

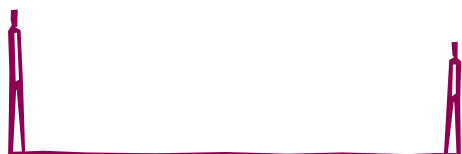
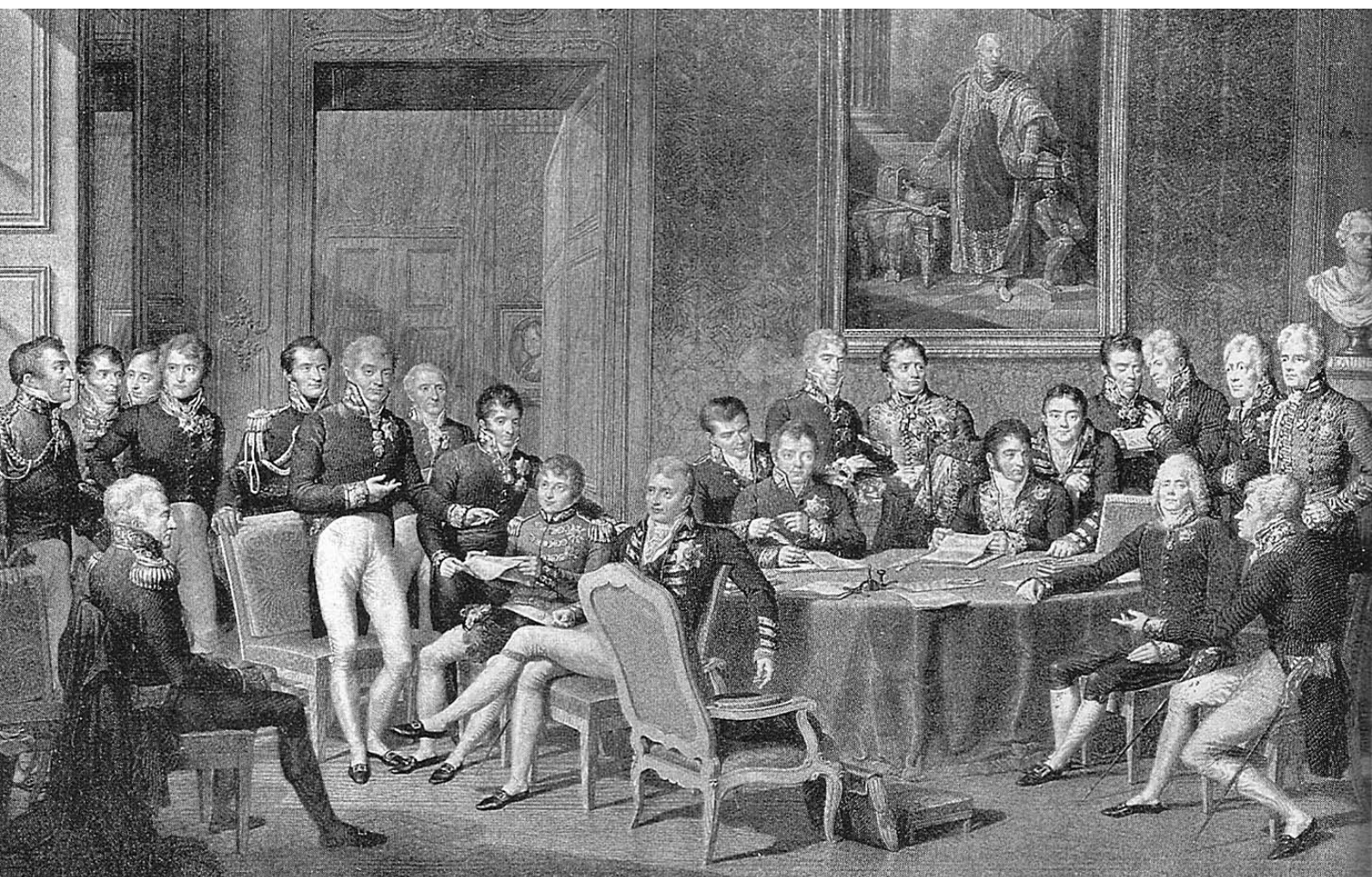
# REWRITING THE GROUND RULES OF EUROPEAN DIPLOMACY

