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An Alternative to Statecraft

A Human Security Proposal for a European External Action Service

■ Although the EAS is a significant innovation in the development of the EU's role as a global actor, it should not only plug qualitative gaps in capabilities and create synergies between different institutional competences – it is an opportunity for real innovation to the operational impact of the EU abroad.

■ An alternative vision is to make the EAS the servant of the EU's foreign policy principles, rather than just its institutional needs, and structure a service which promotes human security above government interest, particularly in cases where these might diverge. An EAS which projects ideas of human security would be a more accurate reflection of the way the EU attempts to operationalise its soft power characteristics, than seeking to replicate traditional diplomatic services.

■ A human security approach to the EAS would change its orientation away from primarily elite contacts in favour of developing multilevel channels of communication which allow ordinary citizens access to the EU and the values it represents.

■ Role models which could contribute to a novel design for the EAS include the EU monitoring activities in Georgia which combine a strong local presence with information gathering and outreach activities, and EUSRs with their ability to co-ordinate cross pillar activities and to combine short and long term forms of engagement, and bring a regional focus to EU representation.

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1 Introduction

»Diplomacy« derives from an 18th century French word, which owes its origins to the term for travel documents in the Roman empire and a Greek word for a folded document. As a practice it has been seen as a defining element of statehood since states were cities before they were nations. Now that globalisation challenges the premise of the all-powerful territorial state might diplomacy undergo another reinvention of meaning? Advocates of a »new diplomacy« propose the abolition of traditional diplomacy's elite stuffiness, and a focus on universal values rather than statist interests (Ross, 2007). In practice, few diplomats contemplate anything so radical and must be content with modifying the margins of their art. However, the European Union has a chance to design a new type of foreign service with a blank canvas, and use it to support a different approach to foreign policy.

The Lisbon Treaty prescribes that the European Union's external relations should have a new titular head, the European Union High Representative for Foreign Affairs and Security Policy (EUHR), and an external action service (EAS) to assist him/ her (Lisbon Treaty, 2007: Article 13a). Pending ratification of the Treaty, which is still uncertain following Ireland's no vote in June 2008, discussions about the design of the EAS have, in true diplomatic fashion, retreated behind closed doors and become taboo in public debate in Brussels. Declaration 15 from the European Council in December 2007 paved the way for preparatory work on the new service, which should originate from the current office of the High Representative in consultation with the Commission and the European Parliament, but there is no formal process for gathering views about what the EAS should do, or what it should look like, or a timetable for its introduction.

Initial discussion papers have focused on the core building blocks of the new service, concentrating on questions about its scope, status and staffing. While some of the proposals are radical in the sense that they envisage a new type of diplomatic service to reflect the *sui generis* nature of EU external relations, they are also traditional in that they represent a familiar EU tendency towards institutional design before all else, taking existing policy processes and competences and creating an amalgam which all 27 member states can support. A common view is that the EAS is an occasion for »practical reform not radical transformation« (Avery et al, 2007; Howarth and Le Gloannec, 2007).

This paper takes a different trajectory towards the EAS. It explores what the service would look like if

designed according to human security ideas. Instead of an institutionalist perspective, it adopts the principles and values of European external policies as an organising framework, envisaging the EAS as a more explicit product of the EU's normative approach towards foreign policy, rather than only the expression of a political bureaucracy. The EAS offers the EU the chance to bend traditional diplomatic functions – in the form largely inherited from its nation state members – into a new shape which reflects the Union's distinctive nature as a global actor, which deploys primarily civilian power and whose principal collective interest is the projection of its core values of peace, democracy and the rule of law.

In making recommendations about the EAS, the paper emphasises the impact of European foreign policy (EFP) on the needs of populations in countries where the EU is represented. It tries to balance a dominant internalised view of policy development, which sees EFP as a process within the European integration project. It suggests that there is a need to design this latest piece of policy architecture paying attention to the detailed effects the EU can create on the ground through external policy-making. This is not to ignore the criteria which have informed other studies on the EAS: that it should make EFP more visible, coherent and effective, or in the words of one commentator »more fit for purpose« (Crowe, 2008). Applying human security principles to the EAS is one way to meet these objectives. It is hoped that this paper will provide an alternative basis for discussion about the options and implications of the EAS. The conclusions and recommendations are generic but draw on case studies of two regions of importance for the EU, which are a test of its abilities as a foreign policy actor: the Balkans and the South Caucasus. The paper looks in particular at EU engagement in Kosovo, and Georgia and Armenia.

