

EPLO Roundtable on the European External Action Service hosted by the Permanent Representation of Spain to the European Union

Background

The creation of the European External Action Service (EEAS) is set out in the Lisbon Treaty¹ which was signed by the 27 EU heads of state and government in December 2007 and which is still in the process of being ratified. A declaration attached to the Treaty provides that:

‘(...) as soon as the Treaty of Lisbon is signed, the Secretary General of the Council, High Representative for the common foreign and security policy, the Commission and the Member States should begin preparatory work on the European External Action Service.’²

EPLO believes that all interested stakeholders should have an opportunity to provide input into the plans for its development for reasons of legitimacy and accountability, and for overall effectiveness of the new institutional structure. Because of the sensitiveness of the ratification process, limited information has been publicly available and there has been little consultation of European civil society.

EPLO convened a Roundtable on 11 September to provide a framework for an open debate on the EEAS among interested stakeholders including those within the peacebuilding community. The roundtable took place at the Permanent Representation of Spain, which generously offered to host the meeting.

Objectives

The roundtable meeting had the following objectives:

1. To provide a framework for an open debate on the EEAS among interested stakeholders, including those within the peacebuilding community
2. To exchange views on the possible structure of the EEAS, including exploring its implications for the effective prevention of violent conflict, conflict transformation and peacebuilding policies and activities
3. To gather recommendations from participants on the remit, structure and values underlying and management of the EEAS.

Participants

The roundtable was attended by representatives of EU institutions, EU Member States, UN organisations, think tanks, academia and peacebuilding, development and human rights NGOs.

¹ Article 27(3) of the consolidated version of the Treaty on European Union (TEU)

² Declaration on Article 27 of the Treaty on European Union

Introduction

His Excellency Ambassador **Emilio Cassinello Aubán**, Director-General of Toledo CITpax (Toledo International Centre for Peace) welcomed participants and made opening remarks.

Dr **Antje Herrberg**, Senior Mediation Advisor at the Crisis Management Initiative and member of EPLO's Steering Committee, who was moderating the meeting, reminded participants of the purpose of the meeting and of its pertinent timing given the proximity of the referendum on the Lisbon Treaty in Ireland.

Panel 1

The first panel consisted of Dr Mary Martin (London School of Economics), Ms Martina Weitsch (Quaker Council for European Affairs), and Ms Franziska Brantner (Member of the European Parliament). They raised the following points (which are not necessarily the views of EPLO):

EEAS, EU Common Foreign and Security Policy and external relations:

- The EEAS represents a major opportunity in terms of establishing a diplomatic system that recognises the importance of peoples as well as states.
- In designing the EEAS, there is a need to re-emphasise EU's values and principles. The CFSP needs to have a human security focus and to be based on a set of values, including human rights, democracy, gender equality and the rule of law.
- The EEAS should have a distinct ethos and branding which reflects the EU's unique role as an international actor.
- According to a recent poll, 65% of EU citizens want the EU to play a global role but does the EU want a genuinely European foreign policy?
- There is a need for a clarity of vision regarding what the EU wants to do and achieve in foreign policy.
- There is a need to coordinate short term and long term instruments for prevention of conflict and crisis management
- A major problem related to the financing an EU foreign policy is that it inevitably involves EU Member States relinquishing their perceived national interests. To counter this, the EU should highlight its own interests, including the promotion of peace.
- The EEAS needs to promote human security. A "Human Security Action Service" could reflect the EU's *de facto* status as an international actor. The EEAS should be based on the following six principles which are also the core values of the EU's external policies: the primacy of human rights, a bottom-up approach, a regional approach, transparency, legitimacy, and multilateralism.
- The EU is a highly successful peace project. It could export this success to other regions of the world.
- The EU should not increase its defence expenditure as this would be incompatible with the EU as a peace project.
- The most important element of the EU's external policies is their contribution to peace.
- There are major contradictions between the EU's stated support for the promotion of human rights and its external trade policies. These contradictions could have a negative impact on future EU institutional developments.

EEAS: structure, remit

- The EEAS should not simply recreate existing structures or add additional layers of bureaucracy.
- The EEAS has to be flexible to respond rapidly to developments in conflict-affected areas.

- The EEAS has great potential to bring the EU's external actions and foreign policies closer together by uniting policy and funding within a single structure.
- EU Delegations should have considerable autonomy, applying the principle of subsidiarity and operating within regional networks.
- The EEAS should be a virtual as well as a physical service (e.g. it should have an easy-to-use information portal).
- The EEAS should have a public diplomacy remit (e.g. promotion of freedom of information and movement and responsibility for a student exchange programme).
- There should be a re-balancing of the budget for external policies between the European Commission and the Council of the EU.
- The budget and management of the EEAS must be subject to parliamentary scrutiny.

EEAS: Peacebuilding

- Peacebuilding should constitute a central pillar of the EEAS. This could take the form of a specific peacebuilding directorate within the new structure.
- The EEAS should be divided into geographical departments and include directorates for the promotion of peacebuilding and gender equality.
- Human rights should be mainstreamed throughout the EEAS.
- EU decision makers should look to the ongoing reform of the UN's gender architecture for guidance on the establishment of the EEAS.