57

THE EUROPEAN EXTERNAL ACTION SERVICE IN THE MAKING

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# REWRITING THE GROUND RULES OF EUROPEAN DIPLOMACY

THE EUROPEAN EXTERNAL ACTION SERVICE IN THE MAKING



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- The newly ratified Lisbon Treaty determined the rough shape of the European External Action Service (EEAS), but left the difficult task of negotiating all remaining details to the implementation phase.
- In the post-Lisbon debate on the EEAS, the Commission has attempted to ensure its control over EU foreign policy, while the EP has demanded greater democratic oversight and defended the “community method” of decision-making, and the Council has been torn between the imperative of creating a functioning service and the instinct to safeguard national prerogatives.
- Much of this confrontation has been shaped by differences over the intergovernmental versus supranational character of the future service.
- The outcome of this conflict is not only going to change the current institutional balance of power in Brussels, but also shape the nature and direction of European diplomacy in the future.
- With the establishment of the EEAS, the EU’s approach to international affairs is likely to become more “political” and “intergovernmental”. At times, this will facilitate quicker and more decisive EU actions, but might also result in a loss of the EU’s normative character as an international actor.
- As previously, the EU’s ability to appear as a unified actor in international affairs will depend on the Council’s capacity to take common decisions. Here, whether the EEAS will be the catalyst of a more unified European foreign policy, rather than act as a bulwark of national interests remains to be seen.

The European Union research programme  
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The EEAS is likely to act as a force multiplier for EU operations. Photo: EU NAVFOR

With the Lisbon Treaty finally ratified, EU attention has now shifted towards the arduous task of implementing the treaty reforms. Central amongst these is a complete overhaul of the existing structures of EU foreign policy-making, providing the EU with a new “double-hatted” foreign policy chief—in the person of Catherine Ashton—and creating the European External Action Service (EEAS). Conceived as the EU’s own diplomatic corps, the EEAS has been lauded as a “once in a generation opportunity” that will endow Europe with a greater voice and more influence in international affairs.

But setting up the EEAS is proving more difficult than anticipated, with different European actors squabbling over composition and structure of the new institution. This should come as little surprise, given that the precise shape and detailed functions of the EEAS were all left to be negotiated during the implementation phase. Moreover, settling these issues entails more than just some fine-tuning of the EU’s institutional structures: it requires a wholesale re-writing of the ground rules of European diplomacy. What is at stake in this process is not only how and by whom EU foreign policy is being made, but the nature and direction of European diplomacy itself.

### **A Difficult Birth & Unfinished Business**

The idea to set up the European External Action Service emerged for the first time during the Convention on the Future of Europe (2002–2003) and was intricately linked to a broader package of reform proposals that were geared towards creating a single

representation for the EU in international affairs. The ultimate aim of these reforms was to secure a leading role for the Union in the emerging world order, as set out by the EU Heads of State and Government in the 2001 Laeken Declaration.

In order to achieve this goal, the Convention’s proposals sought to overcome the inherent “dualism” in EU foreign affairs. Ever since the adoption of the Maastricht Treaty, the EU’s foreign representation has been divided between the Council and the Commission—each following different internal logics and decision-making procedures. While the EU’s Common Foreign and Security Policy (CFSP) has been directed by the Council using the intergovernmental method of decision-making (second pillar), all of the EU’s economic policies have been governed by the community method of decision-making (first pillar) and directed by the Commission. Despite concerted attempts to coordinate the two, this “pillarization” has resulted in institutional fragmentation and policy overlap and an artificial division between the economic and political volets of EU foreign affairs.

To overcome these divisions and provide greater coherence and visibility for the EU, the Convention proposed to combine the responsibility for both branches of EU foreign policy-making under a new double-hatted EU Foreign Minister, merging the positions previously held by the High Representative and the Commissioner for External Affairs. While separate decision-making procedures would continue to apply to different areas of foreign affairs, it was hoped that this arrangement would allow for a much better coordination of EU foreign policy. This



The EEAS is set to increase coherence in EU foreign aid. Photo: Anne Poulsen/WFP

new Foreign Minister was to be assisted by the EEAS, which would be composed of staff from the relevant directorates of the Council and the Commission, as well as the national diplomatic services. The ambitious goal for the new service was that it would develop into a fully-fledged Ministry of Foreign Affairs that would assist the EU Foreign Minister in carrying out the entire spectrum of her tasks.