2 The Institutional Approach to the EAS

The European Union is currently represented in 123 external territories through European Commission delegations, in addition to the embassies and consulates of its member states. The Commission has 5,500 staff employed in posts related to external action, including those in overseas delegations, with a further 800 in the European Council. As well as national bodies, there are 22 European bodies which contribute to CFSP/CSDP policy-making (Howarth and Le Gloannec, 2007). The basic proposition of the EAS is that it should reflect a streamlining of European foreign af-

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fairs which the creation of the post of the EUHR is intended to achieve, but that it will respect the twin pillar nature of EFP, as both intergovernmental and supranational. The service should provide unified policy advice and briefing to the EUHR, the Commission and the President of the Council. Article 13a of the Lisbon Treaty stipulates that the new service will work in co-operation with the diplomatic services of Member States and comprise officials from the Council Secretariat, the Commission and staff seconded from national diplomatic services.

Preliminary design work was carried out in 2005 following the draft Constitutional Treaty, but was largely put on ice pending Member States' approval of its successor, the Lisbon Treaty, and further inhibited by the Irish referendum of 2008 rejecting ratification.¹ Discussions to date have produced a division between a minimalist position on the EAS, which would see it start small and develop gradually, and on the other hand a more expansive vision which would establish its final functions and powers now, and include everything except responsibility for enlargement and trade (Hughes, 2008).

A consensus position which has emerged is that the EAS should build on existing geographical and horizontal desks within the Council and Commission, covering all regions of the world as well as cross-cutting issues such as human rights, non-proliferation, and counter-terrorism. Crisis management and military issues, as well as enlargement and trade, are also likely to remain outside the EAS. Existing Commission delegations in third countries will become future Union delegations. The principle of non-duplication with Member State competences and within the Union's foreign policy units is paramount, but in practice may be tricky to observe. For example, an option of excluding certain Commission directorates such as development and enlargement raises questions about where responsibility for the political aspects of these issues fall. Arbitrary divisions are as likely to produce duplication between the new service and dedicated Commission directorates, as gaps in the Union's coverage of key policy issues. The end result may still be competing »baronies« in foreign policy. Instead of streamlining foreign policy and generating greater coherence, the EAS could lead to a different, and possibly worse set of divided competences. Limited agreement on the cornerstones of the EAS also leaves important specifics yet to be discussed, such as the budget, and

the type of staff to be included: for example will national secondment take preference before open access on merit?

The whole idea of an »EU diplomatic service« is controversial. Any suggestion that it might overshadow or replace national diplomacy has led to a backlash in some member states who fear it will further erode national sovereignty in foreign affairs (House of Commons, 2008).

For some, it conjures images of a new institution which would rival national diplomatic efforts and limit the ability of states to pursue independent foreign policies. Smaller states in particular welcome the proposals as they allow them to pool resources on expensive overseas delegations (Stub, 2008).

The European Parliament has also expressed concerns about the emergence of a »super administration« unless the EAS is integrated into existing staff structures of the European Commission. All this suggests that particularly in the absence of a full and open debate, the new service will emerge through institutional bargaining, and possibly a quick-fix to ensure that it is at least partly operational if and when the impasse of the Lisbon Treaty ratification is resolved (European Parliament Resolution, 2006).

One feature of the *sotto voce* discussions so far is that attention has been on the upstream nature of the EAS, and how it will aid EFP effectiveness through its input to policy-making. Reporting lines and institutional pathways, although significant are only partly relevant to this function. Good intelligence and an understanding of the political, economic and social conditions are just as critical. Even less prominent in the institutional case is the downstream focus on the EAS as an output service, and how it can transform the implementation of foreign and security policies and make the EU more credible and authoritative in countries where it is represented.

As Howorth and Le Gloannec point out, there is a strong institutional logic behind the development of EFP (Howorth and Le Gloannec, 2007). Collective Brussels-based institutions have driven forward successive stages of policy co-ordination, but often at a price of producing further confusion and incoherence. The EAS may be another example of this. Although it is a significant innovation in the development of the EU's role as a global actor, and can be a creative tool for developing appropriate policy responses, it should not only plug qualitative gaps in capabilities, and create synergies between different institutional competences (although these are also important), it should represent more closely the distinctive character of EU foreign and security policy, and it should materially upgrade EU public diplomacy.

¹ This included a European Parliament debate on 11 May 2005, followed by a resolution and preparatory work by the High Representative, the Commission and Member States including a first round of discussions, and parallel discussions among Member States on technical issues.

