The EU as a Global Force for Good: Peace at the Heart of the European External Action Service (EEAS)

Executive Summary

The potential of the Lisbon Treaty and how it could all go very wrong

The Lisbon Treaty includes provisions for the creation of a European External Action Service (EEAS). It does not, however, provide any guidance on the structure of the service or on its place in the European Union’s (EU) overall institutional set up.

The Lisbon Treaty lists conflict prevention and peacebuilding among the aims of the EU external action and the creation of the EEAS offers an unprecedented opportunity for the EU to implement its wide-ranging commitments to the prevention of violent conflict and to building peace beyond its borders. This opportunity must be seized: there is a great risk that it will be lost amidst the political wrangling and turf wars related to setting up the Service. In the worst case scenario, the EEAS will serve only to perpetuate or even exacerbate the EU's inefficiencies, incoherence and over-bureaucratisation.

Making the EU more effective at meeting existing commitments

EPLO’s recommendations focus not on extending the EU’s capacities, but rather on ensuring that the EU has the institutions in place to adequately deliver on its existing commitments. In the field of conflict prevention and peacebuilding, the EU has extensive financial and policy commitments but it lacks the resources and the institutional coherence to realise them. It is in the interests of both the Institutions themselves and the Member States that the EU adopts reforms which would increase its effectiveness and efficiency, thus saving money and improving the EU’s image.

A service that overcomes deficiencies in the EU’s response to conflict

The EU has good intentions, high aspirations and a commendable policy framework when it comes to external affairs. It also has the support of EU citizens, the majority of whom agree that it should be active in helping to resolve conflicts outside its borders, and, crucially, the support of people in conflict-affected areas. Global public opinion surveys show that the EU is the preferred international actor for people around the world, largely because of its use of civilian power.

The EEAS should therefore be designed to address the challenges that the EU faces when it comes to the implementation of its policies on conflict. There is a lack of internal coherence, with responsibility for response to conflict divided between the Commission and the Council, which can lead to duplication of action, confusion or conflicting approaches; a lack of implementation of conflict prevention measures leading to a reliance on crisis response; a triumph of national over European interests, and of political expediency over values; a lack of accountability to the citizens of both the EU and of conflict-affected countries; a creeping militarisation of foreign policy, which is not supported by the European public; and a tendency for its positive actions in the areas of conflict prevention and peacebuilding to be undermined by other policies, including on energy or trade.

This paper explores how the EEAS could help to address these challenges by focusing on a set of issues of importance to the peacebuilding sector: the structure of the new service; the lessons to be learned from the UN’s experience, notably the attempt to place all UN agencies in-country under a unified framework and leadership; the extent to which the Service can embody EU values; its recruitment and training policies; and its relationship with civil society.
As a key partner for the EU, civil society needs a voice

In numerous policy documents, the EU recognises the important role that civil society plays in meeting its commitments on conflict prevention and peacebuilding. This paper forms part of the debate on the EEAS which is being facilitated by EPLO and includes a series of roundtables bringing together civil society and decision-makers to discuss the Lisbon Treaty reforms. It is hoped therefore that civil society’s opinions on the EEAS will be taken into account in order to establish new institutions that are fit for purpose.

EPLO’s Recommendations:

*Adopt a model of integration rather than coordination:* Adopt an institutional model which is as close as possible to the maximalist model, i.e. one which brings together as many as possible of the directorates general with responsibility for the EC’s external policies, including at least part of DG RELEX, DG Development, ECHO, EuropeAid and DG Trade, plus the crisis management structures of the Council Secretariat, thus integrating all the EU’s foreign affairs policies into one coherent political and operational framework.

*Draw on lessons from the UN:* The recent efforts by the UN designed to improve its coherence should be taken into account. Particularly: efforts to promote coherence must be based in-country, requiring stronger leadership, 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.

*Bring in the EU Delegations:* In order to ensure that policy is implemented, the EU Delegations need to be integrated within the EEAS, and should be given the priority remit of improved coherence and coordination with Member State embassies.

*Establish a Peacebuilding Directorate:* Decision-makers should establish a Peacebuilding Directorate within the EEAS with responsibility for developing the EU’s strategic response to conflict and ensure that its response to situations of fragility will bring together short-term crisis management and longer term conflict prevention and peacebuilding.

*Create a European Institute of Peace:* An European Institute for Peace attached to the EEAS, would support best practice in conflict prevention and peacebuilding by the EU through the recommendation of improved policies, and the promotion of a culture and associated systems and expertise within the EU which enable and reward good peacebuilding practice. The EIP will carry out or commission regular evaluations and provide independent critical analysis to inform the work of the EEAS.

*Work with civil society:* The EEAS should create a culture of, as well as processes and systems for, regular dialogue and collaboration with civil society, and should commission civil society to implement elements of its work where appropriate, such as the training of EU civilian expertise, and the implementation of specific projects in fragile contexts, where European civil society has much expertise.

*Use merit-based recruitment:* Staff for the EEAS should be recruited on merit, rather than on nationality quotas. This is essential to the success of the EEAS and will be fostered if the EEAS is a career-enhancing move for diplomats.

*Ensure gender balance at all levels:* A commitment to gender balance does not conflict with the use of merit-based recruitment, since there are as many women with the requisite skills as there are men. A genuinely merit-based strategy should ensure gender balance in the allocation of senior positions given the adoption of the Comprehensive Approach to the Implementation of the UN Resolution 1325. The EU’s attempt to promote gender equality elsewhere in the world is consistently undermined by the near absence of women in senior positions within its external affairs structures.