Most of the Convention's proposals on EU foreign affairs—with limited changes—were directly incorporated into the EU's ill-fated Constitutional Treaty, adopted by the EU Heads of State and Government in late 2004. However, on the concrete shape of the EEAS, the Constitution remained vague, confirming only that it should consist of officials from Commission, Council and member states. All further details, including organisation and functioning of the new service were to be established by a decision of the Council, based on a proposal by the Union's new Minister of Foreign Affairs and following consultations with the European Parliament and the European Commission.

Preparatory work to hammer out the details of the EEAS started almost immediately after the Constitution had been adopted and involved a broad range of stakeholders. The most concrete outcome of these consultations was a joint paper by the Secretary General/High Representative Javier Solana and the Commission President José Manuel Barroso in early 2005 that set out a number of fundamental principles. But the negative outcome of the Dutch and French referenda in mid-2005 stopped the consultation process in its tracks.

Two years passed, before European leaders re-launched the Constitution's institutional reform agenda in form of the Lisbon Treaty. On foreign affairs, the new treaty introduced few changes. Most notably, the title of EU Foreign Minister was substituted for the more humble-sounding High Representative of the Union for Foreign Affairs and Security Policy (HR/VP)<sup>1</sup>. And to calm British concerns, two new declarations were attached to the treaty (13 and 14) to clarify that the Union's new foreign policy structures "do not affect the responsibilities of the member states, as they currently exist, for the formulation and conduct of their foreign policy nor of their national representation in third countries and international organisations". Regarding the EEAS, the same provisions were maintained as had been set out in the Constitutional Treaty.

As a result, consultations on the service once again resumed in 2007, but proved short-lived, due to the negative outcome of the Irish referendum in mid-2008. With the future of Lisbon ostensibly uncertain, EU leaders suspended all further planning until the final ratification of the Treaty in late 2009. Only then did the European Council adopt a set of guidelines to aid the HR/VP in preparing a draft decision on the EEAS.

In their main, these guidelines define some fundamental principles for the future structure of the EEAS and set out a timeline for its establishment.

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<sup>1</sup> HR/VP stands for High Representative/Vice President, as the position combines the role of High Representative with that of a Vice-President of the Commission.



US aid in action. With the Lisbon reforms the EU aims to attain more global visibility. Photo: Chuck Simmins

Most importantly, the guidelines determined that the EEAS would be established as a *sui generis* institution to be staffed with personnel from the Commission, the Council and the member states. It was further determined that the new institution should be composed of single geographical and thematic desks that would allow it to play a leading role in strategic decision-making and involve it in the whole programming chain of the EU's external policies, while leaving the specific division of labour with the Commission to be determined at a later stage.

Concerning the timeline for the establishment of the EEAS, it was determined that the HR/VP would submit a draft decision on the new service to the Council by late March 2010, to be followed by a Council decision establishing the EEAS at the end of April 2010. After that, a first status report on the functioning of the EEAS is expected in 2012—by which time the service is assumed to have attained full operating capacity—with a full review and possible revisions to follow in 2014. However, with nothing but a timeline and the raw frame set in place, the most difficult questions concerning the

### Box I: Policy Implications

Once the new institutional structures have been set in place and the EEAS has reached its fully functional stage by 2012, the Lisbon reforms are likely to considerably increase the effectiveness of the EU as an international player in the following areas:

1. **Coherence:** The double-hatting of the EU High Representative will allow for a better integration of the different areas of EU external relations and reconcile the different institutional dynamics at work in the EU's former pillars. This is likely to result in a more coherent EU foreign policy and prevent different EU institutions from working at cross-purpose, as sometimes has been the case in the past.
2. **Consistency:** The transfer of much of the agenda-setting powers in foreign affairs to the HR/VP and her appointment as President of the new Foreign Affairs Council are likely to promote more consistency in EU policies. This will prevent the tendency of the rotating presidency to launch overambitious and ill-sought out initiatives and provide greater strategic direction and follow-up to EU policy initiatives.
3. **Capabilities:** By pooling the resources and capacities that have previously been split between the Council and the Commission, the EEAS is likely to provide the EU with a "bigger bang for its buck" and act as a force multiplier for its operations.
4. **Visibility:** By eliminating some of the previous institutional complexities and providing the HR/VP with greater competences and resources, the collective voice of the EU in the world will be strengthened. The integration of the Commission Delegations into the EEAS and their upgrading to carry out a much broader spectrum of diplomatic tasks is deemed to further boost EU visibility.

composition and function of the new service were left to the implementation phase.

### The Current Debate: A Capital in turmoil

Work on the details of the EEAS finally began in January 2010, following Catherine Ashton's formal confirmation as HR/VP by the European Parliament. To assist Ashton and her small team in their work, a high-level group of 13 representatives from the Commission, the Council and the member states was established and the Danish diplomat Poul Skytte Christophersen was appointed as her special advisor on questions related to the service. After a stormy first few months in office—during which much of the debate was centred on the role and personality of the HR/VP herself – the discussion began to focus on the concrete organisational shape of the EEAS. This development was set in motion by the circulation by Ashton of a set of vision papers on the service. As the set up of the service would predicate the future divisions of power between the institutions and member states in the European Union's conduct of its foreign affairs, each affected party was keen to shape the emerging order.

The Commission sought to secure as much control as possible over EU foreign policy following the

creation of the EEAS. To this end, Commission President Barroso pre-emptively organised his new team in such a way that would maintain the EU's important neighbourhood portfolio, as well as some of its major development funds, as Commission competences. Controversially Barroso upped the ante by convincing Ashton to appoint his former confidant—João Vale De Almeida—as the EU's new head of delegation in Washington DC; indicating that the Commission would also continue to claim its share of some of the top appointments to the new service.

The European Parliament (EP), commensurate with its increased powers under Lisbon, demanded more democratic oversight over the content of EU foreign affairs, control over the budget of the new institution and a role in the appointment process of Europe's future top diplomats. The EP also warned that it would not accept any new division of power that would lead to a “de-communitarisation” of EU foreign affairs; a warning that was first articulated forthwith after the second Irish referendum by the EP's rapporteur from the centre-right European People's Party, Elmar Brok, and later supported by representatives of all the major political groups.

The Council, on the other hand, seemed divided between the imperative to create a functioning

#### Box II: Central Administration

Catherine Ashton's draft decision of 25 March provided a first glimpse of the envisaged administrative structures of the EEAS. According to the proposal, the HR/VP remains the focal point at the head of the organisation, acting both as the appointing authority and authorizing officer. Much of the day-to-day management of the service, however, will fall on the shoulders of an all-powerful Secretary General, with a tight grip on all administrative and representative functions and assisted in his or her position by two Deputy Secretaries-General. While this arrangement will enable the HR/VP to focus on shuttle diplomacy, it has been criticised for centralising decision-making powers and for granting extensive influence to non-political officials.

The EEAS itself is to be organised into directorates general comprising geographic desks covering all countries and regions of the world as well as multilateral and thematic

desks, a directorate general for administration and departments for legal and inter-institutional affairs. In addition to these, the EEAS will incorporate autonomous cells, subsuming existing organs of the Common Security and Defence Policy, including the Crisis Management and Planning Directorate, the Civilian Planning and Conduct Capability, the EU Military Staff and the EU Situation Centre. The specificities of these structures will be preserved, including their particular functions, procedures and staffing conditions.

The administrative expenditure of the EEAS will be financed from the EU budget. The EEAS aims to be budget neutral, using the resources previously allocated to the Council and the Commission. This is in itself an ambitious goal, especially considering that all seconded staff will also have to be reimbursed from the EU budget instead of national ones. The central challenge, however, remains how to organise the EEAS' relationship with the Commission.