Designing the EAS should not merely create another bolt-on to existing European foreign policy architecture. It is an opportunity for real innovation to the operational impact of the EU abroad.

Institutional models for the EAS which address the effectiveness challenge include EU Special Representatives, first established in 1996. EUSRs are the eyes and ears of the EU in crisis regions such as the Great Lakes, the Balkans and the South Caucasus. They take a cross-pillar approach, provide EU-made information and local intelligence, bring together multilateral actors and reflect the distinctive approach of EFP, emphasising dialogue, conflict resolution and governance reform (Semneby). They could be the anchor of a new EU foreign service (Adebahr and Grevi, 2007).

Another proposal that represents an institutional approach but which is related closely to operational needs on the ground, is to build on the concept of EU Liaison Groups, which would consist of a number of Member States committed to a particular foreign policy issue, plus representatives of the EUHR and Commission staff from relevant policy areas such as enlargement or Neighbourhood Policy.

These groups would provide specialisation but also better division of labour between Member States and Community foreign policy resources. They would not be a substitute for the EAS but would provide support for it on particular issues. As well as improving coherence Liaison Groups would be a way to implement foreign policy not only in terms of standing functions and fixed institutions, but by deploying a flexible response to events and needs on the ground (Duke and Keukeleire, 2007).

3 The Human Security Case

A human security approach to the EAS is different from an institutional design because it takes as its starting point the aims and impact of external policies, rather than policy process. The aspirations of EFP would inform the design of the EAS, not primarily the institutional constraints and compromises which plague it. The treaty texts state that in its relations with the wider world, the EU shall uphold and promote its values. Its actions on the international scene »shall be guided by the principles which inspired its creation and development: democracy, rule of law, human rights and fundamental freedoms« (TEU paragraphs 21(1) and 3(5)).

A human security approach consists of six operating principles, which reflect these core EU values, and which are intended to guide external action. They include the primacy of human rights, legitimate political

authority, a bottom up approach, regional focus and transparency and they form the cornerstones of a human security design. The principle of effective multilateralism, meaning a respect for international norms and a sensible division of labour with other actors, is also important, but translates less directly into proposals for an EAS. Using these principles to determine the priorities of the new service and how it could be configured, offers a different perspective to that taken by the institutional architects of the EAS. A human security approach achieves effectiveness through enacting the EU's core values set out in the treaties. Coherence would be seen in terms of consistent adherence to the values. As the operational guardian of the treaty texts in foreign policy, the EAS' mandate should be to ensure these values are reflected and implemented.²

The EU already »does« human security in many of its external policies and missions, although it does not always use the term. The European Commission has a more explicit focus on human security and it has attempted to bring a strong bottom-up contribution to policy-making through partnerships with civil society. An EAS which projects ideas of human security would be a more accurate reflection of the way the EU attempts to operationalise its soft power characteristics than seeking to replicate traditional diplomatic services. It would also take into account that »new diplomacy« is asymmetric, and that the EU's principal interlocutors do not have the same formal status as nation states or international organisations: they may be fragmented and in many regions of the world they consist of rogue actors, such as warlords and insurgents or dysfunctional administrations.

A good illustration of the tension between traditional and contemporary foreign policy is the 1961 Vienna Convention on Diplomatic Relations, which also governs EU diplomatic posts, even though the EU is not a state. Article 3 of the Convention states that the function of an overseas mission revolves around »the representation and protection of the interests of the sending state as well as the provision of information and friendly relations«. The text of the Convention lingers over definitions of sending and receiving States (sic) and diplomatic communications. Article 41 of the Convention also stipulates that diplomats have a »duty not to interfere in the internal affairs of the State«. However interference is the currency of the European Union's engagement in many places overseas. Under the rubrics of post-conflict assistance, de-

² This proposal comes from a joint paper by the European Peacebuilding Liaison Office and the Human Rights and Democracy Network »Civil Society Expectations of the European External Action Service«, August 2008.

velopment aid, accession conditions or favourable terms of trade, the EU tells »receiving States« how to govern and how to behave. Yet conventional structures do not officially allow for this.

There are three key ways in which a human security design for the EAS would differ from the current debate: the first would be to emphasise the importance of the EU in protecting human rights in external relations. The EAS would be mandated to mainstream policies to safeguard economic and social as well as civil and political rights, and gender equality, and it would ensure that greater resources are available in both Brussels and overseas delegations to provide human rights advice and monitoring.

