outcomes, such as specifying an increase in the number of legal aid beneficiaries, without evaluating the actual effects of the legal aid services on the beneficiaries. An evaluation of the Justice and Home Affairs Sector programmes in Albania found that project implementers had "difficulty of identifying judgment criteria/indicators that have a sufficiently sound empirical basis, particularly with regard to the criterion 'impact'".[233] This finding repeatedly arose in monitoring reports and evaluations that have been conducted on SSR in IPA and ENP beneficiaries; it was further corroborated by field interviews with beneficiaries and stakeholders who contended that impact is challenging to measure and that it can be demonstrated only with the passage of time (EQ 5).

What is more, impact tends not to be differentiated. Since many project implementers are unclear about how to distinguish between outputs and impacts, it is unsurprising that they frequently do not differentiate among types and levels of impact. Most of the interventions contained project objectives that were geared toward the achievement of functional results (outputs), such as modernising police laws or providing training to government authorities to enhance their knowledge and performance in thematic areas like countering organised crime. However, societal, political, strategic and/or unintended impacts tended to receive less attention.[234]

Since many of the monitoring indicators for actions are measuring outputs, not outcomes/impact, qualitative improvements are not systematically documented. Some exceptions to this finding do exist. A Twinning final project report included survey results conducted by the Kosovo Police Training Unit whereby participants were asked about the value of the EU training, demonstrating a notable attempt by a beneficiary to qualitatively assess the short-term impact of the EU financed intervention.[235] This same Twinning intervention (2013/336253) reported that "…the [project] outcome could be only made visible after a certain period of implementation and that possibly tangible data could only be obtained after the completion of the project."[236] Importantly, there was disagreement among some programme evaluators and

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[229] ENPI/2012/23471 documents state that progress has been made in judicial reform, even if much remains to be done.
[230] MN 333; MN 336; MN 345.
[231] MN 348; MN 355; MN 391; MN 392; MN 402; MN 403; MN 409.
[232] MN 34.
[233] 2015/368588, *Evaluation of Justice and Home Affairs Sector IPA programmes in Albania, Final Report,* IBF International Consulting, April 2016, p. 9.
[234] See Ginsberg and Penksa, 2014, for clarification of these different kinds of impact.
[235] Twinning Final Report for IPA 2013/336253 "Strengthening Criminal Investigation Capacities against Organised Crime and Corruption", 18 November 2016, pp 6-7.
[236] Ibid, pp 6-7.

implementing partners about the place for qualitative indicators since these achievements could be somewhat subjective.[237] If implementing partners and evaluators do not develop qualitative indicators, believing that they are too 'subjective' and not empirical, then qualitative improvements will not be adequately documented.

The evidence base for evaluating the extent to which EU SSR support has changed public perceptions of security and justice is limited. An exception to this finding was found for the case study of Palestine. UNDP/PAPP, the Office of the EU Representative, and EUPOL COPPS conducted a comprehensive assessment of 'Public Perceptions of Palestinian Civil Police Performance' in a 2014 survey of 4,209 households in the West Bank. The study found that a "large majority of Palestinians in the West Bank consider themselves safe in their neighbourhoods during both day and at night" and that although public confidence in the PCP is high, "there is a lower confidence that PCP services are provided equitably and fairly".[238] The study evaluates the role and contribution of the PCP to create a safer environment as perceived by Palestinian citizens and assesses the impact of donor aid on the development of the PCP, to which the EU massively contributed through EUREP funded interventions and EUPOL COPPS.

Elsewhere, the IPA II report on 'Enhanced Justice Sector and cooperation in the Rule of Law' in Bosnia and Herzegovina, notes that "…the public perception of the judicial system in Bosnia and Herzegovina does not reflect high trust in the competence and independence of the judiciary".[239] Monitoring reports for the IPA/2013/327273 intervention in Bosnia and Herzegovina indicated that the capacity building support for judicial reform struggled to "…deliver tangible results to underpin any wider or long term reform based impact", but public perceptions of justice sector service delivery are not investigated.[240] Thus, while the EU has provided support to the judicial system in Bosnia and Herzegovina, there is scant statistical information about the extent to which EU support has positively/negatively impacted public perceptions of security and justice.

An important finding that emerged from many of the field interviews in both Enlargement and Neighbourhood beneficiaries is that CSO interlocutors are broadly sceptical of the extent to which there has been a reduction of corruption and organized crime in their societies, including fewer linkages among organized criminals, the government and law enforcement officials.[241] While visa liberalization is a tangible effect (and benefit) that is visible to citizens, security and justice reforms are not necessarily as transparent, and many CSOs question the extent to which EU SSR support has transformed their societies and produced genuine, sustainable changes (EQ 5). Still, although CSOs may not see systemic improvements in security sector governance, there is some limited evidence of positive CSO perceptions of reform areas like penitentiary reform and juvenile justice.

Observed effects have contributed to the overall objectives of the EU's SSR policy objectives in that they have ushered in changes that would not otherwise have occurred, or would have taken longer to achieve. Although the record of impact is mixed, it is evident that beneficiaries believe that EU support is beneficial (EQ 7) and they attribute positive changes to EU support in areas where the EU has been the leading, long-term donor (e.g. the strengthening of Bosnia and Herzegovina law enforcement capacities). There are positive impacts in the thematic area of IBM, where EU interventions in Albania, Lebanon, Turkey, and Ukraine have yielded tangible effects. For example, as a result of EU support to IBM in Turkey, border agencies in Turkey, Bulgaria, and Greece established on their own initiative a Contact Centre because the EU's project had created a platform to work together.[242] In Lebanon, there is a tangible increase in interagency cooperation among security agencies, as well as between Lebanese security

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[237] See, for example, 2013/336253, Kosovo, "Strengthening Criminal Investigation Capacities against Organised Crime and Corruption", Monitoring Report MR-147160.01, 24 November, 2014, p. 2.
[238] UNDP, EUREP and EUPOL COOPS, *Public Perceptions of Palestinian Civil Police Service*, 2015, p.p. 5-6: http://www.ps.undp.org/content/papp/en/home/library/democratic_governance/public-perceptions-of-palestinian-civil-police-performance.html
[239] European Commission, IPA II, *Enhanced Justice Sector and Cooperation in the Rule of Law in Bosnia and Herzegovina*, 2014, p. 4.
[240] IPA/2013/327273, ROM Background Conclusion Sheet, BCS-146988.01, 2014, p. 10.
[241] MN 721; MN 25.
[242] MN 362; MN 365; MN 360.

agencies and EU Member States.[243] Ukrainian border guards are in the process of shifting their organisational structure away from a paramilitary one to a civilian one, have demonstrated increased professionalism, and have an improved human resource management system in place.[244] In Georgia, support to the criminal justice sector has led to improved service delivery by bodies such as the Public Defender's Office, National Probation Agency and Legal Aid Service.[245] Long-term assistance to Albania has produced a corresponding augmentation in the level of professionalism of the Albanian State Police, as well as greater transparency among their security services.[246] Kosovar beneficiaries have demonstrated growing capacity in the rule of law by assuming responsibility for the whole range of rule of law tasks with EULEX Kosovo only assisting in a limited number of criminal and civil justice cases.[247] Palestine's youth rehabilitation system is in the preliminary stages of development.[248] The EU's juvenile justice sector intervention in Palestine paved the way for the adoption of the Law on Juvenile Justice in February 2016 and juvenile judges have noticed that youth do not run away from the courts as much as in the past because they know that it is unlikely that they will be sent to prison and instead will receive rehabilitation treatment.[249] Further reforms are still needed since rehabilitation treatment is not yet fully available.

JC 4.3	EU SSR interventions in IPA and ENI beneficiaries have distributed observed changes/effects equitably across different groups in society.

Cross-cutting societal issues have not comprised an integral aspect of project design. The majority of the project documentation examined for the sample of EC-financed interventions contained very little reporting on changes and effects across different groups of society. On average, the available data provided more information on the needs of women and men than on ethnic and socially vulnerable groups. When societal issues were acknowledged in project documentation, there was a tendency to report on the extent to which there was equal participation of different societal groups and a remarkable absence of elaboration on observed changes/effects. For example, project documentation for EU support to the coordination of justice sector reform in Moldova (ENPI 2012/023420) indicated that there was balanced gender representation in justice sector workshops sponsored by the EU without analysing the extent to which the training addressed gender-related issues.[250] The PAMECA III intervention in Albania made some effort to address women's concerns through developing a programme and delivery plan for women's leadership development in policing, but the impact of the leadership programme is not known.[251]

Project reporting about the effects of support on different groups in society typically involved the SSR areas of prison, justice, law enforcement and CVE. In Bosnia and Herzegovina, the intervention supporting Bosnia and Herzegovina law enforcement (IPA/2012/290719) proposed the development of community advisory groups to improve the relationship between the police and citizens, including the reduction of inter-ethnic crimes. In Palestine, intervention ENPI/2013/312320 targeted the needs of juvenile offenders who often come from socially vulnerable backgrounds. However, young offenders from remote areas benefitted less because the intervention could not operate throughout all of the West Bank due to restrictions on the freedom of movement.[252] Justice reform interventions supported in Jordan have provided legal aid to vulnerable groups.[253] EU support to prison reform in Albania (IPA/2013/331863) made visible strides in preventing and reducing the torture and ill-treatment of vulnerable groups in the prison population. Conditions for detainees in police custody certainly improved.

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[243] MN 54; MN 60; IBM Project in Lebanon Brochure, ICMPD, n.d.

[244] MN 661; MN 662. While the Border Guards have made important strides, it is important to recall that the State Fiscal Service and the Security Service of Ukraine are also present on the borders and are in need of reform.

[245] Particip, *Evaluation of the European Union's co-operation with Georgia (2007-2013), Specific contract no. 2013/331560, Volume I, Final Report,* May 2015, p. 23.

[246] MN 324; MN 352; MN 353; MN 375; MN 377; MN 380; MN 381; MN 382; MN 385.

[247] MN 20.

[248] EUREP Palestine provided this information.

[249] MN 332; 354; 393; 394; 396; 397; 398; 399.

[250] ENPI/2012/023420, 'Rom Report: Support to the coordination of the Justice Sector reform in Moldova', C-315649, 27 February 2016, p. 20.

[251] Albania, 2008/156267, PAMECA III, Final Report, p. 9, p. 18.

[252] MN 332; MN 393; MN 397; MN 399.

[253] MN 333; MN 335.

The equitable provision of EU SSR support to different groups in society can be constrained by unstable security environments and inadequate rule of law. CSDP missions are a valuable tool for complementing EU financed interventions and extend the reach of the EU to more societal areas. For example, a large part of EU assistance to Ukraine is channelled via the central authorities in Kyiv and does not always reach all regions in the same manner. By contrast, the CSDP mission, EUAM, has sought to work across the country to the extent possible. Similar challenges exist for the EU Office in Kosovo, where the north of Kosovo suffers from widespread organised criminal activity and the lack of rule of law. EULEX has played an important role in providing support to Kosovo for investigating cross-border crimes, given that Serbia and Kosovo have not normalised cooperation in this area, and it has prosecuted cases in the north with limited judicial personnel.[254] It also has made valuable contributions in initiating dialogue with the Kosovo Police on its gender policies and the retention of women; the extent to which the dialogue has produced actual impact is unknown. However, the effects of EULEX support on gender equity would have been stronger if gender perspectives were more strongly integrated into the Monitoring, Mentoring and Advising (MMA) component from the very start of the mission.[255] "Gender and human rights concerns [like gender based violence] are not mainstreamed throughout the majority of EULEX mission activities and programs; instead, they are [often] compartmentalised in the Human Rights and Gender Unit".[256]

The data analysis of IPA and ENP interventions has revealed that there is a gap between the high priority that the EU affords to the promotion of human rights and gender issues in its regional and bilateral programming and the extent to which the 39 SSR interventions examined in detail have societally differentiated project objectives and indicators. EU officials and national beneficiaries rarely addressed gender and ethnic issues in field interviews unless specifically asked about these concerns.[257] In the case of the ENP, the EU has stipulated that "the implementation of the EU Gender Action Plan 2016-2020 has led to mandatory gender analysis of all project proposals and the inclusion of gender in all Partnership Priorities, Association Agendas and country reports."[258] However, in the examination of ENP sample SSR interventions, gender issues were not routinely included. Cross-cutting issues, like gender, have not been perceived by project implementers as applicable to the IBM interventions in Lebanon.[259] Similarly, intervention ENPI/2011/022562 in Georgia provided budget support to the criminal justice sector and had a ROM gender policy marker of "0" and noted that, "gender issues are not part of the project"[260] while the third phase of the programme (ENPI/2014/0370376) has one indicator pertaining to gender issues.[261] Two exceptions to this trend were found in regard to interventions in Palestine and Jordan. The needs of juvenile offender girls, as well as underage female victims of crime, were addressed by the juvenile justice project at the Bethlehem shelter.[262] EU support to Jordan's justice sector (ENPI/2012/23471) resulted in an increase in the number of female judges and benefitted women's rights by enhancing advocacy to introduce progressive changes. For example, in August 2017 Jordan's parliament abolished Article 308 that allowed rape charges to be dropped as long as the rapist marries their victim and stays married for at least five years.[263] While the repeal of the law is not a direct impact of EU support, it indicates that positive changes have occurred in the justice sector since the onset of EU budget support in 2014.

Gender equity is not a high priority issue in the security sectors of some beneficiaries. By way of illustration, the 'Developing National Capability for Security and Stabilisation' intervention in Lebanon (2012/306399) reported the cancellation of training for security forces on improving the fight against

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[254] MN from field missions in Ukraine and Kosovo.

[255] MN 20; Ginsberg and Penksa, 2014, p. 122-123.

[256] Ginsberg and Penksa, 2014, p. 122.

[257] This was a notable finding from team field interviews in eleven beneficiaries.

[258] European Commission, *Joint Report to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Report on the Implementation of the European Neighbourhood Policy Review*, JOIN(2017) 18 final ,18 May 2017, p. 14.

[259] ENPI/2012/296488, Annex VI, Final Report, p. 27.

[260] ENPI/2011/022562, ROM, MR-146860.01, November 2013.

[261] ENPI/2014/0370376, Financing Agreement: Support to the Justice Sector Reform in Georgia, 29/05/2015, p. 18.

[262] MN 332; MN 394.

[263] On increased number of women, see ENPI/2015/358963, Final Report, 2015, p. 14. On abolishment of 'rape article', see Rebecca Ratcliffe, '*Jordan bans rapists from escaping justice by marrying victim*', The Guardian, 2 August 2017. The point was raised in MN 335, 342.

domestic violence because the beneficiary explained that this activity was not needed any more.[264] In an evaluation of EU support to the Internal Security Forces in Lebanon, the report concluded with the recommendation that subsequent interventions needed to '…pay special attention to the issue of domestic violence, which is especially relevant in a perspective of "community policing"'.[265] This example raises an important question about how the EU can best mainstream gender in its SSR interventions, when beneficiaries do not see this objective as relevant and/or needed.

JC 4.4	Unintended consequences of EU SSR support have not produced lasting negative effects

At the political level, the European Commission has contributed to OECD guidelines in developing the 'Do No Harm'[266] approach to international assistance. The EU has committed itself to a 'Do No Harm' principle by advocating a conflict sensitive approach that requires donors to: "a.) Understand the context; b.) Understand the interaction between your engagement and the context; c.) Act upon this understanding in order to avoid negative impacts and maximise positive impacts and d.) "Leave No One Behind".”[267]

Despite the EU's political commitments to the 'Do No Harm' approach, there is little evidence that the EUDs, CSDP missions and implementing partners have engaged in formal conflict sensitive, 'Do No Harm' assessments at the intervention level. The sample of intervention documents for EU SSR activities do not typically employ this terminology nor do they include a "Do No Harm" analysis; and, they are missing thorough human-rights risk assessments for SSR interventions. For example, the ROM report for the ENPI/2011/22562 intervention in Georgia concluded that, "Human rights are mainstreamed in the Sector Policy Support Programme (SPSP), but not specifically elaborated in the ToR of this project."[268] During field interviews, there were only a few interlocutors that indicated that the EU and Member States have *informally* applied the "Do No Harm" approach.[269] For example, the EU and its Member States have judiciously considered how best to provide assistance to improving the rule of law in the north of Kosovo given the rampant organised crime in the area, knowing that it would be detrimental for the EU or MS to finance interventions that would fill the pockets of criminals.[270] A 'Do No Harm' approach is important for CT/CVE interventions, but as the EU is in the early stages of providing support to this thematic area, there is not much evidence about the extent to which these factor into CT/CVE assessments.