The panel was followed by a question and answer session. Participants raised the following points:

- The EU needs to adopt a unified approach to external actions.
- The EEAS needs strong political leadership throughout its geographical departments. A "crisis of leadership" (i.e. lack of leadership, too many leaders) is one of the factors behind the EU's failures of the recent years.
- The EEAS needs to increase the efficiency and effectiveness of the EU's external policies but this will not happen overnight. Discussions about the EEAS are very difficult in reality and touch upon various institutional interests.
- The EEAS needs to avoid adding an additional layer of bureaucracy, triplication of the current duplication.
- EU development co-operation should remain within the European Commission under the control of a strong Commissioner for Development.
- Civil society support for the EEAS will be crucial.
- It is important to consider training and preparation for the EEAS.
- There are major transparency issues surrounding the establishment of the EEAS.

In response, the panellists concluded with the following points:

- The EEAS should embody the concept of "clever multilateralism".
- There is a major problem of legitimacy in the EU, especially regarding external policies. Unanswered questions about these issues are a ticking time bomb.
- The significant costs of European Security and Defence (ESDP) missions are currently subject to little parliamentary scrutiny.
- The political nature of appointments of EU Special Representatives (EUSR) needs to be addressed: Why are there no female EUSRs?
- Humanitarian aid should remain outside the EEAS but development co-operation should be included.
- The EEAS should be an autonomous institution.

- The EEAS should be judged on its contribution to the achievement of the EU's external policy objectives rather than on its structure.
- The EEAS will inevitably evolve over time.
- Given the lack of transparency in the negotiations over the EEAS so far, it remains to be seen how much will be left to be decided if and when the Lisbon Treaty is ratified.
- The European Parliament should ensure the accountability of the EEAS, e.g. through demanding biannual reports, through its role as one half of the budgetary authority and by raising the profile of the annual debate on the Common Foreign and Security Policy (CFSP).

Panel 2

The second panel consisted of Ms Mikaela Gavvas (Overseas Development Institute), Ms Catriona Gourlay (United Nations Institute for Disarmament Research), Ms Stefani Weiss, (Bertelsmann Foundation). They raised the following points:

EEAS: structure, remit

- The EEAS could be rather limited in scope, possibly similar to the UN Department for Political Affairs.
- There are no silver-bullet solutions to issues of institutional architecture. It might be possible for the EU to combine a number of different approaches in establishing the EEAS.
- The EEAS will probably focus on hard security issues. It is unlikely that peacebuilding or conflict prevention will be prioritised. CSOs should, therefore, concentrate on existing institutions e.g. lobby for a Commissioner for Human Rights in the next European Commission.
- EU decision makers should learn from the UN's experience and ensure that the EEAS is closely linked to the instruments on the ground. Particularly: efforts to promote coherence must be based in-country, requiring stronger in-country leadership teams, common needs assessments, and an iterative planning process involving national and international stakeholders, with mechanisms for mutual accountability; 'coordination' without commensurate institutional resources and authority is politically unrealistic

EEAS: Development and security nexus

- The EEAS has real potential for changing the planning and implementation of the EU's external policies.
- There is a problem in that visions about the structure of the EEAS vary between institutions and within institutions themselves: Should the structure of the EEAS be determined by its purpose or vice-versa?
- There is a risk that internal power struggles between the various EU institutions could dominate the debate over the structure of the EEAS.
- The EEAS must not undermine the positive steps in terms of EU development co-operation policy which have been made since its inception in 1992.
- The EEAS represents a major opportunity for overcoming a number of shortcomings in the EU's development co-operation policy, namely the divisions between policy-making and implementation, and between geographical regions.
- There is a clear need to link development, diplomacy and defence issues, especially in situations of fragility.

- The choice of candidates for the various positions which are foreseen under the Lisbon Treaty (e.g. High Representative for Foreign Affairs and Security Policy) will be crucial to the structure of the EEAS.

The panel was followed by another question and answer session. Participants raised the following points:

- It will be important to maintain a long-term perspective on the evolution of the EEAS.
- Development co-operation should not be included in the EEAS from the start.
- EU decision makers need to include EU values in the establishment of the EEAS.
- To have a vision of the EEAS which is rooted in EU values is good but the practice of designing the service is something different
- The link between development, diplomacy and defence is crucial.
- The EEAS needs to have control of the EU's external strategic planning; policy implementation should be left outside of the service.
- Ensuring the quality of training for civilian personnel to be deployed is an important issue that should be addressed.
- There will be a very short window of opportunity for influencing decisions about the structure of the EEAS.

In response, the panellists concluded with the following points:

- Development co-operation must be safeguarded to ensure that development assistance is used properly.
- The EEAS should start small and grow but development co-operation should remain outside.
- Even if the Lisbon Treaty is not ratified and the EEAS is not established it will still be possible to implement a significant number of changes.
- It will be important to keep planning and implementation together, whatever the structure of the EEAS.
- There will be major disputes over resources: budget limits will be a factor in designing the service and in its composition
- One risk of establishing a small EEAS is that there will be problems regarding the recruitment of staff with expertise in situations of fragility.
- The EEAS should include conflict and peacebuilding advisors as exist in the UN system.
- The European Parliament should relax the financial regulation in return for political oversight of the EEAS.