Secondly a human security approach which views external relations in terms of the needs of individuals and communities would make robust and systematic dialogue with civil society a foreign service priority. A bottom-up design for the EAS would aim to make the EU more effective by creating deeper transmission channels between Brussels and third countries, whether they are membership candidates, the source of security threats, potential economic partners, allies, neutrals or neighbours. Rather than conceptualising foreign policy as an elite activity, driven by capabilities and pre-determined goals, a human security approach would reframe EU external relations as a multilevel activity, including local and community constituencies and individuals. Instead of institutionalising only government-to-government contacts, a human security foreign service would see information drawn from a wide range of sources. Communications would be two way, ensuring that foreign citizens particularly where the EU is involved in governance issues, and therefore domestic politics, can represent their views to Brussels, and there is an open platform for co-operation with civil society. This approach to the EAS could also help distinguish it from Member States diplomatic posts and would help reduce the risk of duplication or turf wars.

Thirdly, a human security design would also seek to reinforce the legitimacy of the EU as an external actor balancing intervention with a respect for local institutions and the views of civil society, but also enacting the principles of international law, human rights, democracy and peaceful co-existence rather than merely serving the self-interests of the EU.

To illustrate in more detail how human security ideas could shape a different kind of EAS, the following sections examine two regions where the new service is likely to play a significant role, both in providing assistance and in testing the EU as an international actor. Both regions provide examples of good practice, which could shape the EAS into offering a differ-

ent kind of external presence as well as illustrating some of the challenges it will need to address.

4 Case Study: Kosovo

When the lights go out in Kosovo's capital Pristina, because of regular power cuts, the EU's rule of law mission EULEX is guaranteed to remain lit up. The mission's 1900 international staff occupy an office block which formerly housed the UN mission to Kosovo. The capital's local inhabitants believe the building – and its permanent lighting – perpetuates a neo-colonial attitude to the Balkan state. Far from suffering from the usual problem of low visibility, this EU presence sticks out like a sore thumb.

Stories about the EULEX headquarters are more than just local cafe gossip about staff and perks. They illustrate how the physical representation of the EU matters in countries like Kosovo, where there is a wide gap between how the international community and locals live. It is also symptomatic of a structural disconnect between the »high« politics of external intervention and human security issues which operate at a more basic level of everyday needs and hopes – such as electricity, jobs and schools.

In a small country of two million people swamped with European financial and personnel resources – three billion of donor assistance between 1999 and 2011 and over 3,300 EU staff on the ground – the overriding task for an EU action service is to be streamlined and relevant to the people it is there to help.

The EU's presence in Kosovo has always been multifaceted. The European Commission provides long-term support for reconstruction, and works on sectoral issues, EULEX, an ESDP mission provides technical assistance as well as executive capacity on rule of law issues, helping to run the police and judiciary, and the 220 strong International Civilian Office, set up in 2008, and headed by the EU, provides political advice to the government with the aim of implementing the Ahtissari plan for supervised independence and supporting Kosovo's »European future«. The head of the ICO, Peter Feith is »double hatted«, also acting as the EUSR. The EUSR in Kosovo is a model for the new EAS because it provides the co-ordinating role needed between short-term ESDP missions and the Commission's longer-term horizons, and because its mandate is not only to give political advice at the government level, but to contribute to »the development and consolidation of respect for human rights and fundamental freedoms in Kosovo«.

While the current three-pronged representation is an improvement on the six different EU offices which

used to exist, there are still acute problems in running finite length missions in parallel with permanent delegations and ensuring a division of labour between them. There are no hierarchical links between the Commission and the ICO, which have different reporting lines and for most of 2008 each EU body had a different formal operating relationship with the Kosovo authorities. EULEX was »status neutral« in order to placate Serbia and its allies who do not recognise Kosovan independence, the Commission works with Kosovan government ministries but will not issue joint formal statements, so observes a form of »less than status neutral«, while the ICO's role is to act as godfather to the government and the constitution. As one EU official remarked: »You have to be schizophrenic to work in this place. The division of functions is clear for us as EU actors, but it is questionable whether it is for the average Kosovan«.