The field research also revealed that the EU is unsure how to operationalise human rights in its work with security sector agencies, especially with intelligence agencies and 'special branch' services. As a consequence, it often shies away from engagement with these agencies (as confirmed by the mapping of EU SSR interventions by thematic areas, which shows only 2 contracts in 'intelligence reform'). By way of illustration, the Preventive Security Organisation (PSO) in Palestine together with the Ministry of Interior approached EUPOL COPPS with a request for capacity-building assistance, given the positive results that EUPOL COPPS had with supporting the Palestinian Civil Police. PSO has a vast mandate related to internal security, including combating terrorism and political security, but it receives less than 1% of externally-funded projects in SSR. EUPOL COPPS conducted an assessment and recommended to headquarters that the CSDP mission expand its assistance to include the PSO. However, the CPCC declined the proposal on the grounds that the PSO has reportedly violated human rights (which is true to an extent).[271] The question for the EU is how it can engage with such agencies – in order to help increase their level of professionalism to conduct investigations rather than over-rely on interrogations, as well as enhance democratic accountability and oversight -- without doing any harm nor compromising EU

[264] 2012/306399, Final report, 2015, p. 5.
[265] 2015/365497, Evaluation of EU Support to the Internal Security Forces in Lebanon, Final Report I, 27 November 2015, p. 18.
[266] For an extensive discussion of the "Do No Harm" approach, see the OECD document, Do No Harm: International Support for Statebuilding, 2010, https://www.oecd.org/dac/conflict-fragility-resilience/docs/do%20no%20harm.pdf.
[267] The EU "Do No Harm" guidance is available on its website at https://ec.europa.eu/europeaid/policies/fragility-and-crisis-management/analytical-tools_en.
[268] ENPI/2011/22562, ROM, BCS-146860 / C-301629 / MR-146860.01, November 2013.
[269] MN 346; MN 33; MN 20.
[270] MN 30; 33.
[271] MN 390; MN 402.

principles. The EU's intervention in Lebanon (ENPI/2016/372828), 'Technical Assistance to the Lebanese Armed Forces (LAF) and to the General Directorate of General Security (GS)', is a noteworthy EC intervention because of its provision of high value organisational support to the Lebanese army and the intelligence service, two thematic areas where the EU has not been active.[272]

Unintended effects are not addressed in the sample of project documentation, although potential risks and mitigation measures are acknowledged.[273] This finding is not surprising given the lack of overall attention on reporting on impacts, positive or negative; the tendency to conflate activities/outputs with outcomes/impact; and the absence of focus on societal impacts. Nevertheless, project evaluations have raised issues related to the extent to which there were negative impacts, such as the case with poorly prepared trainers whose presentations to beneficiary partners were too abstract and not sufficiently tailored to the domestic context of the training, thereby reducing the positive impact and creating fatigue with training.[274] The field missions also uncovered that there are current examples of negative effects that may threaten the success of the aforementioned intervention, 'Technical assistance to the Lebanese Armed Forces (LAF) and to the General Directorate of General Security (GS)'. Progress is stalled in the civil society component, despite the willingness of the LAF to engage in outreach programmes to civil society. The project is unlikely to achieve meaningful effects in this component unless the conflicts between implementing partners is resolved and there is adequate project backstopping.[275]

Moreover, sometimes unintended, negative effects of interventions manifest downstream. When the EULEX mission in Kosovo was at its largest size, with over 2,000 personnel (making it the largest civilian CSDP mission ever deployed by the EU), EULEX staff admitted that it had the unintended effect of distorting the local economy, raising an important question about the unintended, negative impact of EULEX on the impact of other EU funded socio-economic assistance.[276] A former EULEX official raised allegations of corruption against some other EULEX personnel in 2013-2014; the public scandal had the effect of lowering public confidence in the mission (and in its executive mandate).[277] In another example, the Bosnia and Herzegovina Directorate of Police Coordination was not established when the EU funded electronic data exchange project began its support. Although the electronic data exchange equipment has been installed in the premises of the Police Directorate, it cannot legally access any of the data since it is not listed as a beneficiary in the original project documents. The beneficiary noted that this has produced a negative impact on the ability of the Directorate to fulfil its coordination role; it has been unable to receive the necessary political support from government authorities to change the MoU so that it can become a project beneficiary and the EU has not pressed the authorities to resolve the issue.[278] These illustrations from Kosovo and Bosnia and Herzegovina underscore how technical assistance can become politicised and how unintended effects may constrain sustainability (EQ 5).

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[272] MN 57; MN 58; MN 59; MN 66; MN 67.

[273] Unintended consequences are not the same as a failure to achieve planned outcomes, nor are they the equivalent to intervening powers having "mixed motives" for intervening. The literature on unintended consequences tends to focus on negative outcomes, such as when an intervention may have the unintended consequence of distorting the host economy, unfairly privileging certain groups in society, or by creating a culture of dependency. For an extended analysis of unintended impact and consequences related to CSDP missions and operations, see Ginsberg and Penksa, 2014, pp. 124-130.

[274] 2015/365497, *Evaluation of EU Support to the Internal Security Forces of Lebanon,* Final report, 27 November, 2015, p. 15.

[275] MN 57; MN 66; MN 67; MN 58; MN 64.

[276] Ginsberg and Penksa, 2014, p. 128.

[277] Penksa interviews with EULEX and EU officials, 2013-2014.

[278] MN 41.

5.5. EQ 5 Sustainability

To what extent is EU support to SSR (financial assistance and political/policy dialogue) based on nationally owned processes and likely to contribute to a continued reform momentum?

Summary answer	National authorities have exhibited varying degrees of ownership of reform processes. All 11 case study beneficiaries have engaged to varying degrees in dialogue to set the parameters of reform and in the design and implementation of EU-financed interventions. Beneficiaries have recorded some progress in SSR processes and some of these gains are being sustained or are likely to be sustained. In terms of financial ownership, beneficiary governments have provided some co-financing and committed to financing reforms when EU support ends. Some of the sustainable progress to date can be attributed to the EU. Sustainability of results requires political commitment on the part of beneficiaries and this remains a challenge in many cases. While EU SSR support has brought some degree of change to the 11 case study beneficiaries, the fundamental problems that this support is intended to address remain. The expectation, therefore, among EU and local officials, EU MS and other international actors and implementers is that EU political/policy dialogue, financial support and CSDP missions/operations will need to continue, as will support from EU Member States and other international partners/donors. Therefore, a major finding is that, to a large degree, EU support to SSR has only laid the basis for sustainability.

JC 5.1	Enlargement and Neighbourhood beneficiaries have demonstrated ownership of reform processes during and after EU interventions.

National authorities have exhibited varying degrees of ownership of reform processes both during and after EU interventions. Ownership has been demonstrated by 1) participation in political/policy dialogue relating to SSR processes, 2) involvement in designing and implementing EU financed SSR interventions; and 3) ensuring changes are sustained, including providing co-financing or sustainment financing.

All 11 case study beneficiaries have engaged in dialogue to set the parameters of reform. This is evidenced in documents such as annual progress reports, ENP Action Plans and minutes, agendas and reports from meetings of Association Councils, Association Committees and subcommittees. As discussed in JC 1.2, the quality of these dialogues has been uneven and there are reasons to question the depth of the commitment of some beneficiary authorities to reform processes.

There is also evidence from all 11 case studies of beneficiary authorities engaging in the design and implementation of EU-financed interventions, although their interest and capacity has varied, often within the same beneficiary.[279] Some beneficiary authorities have been proactive consumers of EU assistance who are clear about their needs and priorities, know which EU funding modalities are best suited to meet their objectives and are often long-term recipients of EU support.[280] Other beneficiaries have required assistance to participate in both design and implementation. This is a major reason why, for example, complementary assistance has increasingly been recognised as essential for effective SBS programmes.[281]

Both sector budget support programmes and twinnings have established roles for beneficiaries in their design phase by providing input into SBS policy matrices and twinning fiches. Both also make use of external experts in the design process and there are concerns about the degree to which these experts have had adequate knowledge of local contexts. In some cases, the beneficiary has the capacity to engage

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[279] Civil society engagement is essential for true national ownership. Its role in the management cycle for EU SSR interventions is discussed in JC 2.3.
[280] MN 685; MN 707; MN 711; MN 714; MN 723; MN 725.
[281] European Union Delegation to the Kingdom of Morocco, *Issues Paper: A review of the Budget Support instrument in Morocco*, 3 March 2015 p. 4, 10; MN 647; MN 692.

effectively in programme design so that interventions reflect local context. One Georgian interlocutor described a consultative process for developing the third justice SBS programme involving government, the EU and civil society. The process began with a needs assessment by an EU expert that reflected the perspectives of all stakeholders. Stakeholders commented on the report and discussions were held at both technical and political levels, leading to an agreement after about a year.[282] In other cases, where capacity or political interest has been weak, local input has been significantly less. In Moldova, at least through 2013, local input into the design of twinnings was reportedly minimal.[283] Irrespective of the reason why local input into intervention design is weak, the failure to adequately reflect local context in intervention design can be highly problematic. 40% of the activities in the work plan of one twinning in Serbia were related to a law that had not been approved by the time the twinning began and was still not approved six months before the end of the twinning. In addition, a number of indicators in the work plan were reportedly weak.[284]

The 39 interventions examined in detail have involved beneficiaries in implementation in a variety of ways: through Steering Committees and other oversight functions, consultation on work plans, and participation in project activities. The quality of that engagement has varied. There are examples of beneficiaries struggling with their engagement, for example, assistance to the Palestinian Bar Association where a lack of institutional commitment, problems in beneficiary Board decision-making and serious delays in hiring personnel led to progress being very uneven. The ROM report identified serious concerns over sustainability of achievements (grade C) because of limits in institutional capacity.[285] There are also examples of beneficiaries eager to enhance their capacity to carry out their functions, as with the Serbian Criminal Investigation Directorate's forensic sector which quintupled its capacity and output over 12 years with the support of multiple EU interventions.[286]

Beneficiaries have made varying degrees of progress in their SSR processes during the 2010-2016 period and there is evidence that some of these gains are being sustained or are likely to be sustained. However, to a large degree, EU support to SSR has only laid the basis for sustainability. Sustainability can only be assessed after the passage of some years, ideally when the beneficiary has taken complete ownership of the reforms and is no longer dependent on donor financing. Therefore, it is too early in many cases to assess whether the gains achieved through EU support for SSR during the 2010-2016 period have been sustained. At the same time, because so much of the progress has taken the form of 'procedural compliance' (JC 4.1), many of the reforms remain to be fully implemented. Only when reforms are implemented can sustainability be assessed.[287]

That said, there is some evidence that changes produced as a result of EU support to SSR are being sustained. Visa-free travel was granted to Georgia, Moldova and Ukraine, all of which received EU support (financial and PPD) to achieve that objective.[288] There is evidence that skills acquired through EU interventions are being used and that steps have been taken to embed EU standards into existing institutions. For example, new curricula have been introduced into the Albanian School of Magistrates. The Service for Drug Addiction Prevention and Drugs Trafficking Suppression in the Serbian Criminal

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[282] MN 698.

[283] Roch, S., *Between arbitrary outcomes and impeded process: the performance of EU Twinning projects in the EU's Eastern neighbourhood*, East European Politics, 33:1, 2017, pp. 72-87. In Moldova, a consultative process to design the Moldova Justice Sector Reform Strategy was hurried and resulted in a low quality strategy: 'ambitious activity plan, ambitious deadlines, lack of coherence in activities among pillars, improper identification of responsible institution and improper initial cost estimation' (Boskovic, M. M., *Justice Sector Future Reform Policy Instruments and Framework in Moldova*, Project to Support Coordination of Justice Sector Reform in Moldova, 2015, p. 5, http://www.justice.gov.md/public/files/transparenta_in_procesul_decizional/consultatii_publice/1_8_ATT_N_New_Policy_Instruments_Report.pdf). As the EU justice SBS was based on this strategy, its shortcomings were reflected in the SBS. MN 692.

[284] MN 720; MN 722.

[285] 2012/271-613/ENPI 'Enhancing the capacity and professionalism of the lawyers' community in the oPT', ROM Background Conclusion Sheet, BCS-145102.02, September 2013, p. 8, 11.

[286] MN 723.

[287] For example, an assessment of impact and sustainability for the justice SBS in Moldova, which was coming to an end in 2017, discussed sustainability in terms of potential for sustainability. Fotis A. K., Review of Moldova Sector Policy Support Programme ENPI/2012/023-420 *"Support to the Justice Sector Reforms".* Impact and Sustainability Assessment of the Programme, Final Report, Request no. 2015/360992-Version 1, DAI Europe and HCL Consultants, n. d.

[288] MN 666; MN 678; MN 691; MN 695; MN 709.

Investigations Directorate has participated successfully in a number of Joint Investigative Teams with Western European counterparts.[289]

Several interlocutors suggested that commitments to uphold international standards monitored by bodies such as the Council of Europe (CoE) can be an important factor in promoting the sustainability of reforms. The Group of Experts on Action Against Trafficking in Human Beings (GRETA), for example, has a 3-year review cycle. The Group of States Against Corruption (GRECO) undertakes analyses of its members' implementation of policies in the areas of judiciary, parliament and some aspects of law enforcement. The Venice Commission, which assists governments interested in aligning their legal and institutional structures with European standards and international experience in the fields of democracy, human rights and the rule of law, is another point of reference for some of the 11 case study beneficiaries. It has also been suggested that there can be a benefit to using CoE as an implementer because their recommendations carry more weight than those of other implementers.[290]

An important aspect of ownership is the provision of co-financing for EU SSR interventions and budget allocations to maintain the gains achieved when EU financing ends. While beneficiary governments have provided some co-financing and committed to financing reforms when EU support ends, overall there is widespread expectation that reforms and their outcomes will continue to be financed by the international community. With the exception of Turkey, all case study beneficiaries are resource-constrained and receive significant support from the EU and other members of the international community for development and state building efforts. It is therefore not surprising that they make limited contributions to ongoing SSR reforms supported by the EU and seek additional external funding to continue reform processes once EU interventions are completed.

As one example, EUFOR, the CSDP military operation in Bosnia and Herzegovina, is unlikely to have sustainable effects with regard to capability building and training of the Bosnia and Herzegovina MoD. EUFOR officials have provided training that depends on specialised equipment that Bosnia and Herzegovina lacks; approximately 85% of the MoD budget goes for salaries and the MoD does not have the money to purchase needed equipment.[291] This underscores the linkage between sustainability and the extent to which EU SSR support is relevant to beneficiary needs (EQ 1).

The evidence on co-financing is limited but the governments of Georgia, Moldova, Palestine, and Ukraine each made some contributions to EU interventions.[292] In addition, EU support to prison reform and IBM in Turkey complemented significant Turkish investments in these areas. EU assistance to prison reform in Turkey went hand-in-hand with larger government prison reform programme that involved closing small, old prisons throughout the country and replacing them with larger, more modern facilities. The EU supported improved staff capacities and vocational training equipment for the newly-built prisons.[293]

There is also a limited amount of information about the ability of governments to sustain the reforms begun with EU support. Some beneficiaries reported that they would be able to maintain equipment purchased with EU funding.[294] In Lebanon, the ISF Academy indicated that they have the resources and capacity to sustain improvements in training, including the multi-media training centre that was financed by the EU, but the ISF, as well as other security agencies in Lebanon, asserted that there are still large-scale needs that require on-going donor assistance.[295] In general, the outlook for sustained financing of reforms from government sources was poor. To take just one example, a monitoring report for the EU-financed intervention, 'Consolidation of Justice Sector Policy Development', in Ukraine stated: "…without international support to the justice reform, some of the benefits of this project could turn out not to be affordable for the national stakeholders on their own. At this stage, further support to the reform is provided

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[289] MN 34; MN 381-MN 384; MN 725.
[290] MN 24; MN 366; MN 681; MN 696; MN 698; MN 709; MN 713.
[291] MN 48.
[292] MN 411; MN 654; MN 696; MN 697; 3rd (final) Implementation Report covering the project activities from 29 October 2014 – 29 February 2016, GIZ, 6 April 2016, pp. 8, 9, 11.
[293] MN 357; MN 363; MN 364.
[294] MN 686; MN 688.
[295] MN 52; MN 58; MN 61; MN 62.

by USAID, OSCE, EUD, and others (e.g. the CoE has guaranteed further funding from the UK to continue supporting the justice reform in Ukraine, which could reinforce sustainability of the actions undertaken by this project)".[296]

An EU review of good practices in budget support has suggested that of the funding modalities available to the EU, budget support offers the best opportunities for sustainability. "By adopting the public finance framework, budget support provides the best chances to ensure that the investments financed through external support are adequately matched by funding of the recurrent expenditure they generate. This is rarely the case with project-based cooperation the effects of which fade away after donor funding ends and greatly contributes to enhance the sustainability of donor support".[297]

JC 5.2	Sustainability of outcomes/impacts achieved in the course of EU-based SSR reform efforts can be attributed to the EU support.

As discussed in JC 5.1, EU support to SSR has for the most part only laid the basis for sustainability. Nonetheless, some sustainable progress has been recorded that can be attributed to the EU. As discussed in EQ 4, the 11 beneficiaries have made some progress in converging toward international standards and the changes recorded would likely either not have occurred at all or would have taken longer to achieve without EU support. At the same time, the EU is often not the only international actor providing support and it is generally difficult to assess the relative weight of EU assistance. EU Member States are frequently engaged in similar activities and the US is a major player in areas such as IBM, CT/CVE, defence reform, law enforcement and justice reform. The OSCE, Council of Europe, UNDP and NATO have also supported key SSR reforms.