The US pull-out from the EU's May summit showed that the EU is yet to tackle its enduring problem of multiple representation in foreign affairs. Photo: eu2009.cz

service and the instincts of its constituent parts, the member states, to ensure that their diverging national interests were served. Publicly, the Council rallied to the defence of Catherine Ashton at the Cordoba summit in March 2010 by backing her preliminary proposals and calling for the creation of an effective and functional diplomatic service. EU foreign ministers also defended the HR/VP's sole authority concerning appointments and control of the EU's upgraded delegations around the world. They would like to see a "horizontal" division of labour between the EEAS and the Commission in areas such as development policy, which would leave much of the responsibility for strategic decision-making with the EEAS. These pronouncements were interpreted by many in the EP to mean that the Council intended to take charge of foreign policy areas previously falling under Community competence. Additionally, there were divisions between member states, especially concerning the staffing of the EEAS.

With the self-imposed deadline for the decision establishing the new service quickly approaching, the EU institutions are steeling themselves for a fight. The EP has already threatened to use its powers over financial and staffing regulations as an "emergency break" should it fail to have its way. The outcome of this confrontation—more likely to be a compromise settlement than anything else—will determine the way EU foreign policy will be made in the future. In this, the key remaining questions concern the competences of the new service, its size and composition, as well as issues of ownership and accountability.

### ***Blending the Pillars***

Within the new set up, the task of the EEAS is nominally to assist the HR/VP in fulfilling her mandate. The service is set to be separate from the other EU institutions, but it will naturally not function in isolation from them. The HR/VP has a role in three different settings: as Vice-President of the Commission, President of the Foreign Affairs Council (FAC) and High Representative. She is accountable to the Commission President and to the European Parliament as a member of the college of commissioners; and to the European Council in her other roles. As she forms the apex of the EEAS, the pertinent question is not whether the service is influenced by these other institutions, but to what extent they will be involved in steering its policies.

Structurally the EEAS will combine and subsume separate elements of the Commission and the Council. At a minimum, it is to include the former Directorate-General for external relations of the Commission (DG Relex) and its global network of representations, numbering 136, as well as the majority of the various formal and informal administrative bodies of the Council that deal with foreign relations<sup>2</sup>. A central question is how to 'blend the pillars' in practice, as bringing together the different institutions and forms of decision-making will be no simple feat.

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<sup>2</sup> In addition to the autonomous cells, the Council's Directorate-General E (External relations) has consisted of units and directorates covering issues ranging from nuclear proliferation to multilateral economic affairs. DG Relex itself has contained eleven directorates: Four geographic ones and seven functional ones.

Also, the question of competencies transgresses the mere division of the service's building blocks.

Symptomatically, when it comes to the sharing of competencies between the EEAS and the European Commission the division of duties is ambiguous. Commission DGs with an external relations dimension—most notably in the areas of trade, development and enlargement policy—are to remain nominally independent from the HR/VP. Yet her role in all these sub-areas of external relations has been described as focusing on strategic leadership, whereas the other commissioners in question would focus on implementation. Optimally, this would allow them to work in concert, but at worst the division of duties and aims might remain unclear, resulting in fragmented and contradictory policies.

The enlargement and neighbourhood portfolio in particular continues to be a challenge. Previously, responsibility for the European Neighbourhood Policy (ENP) was in the hands of the External Affairs Commissioner, whose other duties the HR/VP has inherited. However, under the Barroso II Commission, ENP will be subsumed into the Enlargement Commissioner's portfolio, representing a considerable loss of financial clout for the HR/VP. In terms of enlargement policy, the EEAS will have desks dealing with candidate countries from the overall policy perspective, while the Council has stated that the Enlargement Commissioner will continue to lead enlargement policy through the Instrument for Pre-Accession, a potent financial aid tool. A situation where the enlargement Commissioner and the HR/VP will be at loggerheads is not unthinkable—as for example might happen over the divisive question of Turkish accession.