*Ensure parliamentary oversight:* The EEAS should be financed from the Community budget ensuring European Parliament (EP) oversight. National parliaments should also monitor it as permitted by the Lisbon Treaty.
The EU as a Global Force for Good: Peace at the Heart of the EEAS

1. Introduction: The Lisbon Treaty and the EEAS

The Treaty of Lisbon introduces a number of potentially far-reaching changes in EU external relations aimed at making the EU a more coherent and visible actor in international relations. It creates a High Representative of the Union for Foreign Affairs and Security Policy (High Representative) who will take over the task of the High Representative for Common Foreign and Security Policy, and serve as the Vice-President of the European Commission and the chair of the EU Foreign Affairs Council. It also establishes a European External Action Service (EEAS) to assist the High Representative of the Union for Foreign Affairs and Security Policy /Vice-President of the Commission in fulfilling his/her mandate; it is intended to work in co-operation with the diplomatic services of the Member States and is likely to be staffed by officials from the Council Secretariat, the Commission, and the diplomatic services of the Member States.

The Lisbon Treaty does little more than provide the broad outline of the new institutional architecture in the area of EU external relations. The issues it does not address include:

- The role of the new High Representative vis-à-vis the other positions with responsibilities for external affairs policies;
- The structure and scope of the EEAS and of EU delegations;
- The relationship between national diplomatic services and the EEAS.

The EEAS is, in many ways, the key element of the new institutional structure: in assisting the High Representative and under his/her authority, the EEAS has the potential to bridge both the gap between first and second pillar external relations policies and the gap between national and European levels of diplomacy – long-standing problems in EU policy-making. The Member States and the EU institutions will use their power to shape the new institutions by selecting individuals who will hold the different positions and by deciding on the structure of the EEAS.

In EPLO’s view, the EEAS represents an opportunity for major improvements in terms of increased coherence and capability to prevent and respond to conflicts. In addition, EPLO sees the service as an opportunity to shift the balance between crisis response and conflict prevention towards the latter, putting peacebuilding at the core of EU external actions. However, the key words here are potential and opportunity. The implementation of the Treaty is as important as the provisions contained within it. As ever, the devil lies in the detail.

What follows is an analysis from a peacebuilding perspective of how the EEAS should be designed in order to improve the EU’s response to conflict. It looks at the details (structure, remit, composition, etc) of the new service and its place in the institutional set up through a peacebuilding lens and puts forward EPLO’s recommendations for how the EEAS can address the existing shortcomings of the EU’s response to conflict.
2. The Structure of the EEAS

The Treaty of Lisbon states: ‘In fulfilling his or her mandate, the High Representative shall be assisted by a European External Action Service’. It ‘shall comprise officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services of the Member States’ (art 27.3 TEU). The High Representative shall be ‘responsible within the Commission for responsibilities incumbent upon it in external relations and for coordinating other aspects of the Union’s external action’ (art 18.4 TEU).

The following questions remain to be answered:
What is meant by ‘assisting’? What are the ‘relevant departments’? What are the ‘responsibilities incumbent upon the Commission’? What are the ‘other aspects’? In other words, what among the existing Commission’s services will fall within the remit of the EEAS under the ‘direct responsibility’ of the High Representative and which will not fall within in it but will still be covered by the High Representative’s ‘coordinating role’? How, in practice, will the EEAS ‘assist’ the High Representative to execute his/her mandate, covering direct responsibilities, coordinating role, and chairing the EU Foreign Affairs Council?

2.1 Integration not Coordination

There are two alternative models when it comes to the remit of the EEAS: a “maximalist” and a “minimalist” model. Between the two lie possible hybrid solutions.

The maximalist model

The maximalist model is based on integration rather than coordination. It would include all aspects of EU external relations for all regions, or, in other words all the existing DGs of the Relex family (except Trade: there is a consensus among Member States that trade policy should not be included). On the Council Secretariat side, all crisis-management related structures would be integrated into the EEAS, including the military staff and SitCen. SitCen, however, is a very sensitive issue, as including it would imply sharing intelligence analysis among a wider circle of actors than is currently the case.

The maximalist model is in line with the whole-of-government approach increasingly recognised as an effective way to respond to conflict. In their own policies, Member States are moving towards integration of security and development policies, acknowledging that the separation of the two hampers an effective response to conflict. In particular, dealing with situations of fragility requires an integrated approach, bringing together institutions, actors, agencies, policy objectives, planning and project implementation that were previously divided between security and development sectors. If all relevant agencies and departments are brought together, they can decide on common objectives and work jointly towards them. This is in contrast to a minimalist model, where separate agencies decide on their own objectives and work separately towards them, while coordinating – that is, generally, sharing information about what they are doing with other agencies.

The minimalist model

The minimalist model would restrict the EEAS to most of DG-E and the Policy Unit from the Council Secretariat and DG External Relations from the Commission, most notably Directorate A, or the ‘Crisis Platform’, with responsibility for policy coordination on CFSP. This model would leave development policy, humanitarian assistance, management of external financial programmes and enlargement outside the remit of the EEAS; in these areas the High Representative would play an important coordination role while only having direct responsibility...
for CFSP issues. This model would put the emphasis on coordination and would not integrate other policy areas into the portfolio of the High Representative. The minimalist model would also leave the military dimension of crisis management outside the EEAS.

Both scenarios have pros and cons. A small service would be easier to manage, less likely to engender inter-institutional rivalry and might be less of a concern for those Member States sensitive about the impact of the EEAS on their national diplomatic services. But a small service would not incorporate all the existing geographical and thematic desks and would not staff the EU Delegations. In contrast, the maximalist model would have the advantage of avoiding duplication of functions by incorporating into the service the existing Commission and Council geographical and thematic desks. However, it would require additional thought on how the service should operate, particularly in relation to the Commission, and the Council, but more crucially also to the European Parliament, especially if the military aspects of crisis management are included, but this is not an insurmountable problem.

A hybrid solution?
One of the possible hybrid solutions would be an EEAS composed of geographical desks covering all the regions (currently divided among DG RELEX, DG Development, DG Enlargement and the Secretariat of the Council) and the directorate for civilian crisis management of the Secretariat of the Council (DG E-9) in charge of contributing to the planning, fact-finding and support of civilian ESDP missions. The main task of the EEAS would be to provide policy guidance for EU external relations, leaving programming and implementation of development co-operation, as well as the operational planning for civilian missions, outside the service. While, on the one hand, this model would have the advantage of improving the coordination of strategic planning between first and second pillar, there is a risk that it would create a divide between strategic and operational levels.