Probably the clearest area in which EU support has produced sustainable impact is visa liberalisation. In the three Eastern Partnership countries that have been granted visa-free travel, progress is largely attributable to the EU. However, Moldova has received IBM support from both the EU and the US. Georgia's criminal justice sector reform process has received support from the EU and improvements in juvenile justice and reduction in the size of the prison population are deemed sustainable. These results are attributable partly to the EU and partly to EU MS.[298] In Bosnia and Herzegovina, the long-term (since 2004) financial support that the EU has provided to the High Judicial and Prosecutorial Council has had sustainable impacts, such as the modernisation of the judiciary, improved performance of judges and prosecutors, and the establishment of a case management system.[299] In Lebanon, sustainable progress is evident in the strengthened coordination role of the Border Control Committee and comprehensive IBM training tools.[300]

Sustainability of results requires political commitment on the part of beneficiaries and this remains a challenge in many cases. The commitment of case study beneficiary governments to SSR reform processes is uneven. All IPA beneficiaries and the three Eastern Partnership countries with Association Agreements have accepted the need to align with *acquis* Chapters 23, 24 and 31. Governments in the three Neighbourhood-South beneficiaries have also made commitments to reform elements of their security sectors. While some progress has been made, much remains to be accomplished (JC 4.1) and some of the achievement gaps can be attributed to the unwillingness of key political elites to accept elements of SSR reform processes. The political leaders of IPA and ENP beneficiaries face a contradiction. They generally want to deepen their relationship with the EU but are unwilling to commit to reforms that undermine their own power base. They therefore accept reform-oriented projects but do not implement critical reforms or implement them imperfectly. Furthermore, even in Georgia, with its generally reform-minded government, the authorities do not constitute a monolithic bloc: some oppose reforms, some are lukewarm and some are

[296] ROM Report: Consolidation of Justice Sector Policy Development in Ukraine, C-351692, 7 November 2016, p. 4.
[297] European Union Delegation to the Kingdom of Morocco, *Issues Paper: A review of the Budget Support instrument in Morocco*, 3 March 2015, p. 10.
[298] ROM, C-301629 / MR-146860.01, November 2013; Human Dynamics, Support to the Criminal Justice System Reform in Georgia. Progress Report 1. Europaid/131732/c/ser/ge, 5 August 2013.
[299] MN 34.
[300] MN 54; MN 60.

more committed. As documented elsewhere in this report, progress for all case study beneficiaries is therefore uneven and sometimes slow.[301]

Additionally, the early phases of reform tend to be easier than later ones. Thus, as governments progress through a reform process, greater political commitment may be necessary to achieve sustainable results. As one EU official noted: "When you start [a reform process], progress comes quickly. In many fields, progress will slow down. You adopt laws and adopt good practices – it is visible, it is "quick". Now we are talking about balance of power, corporate culture of the government, implementation. There are institutional changes to make but not as big as in the past. Low hanging fruit is gone. Slow down occurs not because of lack of commitment. It is because the phase is more difficult".[302]

JC 5.3	EU-backed SSR reform processes (supported through financial assistance and political/policy dialogue) are continued by other EU instruments or followed up with new, complementary activities by EU Member States or other international partners/donors.

While EU SSR support has brought some degree of change to the 11 case study beneficiaries, the fundamental problems that this support is intended to address remain. EU political/policy dialogue, financial support and CSDP missions/operations will continue, as will support from EU Member States and other international partners/donors. The EU has made significant commitments in terms of political dialogue and support, financial and technical assistance through the Commission and technical and strategic support from CSDP missions/operations to all 11 case study beneficiaries. CSDP missions/operations with SSR mandates have had a long-term presence in four of the case study beneficiaries while a number of Commission-funded interventions have gone through two or more phases (PECK in Kosovo, EURALIUS and PAMECA in Albania, justice sector budget support in Georgia) which has ensured a degree of continuity.

In the near term, the intervention 'Support to Justice Sector Reform' (CRIS no. 328-160) in Ukraine will be followed up by Component 1 of the new PRAVO programme providing support to the rule of law. More generally, it is anticipated that the multiple members of the EU family active in Ukraine will continue to support SSR. In Lebanon, the IBM intervention has been followed by another phase of assistance (through 2018) and given anticipated beneficiary needs, will likely continue beyond 2018. It is also anticipated that the EU will continue support of CT. In Jordan, the country's heavy dependence on external financing strongly suggests that EU and other support for SSR-related activities will continue. In Palestine, GIZ is engaged in a follow up activity on police reform, while UNICEF and the Italian Agency for Development Cooperation are involved in support to juvenile justice.

New EU interventions supporting the Kosovo police and the Kosovo Prosecutorial Council are coming on line and discussions are currently under way among the EEAS, EU MS, EUO and Kosovo beneficiaries about follow on to EULEX when its mandate expires in June 2018. The EU has a long history of engagement in law enforcement in Bosnia and Herzegovina dating back to the EU Police Mission (2003-2012) and that continues via projects funded by the EC. However, as the findings for EQ 6 indicate, the EU still struggles to effectively sequence EC and CSDP support and coherence/coordination is not always ensured. EUPM had conducted actions that reduced political interference in the police structure and this

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[301] For example, MN 645; MN 648; MN 659; MN 679; ENPI/2013/328160 'Support to Justice Sector Reforms in Ukraine', ROM Report 2015, July-August 2015; Commission Staff Working Document, *Bosnia and Herzegovina 2016 Report accompanying the document Communication from the Commission to the European Parliament, the Council, The European Economic and Social Committee and the Committee of the Regions, 2016 Communication on EU Enlargement Policy*, 9 November 2016, p. 5; Delegation of the European Union to the Republic of Serbia, *Non-paper on the state of play regarding chapters 23 and 24 for Serbia*, May 2017. http://www.mei.gov.rs/upload/documents/eu_dokumenta/non_paper_23_24/non_paper_23_24.1.pdf; Coalition PREUGOVOR, *Report on Progress of Serbia in Chapters 23 and 24,* Belgrade, 2016. http://www.preugovor.org/upload/document/preugovor__report_on_progress_of_serbia_in_chapter.pdf; Coalition PREUGOVOR; Report on the Progress of Serbia in Chapters 23 and 24, Belgrade, October 2017, http://preugovor.org/Reports/1384/Coalition-prEUgovor-Report-on-Progress-of-Serbia.shtml; Commission Staff Working Document, *Kosovo 2016 Report, 2016 Communication on EU Enlargement Policy*, 9 November 2016, pp. 4-5; Particip, *Evaluation of the European Union's co-operation with Georgia (2007-2013), Contract no EVA 2011/Lot 4, Specific contract no. 2013/331560, Volume I, Final Report,* May 2015.
[302] MN 709.

trajectory has reversed in the 5 years since EUPM ended its mission.[303] Vital elements of EUPM's mandate (including its strategic oversight of the police reform process) were not taken over by the EUD/EUSR or the international Office of the High Representative (OHR), leaving an important gap and raising questions about sustainability and insufficient national ownership.[304] Decisions about EUFOR are also connected to the future of the Office of the High Representative (OHR) and the best timing/modalities for the phasing out of both OHR and EUFOR in line with Bosnia and Herzegovina accession to the EU. The Political and Security Committee of the European Council decided in September 2016 to conduct a strategic review of EUFOR Althea and a second strategic review will occur in autumn 2018 in order to take into account security developments after the Bosnia and Herzegovina election. As the illustrations from Bosnia and Herzegovina and Kosovo illuminate, decisions about follow on support necessitate complex planning among many stakeholders, including Member States.

EU MS are active in all of the 11 case study beneficiaries. There are different coordination groups that offer opportunities to discuss continuing support to specific sectors (EQ 6) and there have been broader discussions of SSR programming within the EU family in Moldova (joint assessment and response), Albania (SSR donor mapping by the EUD), Palestine (joint programming); and Ukraine (EUAM mapping). For the most part, EU MS do not directly follow up EU interventions but provide complementary assistance. The added-value contribution of MS is especially important in sectors where the EU has not typically been involved, such as in intelligence and defence reform, or in relatively new areas of engagement, such as CT/CVE. Finally, it should be noted that stakeholder discussions about follow on support are often *ad hoc* for at least two reasons: first, because MS and other actors have divergent interests and stake in a country; and, second, because donors do not know whether their governments will cut aid budgets and are non-committal about follow-on support.

5.6. EQ 6 Coherence, complementarity and coordination (the three Cs)

To what extent has the EU support for SSR reform processes combined political dialogue, cooperation activities/instruments and possible CSDP missions/operations in coherent, complementary and coordinated ways?

Summary answer	**There is evidence of mechanisms to link short and long-term support, as well as information that short-term interventions are generally consistent with long-term policy approaches. However, the EU could improve the coherence of its SSR approach by applying the comprehensive approach. While PPD, EU interventions, and CSDP missions/operations are designed with common goals in mind – such as strengthening the rule of law, ensuring human rights, and implementing principles and procedures of democratic good governance – this is not the same as having an agreed upon strategic approach for the planning and implementation of EU support. Financial and political instruments are sometimes disjointed, while EU support, MS bilateral assistance, and CSPD missions/operations are not planned and implemented in ways that optimise coherence. The 'three Cs' depend on coordination within headquarters and the field, political will (and good communication) among individuals, and beneficiary context. A key finding is the challenge of the three Cs in a 'crowded space' with many stakeholders and competing MS interests, and where the national government is not strong enough to coordinate donors by itself. IPA and ENP programming documents address the linkages between security, development and governance, but the record is mixed for project documentation.**

JC 6.1	**The EU adequately combines its short-term and long term support into a coherent approach to SSR.**

There is some evidence of mechanisms to link short and long-term support. For both IPA and ENP beneficiaries, political and policy dialogue provides an overarching framework to guide the planning and

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[303] MN 34; MN 43; MN 41; MN 48.
[304] MN 34; MN 43; MN 41; MN 48.

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implementation of EU funded interventions. Most twinnings and technical assistance are relatively short-term in duration (typically 18 months-2 years). The examined interventions among IPA beneficiaries provide evidence of the EU's provision of short-term interventions that link to long-term policy objectives of the EU *acquis.* Likewise, ENP beneficiaries have received targeted financial assistance in priority sectors such as good governance, rule of law and human rights, and security sector reform where the focus has been on supporting the stabilisation and resilience of the EU's neighbourhood. And, as illustrated by interventions with several phases (e.g. the EURALIUS and PAMECA interventions in Albania; the PECK projects in Kosovo, and the IBM interventions in Lebanon), short-term technical assistance can become extended into long-term EU engagement.

Among the examined sample of 39 interventions, there is evidence that short-term interventions are consistent with long-term policy approaches. Technical assistance, twinnings, and TAIEX provide complementary support to longer-term sector budget support programmes and PPD. The various complementary measures associated with budget support programmes by definition are consistent with long-term policy approaches. In the case of Moldova, the three budget support programmes that were reviewed (VLAP, justice and police) all support key EU long-term policy approaches. Nevertheless, the absence of longer-term budget support programmes during the period of 2010-2016 in Serbia means that twinnings and other technical assistance projects had nothing to link to beyond PPD.[305]

IcSP/2015/38522 on preventing violent extremism is aligned with long-term EU efforts to enhance the stability of Jordan. The Partnership Priorities adopted with Lebanon and Jordan at the end of 2016 are an effort to develop strategic priority areas of engagement to which the EU can direct its policy and financial assistance. The IBM interventions in Lebanon are consistent with the long-term policy goal of the EU-Lebanese partnership to assist "Lebanon's development as a stable, democratic, politically open and economically strong neighbour of the EU".[306] The Building National Stability (BNS) intervention, for example, aims to enhance the institutional capabilities of the Lebanese security agencies with particular attention on coordination and accountability, and is aligned with EU policy objectives in Lebanon.

Despite evidence of mechanisms to link short and long-term support, as well as information that short-term interventions are generally consistent with long-term policy approaches, there is also an indication that the EU could improve the coherence of its SSR approach by applying the comprehensive approach. As already noted in the findings for EQ 2, the comprehensive approach has not been used as frequently or as effectively as it could be. EU tools and instruments do not always work effectively together, particularly where there are numerous EU instruments engaged and the political stakes are high.

With respect to CSDP, the short-term mandates for CSDP missions along with short-term funding and review cycles, is a challenge for developing a long-term, coherent approach to SSR. The EU and its Member States originally conceived of and developed CSDP as a short-term instrument of crisis management. In reality, the majority of CSDP missions/operations have been deployed for relatively long periods of time; EU Member States have complex political, strategic and security reasons for determining when to launch as well as terminate a CSDP mission/operation.[307] For example, the EU Police Mission in Bosnia and Herzegovina was the EU's first CSDP intervention and it lasted ten years, far beyond what is commonly understood as 'short-term crisis management'. European Union Force Althea (EUFOR Althea) is a CSDP military operation that was established in Bosnia and Herzegovina in 2004 and has a continued presence, albeit with a scaled-back mandate and staff, due to EU Member State interests in maintaining a military presence in Bosnia and Herzegovina. Similarly, the two CSDP missions in Palestine (EUBAM Rafah and EUPOL COPPS) have provided long-term support and have complemented EU interventions aimed at capacity building as well as ENP priorities for a two-state solution and security stabilisation. As a EUPOL COPPS official noted, however, "We are defined as a crisis management mission, but in reality we

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[305] MN 723.
[306] European Commission. '*Lebanon',* European Neighbourhood Policy and Enlargement Negotiations https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/lebanon_en.
[307] See Ginsberg and Penksa, 2014, for an analysis of these factors.

are a technical SSR mission that has been on the ground for 12 years. However, our planning is still based on having six-month reviews. We need to prepare a long-term SSR approach".[308] While EUAM Ukraine is mandated to provide strategic advice on sustainable civilian security sector reform in support of EU standards and international principles of good governance and human rights, the EU does not have a strategic, coherent approach to SSR in Ukraine with beneficiary buy-in. Moreover, EUAM is not particularly well set up to do so with its focus on achieving practical results in discrete issue areas, short-term mandates and staff on 1-2 year secondments.[309]

Finally, there is insufficient information regarding the extent to which short-term gains may create consequences that could inhibit long-term objectives. The sample of examined interventions did not include reflection on this point. This finding is in alignment with the findings of EQ 4 on impact that unintended negative impacts are rarely considered in programming and project documentation. Within the field interviews, some interlocutors raised concerns that delivering short-term intervention successes may come at the expense of realising long-term political objectives that require the EU's sustained leadership and negotiation, such as constitutional change in Bosnia and Herzegovina, the normalisation of relations between Serbia-Kosovo, or the two-state solution for Palestine. For example, some EU Member States are concerned that short-term gains in Turkey (e.g. CT, IBM) may inhibit other long-term political and social objectives, and emphasise the importance of conditionality so that Turkey is not rewarded for behaviour which does not adhere to European standards.[310] EC President Juncker indicated in September 2017 that, "Turkey has been taking giant strides away from the European Union for some time. Accession candidates must give utmost priority to the rule of law, justice and fundamental rights. This rules out EU membership for Turkey for the foreseeable future."[311]

JC 6.2	EU SSR support is complementary to and coordinated with all relevant actors in the SSR field.

Mechanisms for EU stakeholder coordination in SSR include the following:

- Regular EU Heads of Mission meetings in the field that bring together EU stakeholders for on-going information-exchange and coordination;[312]

- Weekly video teleconference calls that bring together the relevant EU actors in the SSR sector, such as the SGUA, EUD, EEAS and EUAM in Ukraine;[313]

- Sector specific coordination, such as the EUD Albania that convenes monthly meetings of donor police liaison officers and defence attaches as well as a working group on financial crime;[314]

- Double-hatting EU Special Representatives as the Head of EU Delegations/Offices ensures greater coordination and complementarity among EU instruments (Bosnia and Herzegovina, Kosovo);

- Participation in government-chaired working groups and coordination fora (e.g. Working Groups on Security and on Justice in Palestine, and High-Level Committee on Justice Sector Reform in Jordan).

While these mechanisms are in place and utilised in some of the case studies, they are not enough to facilitate sufficient degrees of complementarity and coordination. The 'Three Cs' also depend on coordination within headquarters, political will (and good communication) among individuals, and beneficiary context. At HQ level, there are limited formal mechanisms for coordination between the EEAS and DG NEAR and that has minimised coherence. The establishment of a permanent informal inter-service SSR task force comprised of representatives from the EEAS and Commission is a useful mechanism for EU coordination, including between CSDP staff and DG NEAR staff. Nevertheless, there are not formalised

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[308] MN 391.
[309] MN 664; MN 649; MN 661; MN 600; MN 321.
[310] MN 12; MN 373.
[311] '*Juncker: Turkey is taking giant strides away from EU,*'13 September 2017, Hurriyet News, http://www.hurriyetdailynews.com/juncker-turkey-is-taking-giant-strides-away-from-eu-117904.
[312] Ginsberg and Penksa, 2014.
[313] MN 320; MN 625; MN 302; MN 620.
[314] MN 352; MN 375; MN 382; MN 377; MN 386; MN 387.

structures of cooperation between CSDP officials in the EEAS with DG NEAR desk counterparts. Moreover, DG NEAR lacks adequate SSR capacity: the Centre for Thematic Expertise is understaffed, especially vis-à-vis the large amount of SSR support that is provided by DG NEAR. There are often duplicative rather than complementary roles between DG NEAR and EEAS in certain grey areas, with the accompanying risk of the EEAS and DG NEAR providing parallel political guidance to beneficiaries. Furthermore, there are reported instances of disjointed relations between the operational section of the EUDs and the political section.[315]

Experience proves that MS share SSR information when specifically instructed to do so by their capitals and this exchange can be more efficiently coordinated at HQ level, rather than by the EUDs in the field.[316] One of the notable exceptions to this trend is for Palestine where the EUREP and MS have agreed to a Joint Programming Document (which they have worked on since 2011).[317] Still, the EU's comprehensive approach in Palestine could be improved. The European Union Special Representative (EUSR) to the Middle East Peace Process (MEPP) has an EU foreign policy mandate for facilitating a two-state solution. Security is embedded in the mandate, as far as it is linked to the final status negotiations and conflict management, such as the maintenance of security coordination between the Israeli authorities and the Palestinian Authority. The EUSR MEPP and his office liaises with the Heads of Missions and staff of EUBAM Rafah and EUPOL COPPS, as well as with the two Heads of Delegation and their political and operations sections on security matters related to his mandate, the overall political context, and – wherever relevant – on operational aspects.. Nevertheless, there could be greater synergy between the technical and political aspects of EU SSR support in Palestine and a strengthened strategic approach.[318]

The field research confirmed that the EU has lacked a coherent and coordinated approach to SSR in Serbia where there are multiple nationally and regionally focused interventions on elements of law enforcement and anti-corruption such as financial investigation. These overlaps derive at least in part from poor communication between headquarters and the EUD and are said to be a legacy of poor management within the EUD as well. Implementing partners appear to have primary responsibility for coordination. Moreover, EUD officials characterised the EUD's relations with EU MS as a one-way information flow from the EUD to EU MS. MS reportedly do not share information with EUD on any regular basis, with the exception of structured information exchange on visa issues instigated by DG HOME.[319]

The Serbian situation is in marked contrast to Albania where there is one large programme in the justice sector (EURALIUS) and another sizeable programme for policing (PAMECA); the EU Ambassador speaks on behalf of MS; there is a concerted effort by the EUD and MS to align their policies; and assistance is well-coordinated.[320] In fact, the EU Office in Kosovo has learned from the positive example of the EURALIUS intervention in Albania and has initiated similar programming efforts in order to avoid in the future duplication and to facilitate better coordination. The EU's appointment of an SSR adviser in Moldova, the first of its kind, is a positive development; the person "…give[s] guidance on the implementation of national security strategy, the development of national framework and capacities with regard to CSDP, and the facilitation of Moldova's participation in missions and operations".[321]

In order to amplify the efficacy of EU SSR support and strengthen the 3 Cs, there is a substantial need for improved coordination between CSDP and other EU interventions. For example, in Palestine, there were tensions in 2013-2015 between EUPOL COPPS and the EUREP-funded technical assistance to the Palestinian Civil Police (ENPI/2013/312500). Some EUPOL COPPS staff reportedly perceived the intervention as an unwelcome encroachment into 'their' area of responsibility.[322] The final

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[315] MN 09; MN 11; MN 624.