The other financial instruments aroused a peculiar debate. The Parliament took the view that the EEAS should be responsible for the programming of these instruments, while the Commission would be responsible for implementation. This division of labour would apply to the Development and Cooperation Instrument, the European Development Fund, the Instrument for Stability, the European Neighbourhood and Partnership Instrument, as well as to the European Instrument for Democracy and Human Rights. Alternatively, Catherine Ashton's proposal foresees leaving development policy, neighbourhood policy and humanitarian aid

officially under the responsibility of the Commission, with a "cross-cutting" division of labour between strategic planning by the EEAS and implementation of programmes by the Commission. The Council favoured the HR/VP's model and additionally hoped to maintain the Common Security and Defence Policy budget, as well as the implementation of the Instrument for Stability in the hands of the EEAS.

This seemingly minute division of opinion reflects the genuine fear of the EP that the new service will become a tool of the member states, infringing on Commission prerogatives. The Council, for its part, is anxious that the Commission will be too eager to intervene and thus disrupt the coherence of policies on the ground. The multiple roles inbuilt into the nature of the HR/VP's position make it a moot point to underline her being the pinnacle of the chain of command in this regard. Instead, as long as delegation staff are to report to two separate institutions, based on whose competence the matter at hand falls under, there remains a threat of contradictory action of the type that the EEAS' formation was meant to eradicate.

### *Legitimacy & Ownership*

To counter the possibility of fragmented and contradictory policies, as well as to enhance the EEAS' legitimacy, several proposals have been tabled. They range from a complete merging of the relevant Commission DGs with the EEAS to purely informal authority of the HR/VP over her peers in the Commission. A possible solution short of organisational integration has been the deputising of Commissioners to the HR/VP.<sup>3</sup>

In terms of neighbourhood policy, development cooperation and humanitarian aid, the European Parliament has maintained that the relevant commissioner should be the HR/VP's political representative whenever matters relating to these three areas are in question. This would in part satisfy the Parliament's call for political accountability and would incidentally grant it greater influence over the service in the long run, due to its own influence over the selection of individual commissioners.

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3 Štefan Füle, the Czech commissioner for enlargement, Andris Piebalgs, his Latvian colleague responsible for development, and Kristalina Georgieva, the Bulgarian commissioner for humanitarian aid are the obvious choices in this regard.





Gearing up for a fight: The European Parliament demands a greater say over EU foreign policy. Photo: Alina Zienowicz

The EP, despite thus far having failed to get its way, maintains roundabout channels of influence on the EEAS, including the politicisation of issues and the unwieldy power of dismissing the Commission. As the Parliament also retains legislative authority over staffing regulations and the budget of the EEAS, it cannot be wholly ignored. Instead, it will be consulted on a regular basis and is expected to make its powers felt in other ways. The delaying of its vote on the financial and staffing regulations until after the Council has made its decision establishing the EEAS a prime example of the EP exerting pressure on the other actors, goading them to anticipate its wishes without yet quite torpedoing their decisions. The Parliament, due to institutional self-interest and a genuine fear of a “de-communitarisation” of EU foreign policy, is set to fight for its views.

At the same time, there is a potential risk that under the new structures EU member states individually might no longer feel sufficiently consulted in the EU foreign policy process. One advantage of the rotating presidency always was that it provided the member states with a feeling of co-ownership and a guarantee to have their own priorities represented every so often. While the new structures provide for greater consistency, they also deprive the member states of some of this previous “ownership.” The risk is that especially some of the smaller countries might feel that their preferences are no longer sufficiently reflected, resulting in a loss of legitimacy for the EEAS.

To counter this, the idea of employing national foreign ministers as the HR/VP’s deputies has been

raised by some member states, although the EP has maintained that this would not resolve questions of accountability. Not only would their deputising be likely to open a Pandora’s Box of perennial speculation as to why one was chosen over another for a specific task but, more importantly, who would they be answerable to? The HR/VP and her peers, as members of the Commission, are accountable to the European Parliament after a fashion, but foreign ministers are not. The deputising of foreign ministers, however, might act as a palliative of sorts for smaller member states, assuaging their fears of losing influence. Whether the foreign ministers of larger member states though would feel comfortable “running errands” for the HR/VP is far from being a given.