Neither is it clear which is the primary organising framework for the EU's intervention in Kosovo. The large EU presence raises expectations of eventual membership, particularly the ICO mandate of »support for European integration«. Accession conditions or »standards« remain a powerful soft power tool to introduce EU norms and maintain influence, however membership is a more distant possibility seen from Brussels than Pristina, and without an enlargement process, the EU has to manage expectations and maintain the focus of its efforts against goals which are not easily measurable. Kosovo's political class is still obsessed with status issues, and the EU bodies have become caught up in this debate, finding it difficult to assert an alternative vision of external assistance and prioritise initiatives which are aimed at a better life for all Kosovo citizens regardless of status.

While the EU is able to perform traditional diplomatic functions through the Commission and the EUSR, it has limited capabilities on the ground to fulfill a wider mandate which includes democratic reform and human rights. For example, although the EUSR is committed to improving fundamental freedoms, one basic right which has enormous importance for Kosovo citizens is freedom of movement including the ability to travel beyond the country's borders. During the UNMIK administration, this was limited by the difficulty of obtaining a passport, and since independence Kosovo remains excluded from the Stabilisation and Association Agreements signed with the rest of the western Balkans which includes visa liberalisation.

EULEX can play an important role in improving political and legal rights after being given the go-ahead in December 2008 to take over the running of courts and to support Kosovo police throughout the country.

Its formal ability to operate in the Serb enclaves had been in doubt for most of the year, and it remains to be seen how it will deal with ethnic divisions on the ground. The Commission, as chief donor and sponsor of reconstruction projects, has no staff dedicated to human rights and gender issues. Help for labour mobility and increasing the traffic between Serb enclaves and the rest of Kosovo could deliver real everyday benefits, but do not fall neatly into Commission programming.

A real bottom-up approach requires changes in the way EU representation in the country works. Nine years of international administration have left Kosovans with a corrosive sense of subordination to outside assistance. Locals can easily blame the internationals for failures of physical, material and psychological welfare. The EU has to rebuild Kosovans' sense of responsibility for their own affairs, which was eroded by the UN administration, and work to rebalance social and political power in favour of local constituencies. For that, EU officials need to operate closer to the ground alongside Kosovo communities, rather than mainly from Pristina, to narrow the gap between the international presence and citizens, using bodies such as the municipal citizen safety committees as the focal point of networks of social and economic action. While the »high politics« of Kosovo concentrates on the problems of ethnic divisions, there are other gaps to be bridged such as between the urban and rural populations. Traditional diplomatic-style representations do not tap the different perspectives of people who live in isolated rural villages and even NGOs do not always represent the full spectrum of the population. In a country where civic tradition is thin, their role is not always understood and they are sometimes regarded as spies. In rural areas there is also a need to translate large concepts such as freedom of movement into concrete initiatives, such as a better bus service between towns and into the city.

In order to fulfil its responsibility for decentralisation under the Ahtissari plan, the ICO is establishing field offices outside Pristina, run by small teams comprising both internationals and locals, who will liaise with mayors and civil society in their regions and be the face of the ICO. EU officials have sensed a willingness, including on the part of Serbs, to co-operate with the EU, but internal European structures are a barrier and people are nervous about dealing with officials from the capital. The ICO's aim is to build teams of ten people who are specially trained rather than just transferred from other international organisations, provide them with special training and give them longer than usual contracts. The goal is to pro-

vide better intelligence, and visibility, help reduce misunderstandings as well as manage expectations of the EU role, and encourage more local involvement in governance and reconstruction.

A subsidiarity approach which pushes initiatives down to the local level, and tackles micro issues of human rights and welfare, is also one way of by-passing the persistent roadblock of Kosovo's status, which remains fragile in the absence of international agreement (including a division within EU Member States). At the same time, the future EAS could also co-ordinate more action at the regional level, providing a missing link to other parts of the Balkans and the EU's eastern Member States. There are regional possibilities for tackling issues like energy, environment, trafficking, legitimate labour mobility and cross-border educational exchange, which could help reduce the isolation of a population that has been cut off from its neighbours.

Communications in many forms are key to the EU engagement in Kosovo. A common complaint among local civil society concerns the lack of structured dialogue with policy and operational staff. EULEX is the first ESDP mission in five years to initiate a country-wide systematic conversation with civil society. A network of NGOs has helped organise town hall and roundtable type meetings at which EU officials including the head of EULEX, have explained the mission's objectives and sought to engage civil society. So far the ICO has not followed suit: one NGO representative describes a meeting which resembled a military briefing, with those present being searched on entry and then arranged as an audience for the officials: »I liked the idea of the meeting but not the approach«.