[316] MN 66; MN 53.

[317] MN 303; MN 311; MN 613.

[318] MN 401; MN 403.

[319] MN 715; MN 716; MN 70.

[320] MN 352; MN 375; MN 382; MN 377; MN 386; MN 387.

[321] European Commission, *Joint Report to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Report on the Implementation of the European Neighbourhood Policy Review, JOIN(2017) 18 final*, Brussels, 18 May 2017, p. 21.

[322] MN 331; MN 354.

project report noted that there were well documented difficulties between the two EU actors early on in the programme and that "…[it] received very little documentation from EUPOL COPPS in return and in this regard the relationship remained generally one sided".[323] When the intervention ended in 2015, a follow-on intervention to support the PCP further in the same reform directions did not take place, because the EUREP was phasing out of the security sector to concentrate on fewer sectors and EUPOL COPPS did not have adequate staff to increase its support.[324] As a consequence, donors from EU Member States offered to address the outstanding beneficiary needs.[325] Presently, EUREP and EUPOL COPPS cooperate well, share advice and have regular coordination meetings, in part because there is no longer overlap in operations.

The 2016 Joint Communication on an EU-wide strategic framework for SSR calls for EUDs "to analyse and report on the security sector using existing reporting mechanisms. When a CSDP mission is present, such analysis and reporting will be joint, in line with the 'comprehensive approach'".[326] Field interviews with EUDs and CSDP officials confirmed that they are not engaging in joint analysis and reporting of SSR.[327] Furthermore, EUD officials report that they need additional guidance from DG NEAR and the EEAS on the relevance of the 2016 Joint Communication on an EU-wide strategic framework for SSR and the precise implications for EUDs.[328]

The more complex the beneficiary context and the more instruments and actors that are involved (e.g. Bosnia and Herzegovina, Kosovo, Turkey, Ukraine), the more challenging it is for the EU to foster the three Cs among EU stakeholders. A key finding is the challenge of the three Cs in a 'crowded space' with many stakeholders and competing MS interests, and where the national government is not strong enough to coordinate donors by itself. When the scale of SSR assistance is small, such as in Moldova, it is easier to facilitate comprehensiveness (EQ 2). In contrast, the ability of the EU family to work in a coherent and coordinated manner in Ukraine is more complex and has been adversely affected by two key factors. First, there is no EU/MS strategy for civilian SSR in Ukraine.[329] Second, there have at times been serious communications problems among EU stakeholders, such as between: the operations section at EUD and SGUA, particularly in terms of information on SGUA visits to Ukraine; the EUD and EUAM; the political and operations sections at EUD; and the SGUA and EEAS. Some of these relationships have reportedly improved in recent years.

Nevertheless, there is some evidence of EU stakeholders working toward common objectives in Ukraine. There is useful collaboration between EUAM and Commission-funded projects (border management, justice and law enforcement). EUAM has provided a forum for EU MS and others to exchange information on their work, including the mapping of ongoing EU projects that helps foster collaboration. EU stakeholders agree to develop a joint approach with particular national bodies (such as the Border Guards) in order to speak with one voice and maximise leverage. And, there appears to be effective communication between EUD's operations and political sections on justice reform to agree on the EU position to the government.[330]

Outside of the EU family, there is evidence of EU coordination with other regional/international organisations and other donors. Factors that influence coordination include:

- Proactive leadership and coordination by the EUD/EUSR (e.g. Bosnia and Herzegovina) and/or CSDP led coordination (e.g. EUPOL COPPS in Palestine);

- Donor mapping of EU, MS and other stakeholder activities (e.g. Kosovo, Albania, Ukraine);

[323] *Technical Assistance Programme for the Palestinian Civil Police (PCP), Final Report Version 0.6*, 14 July 2015, Human Dynamics, p. 44.
[324] MN 390; MN 331; MN 354; MN 389.
[325] MN 390; MN 331; MN 354; MN 389.
[326] European Commission, *Joint communication to the European Parliament and the Council. Elements for an EU-wide strategic framework to support security sector reform. {SWD(2016) 221 final}, JOIN(2016)31 final*, 5 July 2016, 2016, p. 7.
[327] MN 20; MN 17; MN 31; MN 34; MN 48.
[328] MN 31; MN 34; MN 66.
[329] MN 678.
[330] MN 648; MN 649; MN 650; MN 651; MN 655; MN 661; MN 660; MN 663; MN 635.

- Working group meetings of stakeholders in thematic areas of rule of law, police, IBM, etc. (e.g. Palestine, Lebanon);

- Political level cooperation in Brussels between the EU and NATO and between the EU and UN in New York;

- Beneficiary-run coordination efforts (e.g. Jordan's Ministry of Planning for International Development);

- Functional divisions of labour between security providers to concentrate on different thematic areas of SSR support (e.g. US/NATO led defence reform and EU police reform in Bosnia and Herzegovina).

By way of illustration, in Bosnia and Herzegovina, the EUSR Head of Section for Rule of Law plays a proactive coordination role among EU actors (i.e. NEAR, HOME, JUST, EEAS, EUROPOL, FRONTEX), including EU coordination with international actors (e.g. DCAF, UNDP, OSCE, OHR, NATO and others). It is a unique section of the EUSR/EUD in Bosnia and Herzegovina and interlocutors from the EUD, OHR, and beneficiary government agree that it has produced a large, value added contribution.[331] A similar role could be worthwhile to the EUO/EUSR in Kosovo, especially with the future departure of EULEX and likely handover of some residual rule of law tasks to the EU Office (EUO)/EUSR.

Coherence is easier to achieve when donors provide complementary, not duplicative, support and when their strategic objectives are aligned. The US and NATO have supported defence reform interventions in IPA beneficiaries and in much of the Neighbourhood East, an area of SSR in which the EU has not been actively engaged and in which there has not been significant overlap in donor activities. In Ukraine EUAM has provided support to some NATO activities, notably developing strategies for defence/security actors. In Bosnia and Herzegovina there is a functional division of labour and positive cooperation between EUFOR and NATO; the mechanisms of Berlin-Plus have worked well.[332] Similarly, in Palestine the US assisted the National Security Forces, while the EU supported the Palestinian Civil Police; this ensured complementarity and prevented overlap, as well as allowed information sharing and the alignment of positions. The US and the EU have worked well together in Albania, and the EUD is taking on greater responsibility to ensure appropriate continuity as US assistance is scaling down.[333]

By contrast, in the police reform and law enforcement sector, the EU, the OSCE and the US Department of Justice have supported reform activities in Western Balkan beneficiaries; interlocutors from the EU, OSCE and US have reported donor overlap and differences in approach despite the fact that these actors are aligned in their strategic goal to support Euro-Atlantic integration for the W. Balkans.[334] In the ENP South, SSR cooperation between the EU and the US could be improved, as there are some fissures of strategic and political objectives between the two stakeholders.[335] In both Enlargement and Neighbourhood beneficiaries, further coordination among international donors is required in order to ensure the effective provision and implementation of support.

Thus, in beneficiary settings where donors provide overlapping SSR support, donor mapping, information exchange and coordination agreements/mechanisms are valuable. For example, the 2016 NATO-EU declaration calls for the EU and NATO to strengthen their security cooperation in areas of mutual interest and interdependence like "…supporting partners' capacity building efforts in the Western Balkans, the Eastern and Southern Neighbourhoods and strengthening their resilience".[336] Implementation of the 2016 NATO-EU declaration already has commenced with pilot initiatives in three partner countries: Bosnia and Herzegovina, Moldova and Tunisia. Additionally, in 2017 the EU allocated 2 million EUR to support the NATO Building Integrity Programme (which is focused on reducing the risk of corruption and promoting

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[331] MN 15; MN 34; MN 40; MN 44.

[332] MN 46; MN 48.

[333] MN 386; MN 387.

[334] MN 22; MN 35; MN 40; MN 45.

[335] See, for example, ENPI/2015/365497, Final Report I, *Evaluation of EU Support to the Internal Security Forces in Lebanon*, p. 5.

[336] Council of the European Union. *EU-NATO Joint Declaration by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organisation.* Press Release, 8 July 2016. http://www.consilium.europa.eu/en/press/press-releases/2016/07/08-eu-nato-joint-declaration/.

good governance in the defence and security sectors).[337] EU and NATO interlocutors agreed that enhanced EU-NATO SSR cooperation in the extended European region could produce positive changes in beneficiaries where there is national support for such support, especially if the EU and NATO can use their respective processes of political/policy dialogues in complementary and coherent ways.[338]

Lastly, there was little evidence of joint needs assessments and coordination between the EU, Member States and other international donors during the identification and formulation of SSR interventions. Information sharing and discussion occurs more often during implementation phases. In Moldova, the EU and MS have undertaken a joint programming exercise that consists of a joint analysis (2015-2016) and a joint response through the Single Support Framework for Moldova approved in September 2017. There were mixed views among EU Member States about the value of this exercise. Having a common analysis leading to common programming to avoid gaps and overlaps was viewed positively. Some participants, however, found that process had taken too long, reducing the validity of the joint analysis. Others thought the process worked very well.[339]

JC 6.3	The approach to SSR has taken into account linkages between security, development and governance, including democratic principles, rule of law, human rights and institutional capacity building between security, development and governance.

IPA programming documents address the linkages between security, development and governance in the Enlargement context, highlighting that the rule of law is essential for ensuring the functioning of a market economy and that proper law enforcement is necessary for ensuring security and the protection of human rights and fundamental freedoms. Specifically, IPA II regulations note that, "Strengthening the rule of law, including the fight against corruption and organised crime, and good governance, including public administration reform, remain key challenges in most of the beneficiaries listed in Annex 6 and are essential in order for those beneficiaries to come closer to the Union and later to fully assume the obligations of Union membership."[340] In delineating the scope of IPA II support for political reforms, the regulations also include capacity-building measures for improving law enforcement and border management, two key thematic areas of EU SSR support, as well as the development of civil society. The annual EC country reports for IPA beneficiaries also delineate the status of security, development and governance reforms in each IPA beneficiary. As previously discussed in Section IV on Political and Policy Dialogue, meetings of the Sub-Committee on Justice, Freedom and Security under the SAA also reinforce the aforementioned linkages between security, development and governance: "the EU enlargement context has borne evidence that for any aspiring country to align itself to EU's standards in the area of freedom, security and justice, significant and sustained reforms and investments are required to meet the benchmarks".[341]

The linkages between security, development and governance are also attended to in the programming documentation for ENP beneficiaries. There are four spheres at the core of the revised ENP: 1) good governance, democracy, rule of law, and human rights; 2) economic development for stabilisation 3) security and 4) migration and mobility.[342] The 2017 report on the Implementation of the ENP Review "emphasises how the EU and its partners in the East and the South are working to promote stabilisation and resilience focussing particularly on economic development, employability, youth employment, and upholding the EU's commitment to promote democracy, rule of law and respect for human rights, and good governance with effective and accountable public administrations and participation

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[337] MN 13; MN 03; MN 68.

[338] MN 13; MN 03; MN 68.

[339] European Union, *Joint Analysis: Programming in the Republic of Moldova until 2020*, September 2016, p. 2; European Commission, *Programming of the European Neighbourhood Instrument (ENI), Single Support Framework for EU support to Moldova (2017-2020),* ca September 2017; MN 666; MN 669.

[340] European Parliament and Council of the European Union, *Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March establishing an Instrument for Pre-accession Assistance (IPA II),* 15 March 2014, p. 2, Official Journal of the European Union.

[341] IPA II report on Bosnia and Herzegovina 'Enhanced Justice Sector and Cooperation in the Rule of Law', p. 3.

[342] European Union External Action, European Neighbourhood Policy (ENP), 2017. https://eeas.europa.eu/headquarters/headquarters-homepage/330/european-neighbourhood-policy-enp_en.

of civil society."[343] ENP country level programming also identifies the inextricable need for security, development and governance reforms. For example, the 2017 report on EU-Lebanon relations in the context of the revised ENP indicates that, "Through policy dialogue, financial assistance, and concrete projects, including in cooperation with international partners, the EU will continue to support measures aiming at improved governance, fostering the rule of law, economic development, security, and well-regulated migration to contribute to a stable, democratic, and prosperous Lebanon".[344]

However, the record is mixed at the level of project documentation. Among the sample of 39 examined interventions, development issues were most often raised in the context of beneficiary budget constraints or regarding the need for sustainable development to support the rule of law and security, but these were not major themes**.** The PECK project in Kosovo has the overall objective "to contribute to democracy and the rule of law through the prevention and control of corruption, money laundering and financing of terrorism", and has a focus on the interrelated improvements of security, governance and development.[345] In Albania, EU support to the justice sector (EURALIUS) was designed and undertaken to strengthen good governance and fight corruption, as well as pave the way for the vetting process of judges and prosecutors, but the intervention is not clearly linked to development issues.

There is insufficient information as to whether EU SSR support was designed and implemented in such a way as to actually strengthen the linkages between security, development and governance. The majority of documentation for the sample of interventions does not provide any systematic evaluation of this point. The exception to this finding is in the thematic area of IBM. EU supported interventions in IBM recognise that "…fully effective IBM includes many more partners than just security agencies…IBM Lebanon has [informed and included] ministries such as Health, Trade and Economy, Public Works and Transport, and Agriculture into the IBM matrix, setting a foundation for future inclusion into the IBM strategic approach…"[346] EU IBM programming (e.g. Turkey, Lebanon) is based on the premise that effective IBM must encompass trade, mobility, development and protection of people in need. In the future, EU support to IBM in Lebanon will expand to include the sea and air and will engage local communities for development and mobility partnerships.[347]

Similarly, effective CT/CVE interventions need a foundational nexus between security and development. The appointment of CT/CVE experts in EUDs such as Jordan, Turkey, Bosnia and Herzegovina and Lebanon could be an important first step in strengthening the capacity of the EU to design and implement support that takes better account of these inviolable links, especially in EUDs where SSR subject expertise is lacking.[348] Additionally, seconded CT/CVE experts play a valuable liaison role among national authorities, EU HQ and the MS, improving the 3 Cs among EU actors. However, many EUDs cannot meet the expectations of interlocutors on the ground because they do not have enough people working on SSR, including CT and IBM. "The human resources deployed in the field do not match the political promises made to beneficiaries".[349]

Finally, there is no evidence regarding the extent to which the possible negative impacts of other security, development, and governance interventions are considered. The programming and project documentation does not provide ample evidence of the evaluation of impact, let alone the evaluation of possible negative impacts from other interventions. This finding for 6.3.3 is in alignment with the findings of EQ 4 on impact.

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[343] European Commission, *Joint Report to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Report on the Implementation of the European Neighbourhood Policy Review, JOIN(2017) 18 final*, 18 May 2017, p. 3.
[344] Joint Staff Working Document, Report on EU-Lebanon Relations in the framework of the revised ENP, 2017, p. 15.
[345] IPA/2011/282152, PECK I, Final Report, p. 8.
[346] 2012/296488, Final Report, p. 24.
[347] MN 67.
[348] MN 65; MN 336.
[349] MN 65.

5.7. EQ 7 EU added value

What is the additional value resulting from the EU support (financial assistance and political/policy dialogue) in SSR compared to what could be achieved by EU Member States and/or by other donors or the Enlargement and Neighbourhood beneficiaries themselves at national and/or regional levels?