### *Staffing & Scope*

The appointment procedure for the heads of delegation is also a matter of dispute. Although the appointing authority is the HR/VP, it will be either the Council or the Commission or both who decide on who to nominate. In this context the controversial Almeida appointment was widely perceived as an attempt by Barroso to stack the deck in favour of the Commission. MEPs have also expressed the wish that they would be allowed to hold hearings to approve heads of delegation to key partner countries, but Ashton made it clear in her own January hearing that she prefers to keep the appointment process internal, involving the Parliament only through “consultation”.

Appointment procedures for other staff have also raised a degree of consternation. The question relates not only to influence by individual member states,



but also to the character of the service itself. The profile of personnel will be important in shaping the service's *esprit de corps*. The fear of divided loyalties has caused scepticism about the idea of staff rotation from member states. The possibility of permanent transfers of staff from member states has been suggested as an alternative.

A third of the administrator-level EEAS staff is in any case to consist of seconded personnel. Individual member states, especially but not limited to new ones, have raised concerns that they may remain underrepresented in the EEAS. National quotas have been considered, but a more informal procedure, merit-based yet respecting geographical balance, has been envisaged by the HR/VP. Another point of consideration is that a large service would have a higher number of lower-level Commission employees than a slim one, perhaps significantly impacting the working culture of the new institution.

As for the delegations, the timetable for upgrading them is approximately as follows: by February 2010, 54 out of the 136 delegations had assumed their new functions. By the end of the Spanish presidency the figure is to be closer to one hundred and by the end of the Belgian presidency most delegations, if not quite all, are to have fully taken on their new role.

What precise functions a given delegation will have is likely to depend in part on its location. In most, if not all cases, the delegations are to eventually assume the role previously held by the rotating presidency in third countries. This includes convening coordination meetings of EU member states' embassies and local representation of the EU in matters pertaining to CFSP and CSDP. Under their new status the heads of delegation will also be empowered to speak on behalf of the EU as a whole, under the condition that their statements are pre-approved by the EU's 27 member states.

### **Box III: Catherine Ashton**

Catherine Ashton, 53, was an unlikely candidate to become the EU's new foreign policy chief. A British life peer who has never been elected to any office, Ashton was a surprise choice resulting from party political manoeuvring. With a background in civic engagement and domestic politics, her experience in foreign affairs is almost non-existent. Her first European accomplishment came in 2008 when, as Leader of the House, she was responsible for steering the Lisbon Treaty through the House of Lords. She replaced Peter Mandelson as Commissioner for Trade in October 2008, a position which she held until becoming HR/VP.

Ashton's appointment was a disappointment to those who wanted the EU to have a well-known and charismatic person heading its foreign policy. Critics argue that as an uninspiring and unknown figure both in Europe and abroad, Ashton does not have what it takes to influentially represent the EU's interests abroad. At the same time, Ashton has been described as an excellent networker and a sympathetic person, which in European politics—where personalities matter—can be more valuable assets than a high profile.

Practical issues of the transition include insufficient infrastructure and capacities within the delegations. Also, as the delegations used to be Commission representations, the trade portfolio and management of financial assistance for community projects have formed the core expertise of their staff. This is set to gradually change as the EU delegations begin running at full capacity. Other tasks, pertaining to crisis management or consular services are eventually likely to become part of the delegations' portfolios, although in the first phases even consular services have been ruled out.<sup>4</sup>

Despite the ultimately gradual nature of these changes, discussion on the form and function of the External Action Service is marked by the anxieties of practically all actors involved. Most share a common understanding of the necessity of forming an effective service, but simultaneously they each fear for their own prerogatives. This, coupled with the tight schedule and the fact that "bad habits" adopted during the transition period might persist if not decisively rooted out, has made Brussels a restive capital.

### The Future of European Diplomacy

The current conflict over the EEAS, however, is more than just an intra-European turf war over positions and competencies between different institutional actors. In many ways it is a struggle for the soul of European diplomacy. Indeed, the institutional structures and diplomatic culture that the EEAS is going to develop are likely to have a profound influence on the future direction and character of European diplomacy.

In the past, EU foreign affairs have largely been shaped by the distinct foreign policy outlook developed by the European Commission. This approach was heavily influenced by the bureaucratic and supranational nature of the Commission, as

well as the Union's own positive experience with EU Enlargement—which has been widely regarded as the EU's most successful foreign policy tool. As a result, the EU's external policies have generally tended to be of a patently normative and long-term nature that has set the Union apart from the more traditional means and ends of classical intra-state diplomacy.