Conclusions

Ms Catherine Woollard, Director of the European Peacebuilding Liaison Office (EPLO), began her summary of the morning's proceedings by informing participants that the key themes and recommendations from the meeting would be included in a paper on the EEAS which EPLO would be publishing in October 2009. She highlighted the following themes from the discussions:

1. Opportunity

All speakers emphasised that the establishment of the EEAS was an opportunity for the EU:

- To implement the ethical foreign policy to which it is committed on paper
- To develop a distinctly European policy beyond the state-centric approach of national governments, including meaningful involvement of non-state actors
- To bring conflict prevention and peacebuilding to the centre of Foreign and Security Policy.

There was a sense, however, that the opportunity was slipping away and it may already be too late to influence the development of the EEAS.

2. The need to open up debate

Speakers referred to the debate about the EEAS that is taking place within the Institutions and in Member States. This debate is probably very different from the debate that took place today, taking a hard security perspective, focusing on political expediency rather than values, focusing on people – the candidates for the positions – and their status rather than institutional design, and involving more men than women. The roundtable should be seen as the beginning of a parallel debate, which should feed into the official debates.

3. Comprehensiveness

There were different recommendations from the panel and different understandings of the term comprehensiveness. It is partly about civilian-military integration. Some object in principle to the idea; EPLO is concerned that the current plans for civilian-military integration at the strategic planning level imply absorption of the civilian dimension into the military dimension, and this flawed structure will be integrated into the EEAS.

Comprehensiveness is also about bringing together development and conflict prevention, currently separate in EU policy and structures. Some participants were concerned that bringing development into the EEAS would have a negative impact, making it more difficult to meet development objectives. EPLO believes that development and conflict should be brought together wherever possible because this would help ensure that development assistance is conflict sensitive. EPLO supports establishment of a Peacebuilding Directorate within the EEAS, which could manage a whole-of-EU response to conflicts situations and/or situations of fragility.

Integration implies deciding on common objectives and working jointly towards them. Coordination involves separate policies and institutions, working towards different objectives, which coordinate; it does not therefore overcome problems of policy inconsistency and competition and can be time consuming. The EEAS is an opportunity to integrate EU action across previously separate policy areas, including bringing together conflict prevention, peacebuilding and development, in a model akin to the whole-of-government approach. For example, a peacebuilding directorate could lead EU action in fragile situations. Without integration within the EEAS there is a risk that it adds to institutional confusion, creating an additional layer of bureaucracy.

4. Accountability

The EEAS presents an opportunity to make the EU more accountable to EU citizens and to the citizens in conflict-affected countries. It should operate transparently, with a better functioning access to information regime than currently exists in the institutions. The Lisbon Treaty sets out a stronger role for the EP and for national parliaments in overseeing the EU's foreign and security policies. The EEAS should include procedures for meaningful involvement of civil society in conflict analysis and planning, in policy development, and in implementation.

Finally, participants argued that to ensure full accountability, the actions of the EEAS should be rigorously evaluated, possibly by an arms-length body, including evidence-based analysis and bringing in the views of all participants. The key question in evaluation should be, whether the EU is contributing to building long-term peace, not just whether its external actions meet the narrower terms of their mandates. Opening up the debate on the EEAS to civil society – the public – is a first step towards ensuring the accountability of and realising the opportunities represented by the EEAS.

Concluding Remarks

The meeting was brought to a close by Ms **Cecilia Yuste Rojas**, Counsellor for Transatlantic Relations at the Permanent Representation of Spain to the EU. Ms Yuste Rojas praised the high quality of the debate and analysis and welcomed the recommendations. She also reminded participants of the important role which Spain would have to play regarding the EEAS during its forthcoming presidency and she welcomed input from CSOs.

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Crisis Management Initiative—CMI
European Network for Civil Peace
Services—EN.CPS
European Centre for Conflict
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ESSEC Iréné
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Search for Common Ground
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CITpax
World Vision

THE EUROPEAN PEACEBUILDING LIAISON OFFICE EPLO

EPLO is the platform of European NGOs, networks of NGOs and think tanks active in the field of peacebuilding, who share an interest in promoting sustainable peacebuilding policies among decision-makers in the European Union.

EPLO aims to influence the EU so it promotes and implements measures that lead to sustainable peace between states and within states and peoples, and that transform and resolve conflicts non-violently. EPLO wants the EU to recognise the crucial connection between peacebuilding, the eradication of poverty, and sustainable development world wide and the crucial role NGOs have to play in sustainable EU efforts for peacebuilding, conflict prevention, and crisis management.

EPLO advances the interests of its members through common policy positions and consequently advocating for those common positions. EPLO disseminates information and promotes understanding of EU policies of concern to its Members. The Office builds also solidarity and cooperation amongst its members and with other relevant NGO networks. Finally, EPLO raises awareness about the contribution the EU should make to peacebuilding and the need to hold the EU accountable to its own political commitments of helping secure peace within and outside its borders.

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