Summary answer	**The prospect of membership in or association with the EU and substantial financial and technical assistance to support these objectives has encouraged IPA and EaP beneficiaries to undertake a range of SSR-related reforms that they would otherwise not have undertaken or undertaken more slowly. However, neither accession nor the closer linkage of association has been a sufficient driver of change among political elites. Beneficiaries have mixed views of EU added value. While many interlocutors have viewed EU SSR support as an added value to reform processes, others have raised concerns about the scope of EU engagement, the pace of accession, 'moving goal posts' and the damage to EU added value created by negative perceptions. EU SSR support has also added value in comparison to what could have resulted from assistance offered by EU Member States and non-EU donors, especially for justice and prison reform, by: 1) the scale of assistance, 2) the pull of accession or association and 3) the ability to engage long-term to address conditions of regional insecurity and crisis and steer EU MS resources accordingly. The EU believes that it has a comparative advantage in offering an 'EU approach' by presenting the beneficiary with diverse options drawn from a range of EU MS. However, beneficiaries do not always have the capacity to benefit fully from this approach. Because the EU is not the only stakeholder, progress achieved in SSR must be attributed to the cumulative efforts of many actors.**

JC 7.1	**EU SSR support has added value in comparison to what could have been achieved by the Enlargement and Neighbourhood beneficiaries themselves at national and/or regional levels.**

The prospect of membership in the European Union and substantial financial and technical assistance to support accession has encouraged IPA beneficiaries to undertake a range of SSR-related reforms that they would otherwise not have undertaken or undertaken more slowly, particularly in the areas of rule of law and good governance, police reform, IBM, and human rights protection. Even so, the 'carrot of accession' has not always been a sufficient driver of change among political elites. As described in JC 4.1, IPA beneficiaries have taken important steps on their European path to align with European and other international standards and procedures. The beneficiaries themselves acknowledge that without the prospect of EU membership and support for reforms, "we would not have made any progress given the many problems with [our] political system".[350] For example, the EU's convening power and political clout has been indispensable to Bosnia and Herzegovina given its fractured political system. Some interlocutors have also pointed to the accession-related strategies, action plans, benchmarks and peer reviews as being particularly helpful in promoting progress.[351] Visa liberalisation allows visa-free travel to the Schengen space; it is a powerful political incentive that only the EU can offer, including financial and technical assistance packages to support implementation of visa liberalisation roadmaps. The annual European Commission report on Kosovo (2016)[352] stated that, "Kosovo has delivered on wide-ranging rule of law reforms, allowing the Commission to issue a formal proposal in May 2016 to transfer Kosovo to the Schengen visa-free list". Kosovo beneficiaries reported that they are satisfied with the outcomes of IPA II assistance in support of a range of EU-backed reform processes and valued its output driven focus that yielded tangible results.

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[350] MN 39.
[351] MN 37; MN 39; MN 47; MN 49; MN 713.
[352] Commission Staff Working Document, Kosovo 2016 Report, 2016 Communication on EU Enlargement Policy, 9 November 2016, p. 4. https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_kosovo.pdf.

At the same time, progress toward meeting the SSR-related *acquis* in Chapters 23, 24 and 31 has been slow (JC 4.1) and there are questions about the sustainability of that progress (JC 5.1). This has been due to human and financial capacity shortfalls, the challenges of the very complex accession agenda and resistance to change from key political elites in the IPA beneficiaries. As elucidated in JC 4.1, key areas of reform are still needed, such as strengthened judicial reform, effective monitoring of anti-corruption and prosecution of high-level crimes. Most seriously, there is evidence that Turkey has backtracked in its reform path and diverged from relevant EU standards.

The prospect of association with the EU – particularly in terms of visa-free travel, access to the single market and the possibility (however distant) of EU membership – along with substantial financial assistance to promote reform processes has encouraged the three case study beneficiaries in the Neighbourhood-East to undertake a range of SSR-related reforms relating to border management (for visa liberalisation), justice, and human rights protection that they would otherwise not have undertaken or undertaken more slowly. Here too, the opportunity to achieve closer links to the EU has not always been a sufficient driver of change among political elites. The prospects for visa liberalisation were an enormous incentive to the governments of Georgia and Moldova to undertake justice sector and border management reforms necessary to achieve visa-free status. As one EU official familiar with the situation in Georgia noted, visa liberalisation presented a powerful incentive. The Georgian government mobilised resources and worked hard to achieve visa-free status. The prospect of losing visa-free status has created significant internal pressure within the Georgian government to prevent regression on reforms. The situation in Ukraine, however, is different. Not only were some visa liberalisation requirements relaxed so that Ukraine could be granted visa-free status, but the government has not made adequate efforts to meet outstanding conditions.[353]

Virtually all case study beneficiaries have pointed to the scale of EU political, financial and technical support for SSR reform processes as an added value which has enabled them to undertake reform processes as well as to create an enabling environment for reforms by addressing instability and security. EU support is valued for the opportunities SSR interventions provide for interaction with the members of the EU family: as funders, as purveyors of skills and experience, and as drivers of reform.

In the political sphere, pro-reform interlocutors have underscored the importance of the EU promotion of core values such as democracy and human rights, and fight against corruption and expressed their desire for the EU to adopt explicit political strategies to underpin its support, including sending more assertive messages to national authorities.[354] Stakeholders in Bosnia and Herzegovina positively identified the crucial engagement of the EUSR as transformative. There is a demand for more. The EU 'carrot of accession' has been an insufficient driver of change among political elites, and key SSR reforms are necessary in law enforcement and criminal justice.[355]

Beneficiaries have strongly appreciated EU financial and technical support. Technical support has been recognised as an important contribution to a beneficiary's ability to align with the *acquis,* which is important for the IPA beneficiaries, and with European and other international standards, which is important for the three EaP case study beneficiaries.[356] The EU's investments of scale in capital infrastructure to support IBM and police and prison reform have been especially welcomed. In Moldova and Ukraine, partners could have achieved little in terms of physical infrastructure in the absence of EU support. The ability to acquire technical equipment was also highlighted by case study beneficiaries. Officials from the Serbian Ministry of Interior described how the diverse range of EU assistance – from CARDS, to IPA, to twinnings and TAIEX – enabled the MoI to develop a well-functioning forensic capacity, including a DNA laboratory.[357] EU added value has been particularly noticeable in smaller and poorer beneficiaries due to the scale and range of its

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[353] MN 678; MN 695; MN 709.
[354] MN 721; MN 724; MN 39; MN 41; MN 37; MN 47.
[355] Penksa, 2013; MN 614; MN 39; MN 41; MN 37; MN 47; MN 49.
[356] MN 47; MN 39; MN 36; MN 16; MN 32; MN 27; MN 647; MN 654; MN 695.
[357] MN 707; MN 723.

assistance. The situation has been different in Turkey where EU SSR contributions are dwarfed by the government's own investment, for example, in border management.

Beneficiaries have also strongly appreciated the opportunities that EU support has provided for networking with European counterparts, inclusion in EU-led regional formats, promoting regional cooperation and enabling working arrangements with EU bodies. For example, Turkey has cooperation and liaison agreements with EUROPOL but aspires to more.[358] Additionally, a regional approach to IBM, which brought together Turkey, Greece and Bulgaria, was viewed as adding value because it provided needed training, confidence-building measures, an IBM concept tailored to local requirements and the opportunity to share experiences with neighbours.[359] Another EU body, FRONTEX developed a network of partnerships with the relevant authorities of non-EU countries and has concluded working arrangements with 13 out of 23 Enlargement and Neighbourhood beneficiaries'.[360] Serbian and Moldovan police officials are actively involved a number of Joint Investigative Teams with EU counterparts, which has provided them both with experience and helped them build trust with their EU counterparts.[361]

The EU has also played an important role in promoting stability in beneficiaries by lending political support, designing institutional infrastructure, deploying CSDP missions and delivering financial assistance. In Palestine, the EU has deployed EUREP, the EU Special Representative to the Middle East peace process and EUPOL COPPS. Palestinian interlocutors view the presence of EUPOL COPPS as 'a strong political sign'. It has simultaneously increased the EU's political visibility in Palestine and made a positive contribution to SSR through the provision of expert advice.[362] EUREP has provided the PCP with technical assistance and support in infrastructure, leading to a significant improvement in the PCP's capabilities.[363] Moreover, the EUPOL COPPS presence since 2006 has given the EU good insight into the Palestinian security environment.

In Lebanon, the EU is providing crucial support in the thematic areas of IBM and CT/CVE, two sectors of assistance that are welcomed by Lebanese beneficiaries given the high degree of instability and multiple security threats that Lebanon has encountered.[364] The EU has provided financial support to individual Lebanese security agencies (e.g. LAF, GS, ISF, etc.), all of which indicated during the field mission that they want more EU assistance in the future.[365] In Ukraine, the EU has provided substantial financial and technical assistance in the areas of justice, IBM and law enforcement. It has also provided technical and strategic advice through the civilian CSDP mission, EUAM. While there have been some improvements as a result of this assistance, as discussed in EQ 4, Ukraine has experienced significant problems moving beyond 'procedural compliance' in converging with EU standards and procedures. In some cases, it has not managed to achieve even that level of convergence.[366]

Beneficiaries have mixed views of EU added value. While many interlocutors have viewed EU SSR support in positive terms as an added value to reform processes, other interlocutors have raised concerns about the scope of EU engagement, the pace of accession, 'moving goal posts' and the damage created by negative perceptions that undermine the EU's added value. A number of interlocutors, particularly those in civil society, have suggested that the EU has lost an opportunity to promote significant change for beneficiary populations and that it could have achieved more if it tried harder. "Unfortunately, for the majority of citizens in Kosovo, the 'soft power' of EU enlargement is not visible. EULEX personnel admit that there is a palpable sense of disappointment in Kosovar civil society and attribute it to an absence of tangible achievements, especially in regard to the executive aspects of the mission and the lack of EULEX activism in the North of Kosovo".[367] Similar thoughts have been expressed

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[358] MN 362.

[359] MN 362.

[360] See frontex.europa.eu/partners/third-countries/.

[361] MN 685; MN 719; MN 723.

[362] MN 348; MN 350; MN 351; MN 392; MN 344.

[363] MN 317, Annex II to Financial Agreement, ENPI 2010/ 022475, Technical and Administrative Provisions, p. 4.

[364] MN 59.

[365] MN 52; MN 58; MN 59; MN 60; MN 61; MN 62; MN 63.

[366] MN 644; MN 661; MN 662; MN 664; MN 678.

[367] Ginsberg and Penksa, 2014, p. 115.

in Bosnia and Herzegovina and Albania.[368] In Lebanon, some interlocutors contend that the EU could improve the sustainability of effects – and provide more value - by adopting long-term, strategic planning for SSR support. They point to the example of EU support to IBM as a good illustration of the value they place on receiving continuity of support (and sustainable results).[369] Another key issue for Lebanese beneficiaries is that they have needs that cannot be met by the EU due to its 'red lines' on the provision of operational support to security forces and so they turn to Member States for assistance.[370] Similar views were expressed in Turkey with regard to surveillance border vehicles funded by the EU as the rules prohibit equipping them with firearms.[371]

Some interlocutors expressed frustration with the slow pace of accession, moving goal-posts, and a loss of hope for viable membership prospects. This sensation is powerful in Turkey and has been expressed by, among others, President Recep Tayyip Erdoğan.[372] Turkey has felt that its contributions to European security and the challenges the country faces have been unappreciated. The fact that the visa-free status was granted to Moldova and Ukraine ahead of Turkey, a candidate country that had fulfilled 65 out of 72 benchmarks, rankled. The erection of hard physical barriers on Bulgaria's border with Turkey (which the EU encouraged) sent another negative signal.[373] The accession process came to be regarded as losing its reform drive. The belief emerged that Turkey should pursue its own path, but at the same time not depart from the goal of the EU membership.[374] In Serbia, even representatives of civil society - who were very pro-EU at a time when expressing pro-European sentiments had been dangerous - are at a point of losing hope. Since membership depends not only on compliance with the *acquis* but also on the political willingness of current EU MS to accept a new member, some interlocutors expressed the concern that the EU may not want a country to become a 'member of the club' for political and historical reasons.[375] Some beneficiaries believe that the EU's SSR assistance has more to do with addressing problems of EU security, such as constructing prisons in Albania[376] or preventing flows of irregular migrants into Europe via Turkey, than with addressing beneficiaries' domestic needs.[377] All of this works to undermine the EU's added value as a promoter of core values such as democracy and human rights.

JC 7.2	EU SSR support has added value in comparison to what could have resulted from support offered by EU Member States or by other (non-EU) donors

Some of the programming documents for the 39 interventions examined in detail discussed EU added value. They generally did not, however, compare EU added value with the support offered by other international actors. Where programming documents discuss the added value of EU SSR support, they tend to focus on the benefits to the EU and the beneficiary. There are, however, a substantial number of actors engaged in SSR in all of the case study beneficiaries. The US, for example, is also a strong proponent of democracy and human rights while international organisations such as the OSCE, the UN and the Council of Europe have played important roles as well. Given the abundance of stakeholders, achievements in democratisation and the adoption of a human rights-based approach is attributable to the cumulative efforts of all these actors, not just the EU. The same applies to most aspects of security and justice reform where the US often took the lead, and the EU engagement followed suit.[378]

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[368] The European Parliament, Bosnia and Herzegovina: '*The 'Sejdić-Finci' case*', June 2015, http://www.europarl.europa.eu/RegData/etudes/ATAG/2015/559501/EPRS_ATA%282015%29559501_EN.pdf; MN 34; MN 34; MN 44; MN 35; MN 06; MN 46; MN 40; MN 45; MN 385.

[369] MN 52; 54; MN 57; MN 58; MN 62; MN 59.

[370] MN 59; MN 60; MN 62.

[371] MN 362.

[372] "*Turkey does not need the European Union. If you're honest, make your statement and we will finish the job. We don't need you.*" The president claimed that the EU has been "*keeping Turkey waiting for 54 years.*"; "*They do not accept us. But have they put an end the process? No. They are still wasting our time. But we are being patient,*" President Recep Tayyip Erdoğan reported by Hurriyet Daily News, 13 October 2017. http://www.hurriyetdailynews.com/turkey-does-not-need-eu-erdogan-says-120782; MN 364, 370.

[373] MN 361; MN 364; MN 370.

[374] MN 361; MN 364; MN 365; MN 366; MN 70.

[375] MN 714; MN 724; MN 725.

[376] MN 379.

[377] MN 364; MN 370.

[378] MN 324.

EU SSR support added value in comparison to what could have resulted from support offered by EU Member States and non-EU donors. The distinct assets are: 1) the sheer scale of assistance, 2) the pull of accession or association and 3) the ability to engage long-term to address conditions of regional insecurity and crisis and steer EU MS resources accordingly. However, the EU is not the only stakeholder, and progress achieved in SSR must be attributed to the cumulative efforts of many actors.

Scale of assistance: The first EU added value is in the ability to concentrate efforts and resources, thereby maximising political gains. The sheer scale of EU financial support, including to SSR, is a major factor shaping developmental trajectories in a significant number of beneficiaries. This is evident when support was explicitly accession-oriented and when the EU made significant contributions to building physical infrastructure and fulfilling procurement needs. The EU is often the main actor in budget support, particularly to the justice sector (Georgia, Jordan, Moldova). However, Kosovar beneficiaries emphasised the crucial assistance provided both by the EU and US.[379] In the Neighbourhood, the EU believes that it provides added value by offering an overarching SSR approach through the ENP - linking security, development and governance assistance - and coordinated with EU MS programmes: 'a particular added value of the ENP framework was that it galvanised more of these resources than would have been possible for individual Member States or in bilateral partnerships between the EU and an individual partner country. At the same time, Member States collectively endorsed the bilateral policies between the EU and the partners, including the respective contractual bases and the Action Plans, giving them additional legitimacy and political backing'.[380]

EU accession or association: The EU SSR support in the Western Balkans is a logical outcome of providing the Enlargement beneficiaries with pre-accession assistance, and this distinguishes the EU. The EU added value in Kosovo is significant, even if the progress in conforming to the *acquis* has been modest. The EU has made a large political and financial investment in Kosovo: for IPA II, the funding allocation for 2014-2020 is EUR 645.5 million.[381] Descriptions of actions for three examined interventions identify the importance of EU support to assist Kosovo in realising its European aspirations. The EU leverage is considerable and is applied through different avenues such as the EUSR Kosovo, EULEX Kosovo, EUO and EU facilitation of Kosovo-Serbia dialogue, as well as when the EU and MS are able to act as a unified bloc despite the MS differences over recognition. Still, the five non-recognising EU MS limit the extent to which the EU can pursue a coherent strategy.[382] There is evidence that the EU MS and other SSR donors perceive an added value of EU SSR support in Kosovo. In Bosnia and Herzegovina, EU support has added value as the EU has effectively combined its financial assistance, PPD, and CSDP missions to maximise its political leverage to spur reform.[383] The benefits of accession such as visa liberalisation make the EU a powerful political actor, but also pose challenges to the EU that bilateral donors do not experience (see JC 7.1).

Long-term engagement to address conditions of regional insecurity and crisis: In the Neighbourhood South, the EU adds value through its technical and political support of Palestine: it is a committed international voice advocating statehood for Palestinian people; a purveyor of predictable, large-scale financial support to the public sector; and a promoter of police reform in particular, where the US, for example, does not engage. The added value in SSR is most strongly identified with EUPOL COPPS as it is the most well-known instrument of EU support to SSR.[384] In contrast, the considerable assistance provided by the EUREP is less known. Another element of added value lies in the ability to steer the EU and EU MS resources in one direction as evidenced by development of EU Joint Programming in Palestine[385] and the

[379] MN 16; MN 18; MN 27; MN 28; MN 32.

[380] Joint Staff Working Document, European Commission, High Representative of the European Union for Foreign Affairs and Security Policy, *Joint Staff Working Document, Towards a new European Neighbourhood Policy,* 2015, p. 11.

[381] https://ec.europa.eu/neighbourhood-enlargement/instruments/funding-by-country/kosovo_en.

[382] MN 19; MN 21; MN 22; MN 23; MN 24; MN 25.

[383] MN 42; Penksa, 2013; Ginsberg and Penksa, 2014.