An important question remains: how will the plans to merge the strategic planning functions of DG E-8 (defence aspects) and DG E-9 through the creation of the Crisis Management Planning Directorate (CMPD) fit with and be reflected in the design of the EEAS? In EPLO’s view, the need to ensure balance between military and civilian dimensions of ESDP should be a key consideration if the CMPD is to be absorbed in the EEAS. A prime example would be that the personnel in the new Directorate must have the required civilian expertise. 7

2.2 Lessons from the UN’s Experience 8

The UN has engaged in a number of reform efforts designed to improve its internal coherence in the context of promoting peace and security and these offer valuable insights for the EU. In relation to the potential scope of the EEAS, it is perhaps interesting to note that the minimalist vision of the EEAS resembles the UN’s Department for Political Affairs (DPA) – in so far as the EEAS would not be institutionally linked with security or development agencies and instruments. Despite the fact that the DPA was identified as the focal point for peacebuilding within the UN system in 1997, and given a mandate for inter-agency coordination, this never got off the ground. The lesson here is that ‘coordination’ without commensurate institutional resources and authority is politically unrealistic. In the EU context, it is difficult to see how a minimalist EEAS would have the authority or resources to promote coherence ‘from the top down’ across DGs and pillars which do not lie under its responsibility.

The history of the UN’s efforts to promote greater coherence of UN action in peacebuilding is also instructive. In the UN, the main operational departments or agencies have taken the lead in promoting coherence in distinct operational contexts. Where the UN deploys a peace operation, the UN Department for Peacekeeping Operations (DPKO) leads an ‘Integrated Mission Planning Process’ designed to bring in development actors. Where no peace operation is deployed, the objective of coherence is pursued through the so-called ‘Delivering as One’ reforms designed to
integrate development, environmental and humanitarian interventions. However, neither of these reform efforts has been found to address the challenges of promoting a coherent response to peacebuilding. For instance, development actors did not fully buy into the DPKO-led planning process and some have argued that the transaction costs involved in maintaining integrated missions have reduced their efficiency. This has led to recommendations that the form of cooperation must follow function. In addition, after 2005, a new institution, the Peacebuilding Support Office, which reports directly to the Secretary General, was tasked with promoting internal coherence (in addition to supporting the Peacebuilding Commission). Yet this too, has lacked the authority and resources to fulfil this aspect of its mandate. Consequently, the Secretary-General’s latest recommendations argue that 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.9

The UN’s experience suggests (in line with the EU’s own principle of subsidiarity) that strategic decisions about operational priorities should be made at the local level. Using the same logic, arguably the best prospects for achieving EU coherence in peacebuilding contexts is to bolster the authority and capacity of local EU leadership to identify EU strategy and operational priorities. Clearly, the EEAS has a potentially important role to play in promoting such bottom-up approaches to strengthening the coherence of the external effort. In fragile contexts, therefore, the focus should be on strengthening in-country EU capacity and authority through the EEAS rather than on assuming that the EEAS in Brussels will be able to align disparate EU policies and actions.

**EPLO recommends:**

~The maximalist scenario should be adopted because it would best overcome current problems related to lack of consistency, duplication and over-bureaucratisation in EU external affairs. The EU’s focus should be on civilian response to conflict. In addition, the need to ensure balance between military and civilian dimensions of ESDP should be taken into consideration if the CMPD is absorbed into the EEAS. The EU’s priority should be the development and security needs of the people who live with the conflict and not the perceived security needs of European states.

~At the very least, the EU should consider an integrated approach to situations of fragility. For example, a Peacebuilding Directorate within the EEAS could be responsible for leading, planning and managing EU actions in specific fragile situations. Initially, this integrated approach could be piloted in a small number of countries.10

~As far as possible, the EU’s actions should be decided on in-country and/or at regional level, which would require stronger in-country leadership teams, transferring policy-making and implementation to the local level where the EU is active.

~The EEAS should strengthen the EU’s in-country capacity and authority. For example, it could establish additional Special Representative positions with strong mandates to lead EU action in response to conflict, and with teams of conflict specialists at their disposal.

~Common needs assessments and agreed compacts between local, national and international actors are needed so that the responsibilities of each agency are clear.

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*EPLO Policy Paper on the European External Action Service, October 2009*
2.3 A Peacebuilding Directorate

**What is conflict prevention?**

Conflict prevention or peacebuilding can be understood as a long-term process involving a variety of activities. This approach seeks “to encourage the development of the structural conditions, attitudes and modes of political behaviour that may permit peaceful, stable and ultimately prosperous social and economic development. Peacebuilding activities are designed to contribute to ending or avoiding armed conflict, and may be carried out during armed conflict, in its wake, or as an attempt to prevent and anticipated armed conflict from starting”. A conflict is always context-specific and as, with the causes of conflict, conflict prevention is multi-dimensional and changes over time. It includes the interaction of social, cultural, political security, economic, geographical and ideological factors. Basic activities for conflict prevention include, among others, development co-operation, human rights initiatives, economic co-operation and security policies all undertaken in a conflict-sensitive way.


In a welcome development, the Lisbon Treaty explicitly states that the prevention of conflict is one of the purposes of the Union’s external action and of ESDP. The EEAS needs to be an instrument which is fit for that purpose. In addition, the EEAS is a chance to give substance to the commitments to conflict prevention contained in the Commission Communication on Conflict Prevention and in the EU Programme for the Prevention of Violent Conflict (the Göteborg Programme) endorsed by the Council in 2001. Both of these documents emphasised the need to address the root causes of conflict and to bring together the instruments for structural long-term and immediate short-term preventive actions.