The EU is already an information hub for civil society and even smoothes communication flows between government ministries. It could develop this position as information provider to stimulate public debate and the accountability of administrative and government bodies which are still widely mistrusted. The legacy of chronic corruption, the persistence of parallel structures in areas like intelligence, and a lack of knowledge about public services and projects, creates a credibility gap which taints not only the Kosovo government, but also the EU's own efforts. A significant change an EAS could bring to the EU's presence in Kosovo would be to institutionalise information provision beyond ad hoc campaigns, in order to enable more constructive questioning of public policy, and encourage more transparency by administrative bodies. Structured dialogue with civil society should also be part of a new approach to communications, going beyond information provision to develop regu-

lar channels through which local civil society can contribute to policy formulation, provide feedback on EU actions and hold its representatives accountable.

5 Case Study: South Caucasus – Georgia and Armenia

Like Kosovo, Georgia in 2008 became a test case for EU external policies as 200 monitors were dispatched to the front line of the August war between Georgia and Russia over the breakaway Georgian regions of South Ossetia and Abkhazia. Even more than Kosovo, the South Caucasus is a region where human security ideals struggle to compete with a dominant narrative of strategic geo-politics, where international powers and their proxies compete for influence, territory and resources.

This tension was illustrated on one day two months after the cease-fire, when parties to the conflict sent representatives to a diplomatic meeting in Geneva to discuss the future of South Ossetia and Abkhazia. Two thousand miles away in a small bombed out village, in the shadow of the south Ossetian capital of Tskhinvali, a group of primary schoolchildren filed into a temporary classroom, with no heat or light, to learn how to recognise different kinds of unexploded ordnance including cluster bombs which litter their playground and the market gardens around their shattered houses. Also on the same day, the European Union Monitoring Mission in Georgia which was patrolling nearby discussed how to switch focus from its original task of overseeing an agreed Russian withdrawal from Georgian territory, to helping the thousands of displaced persons, facing an uncertain winter.

The EU's role in the South Caucasus has been a mixture of diplomacy and support for democratic reform, but it has had »minimal normative impact« on conflict resolution in the region (Stewart, 2009). The August war has made territorial and human security more closely interrelated, yet the debate about the future of the breakaway regions is rarely framed in human terms rather than in terms of status and geo-politics (Kaldor, 2008). EU Member States have traditional material and strategic interests in the region, above all access to secure oil supplies from the Caspian Sea. The route of the proposed new oil pipeline from Kazakhstan is likely to intensify this strategic energy discourse. Meanwhile, states on the eastern borders of the Union feel nervous about a resurgent Russia, increasing the tendency to fall back on geo-politics in dealing with countries in the region. The EU has to show that its soft power is not a soft touch, that it

can organise rapid-response ESDP initiatives to provide robust protection for those on the ground where necessary, but that it can also mobilise rapid community resources, to support political and humanitarian responses and create the conditions for a sustainable peace in Georgia.

President Sarkozy's initiative in brokering a ceasefire and Russian withdrawal from occupied Georgian territory, and the dispatch of the EU monitoring mission (EUMM) which followed, have made the EU the most prominent international actor in Georgia. Georgia's prime foreign policy objective of NATO membership now looks more distant in the face of determined Russian opposition, while US support for President Saakashvili may be more equivocal under an Obama presidency, so the EU has become the next best thing. The EAS will have to leverage this new role, and as in Kosovo, manage expectations about its ability to resolve conflict as well as deliver economic and governance assistance.

The August war, while devastating for those caught up in the fighting, and the thousands displaced from their homes, in many cases for the second time in twenty years, could provide a window of opportunity for changes in Georgian politics. Initial nationalistic rhetoric has given way to a more considered and critical view of the government's handling of the South Ossetia conflict, and its role in provoking hostilities. One result of the war could be to establish more explicitly the link between dysfunctional government institutions and Georgia's fragile security situation. One target for reform where the EU can help to make a difference is to tackle a political culture with low levels of social association and newspaper readership, which obscures policy debate, and restricts decision-making to a small isolated elite. More pluralism, stronger opposition voices and help for independent media are needed to improve not only how Georgia governs itself but how it tackles its external security challenges. One contribution the EUMM believes it can make in the separatist conflicts is information gathering and verification of claims about the situation in Abkhazia. This is more opaque than in South Ossetia, access is more restricted and hostilities are rising as retaliatory attacks feed on the toxic mix of unchecked rumours, which the government often does nothing to correct.

The war has not only focussed attention on the Russian strategic threat. Human rights issues such as the government's handling of IDP's, have attracted more attention. The situation of minority populations in non-conflicted areas are also mobilising civil society and government action to improve economic and social security outside of conflict resolution programmes.