[384] MN 356.

[385] EEAS website; MN 311, 613; European Commission, *Evaluation of the PEGASE Programmes of Direct Financial Support to the Palestinian Authority and Results Oriented Framework in the period 2014-2105, Final Report,* December 2016; European Union,

European Joint Strategy for Palestine, 2017-2020. In Lebanon, where the MS contribute a large volume of bilateral assistance in the area of IBM, the EUD was instrumental in streamlining some of the bilateral MS support (i.e. Denmark, Netherlands, Switzerland, Romania and Poland) to be complementary to what the EU was supporting, reducing duplication, improving efficiency and providing better added value to the beneficiaries.[386] The EU has the greatest visibility and value added where there is the convergence of EU, MS and beneficiary security interests, such as in Lebanon in the thematic area of IBM.[387]

The EU believes that it has a comparative advantage in offering an 'EU approach' by presenting the beneficiary with a diversity of options drawn on experiences from a range of countries. From the EU's perspective, the advantages lie in the consultative rather than prescriptive nature of advice and in the ability to draw on a wide range of available expertise among the EU MS. In the words of one EU official, "the added value of the EU is that it provides options in consultation with the government, and then MS provide support in implementation and expertise through Twinning and TAIEX which they could not do otherwise [i.e. bilaterally]".[388] This appears to have worked well in Bosnia and Herzegovina, where many applicable models of European policing were on offer that Bosnia and Herzegovina could learn from. During the tenure of the EU Police Mission, Bosnia and Herzegovina law enforcement officials had regular contact with counterparts from different EU MS and gained knowledge about different models of democratic policing.[389]

However, an absence of a unified concept of best practice and an approach of offering a variety of options can be problematic when the beneficiary does not have sufficient capability to make a meaningful choice. Implementers, such as MS-led consortia and seconded EU experts, often convey approaches based on their country experiences. This has sometimes meant a lack of continuity in the technical assistance provided to a sector.[390] Legislative confusion can be created when parts of legislation are not congruent with each other. In Kosovo, because of the multiplicity of actors and models involved in justice reform thus far, the justice system is not working well and Kosovo now requires comprehensive justice reform aligned with the *acquis*. Beneficiaries indicated that they would like to receive EU political support and financial assistance for substantial justice sector restructuring like the EU has provided in Albania.[391]

While the EU's role in justice and prison reform is seen by the EU MS and other actors as significant, this is not always the case with regard to the EU's contribution in the areas of defence, intelligence, policing, cyber-security and counter-terrorism. If there is a CSDP SSR mission deployed in the beneficiary, then the EU is more likely to be perceived as an SSR actor, but in the cases when there is no CSDP mission (which is the majority of cases), then the EU is less likely to have a reputation as an SSR actor. The EU is a relative newcomer in the defence, intelligence, policing, cyber-security and counter-terrorism arenas in a number of Neighbourhood beneficiaries. Given the prevalence of bilateral donors in the security sector, the EU's distinct niche, assets and expertise do not stand out vis-à-vis bilateral assistance provided by EU MS and other donors (e.g. US, Canada) whose operations have been developed over time, and it is mostly viewed as a source of funding. Pulling together the EU and EU MS capacities and networks could create added value, but that has not been the case thus far in Jordan.[392] The benefits in military, police, intelligence reforms, and counter-terrorism can largely be attributed to other actors.[393] The same was noted in Turkey with regard to counter-terrorism.[394]

The EU has disadvantages vis-a-vis EU MS and other donors which affect the perceptions of beneficiaries. Some of them observed that EU funds take a long time to programme and urgent needs are

EUROPEAID/129783/C/SER/multi. Lot 1: Studies and Technical assistance in all sectors. External Evaluation of PEGASE 2008-2011 for West Bank and Gaza, Final Report. Request No. 2011/264865/3. Business and Strategies Europe Consortium.

[386] MN 52; 54; 58; 59; 60; European Commission, High Representative of the European Union for Foreign Affairs and Security Policy, *Joint Staff Working Document, Towards a new European Neighbourhood Policy,* p. 11.

[387] *Evaluation of EU Support to the Internal Security Forces in Lebanon, 2015/365497, Final Report I,* November 27, 2015, p. 5.

[388] MN 600.

[389] MN 42; Penksa 2013; Ginsberg and Penksa, 2014.

[390] MN 376; MN 379; MN 385.

[391] MN 16; MN 18; MN 27; MN 28; MN 29; MN 32.

[392] EuroPlus and Particip GmbH, *Evaluation of decisions ENPI 2012/023-533 and IcSP 2015/038-522, Draft Final Report,* April 2017.

[393] MN 339; MN 340.

[394] MN 373.

better addressed by MS embassies.[395] However, the EU does not always receive the credit it is due. When the EU provides financial assistance to co-finance an existing programme supported by an MS or an international organisation, beneficiaries attribute assistance to that other donor and perceive the EU value less. Credit for interventions often goes to implementers with a well-established in-country presence or, in the case of budget support, to the government, and the EU has insufficient visibility as compared to bilateral donors, even if the amount of support they provide are smaller.

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[395] MN 364.

6. Conclusions and policy recommendations

6.1. Introduction

As the evaluation findings have highlighted, the EU has achieved some positive effects through its promotion of EU values and interests in the Enlargement and Neighbourhood regions and, in particular, through its support of SSR. The overall conclusion of the evaluation is that the EU has had some clear successes during the 2010-2016 time frame of the evaluation.

In particular, progress is evident in the following areas:

- Integration of areas of security sector reforms into national and regional strategies, action plans and programming tools;
- The use of political and policy dialogue to encourage beneficiary political support for security sector/system reforms, especially in the context of pre-accession negotiations and for beneficiaries with association agreements;
- Increased achievement of EU SSR intervention outputs;
- Improved procedural compliance by IPA and Neighbourhood East beneficiaries, such as changes in legislation or the development of sector strategies;
- Greater conformity in a number of beneficiaries with respect to higher standards of human rights in the judiciary and security sectors;
- Some sustainable results attributable to EU support, such as in visa liberalisation and border management;
- Value added of EU support recognised in the SSR areas of rule of law and good governance, human rights protection, IBM, prison reform, police reform; and
- Existence and utilisation of coordination mechanisms, such as EU Heads of Mission meetings, donor mapping, sector specific working group meetings and joint programming.

The challenge for the EU now is to build upon what has been achieved so that it can further improve its support of SSR - linking policy and instruments together in more coherent, coordinated, and complementary ways - so that the scope of its ambitions to extend the respect for human rights, democracy, the rule of law, and the principles of good governance can be more effectively realised.

To that end, the evaluation has identified conclusions and policy recommendations in four key areas of particular relevance to the EU's engagement in SSR in the Enlargement and Neighbourhood regions:

1) Enhancing the EU's Role as a Strategic Actor
2) Strengthening National Ownership
3) Improving the Effectiveness of Funding Modalities
4) Achieving Greater Results

Each of these areas is considered below. The evaluation presents its main conclusions on the performance of the EU's SSR support in each of four areas followed by policy recommendations to further improve the EU's support. The evaluation has made a total of 16 recommendations.

6.2. Enhancing the EU's role as a strategic actor

The evaluation concludes that the EU has insufficiently adopted a strategic, coherent, and integrated approach to programming and implementation of its support to security sector/system reforms at the beneficiary/regional levels, thereby diminishing its effectiveness and impact.

The EU is clear on the overall objective of its support to SSR – assisting beneficiaries with developing more effective and democratically accountable security systems – but it has been imprecise about the best

means for achieving its objectives, including the need for strategically guided security sector/system reforms in each beneficiary where the EU provides support. In the 2010-2016 time frame, EU support to SSR focused more on the achievement of activities and outputs in individual sectors of the security system, such as the adoption of new laws and strategies, and less on long-term, systemic changes in the security system as a whole. The driving assumption seems to be that the sum of all of the EU's different forms of assistance to SSR will add up to an integrated, strategic approach in each beneficiary and region, but as this evaluation has concluded, that was not always the case.

Among the IPA beneficiaries, some important elements of SSR, such as democratic oversight and budgeting for military/police reform, are not explicitly covered by the *acquis* and have not received EU support. The agenda of SSR is more expansive than chapters 23, 24 and 31 of the *acquis*. Nonetheless, there is nothing in the EU enlargement methodology that precludes the EU from providing additional support to reforming security sector/system areas, as long as there is beneficiary ownership for such reforms. The new emphasis on CT/CVE programming is an example of how the *acquis* can evolve and incorporate new areas of SSR. Further to this point, the 2018 EU Western Balkans strategy[396] provides renewed emphasis on addressing high priority reform needs in the area of rule of law, fundamental rights and good governance, including two flagship initiatives that involve key areas of SSR: "strengthened support to the rule of law" and on "reinforcing engagement on security and migration". Within the first flagship initiative, detailed action plans for chapters 23 and 24 will be drafted for all Enlargement beneficiaries and rule of law advisory missions will be deployed in all beneficiaries in the region. The flagship initiative on security and migration includes reinforced cooperation on fighting organised crime, countering terrorism and violent extremism and border security.[397] Moving forward, these initiatives will inform and develop the framework for relations with Enlargement beneficiaries and should allow for a strengthened focus on the mainstreaming of SSR as a cross-cutting, strategic issue within enlargement policy.

While the examined EU SSR interventions were relevant to both IPA and ENP objectives, the frequent lack of a coherent strategic vision to animate EU support to reforming the security sector/systems weakened the effects of that support. Without such an outlook, the EU will be unable to fully realise its ambitions in SSR; it also will be unable to effectively coordinate with MS and other international partners (i.e. such as to "promote a comprehensive international engagement around a single security sector support strategy")[398] if the EU does not first have clarity about its own strategic goals for SSR.

Potential synergies have not been sufficiently capitalised on between EU actors and instruments (i.e. Commission, EEAS, EUD political section, EUD operational section, EUSRs, CSDP missions), which has reduced the coherence of EU support to SSR and inhibited the development of a strategic approach to SSR. While coordination mechanisms exist, stakeholders typically engage in information sharing more than discussions about how to pursue complementary, joined up, strategic action, even where joint analyses and assessment have been carried out. In other words, coordination does not guarantee coherence, nor does it always lead to an integrated, comprehensive approach. Thus far, EU actors have not systematically developed and agreed to a common set of SSR objectives for each IPA and ENP beneficiary, nor have they routinely engaged in shared analysis of SSR as a precursor to joint planning and programming in the pursuit of overall agreed objectives for SSR in each beneficiary.

The utilisation of donor mapping (Albania), joint programming (Palestine) and joint assessment (Moldova) have produced some positive results in beneficiary settings where there is some shared agreement among EU stakeholders about the strategic objectives of SSR support. In complex beneficiary contexts like Ukraine, Jordan, and Lebanon, where there is greater divergence between EU and MS interests and long-term MS engagement, coordination is difficult to achieve in the field unless there is a shared agreement in

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[396] "European Commission, "A credible enlargement perspective for and enhanced EU engagement with the Western Balkans", 6.2.2018 COM(2018) 65 final , https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf.

[397] Ibid, p. 10.

[398] *Joint Communication to the European Parliament and the Council - Elements for an EU-wide strategic framework to support security sector reform, JOIN(2016) 31 final*, p. 10.

MS capitals on the benefits of doing so. By way of further illustration, in Georgia the EUD has spearheaded work on the coordination matrix and it is proving to be a fruitful exercise while in Lebanon it has been challenging for the EUD to coordinate that effort. In the Lebanese context, "experience proves that MS share information when specifically instructed to do so by their capitals and this exchange can be more efficiently coordinated at HQ level. This is particularly relevant when it comes to future [SSR] engagement and possible areas of support".[399]

Furthermore, EC-financed initiatives, as well as CSDP missions, have emphasised a technically driven approach to reform assistance that is sometimes disjointed from political processes, context and dialogue. The EU has room to become more strategically focused in translating beneficiary needs and capacities into assistance that is consistent with EU political objectives. This includes: 1) understanding beneficiary needs by performing regular needs and capacity assessments; 2) being realistic about the capacity of beneficiaries to address both the political as well as technical aspects of reform by routinely assessing political and capacity constraints to EU programming, sequencing EU support to address such constraints and adopting an iterative approach to EU support and; 3) being clear about the pathways by which change will occur by developing a fine-grained understanding of the individuals and institutions that need to be involved in reform efforts, mapping out the steps that are essential to promote change, and avoiding the assumption that technical activities by themselves can achieve high level political objectives.

A major recommendation from the European Commission funded, '*Thematic Evaluation of European Commission Support to Justice and Security System Reform*' (2011) was the need for a more strategic, long-term political approach to guide SSR assistance, including a strengthened EU policy framework for SSR.[400] The 2016 Joint Communication on an EU-wide strategic framework to support security sector reform responded to that need and represents a major step forward. Nevertheless, one of the major objectives of this evaluation is to provide a forward-looking set of recommendations on how to further improve the EU's support to SSR which includes addressing some key drawbacks in the EU's approach to SSR in the Enlargement and Neighbourhood regions.

The evaluation concludes that there are a number of areas where the 2016 Joint Communication on an EU-wide strategic framework has yet to become fully operationalised and is still struggling to achieve results after eighteen months. It also identifies a number of limitations that should be addressed moving forward:

- EUDs report that they have received insufficient instructions from the EC and EEAS on utilising the 2016 Joint Communication on an EU-wide strategic framework for SSR (such as guidance on how to carry out security sector analyses). Furthermore, the majority of EUD staff who were interviewed by the team had not read the communication and/or were unfamiliar with many of its provisions.

- The 2016 Joint Communication instructs EUDs to "analyse and report on the security sector using existing reporting mechanisms. When a CSDP mission is present, such analysis and reporting will be joint, in line with the 'comprehensive approach'.[401] So far, this type of joint analysis and reporting between EUDs and CSDP missions has not occurred.

- The 2016 Joint Communication calls for an annual review of the EU's overall SSR engagement "in at least one priority country".[402] Outside of this requirement, there is no provision for regular review of the EU's combined SSR engagement (PPD, financial assistance and CSDP) in beneficiaries where the EU provides a significant amount of SSR support. Such a limited review will constrain the EU's ability to provide regular monitoring and evaluation of EU SSR support.

[399] MN 66.
[400] *Thematic Evaluation of European Commission Support to Justice and Security System Reform*, *Final Report*: Volume I-Main Report, November 2011, p. 4, Executive Summary.
[401] *Joint Communication to the European Parliament and the Council - Elements for an EU-wide strategic framework to support security sector reform, JOIN(2016) 31 final*, p. 7.
[402] Ibid, p. 16.

- The 2016 Joint Communication on a EU-wide strategic framework for SSR acknowledges that, "EU engagement in the security sector of a partner country or region will involve understanding and factoring in the formal and informal rules that govern how security and justice actors operate. Similar appreciation is needed for the interactions and power relations between security, justice and non-security actors, and for existing conflict dynamics. Political, socio-economic, cultural and historical awareness is key".[403] This type of structured context assessment for SSR has not been evident in the SSR programming for IPA and ENP beneficiaries in the time frame of 2010-2016, and the 2016 Joint Communication only calls for it when large-scale SSR support is envisaged.

- Human resource constraints have affected the EUDs ability to carry out some of the activities identified in the 2016 Joint Communication. In beneficiaries where the EU has a significant SSR commitment, there are data to suggest that the EUDs lack appropriate security sector expertise, such as gender and SSR experts, military advisers, and IBM experts. More broadly, EUDs lack enough staff with the appropriate expertise and sufficient time to manage large, diverse SSR portfolios. Generalists - rather than subject experts - have often been responsible for EU SSR programming, with limited practical experience in the beneficiary context and without sufficient Head of Mission/HQ guidance about how to successfully couple the technical aspects of security sector/system reform with the political requirements.

- While some mapping and joint planning of SSR activities have occurred among EU actors, these activities are not a substitute for strategic planning. With respect to mapping as a basis for EU actors to "…jointly define common objectives and develop a coordination matrix", progress has been slow.[404] As the evaluation has concluded, mapping and coordination activities can be useful tools for strategic planning, but EU actors should still seek to jointly define common objectives regardless of whether they utilise coordination matrices. As previously mentioned, coordination is difficult to achieve in the field unless there is buy-in and support from MS capitals on the benefits of such exercises. EUDs do not have the capacity to compel MS to share information in sensitive SSR areas, especially with regard to discussing future programming.

Recommendation 1:

The EU should review the existing SSR portfolios and needs in each IPA and ENP beneficiary.

This assessment should form the basis of the development of an EU SSR strategic approach towards the beneficiary in question.

The EU strategic approach to SSR for each beneficiary should 1) provide a strategic vision for coupling technical and political aspects of reform so that the synergies between political dialogue and technical assistance are capitalised on, including the synergies between bilateral and regional support, between EU Delegations/Offices and CSDP missions/operations, and between EU support and Member State support; 2) draw on the principles of the 2016 Joint Communication on a EU-wide strategic framework for SSR as well as relevant IPA and ENI policy and programming documents; 3) define common SSR objectives to be achieved in each beneficiary and how EU support would help achieve those objectives; 4) be grounded in national ownership; 5) identify key challenges on the part of beneficiaries and the EU itself, including EU MS; and 6) indicate how such challenges to the achievement of the EU's strategic objectives could be overcome.

The EEAS and Commission should utilise the inter-service SSR task force to determine the most efficient and effective way forward of implementing this recommendation, such as utilising the new Security Sector Governance Facility.[405]

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[403] Ibid, p. 6.
[404] Ibid, p. 9.
[405] For information on the new Security Sector Governance Facility, see https://issat.dcaf.ch/Learn/SSR-in-Practice/Countries-Regions/European-Union/Delivering-the-European-Union-Security-Sector-Governance-Facility.