To realise the commitment to conflict prevention contained in the Lisbon Treaty and in the Göteborg programme, and to ensure a comprehensive and integrated approach to peacebuilding and conflict prevention, EPLO recommends the establishment within the EEAS of a Peacebuilding Directorate (PBD). The PBD should be responsible for ensuring strategic and operational coherence across all EU actions from short term crisis management to long term conflict prevention and peacebuilding activities. The PBD should be at the heart of EU strategic planning for actions in conflict-affected areas.

In order to be a champion of conflict prevention and peacebuilding within the EU, including ensuring that the EU’s external policies are conflict-sensitive, the PBD should be placed at the highest possible level (i.e. the Director should report directly to the High Representative) and the PBD should be provided with adequate resources. The PBD could then play a leading role in ensuring that peacebuilding and conflict prevention are fully taken into account in the formulation, programming and implementation of policies which are outside the remit of the EEAS but which have foreign policy implications (trade, energy, environment, etc). The PBD will thus have two key functions: 1) to lead the EU’s response to conflict, 2) to lead coordination with other EU institutions working on policies with implications for peacebuilding.

To ensure an effective peacebuilding approach to EU external action, which takes full account of the role and contribution of civil society actors, the PBD should include *inter alia* specific units to further develop the peacebuilding partnership, to ensure gender and human rights perspectives inform all actions, and to support the development of appropriate mediation capacity and expertise.

**The Peacebuilding Partnership**

The Peacebuilding Partnership team, responsible for partnership, *inter alia*, with civil society, should have significantly more staff and financial resources than it is currently the case. In addition, this unit should manage support programmes and mechanisms that allow the EU to
rapidly mobilise civil society expertise and foster co-operation among peacebuilding NGOs from different European countries. NGOs and 'people to people initiatives' have a comparative advantage and can add value in fields such as local mediation and dialogue, reintegration programmes for former combatants, transitional justice processes, promoting women's participation in peacebuilding, human rights monitoring, and other activities which support conflict transformation.

The PBD could improve liaison between relevant Member State bodies and the EU institutions, as well as strengthening links with other relevant bodies, including the UN Peacebuilding Commission and the US State Department's Reconstruction and Stabilization unit.

Thematic gender and human rights desks officers should be placed in all EEAS directorates to ensure that a human rights approach and a gender perspective are integrated into external policies and practice. In addition, the PBD should comprise gender and human rights experts with a coordinating function and a role in working with the other EEAS directorates and other institutions (outside the Service) on these issues.

A Mediation Support Cell should be created as a focal point for mediation. Mediation and dialogue efforts should be incorporated into a comprehensive peacebuilding approach addressing issues including the root causes of conflict and institutional reform as evidence shows that mediation contributes positively to solving violent conflicts. The main task of the Mediation Support Cell would be to coordinate with experts and specialists within and outside the EEAS (e.g. Institute for Peace- see next section) in all relevant peacebuilding areas, including transitional justice, gender, security sector reform (SSR), disarmament, demobilisation and reintegration (DDR), and resource sharing. At the same time, the EEAS should endeavour to support the professional practice of mediation and dialogue (as with other horizontal thematic issues).

EPLO recommends:

~The establishment within the EEAS of a **Peacebuilding Directorate** (PBD) bringing together short-term crisis management and long-term conflict prevention and peacebuilding activities and developing the EU’s strategy on responding to conflict.

~The PBD could lead on the EU’s response to situations of fragility, following the proposed Action Plan on Fragility and Conflict, (see above).

~The PBD should be placed at the highest level possible.

~The PBD should be adequately resourced in order to play these roles effectively.

~The PBD’s tasks should include as a **minimum**:

1. Leading strategic planning and coordination of conflict prevention, peacebuilding and crisis response (i.e. ensuring that EU external policies are informed by principles of conflict analysis and based on solid evidence about best practice in peacebuilding)

2. Advising on the integration of principles of conflict sensitivity into policies and programming outside the remit of the EEAS but which may have a negative impact on conflict transformation (e.g. trade, energy, and environment)

3. Improving coordination between relevant Member State bodies and the EU institutions as well as strengthening the link with other relevant bodies including the UN Peacebuilding Commission and the US State Department's Reconstruction and Stabilization unit.

~To ensure that a peacebuilding approach informs EU external action, the PBD should include (**inter alia**):

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**EPLO Policy Paper on the European External Action Service, October 2009**
(1) A unit to further develop the peacebuilding partnership and to manage programmes and mechanisms to support civil society and foster coordination and co-operation among peacebuilding NGOs from different European countries.

(2) A mediation support cell as a focal point for mediation to coordinate with experts and specialists within and outside the EEAS (e.g. Institute for Peace—see next section) in all relevant peacebuilding areas including transitional justice, gender, security sector reform (SSR), disarmament, demobilisation and reintegration (DDR), and resource sharing.

(3) Gender and human rights experts to ensure that a gender perspective and a human rights approach are integrated in external policies and practice.

2.4 A European Institute for Peace

Attached to the EEAS there should be a European Institute for Peace (EIP) with the role of developing a common peacebuilding culture for the EU. The EIP would provide independent conflict prevention, mitigation and resolution analysis and recommendations to the EU on how to improve its role in these areas, reflecting learning and develop lessons learned.

The EIP should be designed as a hybrid agency carrying out research, analyses and evaluation of peacebuilding activities and policies to inform the work of the EEAS. In particular, it should operate a lessons learning process with staff dedicated to the analysis of missions and diplomatic engagements. It should not duplicate the work of the European Institute for Security Studies (EISS); if both do continue to exist, they should be linked.

EPLO recommends:

~The creation of a European Institute for Peace (EIP) with the role of developing a common peace culture for the EU, and providing peacebuilding thinking and expertise to the EU.

~The EIP should be designed as a hybrid agency carrying out research, analysis and evaluation of peacebuilding activities and policies to inform the work of the EEAS.