In a country where geography is seen as determining, and the physical and social isolation of rural communities can be significant, action needs to be directed to the local level: outside assistance can help to address gender imbalances, or fill the vacuum of information which marginalises communities outside the capital, and feeds fear and paranoia about security threats. An \$18 million OSCE-led project to encourage South Ossetian and Georgian farmers to work together to develop skills such as beekeeping is an example of locally based long-term confidence building which targets individuals and communities, without having to respect contested territorial demarcation lines.

With a presence on the ground in remote villages, the EU can ensure that human security issues are seen as an integral part of strategic security, not incidental to it. In contrast to the OSCE, the monitoring mission facility has also given the EU the ability to identify urgent needs and meet them with donor assistance, but in practice, co-ordination between the EUMM and longer-term Commission programming is weak or non-existent. This appears to be less to do with concerns for the monitors' independence, than budgetary systems which make it difficult to mobilise aid programmes to deliver rapid response assistance.

The principal framework for EU engagement across the south Caucasus is the European Neighbourhood Policy. It has proved to be a useful tool for monitoring progress on governance reforms, and ensuring some coherence between different assistance programmes, but only a small number of NGOs are involved, their access to Brussels is limited and they are often deterred by the EU's complex and arcane procedures for funding. The ENP is also less visible in tackling problems of territorial security such as border monitoring, or training for security forces, even though these are within its scope.³

There is poor understanding of how the EU operates, and EU influence in Tbilisi and Yerevan, is mostly wielded behind closed doors, which does little to empower a »Third Voice« or improve the long term capacities of civil society. Although the ENP has been successful in provoking institutional reform, new legislation is more likely to be the subject of government level diplomatic consultations, and lobbying by Commission staff, than civil society dialogue or open public debate. The human dimension of ENP such as student exchanges via the Erasmus programme is popu-

³ The EU Border Support Team was established in 2005 as a priority in the ENP action plan, but has low visibility. Before 2002, the EU was reluctant to become involved in a US initiative to train army and border guards.

lar, but cumbersome and lengthy processes for obtaining travel visas which would reduce the isolation of many people in the Caucasus and stimulate regional exchanges, leave people feeling humiliated and bitter.

There is also concern that the introduction of the multilateral Eastern Partnership in 2010, will weaken the ENP and reduce direct EU pressure on governments in the Caucasus by pushing more responsibility for initiatives on energy, the environment and infrastructure onto neighbouring states. It could confuse the nature of EU engagement just at the moment when assistance needs to be delivered with greater clarity, and conditionality.

Beyond Georgia, EU influence is weaker, although one fallout from the conflicts in South Ossetia and Abkhazia is Armenian confidence in its good relations with Russia, making it more likely to cement relationships with other neighbours, and offering the EU further chances to promote its own peacebuilding agenda. The EU has recently upgraded its delegation in Yerevan, which used to be handled jointly by the delegation in Georgia. Although this appears to be a backward step in developing a regional perspective, the EU is the most likely sponsor of regional schemes in areas such as energy and the environment. Among countries of the Caucasus, which do not see themselves as a region – for example there are no flights connecting all of the capitals, and poor road and rail links – the future EAS and the EU Special Representative could provide a pro-active forum for regional dialogue. One suggestion is that the EU could encourage cross-border groupings of NGOs and provide a publicly accessible regional database of civil society, projects and capacities, to encourage the development of a regional public sphere.⁴

6 Conclusion

The EU's ambition to project an effective and different presence in international politics is not reflected adequately in its current forms of external representation, which are an awkward mixture of traditional diplomacy, donor assistance and expeditionary initiatives using ESDP crisis management tools. In trying to perform a novel role, the EU relies on rather conventional tools of elite knowledge, discreet political pressure, trade and aid, as well as partnerships with a limited constituency of NGOs who can understand both an EU language and Brussels procedures.

An alternative vision is to make the EAS the servant of the EU's foreign policy principles, rather than just its institutional needs, and structure a service which promotes human security above government interest, particularly in cases where these might diverge. A human security approach to the EAS would change its orientation away from primarily elite contacts in favour of developing multilevel channels allow ordinary citizens access to the EU and the values it represents. This calls partly for a more decentralised way of working, with the EU more present at local and regional as well as national levels, but it would also emphasise the importance of openness and communications in the EU's external relations. Firstly the EAS would promote structured dialogues with civil society, and see NGOs as an equal status partner for the EU as for governments in third countries. It would also increase the possibilities for ordinary people to communicate with the EU outside of organised interests and civil society groups.