One hallmark of this style of diplomacy has been that the EU has focused much of its attention in foreign affairs on promoting international interdependence and cooperation and on shaping the underlying "rules of the game" of global politics. The declared goal of these policies has been to promote sustainable political, economic and security structures that would guide international relations and preserve global peace and prosperity. To do so, the EU has engaged in an ever growing number of international partnerships and Association Agreements with third countries. These partnerships not only provide a long-term framework for the EU's external relations, but also institutionalize bilateral dialogue and offer a number of positive incentives to its partners.

This distinct "structural" approach has had its advantages and disadvantages. It has allowed the EU to establish itself as a "norms-setter" and international moral authority and enabled it to play to its own strengths. However, the EU's reliance on dialogue and positive incentives over strong-arm tactics and finger-pointing all too often created an image of international impotence that meant that the EU has frequently been ignored and derided by its partners. At times, there has also tended to be a clear disconnect between the Union's long-term economic policies, locked into multi-annual programmes, and its short-term political needs, especially when it comes to crisis management.

With the introduction of the EEAS, however, the EU's approach to international affairs is likely to change considerably. Given the *sui generis* character of the EEAS, it seems likely that this new institution will develop its own distinct international identity and diplomatic culture that will shape its future policies. This international identity is deemed to be more "political" and more "intergovernmental" than used to be the case with the EU in the past. This seems unavoidable as a result of the mixed staff of the new institution and the political accountability of the new High Representative to the Council.

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<sup>4</sup> Another example for the prospects of the EU delegations' responsibilities is an ongoing debate on their role in trade. It is conceivable that even in the short term the delegations could play a role in assisting market access of European companies in their respective third countries, but very unlikely that they would engage in trade promotion per se, which would instead remain a prerogative of national embassies.



The concrete impact this is going to have on the overall direction of EU policies will depend much on the final shape of the new service and its division of competencies with the Commission. An EEAS that unites most of the competences and resources that have previously been part of the Commission, while being staffed by a large number of national diplomats and directed by politically appointed directors, is likely to conduct a foreign policy that is very different from the Commission's "structural" approach. The risk is that such an institution might be less idealistic in its outlook, more open to the influence of individual member states and more short term in its thinking.

Even an EEAS that shares some of its strategic agenda-setting powers and resources with the Commission and is dominated by Community staff is likely to be more political in its outlook and diplomatic culture. Of course, this does not need to be a bad thing. For some, the overtly bureaucratic nature of EU foreign policy has been one of its greatest disadvantages, all too often making the EU an inflexible and toothless international player. Here, the EEAS promises some improvement, as it will enable the EU to act quicker and with greater determination on those foreign policy issues on which there already is a strong consensus between the different EU member states.

### **A "European Interest" in the Making?**

Whether the EEAS will be able to reach its full potential will in the final analysis depend on the Council's capacity to take common decisions on those tricky international issues on which the EU member states are traditionally divided. Here the potential contribution of the new institution seems less certain. When it comes to the most important foreign policy issues on the agenda—from relations with Russia to the rise of China, transatlantic relations, and the Middle East Peace Process—the EEAS is likely to change little. The main obstacle

for a more constructive European engagement on all of these questions remains a lack of consensus amongst the EU member states who remain the final arbiters on EU foreign policy, through their role in the Council.

The great hope is that in the long run the EEAS might be able to facilitate a more meaningful consensus on some of these questions. As European diplomats from different member states start working together in the EEAS on a regular basis and begin to share a common analysis of international affairs, national differences might narrow, allowing for the pursuit of a more genuine "European interest" in foreign affairs. Of course, this outcome is by no means a given. Indeed, there is little guarantee that the EEAS will be the catalyst for a more unified European foreign policy, rather than act as a bulwark of national interests. Again, much will depend on the final institutional settlement adopted by the member states and the kind of diplomatic culture the EEAS will develop over time. Whether the outcome will really be a more credible, influential and well respected European Union in international affairs, remains to be seen.

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