3. The EEAS: an Opportunity for the EU to Develop an Ethical Foreign Policy

Extract from the Commission Communication on Conflict Prevention, 2001

‘In the end, our capacity for action in response to conflicts is intrinsically dependent on three factors: a clear definition of Union objectives, the capacity to act and, most importantly, the political will to act. The effectiveness of the Union's action will depend, above all, on the extent to which it expresses a common political approach by the Member States of the EU. At the moment, conflicts of interest still tend too often to get in the way of rapid decision-making. The forging of common values and interests into a set of clear common priorities and objectives on sensitive issues constitutes the real test of our ability to contribute to conflict prevention’. (Emphasis added)

Designing the EEAS should not merely create another layer of European foreign policy architecture. The EEAS is an opportunity for the EU to shape its distinct international identity as a normative power. It is an opportunity for real innovation in order to have greater impact in conflict-affected countries. The debate on the EEAS has focused on the candidates for the key positions. In our view, the EEAS should be seen as a means to an end, as an institution that will serve the purpose of implementing a European foreign policy, driven not by national but by “European interests” as defined and rooted in EU values and principles and set out in the
The EU is more likely to establish itself as a global player by implementing an ethical foreign policy rather than by repeating the mistakes of nations in international affairs.

EPLO believes that the functioning, remit, and composition of the EEAS should be designed to project the following EU values and principles stated in the Treaties, but not always upheld when foreign policy decisions are taken and implemented:

- Respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, respect for the principles of the United Nations Charter and international law.
- Promotion of peace and prevention of conflict.
- The reduction, and in the long-term, the eradication of poverty.
- Coherence and consistency between the different areas of its external action and between these and its other policies.
- Accountability, including transparency.

In addition, it is also important that the creation of the EEAS is used as a way to strengthen the civilian dimension of EU foreign policy. Civilian crisis management has a strong record of contributing to long-term stability, conflict prevention and development. In addition, civilian responses to conflict should not be viewed as soft, ineffectual alternatives to military intervention. On the contrary, in order to build sustainable peace, in many conflict settings civilian responses of the type that the EU supports are more effective – and far cheaper – than military alternatives.

**EPLO recommends:**

- The EEAS should be seen as an opportunity for the EU to shape its distinct international identity as a normative power with a foreign policy aimed at promoting sustainable peace externally and ethical base shared by European citizens.

- The functioning, remit, and composition of the EEAS should be designed to project EU values and principles as set out in the Treaties.

### 4. The EEAS, EU Delegations and Member States’ Diplomatic Services

‘The diplomatic missions of the Member States and the Union delegations in third countries and at international organisations shall cooperate and shall contribute to formulating and implementing the common approach [defined by the European Council or the Council]’ (Art 32 TEU)

‘This service shall work in cooperation with the diplomatic services of the Member States’ (Art 221.2 TEU)

The current European Commission Delegations will become Delegations of the European Union according to the Lisbon Treaty. The EU Delegations will fall under the authority of the High Representative but the Treaty does not say whether or not the EU delegations will be integrated into the EEAS, although this seems to be the most likely and logical scenario. However, this does not imply that the EU Delegations will be entirely staffed by the EEAS. EU Delegations will presumably be based on the Commission’s existing network of delegations in third countries and include staff from other DGs (i.e. trade, agriculture) as well as staff responsible for CFSP, Council Secretariat staff and staff seconded from national governments.

The composition of the Delegations raises questions in relation to line management and authority. All staff members working in a specific delegation, regardless of their institutional origin, will report to the Head of Delegation and be part of a single structure. This is positive in terms of enhancing
coherence of EU external actions but there could be conflicts in line management and over where responsibility lies for decision-making. “Double-hatting” will be crucial given that a Head of Delegation will need authority and resources, including a unified staff capable of handling both pillars to represent the Union in the third country. The experiences in Macedonia and the African Union (where the Head of the Commission Delegation is also an EU Special Representative) show that merging the institutional structures of the Council and the Commission can work but is not without difficulties; clear operational guidelines would be needed to make such a structure work.

An additional factor which will determine the success of the EU Delegations in representing the EU will be decisions made about the relationship (both formal and informal) between the EU Delegations and Member State embassies in the same capitals. The word ‘cooperation’ was carefully chosen: the mission of EU Delegations will be to make the EU’s presence more effective, not to coordinate or replace the embassies.

Finally, whatever structure is decided upon, a general review of how the Delegations work and how they are staffed should not ignore the need to locate some EU delegation staff members outside capital cities in order to effectively plan and deliver programmes and engage with civil society organisations.

**EPLO recommends:**

- EU Delegations should be part of the EEAS.
- Clear operational guidelines should be established to avoid line management conflicts.
- Some of the EU Delegation staff should be placed in centres other than capitals.

### 5. The EEAS and Civil Society

#### 5.1 Civil Society as a Source of Expertise

Extract from the Commission Communication on Conflict Prevention, 2001

‘Cooperation with NGOs
By virtue of their support for the development of civil society and democracy, NGOs are key actors in long-term conflict prevention. They are often present on the ground in situations where official state structures are absent. They can also function as grass roots mediators as well as reliable and neutral observers in situation where there is no international presence. Mediation activities of specialist NGOs have sometimes proved decisive in a crisis. The Commission intends to stress conflict prevention in its contacts with NGOs (both human rights-based and others) to try and identify those which might play a significant role in conflict prevention’.

Over the last decades, CSOs have developed expertise and have come to play an increasingly important role in overcoming conflict, in building sustainable peace, in development efforts, in the defence of human rights, and in the facilitation of transition to democracy. Both the success of the EU’s external policies and strong, legitimate governance structures depend on the active involvement of local civil society in third countries. Indeed, ‘Local civil society whether formally or informally organised typically has a greater understanding and legitimacy and stake in both conflict and conflict transformation’, [it] can recognize and understand the underlying root causes of greed and grievance underpinning the conflict, the failure of the social contract to peacefully regulate social needs and desires [and] act as the seed of group formation,
mobilization, communication and empowerment, which are necessary to induce peaceful social change'.