This alternative orientation would also enhance the legitimacy of EU intervention in third countries. Legitimacy is usually considered important in the context of the use of force, but it is also important to the types of intervention the EU undertakes in dispatching civilian missions to run courts and operate policing for example in Kosovo, or in reforming governance in the Caucasus, the Balkans or Africa. Legitimacy in these interventions is an ongoing process rather than a one-off technical requirement achieved through a UN Security Council resolution, or an EU mandate. As an external actor which often wields considerable power over the internal affairs of third countries, the EU needs mechanisms which perpetually justify its interference in domestic politics, otherwise it risks being seen as neo-colonial or imperialist. The way the EAS operates should preserve and enhance the legitimacy of the EU when its external actions seek to mitigate the sovereignty of states. At the same time the service should help the EU to promote legitimate political authority among the domestic institutions and structures of countries where it intervenes. It can do this by working more closely with civil society but also by promoting respect for international norms rather than pushing the national interests of its member states. This, as Matlary points out, is what distinguishes the legitimacy of the EU from other actors (Matlary, 2006). How it communicates its presence and engagement in third countries is an important part of this process and using the EAS to make the EU accountable to local populations would make EU foreign policy more acceptable to third countries.

The EU has a moral as well as a legal duty of legitimacy as it is a powerful pole of attraction in devel-

⁴ This is a proposal put forward by the Civilitas Foundation in Armenia. www.civilitas.org

oping and post-conflict countries. In the majority of third countries it will not be able to exploit this attraction by formal means such as membership accession at the government level. Instead it could provide »status substitutes« at the grass roots level which allow individuals better virtual and actual access to the EU. Role models which could contribute to a novel design for the EAS include the EU monitoring activities in Georgia which combine a strong local presence with information gathering and outreach activities, and EUSRs with their ability to co-ordinate cross pillar activities and to combine short and long term forms of engagement, and bring a regional focus to EU representation.

7 Recommendations

1. The new Union delegations should operate as networks of local and field teams, as well as regional offices (possibly called EUROs or European Regional offices) rather than concentrating all their resources in single headquarters; these should be headed by European Action Representatives – EARs, responsible for overall co-ordination of Pillar 1 and Pillar 2 activities. Local offices should be designed to provide open access for anyone wishing to learn more about the EU, obtain advice or bring grievances.
2. The EAS should improve the mainstreaming of human rights in external relations, recruiting dedicated staff in field roles and at headquarters; they should implement a broad definition of human rights including freedom of movement; member states should establish joint facilities for visa applications (both Schengen and non-Schengen), with visa kiosks in EAS offices, and a common electronic platform for online applications.
3. The EAS should be a virtual as well as a physical service, associated with freedom of information, and knowledge building. A priority objective should be to establish an information portal which makes use of both EU proprietary and independent statistical data about third countries and regions. It could include services such as directories of NGOs, an online library and archive of published materials including newspapers, and information on EU activities in the region. Consideration could be given to developing an external relations version of Eurobarometer to conduct polls among non-EU as well as EU citizens on selected issues.
4. The EAS' public diplomacy remit should include improving opportunities and facilities for student and professional exchanges, both into the EU and into other countries in the region; in-country training and education programmes about the EU and European studies should be part of the EAS mission to increase the EU's visibility. The Erasmus programme has already been adapted to provide not only cross-border study, and educational facilities but exchanges between military offices. It could be used through the EAS as a vehicle for institutionalising a permanent series of public academic and practitioner debates about policy, scientific and cultural issues.
5. The EAS budget should include the ability to disburse discretionary funding on the ground for important and urgent reconstruction, humanitarian and public interest projects outside of long-term programme spending. EAR (European Action Representative) funds would aim to make money available more quickly and easily than going through the normal contractual procedures of Commission financing. EAR funds could be a way to allow ESDP missions to meet urgent spending needs they have identified.
6. The EAS should have a distinct ethos and »brand«, which sets it apart from member state and traditional diplomatic services. This should be reflected in the design of its literature and its open access offices, but most particularly in its approach to staffing. If national diplomatic services are to second staff to the new service, then they should undergo training in human security, alongside staff recruited from EU institutions. The EAS could also be the anchor for a system of training civilian and military staff for EU missions, and for the recruitment of civilian volunteers.

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