The inter-service SSR task force should ensure that regular monitoring and evaluation is conducted of the uptake/implementation of the EU SSR strategic approach in beneficiaries where SSR is a priority area of engagement.

The inter-service SSR task force should develop guidelines and provide additional training to EUDs about how to operationalise the 2016 Joint Communication on an EU-wide strategic framework for SSR in their SSR programming and implementation so as to ensure momentum and positive results, while taking into account the specificities of the accession process in the Enlargement region.

6.3. Strengthening national ownership

The evaluation concludes that while the EU recognises the challenges of insufficient beneficiary political will to engage in SSR, it has yet to combine its political/policy dialogue and financial assistance in IPA and Neighbourhood beneficiaries in a way that has helped to overcome significant resistance to reform. This evaluation has clearly demonstrated that financial and technical assistance by themselves are not sufficient to produce sustainable change. Political will on the part of beneficiaries to engage in significant reform processes is essential. The evaluation confirms that EU political and policy dialogue is critical for encouraging both IPA and Neighbourhood beneficiaries to embark on and remain on the reform path. There is therefore a need of additional efforts to address the reluctance of key political elites to engage constructively in reform to maximise the effectiveness, impact and sustainability of EU support.

A lack of commitment on the part of key beneficiary political elites has created a particularly vexing constraint on the EU's efforts to promote SSR and helps to explain why a significant number of EU-supported reform processes have not advanced significantly beyond procedural compliance. The political leadership may genuinely want a close relationship with the EU, including even membership in the EU, but not at the expense of jeopardising its own political and economic interests. In some cases, the depth of the reforms required may not have been fully understood. In other cases, the leadership counted on leniency on the part of the EU in interpreting progress against benchmarks, including the *acquis*. In fact, geopolitical factors have sometimes caused the EU to relax its reform requirements. This both sends the wrong message in terms of incentives and means that reform processes have been less effective than they could have been, failed to achieve impact and were not sustainable. The EU is cognisant of this problem and has recently begun to adopt a more rigorous approach to results.

Going forward, the 2016 Joint Communication on an EU-wide strategic framework for SSR recognises the serious challenge to reform generated by "insufficient national political commitment to change".[406] It accordingly calls for the EU to "assess political commitment to reform, likely sources of resistance and ways in which its support can build constituencies that may come to support the change process".[407] The framework calls on the EU to be equipped to gauge the real level of commitment and plan its engagement on that basis. The findings of this evaluation indicate, however, that it is necessary to go beyond these actions and develop clear strategies for actually fostering greater commitment to reform processes, drawing on the strengths and capacities of all EU stakeholders.

Addressing insufficient political commitment on the part of political elites requires that the EU's PPD and its financial and technical assistance work closely to overcome resistance to reform and to build coalitions for sustainable change. At present, EU financial and technical assistance is intended to support the EU's

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[406] Ibid, p. 11.
[407] Ibid, p. 8.

broader policy objectives but the evaluation found inadequate cross-fertilisation between PPD and technical and financial assistance in both IPA and Neighbourhood beneficiaries.

The evaluation concludes that the EU understands the centrality of national ownership to the success of SSR reform processes and has sought to engage national stakeholders (government and civil society actors) in political/policy dialogue and programming but that the way in which the EU has operationalised that engagement has had serious limitations in both IPA and Neighbourhood beneficiaries. The EU has experienced some success in fostering the engagement of national authorities and civil society in all phases of reform, the resistance of some key national actors notwithstanding. While many beneficiary stakeholders accept the EU's top-down, technical approach to identifying reform priorities and strategies as the price to pay for membership in or closer association with the EU, this approach has reduced the quality of national ownership. In particular, there is good reason to question the applicability of steep comprehensive institutional reform requirements in volatile national contexts. What is more, the EU is often overly optimistic about the scope and pace of reform processes in both IPA and Neighbourhood contexts. It is important to gauge the capacity of beneficiaries to engage in reform and develop timetables for EU support that reflect those capacities.

The EU employs formal mechanisms to engage national authorities and civil society in dialogue to set the parameters of reform processes. This generally involves producing action plans to guide accession processes, implement association agendas or meet the objectives of the European Neighbourhood Policy. These are then linked to sectoral strategies and action plans that guide reform in specific sectors (such as criminal justice, IBM, law enforcement) and form the basis of EU programming to support the sectoral objectives. The EU has believed that this process adequately reflects national ownership. The 2016 Joint Communication on an EU-wide strategic framework for SSR stresses the importance of basing support on "national policies, plans and strategies and priority issues and building on national processes or ongoing actions".[408]

However, the reliance on formal national strategies and plans, which are developed in close partnership with the EU, has not been without its problems. The 2015 review of the ENP, for example, found that the EU's approach was considered 'too prescriptive, and as not sufficiently reflecting their respective aspirations' by many beneficiaries.[409] Many interlocutors in both IPA and Neighbourhood beneficiaries interviewed for this evaluation echoed this view. Strategies are often weak, reflect EU preferences rather than the beneficiaries' real priorities and are adopted under the pressure of external incentives. Many IPA and Neighbourhood beneficiaries have genuinely shared the EU's reform agenda, but the scale of the changes proposed and the timeframes in which to make those changes are daunting and to some degree unrealistic. As accession and association processes are prolonged, pro-reformers begin to lose heart, which is particularly dangerous in beneficiaries where the political leaders and society as a whole are not in agreement on the desirability of closer association with the EU.

Furthermore, SSR requires relatively stable political and social conditions. Several IPA and Neighbourhood beneficiaries (particularly Palestine, Turkey and Ukraine) continue to experience internally and externally driven conflict and further violent shifts are possible. In these volatile cases, SSR is potentially being built on an unstable foundation. The EU applies largely the same approach in these beneficiaries as it does in a more stable context (such as Georgia, Jordan and Serbia). There is good reason to question the viability of this approach.

More generally, developing detailed reform strategies focussed on adherence to EU standards and designed to meet EU security objectives only succeeds to the extent that there is a high degree of

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[408] Ibid, p. 8. National ownership has been recognised as essential for aid effectiveness at least since the publication of the Paris Declaration on Aid Effectiveness in 2005. Organisation for Economic Cooperation and Development, 2005, *Paris Declaration on Aid Effectiveness*, http://www.oecd.org/dac/effectiveness/34428351.pdf.

[409] *Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions –Review of the European Neighbourhood Policy, JOIN(2015) 50 final*, p. 2. http://eeas.europa.eu/enp/documents/2015/151118_jointcommunication_review- of-the-enp_en.pdf

convergence between the objectives of national stakeholders and the EU. As this evaluation has found, the degree of convergence is often limited, despite government policies seeking membership in or a close relationship with the EU. In consequence, political commitment is uneven, which jeopardises achieving and sustaining the outcomes desired by the EU. A more differentiated approach would be consistent with the 2016 Joint Communication on a EU-wide strategic framework for SSR, which suggested that one of the ways of overcoming the risk of insufficient political commitment to change, could be to "start with small interventions that aim to foster confidence and national political commitment and scale up at a later stage".[410]

Many EU officials recognise the challenge of national ownership but are themselves constrained by the formal requirements for accession and association. As noted throughout this evaluation, the objective of EU support to SSR in IPA beneficiaries and the three EaP beneficiaries with Association Agreements is largely focussed on alignment with the *acquis*. This is particularly the case with IPA beneficiaries. While the *aquis* are not static and can evolve over time, during the period covered by this evaluation the *acquis* did not reflect the entire SSR agenda. Therefore, focussing solely on the *acquis* - as some EUDs in IPA beneficiaries have reported doing - caused critical problems to be lost sight of. This undermined the achievement of the EU's main SSR objectives: security for individuals and the state and a legitimate, well governed, accountable and sustainable security sector.

The 2016 EU-wide strategic framework for SSR stresses the importance of linking SSR processes to broad-based governance reforms, including efforts to strengthen public sector financial management.[411] This linkage has occurred in some places but in general, the governance aspects of SSR were not given adequate attention in IPA and Neighbourhood beneficiaries during the 2010-2016 period. The EU has sought to strengthen the voice of civil society, which is essential to augment the national ownership of SSR interventions. It helps the EU avoid unintended negative impact and increases attention on societal issues. Yet the evaluation portfolio demonstrates that relatively few EU SSR interventions in IPA and Neighbourhood beneficiaries specifically targeted civil society. Additionally, the EU has not dealt with key security actors such as intelligence bodies and the military, but these actors are often important protectors of the *status quo* and the ruling elites, and thus, they need be the subject of reform processes as well. One question for the EU is the extent to which it wants to engage directly with these actors and the extent to which EU Member States, other bilateral partners and international and regional organisations such as the United Nations or NATO should take the lead. Most likely the answer to this question will be context-specific. However, even where the EU decides not to engage directly with these actors, any EU strategies developed to promote SSR must take them into account.

Recommendation 4:
In order to address one of the major risks to EU support for SSR – insufficient national political commitment – and to promote national ownership, the EU should identify ways of strengthening synergies between political dialogue intended to build commitment to reforms, on the one hand, and EU financial and technical assistance, on the other hand. This process would both draw on and reinforce the development and implementation of coordination matrices foreseen in the 2016 EU-wide strategic framework for SSR and the EU SSR strategic approach at beneficiary level proposed in Recommendation 1 in the context of established Enlargement and Neighbourhood policies and procedures.   **A first step in implementing Recommendation 1 with regard to political commitment and national ownership would be for EU Delegations/Offices, supported by operational units in DG NEAR and EEAS as well as CSDP missions/ operations where relevant, to identify the level of commitment or resistance to change among key beneficiary SSR actors, their connections, positions and interests. This would involve routine political assessments as well as context assessments of key beneficiary**

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[410] *Joint Communication to the European Parliament and the Council - Elements for an EU-wide strategic framework to support security sector reform, JOIN(2016) 31* final, p. 11.
[411] Ibid, p. 8.

actors/institutions. A second step would be to develop clear but flexible pathways for employing all relevant EU tools and members of the EU family to foster greater commitment to reform processes on the part of these key SSR actors.

This process would include determining how best to engage with actors that the EU currently does not routinely engage with in the defence, security and intelligence spheres. It would also include how best to bolster the capacity and influence of governance and oversight actors (discussed further in Recommendation 7 below). This would involve continuously assessing key security and justice areas and actors to ensure that EU SSR support is grounded in political realities and emerging blockages to that support can be identified and possibly neutralised.

Recommendation 5:

In providing SSR support to IPA and Eastern Partnership beneficiaries, the EU should be sufficiently flexible so that the support provided addresses both the broader EU SSR agenda and alignment with Chapters 23, 24 and 31 of the *acquis* as well as to lay a strong foundation for sustainable change. The EU – particularly EEAS and DG NEAR operational units and EU Delegations/Offices – should ensure that it identifies the broad range of SSR needs in beneficiaries and that the problems that could undermine the ability of beneficiaries to implement EU and international standards are addressed on a priority basis. This would involve, as a first step, ensuring that these foundational issues are included in EU SSR strategies (Recommendation 1). EU Delegations/Offices in IPA beneficiaries should also consider whether there are lessons to be learned from engagement with EaP partners concerning broadening the SSR agenda beyond the *acquis*.

Recommendation 6:

In order to develop national ownership, the EU should acknowledge that there are multiple paths to achieving EU SSR objectives and that EU Delegations/Offices, supported by DG NEAR and the EEAS, should pursue an iterative approach to the provision of EU support to SSR that takes into account beneficiary political will and technical and financial absorption capacity.

This approach would be built on dialogue with beneficiaries to identify specific priorities in the SSR area(s) that the EU is ready to support and would use those priorities as entry points for meeting broader reform objectives. It would require developing theories of change to identify the pathways for achieving broader reform objectives. These theories of change would enable the EU to work with beneficiaries to identify a series of steps that would take the beneficiary along a path leading from addressing their concrete priorities to implementing the *acquis* and EU/international standards or meeting EU security objectives.

The EU should adjust its expectations on the pace of change. On the face of it, this approach may appear to require considerable time. It may also appear to be better suited to Neighbourhood partners than IPA beneficiaries. In fact, working at the pace of the beneficiary is likely, in the long term, to create the capacity and conditions that will facilitate moving beyond procedural compliance. The time it would take to implement accession and association processes was underestimated for some IPA and ENP beneficiaries, in some cases significantly. It therefore makes good sense where political will and absorption capacity are shown to be limited (for example by political and capacity assessments) to slowly build the foundation for change, whether in IPA or Neighbourhood contexts. This could perhaps be facilitated by the application of a limited 'more for more' approach, where meeting agreed benchmarks would be tied to modest incentives.

Recommendation 7:

The EU should increase its support for the involvement of the wider citizenry in security sector reform in IPA beneficiaries and Neighbourhood partners. EU Delegations/Offices should clearly express the

EU's support for the ability of the broadest range of societal actors to express their views on areas related to SSR.

To this end, EU Delegations/Offices should systematically and frequently consult with independent actors who can articulate the diverse views of different social groups to prepare for the EU's political/policy dialogue with governments and seek ways to enable these actors to engage in that dialogue as well, for example through meaningful consultations on the development and implementation of the government's SSR-relevant strategies. EU Delegations/Offices should also actively encourage the involvement of these actors throughout the entire management cycle of interventions, including at the early stages of project design. The PRISM unit in EEAS, NEAR CoTE Crisis Reaction and Security Sector Reform and CoTE Civil Society Support could identify and disseminate lessons from DG NEAR contexts where this has worked well.

Support to civil society in SSR programming and EU political/policy dialogue should not be limited to providing NGOs with grants, which can lead to their professionalisation but also weaken their relationship with the population at large. In particular, the EU, and especially the EU Delegations/Offices, should give more attention to working with public intellectuals, academics, journalists and other civil society actors to generate innovative proposals and foster momentum for promoting change and to maintain pressure on governments to create better, more humane societies and to adhere to their commitments to comply with EU and other international standards and practices.

Finally, EU Delegations/Offices should also work closely with other members of the international community, including EU Member States, to help capacitate parliamentarians to oversee the security sector.

6.4. Improving the effectiveness of funding modalities

The evaluation concludes that a major strength of the EU's financial support to SSR lies in the range of funding modalities it can draw on in its provision of assistance. However, with the exception of sector budget support, discussed further below, it was not possible to identify a consensus on the effectiveness of any specific modality in any particular context for either IPA beneficiaries or Neighbourhood partners. Rather, EU Delegations/Offices appeared to have the most success when 1) they carefully matched the funding modality employed, on the one hand, to the intervention and the beneficiary institution(s) on the other hand; 2) multiple modalities were used within the same intervention to achieve different objectives; and 3) management modes were tailored to context.

As with other aspects of support to SSR, a context-specific use of funding modalities and management modes is most likely to produce effective SSR support. For example, some beneficiary institutions have received a high volume of training from different SSR donors and no longer have a need for or interest in basic capacity building support. They may, however, require targeted specialised support, such as enabling police forces in IPA and EaP beneficiaries to take part in Joint Investigative Teams to combat organised crime and corruption throughout Europe or to respond to international assessment such as those conducted by the Group of States Against Corruption (GRECO) or the Venice Commission. Combining modalities within the same intervention has occurred with sector budget support and large technical assistance programmes, where supplementary technical assistance delivered by contractors, twinnings and TAIEX have experienced some success. Under the correct circumstances, where the government or implementing partner has the appropriate capacity, indirect management mode can help overcome cumbersome EU contracting and management procedures, as can direct agreements with Pillar-Assessed implementing partners. However indirect management mode can also create blockages when the implementing partner does not have adequate capacity or, in the case of governments, political will to achieve the anticipated objectives.

The challenge is to have a sufficiently fine-grained understanding of the capacity of government institutions, implementing partners and the relative strengths and weakness of the various EU funding modalities and

management modes to make the appropriate decisions on how to structure financial assistance. Developing a strategic approach to guide the EU SSR interactions with beneficiaries (Recommendation 1) would facilitate decisions about modalities as well as the scope of interventions. Taking an iterative approach to SSR reform (Recommendation 6) would also have implications for the funding modalities employed. For example, a sector budget support programme, with its focus on supporting broad reform processes, would be most useful when the beneficiary had achieved the necessary political commitment to reform and had sufficient capacity to a) implement an SBS and b) to engage in a broad reform process. Various types of targeted short-term and medium-term assistance, delivered through contracted technical assistance, twinnings, TAIEX, and CSDP missions could lay the basis for the broader reform-oriented programme. Similarly, once the reform process has made sufficient progress, it may make sense to switch to targeted technical assistance to fill in remaining gaps or it may be preferable to continue with SBS in order to retain the tight link between political and policy dialogue and financial assistance programming.

This evaluation concludes that the widespread belief within DG NEAR that sector budget support is a particularly useful means of supporting reform processes is correct when certain conditions are met. Some successes were recorded in the use of sector budget support in Neighbourhood partners during the 2010-2016 period, but in many cases shortcomings in the design and implementation of sector budget support programmes undercut the effectiveness, impact and, ultimately, sustainability of the reform processes. The importance of learning from the Neighbourhood experience has been heightened by the inauguration of sector budget support programmes in IPA beneficiaries in 2018.