CSO expertise should be recognised and supported. NGOs and civil society experts could be used to staff official EU civilian missions (currently focused on institution building). In addition, NGOs can also complement EU actions with parallel peacebuilding projects and actions focusing on the civil society level.

5.2 The Accountability Question

Accountability is a crucial aspect of the relationship between CSOs and the EU. This is also true in the context of the EEAS. Strengthening the EU’s accountability to EU citizens, citizens in conflicted-affected countries, and other beneficiaries is essential to enhance the legitimacy, rootedness, and thus the long-term effectiveness of EU foreign policy. This can only be achieved by establishing strong mechanisms for participation, transparency, evaluation and feedback. As well as helping to promote the accountability of the EU, these measures will increase the effectiveness of EU foreign policy by rooting it in the needs of the people in the countries where it applies.

Following the definition of accountability and the Global Accountability Project (GAP) framework developed by One World Trust, EPLO recommends the following:

Transparency:
- There should be at least two briefings per year for European civil society (similar to but separate from the reporting to the European Parliament (EP)).
- The EEAS should adopt and then implement a rigorous Access to Information policy in line with internationally recognised good practice in this area.

Participation:
- Consultation should be promoted, as an in-built feature of the EEAS structure and as a means to ensure genuine consultative dialogue and not simply the organisation of participatory information sessions. Each directorate/unit should develop its own mechanisms/procedures for how this consultation will work, although an overall consultation policy could be developed to guide directorates/units in practically implementing consultation processes.
- There should be structured dialogue (i.e. regular meetings) on thematic and geographic issues – convened by the EEAS and open to all those registered within the framework of the Peacebuilding Partnership.
- Delegations in third countries should, similarly, have local dialogue with civil society which should include information about new developments, reporting, and being accountable for action taken and work done.
- There should be a separate unit within the PBD to further develop the peacebuilding partnership, with significantly more staff and financial resources than at present.

Evaluation:
- Evaluation of the EEAS, either carried out internally or commissioned, should be participatory, including consultation of civil society in the EU and in conflict-affected countries where the EEAS acts.
- There should be a public complaints mechanisms and disciplinary procedures.
- The EEAS statute should contain provisions for the dismissal of staff who do not perform adequately.
EPLO recommends:

~There should be at least two briefings per year for European civil society.

~The EEAS should adopt and then implement a rigorous Access to Information policy in line with internationally recognised good practice in this area.

~Each directorate/unit of the EEAS should develop its own mechanisms/procedures for consultation with CSO, although an overall consultation policy could be developed to guide directorates/units in practically implementing consultation processes.

~There should be structured dialogue (i.e. regular meetings) on thematic and geographic issues – convened by the EEAS and open to all those registered within the framework of the Peacebuilding Partnership.

~EU Delegations in third countries should have meaningful and structured local dialogue with civil society.

6. The Size, Composition and Staffing of the EEAS

6.1 Recruitment

The Treaty is silent on the size of the Service, its composition, recruitment and the status of its staff, but staffing is crucial because the future institutional culture, efficiency, effectiveness and sense of loyalty or esprit de corps of the Service will depend on its personnel, recruitment policy, training, and contractual arrangements.

It is important to strive for gender balance at all levels in the EEAS. Beyond the primacy of gender equality in European society is the growing recognition that within the field of peacebuilding and conflict resolution the absence of women in peace processes and their contrasting position as the majority victims of conflict make their role an essential missing element that has, in itself, allowed many conflicts to continue or proliferate. Gender-balanced leadership and participation in the EEAS is a prerequisite necessary to reflect European values, but also essential for its mandate and credibility in the priority area of peacebuilding.

Staff should be recruited on the basis of merit rather than nationality and an effort should be made to bring specialist knowledge into the service. Recruitment based on national quotas has been detrimental to the efficiency of the EU's external action. Merit is a criterion that is often secondary to nationality. As described above, the only restrictions placed on recruitment should be to ensure gender balance. A period of service in the EEAS should be recognised as a career enhancing move for diplomats from all Member States. If it has this status, it will attract the best brains from both diplomatic services and the existing EU structures. The EEAS could also provide an opportunity for reciprocal learning between the diplomatic services of the Member States and development of best practice across the EEAS and 27 Member States.

The EEAS could be a tool to develop a clear European identity beginning with its personnel and diplomacy, an aspect of which is the promotion of European values and principles. In its recruitment, training and staff development it should seek to transcend national interests.

The EU should explore options such as creating conflict advisor positions – now established in many EU Member States and in UN agencies – which would allow it to bring in necessary
expertise, avoiding bureaucratic constraints. Conflict advisors could be based both in Brussels and in EU Delegations.

**EPLO recommends:**

~EEAS Staff should be recruited on the basis of the merit and rather than nationality.

~Incentives should be created so that service in the EEAS is a positive career decision for national diplomats and EU personnel; this should be reflected in opportunities for promotion after such a period of service.

~Joint training for diplomatic services for Member States and for the EU institutions and Member States should be developed, and participation in such joint training should be encouraged and incentivised.

~Structured co-operation and joint planning/policy analysis for the EU Delegations and Member State Embassies in third countries should become part of the routine operational approach.

~The EU should establish the position of conflict advisor to bring peacebuilding expertise into the EEAS.

### 6.2 Training for Civilian Personnel

The effectiveness of the EU as a global player in foreign policy depends on its ability to deploy sufficient numbers of professionally trained staff. This will involve adopting a more integrated approach that links analysis, planning, preparation (training and recruitment), deployment and evaluation of EU Missions.

A great deal of training capacity already exists in Europe when it comes to peacebuilding expertise and the skills needed for civilians involved in ESDP missions. The PBD – perhaps through the EIP – should review this capacity and where necessary commission improvements and additions; but it should aim to outsource training to training institutions (governmental and civil society) in the Member States rather than establish a new EU institution to play this role.

It is essential that the EU assesses the shortcomings of the current system of managing training, for example the limited deployment by Member States of individuals trained by European Group on Training (EGT), the absence of quality assurance for training, and the deployment by Member States of personnel who have received no training. Following an assessment of these shortcomings, new systems can be put in place that respond to the EU’s training needs, using existing training expertise.

Overall, whoever the training provider, EPLO stresses the importance of addressing the following needs in relation to the training of civilian personnel:

- EU training capacities should be linked to the planning and preparation of missions in order to identify long-term and short-term civilian capability objectives and operational requirements based on needs assessments and best practice;
- EU training capacities have to be linked to the lessons learnt from missions. Questions such as “was the course useful?”, “What was missing?” should be asked and future training should be adjusted according to findings. Evaluation of personnel or their performance at the training courses should be carried out in order to ensure that the right people are deployed in the right places.
Training should be focused on the EU, on peacebuilding (including mediation, gender transitional justice, DDR, and SSR), on the local context to which they are being deployed, including on the dynamics of the conflict, local actors and the role of the EU, and on engagement with local civil society and government representations. If the personnel are to have a training or mentoring function, then they additionally require training on how to train or how to impart knowledge and skills.

A coherent “European way” of working on the ground should be developed and a sense of common identity and purpose among those who will be deployed on behalf of the EU should be encouraged.

An EU-wide system of accreditation of training in the field of civilian crisis management should be set up in order to promote uniform quality standards.

The link between training and deployment should be strengthened, for example by establishing a roster of qualified personnel to draw on.

It should be ensured that staff trained will be deployed shortly after their training.

The expertise that does exist among CSOs should be used in training.

**EPLO recommends:**

~Training should be compulsory for all staff to be deployed and there should be a rigorous system for quality assurance of training provided.

~The values enshrined in the EU Treaties should be the basis for training in all diplomatic services in all Member States.

~Civil society should be given a clear role in training personnel – on the role of civil society, but also potentially on any of the other topics where civil society organisations have expertise.

### 7. Financing the EEAS

The financing mechanisms for the EEAS are not yet clear. In order to ensure its impartiality and accountability, the service should be financed from the Community budget. In fact, this would allow the EP to monitor the work of the EEAS via the Budget Committee and the Budgetary Control Committee.

**EPLO recommends:**

~The EEAS should be financed from the Community budget.

### 8. The Relationship between EEAS and other EU Institutions

The status of the EEAS will depend in part on where it fits into the EU’s institutional structure. It will be determined by the remits of the key positions within the Service and by the skills, values and experience of the people who fill these positions.

**EEAS / High Representative vis-à-vis President of the European Council**

The Lisbon Treaty introduces the post of the President of the European Council, who will take over the role currently played by the Head of State/Government of the rotating presidency. The President, who will probably be a distinguished and well-known European statesperson, will be
elected by the European Council by qualified majority, and will serve for a term of two and a half years, renewable once. He/she will also be mandated under the Lisbon Treaty to ensure the external representation of the EU on issues concerning its foreign and security policy, along with and without prejudice to the powers of the High Representative.

There will inevitably be a certain amount of overlap with the High Representative’s mandate in the exercise of this function that will have to be worked out by the two position holders and may depend more on the personalities of the two people concerned than on any institutional arrangements. It needs to be clear which of the two has responsibility for what. Ideally, this will be clearly set out in the respective mandates of the two positions. If not, it should be decided on a case-by-case basis. In addition, an open question to be addressed is whether the EEAS would assist the European Council President in his/her work on CFSP.28

**EEAS / High Representative vis-à-vis the EP**
The EP retains its largely supervisory and consultative role in foreign policy under the Lisbon Treaty. It still has the power to censure the Commission and to force its resignation; this will now also apply to the High Representative. The High Representative has a duty to consult Parliament regularly and ensure that its views are taken into consideration in the formulation of external policy. In particular, the EP will be consulted by the High Representative on the establishment of the EEAS before he/she submits his proposal to the Council.

In addition, Parliament is specifically mandated to hold a debate on implementation of the CFSP and CSDP twice a year. There should also be a stipulation that the High Representative has to report to Parliament regularly and in a timely manner, including when urgent issues arise (such as planning new ESDP missions).

**EEAS / High Representative vis-à-vis the Rotating Presidency of the Council**
The rotating presidency of the Council will lose the chair of the European Council and the Foreign Affairs Council (FAC) but will still retain the chair of the other Council configurations, including the General Affairs Council (GAC). The FAC will fall under the new High Representative.

Various questions arise including: How will competencies and duties be divided between the FAC and the GAC?; How will this impact on the work of the PSC?; How will the working parties be arranged and chaired?; Will the EEAS assist the High Representative in chairing the meetings of the FAC (or will this be done by the Council Secretariat, currently in charge of assisting the chairing of other council configurations)?29

**EEAS / High Representative vis-à-vis the Commission**
The Lisbon Treaty affirms that, with the exception of the CFSP and other cases provided for in the Treaties, the Commission shall ensure the Union’s external representation.

The creation of the post of the “double hated” High Representative/Vice-President of the Commission and of the EEAS will require an adjustment, especially by the Commission. The relationship between the High Representative/EEAS and the Commission will be challenging in relation to leadership, organisation and representation, to say the least.30 In addition, the standing of the EEAS vis-à-vis the Commission and vice versa will depend on the personalities of and relationship between the High Representative and the President of the Commission.

**9. Conclusions**

EPLO argues that the EEAS should be seen as an opportunity for the EU to shape its distinct international identity as a normative power. It should use the opportunity to strengthen its civilian response to conflict and implement an ethical foreign policy that has people’s needs at its core.
Leading by example, and building on its own experience as a long-term peacebuilding project, the EU should bring peacebuilding to the core of its foreign policy. Accordingly, EPLO advocates for the establishment of a Peacebuilding Directorate within the EEAS with primary responsibility for coordinating all aspects of conflict prevention, peacebuilding, and crisis management.