EU financial support to SSR in IPA and Neighbourhood beneficiaries was largely project-based throughout the 2010-2016 period. However, sector budget support also began to be used to support reform processes in areas such as justice, IBM, and policing/law enforcement in both Neighbourhood-East and Neighbourhood-South. A number of benefits were ascribed to the SBS modality. In particular, it was considered an especially effective means of promoting policy outcomes because of the close link with policy dialogue, which would enhance effectiveness and impact. SBS was also considered to offer the best opportunity to promote sustainability by encouraging governments to include reform-related recurrent expenditure in national budgets once EU financing ended. The 2016 Joint Communication on an EU-wide SSR strategic framework strongly suggested that budget support programmes should be put in place "where feasible, effective and cost-efficient" as a means of promoting national ownership and governance.[412]

The challenge that confronts EU officials is determining where SBS is "feasible, effective and cost-efficient". As discussed above, it is important to match financing modalities and management modes to context. The experience of the four case study beneficiaries that implemented SSR-related SBS programmes in the 2010-2016 period demonstrates that when these programmes are employed in an environment that lacks essential requirements for success SBS, their impact and sustainability is diminished, in some cases significantly. In view of the typical size of SBS programmes, failure can have significant consequence for resource-constrained beneficiaries.

Sector budget support is a complex modality, both for the EU and for the beneficiary. It requires the EU to have an in-depth knowledge of context (sectoral and political-economy) as well as the capacity both to conduct an in-depth policy dialogue with the Government to shape the relevant sectoral policy and to oversee its implementation. Beneficiaries need to be very clear about their objectives and to have the capacity to hold their own in the policy dialogue, particularly when it comes to setting realistic conditions and benchmarks. Beneficiaries also often require assistance in understanding how the modality functions and how to implement it. If finance ministries are not engaged in developing SBS programmes from the outset, there is a danger that the programme will be fiscally unsustainable.

EUDs have not always had adequate staff to help negotiate and manage SBS programmes. They are often staffed by programme managers with limited practical experience of the beneficiary context, of the budget

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[412] Ibid.

support modality or of the sector receiving budget support. Constraints on the use of other types of funding can result in SBS being used for inappropriate purposes, such as infrastructure development.[413] Lack of familiarity with the SBS modality can lead to poorly constructed conditions and benchmarks.

The findings of this evaluation underscore the necessity of placing sector budget support into *its* appropriate context. There is no doubt that SBS has a potentially important role to play in a strategic approach to promoting reform processes. However, an examination of its use during the 2010-2016 timeframe indicates that its strengths and weaknesses need to be carefully weighed against the strengths and weaknesses of other forms of assistance every time the EU plans an intervention.

This evaluation concludes that closer linkage with the bilateral programmes of EU Member States to multiply the effects of EU support to SSR is desirable. The EU adds value through the amount of financing and the range of tools it can deploy to support beneficiaries engaging in SSR, but it cannot support all necessary reforms with its own resources. It makes good sense for all members of the EU family to work as closely as possible in both IPA and Neighbourhood beneficiaries to achieve agreed objectives.

Forging linkages with EU MS bilateral programmes would be consistent with the 2016 Joint Communication on a EU-wide strategic framework for SSR, which encourages EU Member States "to frame their bilateral SSR programmes" within the EU-wide SSR framework.[414] The EU and its Member States have conducted joint mapping, analysis and programming. However, these processes only rarely lead to joint or complementary funding of EU reform efforts. Member States have tended to finance discrete activities in the same general thematic areas as the EU but only infrequently to link their funding to EU interventions.

One way to promote the necessary linkage would be through the coordination matrices called for by the Joint Communication on an EU-wide strategic framework for SSR "to identify appropriate links and sequencing between political dialogue, cooperation activities/instruments and possible CSDP missions/operations".[415] The coordination matrix process is at a very early stage. One early outcome of efforts to develop coordination matrices is to underscore the importance of political agreement between the EU and Member States on the desirability of MS collaboration on developing a coordination matrix. It would be helpful to this process if the EU were to develop its own strategic approach to SSR for the relevant beneficiary (Recommendation 1) prior to engaging with EU MS.

Recommendation 8:

In order to maximise the effectiveness of EU financial assistance for SSR, EU Delegations/Offices should base their choice of funding modality and management mode on the nature of the intervention and on beneficiary capacity and context. Developing a strategic approach to SSR in each beneficiary (Recommendation 1) would facilitate the process of choosing the funding modality and management mode for EU Delegations/Offices. It would do so by providing the detail on beneficiary context and capacity in the addressed SSR area, including political will, that is necessary to determine which funding modality and management mode are likely to be most effective. EU Delegations/Offices should consider recent experience with different funding modalities in different beneficiary institutions to assist their decision-making process.

EU Delegations/Offices should also consider how best to combine different funding modalities into a package that provides the most appropriate assistance to SSR in a given beneficiary capacity and context.

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[413] A number of problems have arisen when budget support has been used for infrastructure development. Budget support typically only covers a portion of the cost of infrastructure and governments may have difficulties in fully funding the remaining costs. Also, infrastructure projects are frequently subject to delays, which can lead to budget support targets being missed and to corresponding reductions in budget support disbursements. Budget support experts generally recommend not using budget support to finance infrastructure.

[414] *Joint Communication to the European Parliament and the Council - Elements for an EU-wide strategic framework to support security sector reform, JOIN(2016) 31 final, p. 3.*

[415] Ibid, p. 9.

Recommendation 9:

In order to maximise the effectiveness of sector budget support programmes, which disburse large amounts of funding and have significant expectations in terms of policy reform, DG NEAR and EU Delegations/Offices should assess beneficiaries' understanding of the sector budget support modality (how it functions, the tight linkage to policy reform, what constitutes sound indicators) and its readiness to implement budget support programmes in order to provide technical assistance as required in a timely fashion before the design and during the implementation of budget support programmes. EU Delegations/Offices should also ensure that they have the staff capacity to help design and manage budget support programmes.

Recommendation 10:

The EU should seek opportunities to mobilise complementary funding for interventions from EU Member States in order to maximise a coherent approach within the EU family to agreed EU SSR objectives and priorities.

The EU at the senior political level should reach agreement with its Member States as a matter of priority on the use of on-going joint mapping, analysis and programming processes, including coordination matrices, to promote closer coordination on financing, including joint financing of EU interventions to the extent possible.

EU Delegations/Offices should work closely with EU Member States to identify opportunities for complementary funding from EU Member States.

6.5. Achieving greater results

The evaluation concludes that there has been modest progress in SSR across all case study beneficiaries in the time frame of the evaluation.

EU SSR support has generated the most positive effects in beneficiaries where there has been long-term EU engagement through multiple interventions. The prospect of accession and association with the EU is the single most important variable determining the EU's added value. It explains the progress achieved by many IPA and Neighbourhood East beneficiaries as a result of the EU funding of significant assistance packages, expert accompaniment, and CSDP missions/operations, all of which were well beyond what economically disadvantaged and often crisis-affected partners could do themselves.

As highlighted throughout this evaluation, producing successful results in SSR requires a long-term, strategic approach by the EU that is flexible and responsive to changing beneficiary contexts and needs, and which acknowledges that SSR is both a highly technical as well as intrinsically political process. During the time frame of the evaluation (2010-2016), the EU struggled to plan and implement interventions that consistently met these foundational prerequisites for successful SSR engagement.

While there was some evidence of the Commission scaling up, reprograming, or suspending/withdrawing assistance in seven of 11 case studies where there were major changes in the political and security contexts of beneficiaries, there was also evidence that EU regulatory and institutional factors have impeded the timeliness, flexibility and cost-effectiveness of EU support. At the senior management level, EU actors have not demonstrated a nuanced understanding of how to link the technical and political aspects of SSR support into a strategic approach that includes ends, means and ways. The consequence is that this has limited the extent to which the EU can be flexible and responsive, balancing long-term systemic change with the attendant need to address more pressing security needs, which the 2016 Joint Communication on a EU-wide strategic framework for SSR identifies as a key requirement for successful SSR.[416] Furthermore,

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[416] Ibid, p. 10.

institutional divisions and overlapping areas of competence between the EC and EEAS, as well as between EU actors and Member States, have constrained the ability of EU to implement a 'whole of EU' approach to SSR, further reducing the impact of EU SSR support.

Effective programming requires specialised SSR expertise. The EUDs cannot meet the expectations of beneficiaries because they do not have enough staff dedicated to SSR: "The human resources deployed in the field do not match the political promises made at HQ level to beneficiaries."[417] While Member States can be a valuable source of expertise to EUDs, they do not have the time to provide regular advice on SSR programming unless they are full-time secondments. At the HQ level in Brussels, DG NEAR's Centre of Thematic Expertise Crisis Reaction and Security Sector Reform has been understaffed given the sizeable amount of SSR assistance provided to 23 EU Delegations/Offices in the IPA and ENP regions. Furthermore, there is a need for enhanced cooperation and pooling of resources among relevant DG NEAR Centres of Thematic Expertise (CoTEs) that have a link to SSR (i.e. Rule of Law/Fundamental Rights and Democracy, Civil Society Support, Migration, Public Administration Reform).

The EU's SSR support has focused more on activities and outputs, than on outcomes and impact, which EU staff and implementing partners struggle to define, measure, differentiate and evaluate.

Programming and project documentation described activities without evaluating effects and impact. However, impact assessments require looking well beyond activities and outputs. The 2016 Joint Communication on an EU-wide strategic framework for SSR indicates that "SSR support should anticipate the impact it will have across the security sector and beyond".[418] It also indicates that "…it is important to 1) define baselines from the outset; 2) establish clearly defined, feasible and time-bound targets and impact indicators linked to clear criteria to measure the achievement of results and objectives; and 3) allocate sufficient human and financial resources for internal monitoring".[419]

The EU needs improved guidelines on defining baselines and designing impact indicators in order to have an iterative, problem-solving approach to SSR that is nationally supported by beneficiaries. To date, the lack of attention on baselines against which to monitor impact has made it difficult to reliably assess the impact of EU SSR support and consequently the sustainability of gains achieved with the support of the EU. The evaluation findings suggest that the EU requires more human and financial resources in order to realise its objective to anticipate, monitor and evaluate the impact of its support, with the corollary need to improve its response time to adjust to changing political and security needs.

In the 2016 Joint Communication on a EU-wide strategic framework for SSR, coordination matrices are intended to reflect a common understanding among all EU actors as to SSR priorities, objectives and possible roles: "they will form the basis for a monitoring and evaluation system allowing measurement of progress and the impact of EU support".[420] Unless these coordination matrices (or similar tools such as joint programming) are utilised in all beneficiary settings, the risk is that EU will insufficiently measure progress and impact.

The evaluation concludes that cross-cutting societal issues were minimally mentioned or absent from the majority of the sample of 39 examined interventions. Gender and human rights concerns are not consistently mainstreamed throughout interventions. Gender focal points/units are often tasked with assisting multiple programs and do not have the time and resources to ensure that gender issues are consistently mainstreamed throughout EU interventions. Civil society has had limited involvement in policy dialogue and are not systematically involved in the entire management cycle of interventions. Despite the EU's political commitments to the 'Do No Harm' approach, the EUDs, CSDP, and implementing partners have not engaged in formal conflict sensitive assessments at the intervention level, nor have they afforded

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[417] MN 65.
[418] *Joint Communication to the European Parliament and the Council - Elements for an EU-wide strategic framework to support security sector reform, JOIN(2016)31* final, p. 8.
[419] Ibid, p. 11.
[420] Ibid, p. 9.

much attention to context analysis that helps "EU actors to avoid unintended negative impacts on conflict dynamics".[421]

As evidenced by the portfolio of EU SSR support to Enlargement and Neighbourhood beneficiaries, the EU has not been an active donor in assisting the reform of defence, security, and intelligence agencies. Holistic and effective SSR requires reform of these sectors as well. However, the EU is a relative newcomer to these areas of SSR support and it needs to devote more attention to determining where it can provide a value-added role, especially vis-à-vis Member States and other international organisations that have more expertise and experience in these areas. Additionally, the CVE/CT agenda has grown in significance for the EU, but CVE/CT programming is a new area of security sector reform and tried-and-tested designs are scarce, unlike in police or justice reform where an abundance of *know how'* already exists. The evaluation findings revealed that there is a dearth of relevant technical expertise among EUDs and implementing partners on CT/CVE, although the appointment of CT/CVE advisers in some EUDs has helped redress this problem.

Finally, the evaluation concludes that there are several factors that have diminished the effectiveness/impact of EU SSR support:

- The absence or infrequent application of a strategic approach to guide EU interventions for SSR in beneficiaries, including theories of change to specify the pathways by which the activities undertaken with EU support is intended to produce the anticipated outcomes;
- Insufficient buy-in and national ownership of the reform agenda;
- Limited government resources, such as critical financial and human capacity, to continue supporting reforms when external financing ends;
- Inadequate visibility of EU SSR support;
- Geopolitical constraints that make it challenging for the EU to employ hard conditionality in some beneficiaries due to geopolitical/regional security interests that supersede technical reform objectives;
- Lack of an iterative, problem-solving approach in EU SSR programming;
- EU human resource and capacity limitations;
- Problems of sequencing, cooperation and coherence between EC funded interventions and CSDP;
- Short-term interventions that do not allow enough time for project objectives to be realised, including a long lag between initial assessments and contracting that can result in interventions that are no longer suitable for conditions;
- Failure to match funding instruments and modalities to beneficiary context.

Moving forward, the EU needs to fully operationalise the 2016 Joint Communication on an EU-wide strategic framework for SSR so that it can realise its primary goal: "to help to make states more stable and individuals more secure".[422] The following Policy Recommendations are designed to assist with this task and to help the EU attain greater results in its SSR support.

Recommendation 11:

The EU should recruit more personnel with appropriate SSR backgrounds, bring in more external expertise, run more staff courses and provide additional SSR training, and, where possible, utilise more expertise from EU Member States.

Further to this point, the EU and its Member States should address human resource constraints at the HQ level and in EUDs by implementation of some/all of the following solutions:

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[421] Ibid, p. 11.
[422] Ibid, p. 4.

- **Increased Member State national secondments** (i.e. military advisers, CT/CVE advisers, IBM advisers, prosecutors, etc.) to EUDs that require enhanced SSR expertise because there is a large SSR portfolio and/or a thematic area of targeted importance in that beneficiary setting;
- **Additional personnel allocated to DG NEAR's Centre of Thematic Expertise Crisis Reaction and Security Sector Reform** so that it can better support the 23 EU Delegations/Offices in the Enlargement and Neighbourhood regions as well as effectively cooperate with relevant EEAS counterparts;
- **Enhanced cooperation and pooling of resources among relevant DG NEAR CoTEs** that have a link to SSR (i.e. Rule of Law/Fundamental Rights and Democracy, Civil Society Support, Migration, Public Administration Reform);
- **Augmented co-financing by the European Commission and Member States** for the placement of seconded national SSR experts in EUDs and/or DG NEAR;
- **Secondments of CSDP personnel to the European Commission** (e.g. EULEX or Operation Althea could recruit a MS expert to work in DG NEAR or DEVCO) to increase synergies between EC and CSDP SSR support;
- **Expanded use of EUROPOL, EUROJUST, and FRONTEX liaison officers** to more beneficiaries in order to enhance EUD expertise and increase bilateral engagement.

Recommendation 12:

In rolling out the use of coordination matrices identified in the 2016 Joint Communication on a EU-wide strategic framework for SSR, priority should be accorded to those beneficiaries where there are CSDP missions/operations and evidence of a need for improved sequencing, coordination and coherence.

Recommendation 13:

The design of EU SSR support should provide increased attention on defining indicators with baselines and targets. This will require additional training for HQ and EUD staff on 1) the differences among outputs, outcomes and impact; 2) qualitative and quantitative methodologies in SSR; 3) differentiating between types of impact (e.g. strategic, functional, societal, political); and 4) utilising formal conflict sensitive assessments to 'Do No Harm' as well as the use of structured context analysis to avoid unintended negative impacts. The EUDs should increase their collaboration with beneficiary partners to ensure that there is an agreed approach for benchmarking progress, including regular review of both political and policy dialogue and technical assistance, as well as attention on the involvement of civil society in programme design.

Recommendation 14:

The EU should introduce a gender lens into SSR programming that moves beyond a mere focus on achieving numerical increases of women in justice and security sector institutions. The EU should develop an operational capacity for enhancing its gender-based approach to SSR in HQ and EUDs. Additionally, the EU should provide training on gender mainstreaming in SSR to operational programme staff and SSR project managers.

Recommendation 15:

The EU should increase its engagement with defence, security and intelligence agencies, as well as counter-terrorism police branches. Relatedly, the EU should give special attention to the quality of design and implementation of CT/CVE programming, defence and intelligence reform, areas in which the EU is a relative newcomer and in which there have been comparatively few EU SSR interventions. The pooling of resources and expertise among the EU, Member States and CSDP should be explored in these sectors, as well as possible synergies with NATO on the basis of the 2016 EU-NATO

declaration[423] to strengthen their security cooperation in the Western Balkans and the Eastern and Southern Neighbourhoods. EU support to these sectors should be accompanied by a human-rights risk management mechanism at the level of implementation. Although this is a niche expertise, it can be found, for example, among staff of ombudsmen's institutions, INGOs, and contracted experts.

Recommendation 16:

In order to enhance the visibility and knowledge of EU SSR support among beneficiary populations, EU Delegations/Offices should give increased attention to SSR in their strategic communications and public relations strategies. The EU should adopt a stronger focus on the benefits that security sector reforms will bring to beneficiary populations, including how such reforms will improve individual security and fundamental human rights. Outreach campaigns -- conducted in partnership with civil society – could be a useful tool for improving the public perception for EU support to SSR.

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[423] Council of the European Union, *EU-NATO Joint Declaration by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organization,* 8 July 2016, Belgium: Press Release.http://www.consilium.europa.eu/en/press/press-releases/2016/07/08-eu-nato-joint-declaration/.