1 The first of these roundtables took place on 11 September 2009 in Brussels at the Permanent Representation of Spain to the European Union. The summary report of the event is available at http://www.eplo.org/documents/EAS_Roundtable.pdf.
5 The analysis of the minimalist and maximalist model is based on Duke, Simon, *The Lisbon Treaty and External Relations*, (EIPASCOPE 2008/1) and Avery, Graham, *Europe’s Future Foreign Service*.
8 This section is based on Ms.Catrina Gourlay’s intervention at the EPLO Roundtable on the EEAS which took place on 11 September 2009 at the Spanish Permanent Representation to the EU and it is explored further in the United Nations Institute for Disarmament Research (UNIDIR) forthcoming report, *EU-UN Cooperation in Peacebuilding, Partners in Practice?*.
10 Lessons could be learned from the models of the Stabilisation Unit in the UK and the Stabilisation and Peacebuilding Unit in The Netherlands.
11 Title I, Article 3.1 (TEU) states that the EU aims to promote peace. Title V, Article 21.2(c) (TEU) identifies the contribution to peace, the prevention of conflict and the strengthening of international security amongst its core foreign policy priorities.
12 The Civil Peace Service programme of the German Government might serve as an example.
13 Since December 2008, EU activities in the area of women and armed conflict are guided by the Comprehensive Approach for the Implementation of UN Security Council Resolutions (UNSCR) 1325 and 1820 on Women, Peace and Security. This policy document, drafted jointly by the General Secretariat of the Council and the European Commission, outlines a common EU approach to the implementation of UNSC Resolution 1325 and 1820. It aims at ensuring that the Union’s external actions are shaped to protect women and that they contribute to increased gender equality during and after armed conflict and in situations of fragility. Following an overview of definitions, challenges and basic principles (e.g. holistic approach), and preceding an assessment of current EU policies and practice on women, peace and security, the Comprehensive Approach lists several specific measures to improve coherence and continuity in the EU’s activities in the areas of defence, external relations, development and humanitarian aid, including: political support for UNSCR 1325 and 1820 (e.g. promoting implementation through dialogue with
third countries and by raising the issue in international fora); training for those involved in ESDP missions/operations and those working at HQ- and delegation-level; integrating women, peace and security considerations in sector activity, such as security, governance and civil society, and health; and monitoring and evaluation. It is true that with the adoption of the Comprehensive Approach the EU now has a more coherent plan to guide its actions on gender, peace and security. In EPLO’s view, the Approach is not very precise on timeframe and monitoring. Without clear indicators and a monitoring mechanism measuring progress and ensuring accountability, gaps in implementation will remain. The EU is currently developing an Action Plan on Gender Equality and Women’s Empowerment in EU External Action (GAP). GAP will most likely be endorsed by the Council under the Spanish Presidency. See Civil Society Recommendations on the Implementation of UN SC Res.1325 in Europe developed during an EPLO- International Alert event under the Initiative for Peacebuilding, Brussels 7-8 September 2009, available at http://www.eplo.org/documents/Recommendations1325.pdf.


15 Ibid.

16 Article 3.5 (TEU) and Article 21.1 (TEU).


18 Avery, Graham, Europe’s Future Foreign Service, p. 38.

19 Lieb, Julia and Maurer, Andreas, Creating the European External Action Service, (SWP Comments, German Institute for Foreign Affairs, 2008), p.4. See also recently Vogel, Toby, Merger of Afghanistan office delayed by Ferrero-Waldner, European Voice 24 September 2009.

20 Avery, Graham, Europe’s Future Foreign Service, p. 39. See also Duke, Simon, The Lisbon Treaty and External Relations, p.16: In addition, two non-legally binding declarations on CFSP inserted in the Final Act strike a potentially defensive note on the part of the Member States vis-à-vis the EEAS. The first stresses that the provisions on CFSP including the creation of the post of the High Representative and of the EEAS will not ‘affect the responsibilities of the Member States, as they current exist, for the formulation and conduct of their foreign policy nor of their national representation in third countries and international organisations’. The second affirms that they will ‘not affect the existing legal basis, responsibilities, and power of each Member State in relation to the formulation and conduct of its foreign policy, its national diplomatic service, relations with third countries and participation in international organisations, including a Member State’s membership of the Security Council of the United Nations’ Final Act, conference of the Representatives of the Member States, CIG 15/07, 3 December 2007, declarations concerning provisions of the treaties, Declaration 13 and 14 concerning the CFSP.


22 Ibid.


25 Currently ESDP training is coordinated by the Commission-funded EU Training Group (EGT). EGT is an open, informal EU-wide training network of all relevant European non-governmental and governmental training providers as well as several ministries engaged in the recruitment and training of civilian crisis management personnel. EGT has adopted a comprehensive approach for the development of civilian capabilities producing EU-wide standards for civilian crisis management training, developing, piloting, and delivering core courses in civilian crisis management and nine types of specialisation courses. EGT organised 67 individual training courses, with a combined total of approximately 1400 trained civilians experts from all over Europe at operational level. In addition, Member States run their own courses and the European Security and Defence College (ESDC) offers a basic course but is being expanded to put on more civilian courses. The European Commission has funded training for gendarmerie forces in Paris.
28 Avery, Graham, *Europe’s Future Foreign Service*, p. 35.
EPLO Members

Berghof Research Center for Constructive Conflict Management
Civil Society Conflict Prevention Network—KATU
Crisis Management Initiative—CMI
European Network for Civil Peace Services—EN.CPS
European Centre for Conflict Prevention—ECCP
ESSEC Iréné
Fundación para las Relaciones Internacionales y el Diálogo Exterior—FRIDE
German Platform for Peaceful Conflict Management
International Alert
International Center for Transitional Justice—ICTJ
International Crisis Group
International Security Information Service - ISIS Europe
Interpeace
Kvinna till Kvinna
Life and Peace Institute
Nansen Dialogue Network
Nonviolent Peaceforce
Partners for Democratic Change International—PDCI
Quaker Council for European Affairs—QCEA
Saferworld
Search for Common Ground
Swisspeace
Toledo International Centre for Peace—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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