



# Working Paper

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## Reviewing Member States' Commitment to the European External Action Service

### Abstract

Based on interviews with diplomats from a representative cross-section of nine member states and members of the EEAS itself, the research findings of this EPIN Working Paper confirm long-standing traditions and member state perceptions of cooperation with European institutions.

The paper also reveals new aspects of the intergovernmental method of foreign policy shaping and making in the European Union; in particular how different national positions can positively or negatively affect the consolidation of the EEAS and the role of the EU as an international actor. As such, the Working Paper makes an original contribution to the existing literature on one of most discussed actors in the European Union's post-Lisbon architecture in the domain of EU external action.

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## Preface

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The foreign affairs ministers of 12 EU member states (Belgium, Estonia, Finland, France, Germany, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland and Sweden) co-signed an open letter to the High Representative on 8 December 2011 to identify glitches in the organisation and functioning of the European External Action Service (EEAS). This letter touched on the neglect of security affairs by the High Representative (HR) and pointed to the need to improve management and administrative procedures within the Service and the cooperation with the European Commission. Among other things, it called on the High Representative to circulate a yearly agenda, to produce regular preparatory policy and decision-making papers sufficiently in advance of the meetings, to set up a secure communications network and to optimise the identification of political priorities. Member states' diplomats maintained that the letter was not meant as a criticism but as a constructive proposal, ahead of the High Representative's report in the framework of the service review foreseen for mid-2013.

In her own report on the first year of EEAS operations, submitted to the Parliament, the Council and the Commission on 22 December 2011, the HR denied the existence of systemic problems in cooperation with the Commission, while agreeing that the EEAS needed to stand on its own feet in administrative terms. The HR pledged to do more on security issues but indicated that EU member states were not doing their bit to help her put new systems in place. Indeed, given the limited resources available to the EEAS, support from member states services is key.

This EPIN Working Paper explores several aspects of the role played by member states in the setting-up, organisation and functioning of the EEAS. This is a topical issue, and one that is currently the subject of a study commissioned by the European Parliament's Committee on Foreign Affairs (AFET), to be published in March 2013. The findings of this EPIN Working Paper, outlined in the Executive Summary, offer an independent preview into the attitudes of member states towards cooperation with the EEAS.

Based on semi-structured interviews conducted with diplomats and civil servants of a representative cross-section of nine member states (**France, Germany, the United Kingdom, the Netherlands, Romania, Sweden, Portugal, Spain and Estonia**) and members of the EEAS itself, research focused on member states' influence on the creation of the EEAS, the impact of the new Service on EU member states' diplomatic structures at the strategic and organisational levels (internal organisation, national diplomatic resources in third countries and international organisations), and the scope for synergies between national diplomacies and the EEAS on designated topics or in specific regions. The answers to the questionnaire (in annexe to this Working Paper) formed the starting point for the development of the papers written by research fellows of leading European think tanks, and carried out within the EPIN network.

Initiated by project leaders Paul Ivan (previously at CEPS), Ignacio Molina and Alicia Sorroza (both at Elcano) this EPIN Working Paper both confirms long-standing traditions in and perceptions of member state cooperation with EU institutions, and unearths novelties in the intergovernmental method of foreign policy shaping and making in the European Union, in particular how different national positions can positively or negatively affect the consolidation of the EEAS and the role of the EU as an international actor. As such, this EPIN Working Paper makes an original contribution to the existing literature on one of most discussed actors in the European Union's post-Lisbon architecture in the domain of EU external action.

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## Executive Summary

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Member states' views of the European External Action Service (EEAS) converge and diverge on a number of themes explored in this Working Paper, such as the need for the Service, the response in national foreign ministries to its creation and performance so far, and what needs to be done differently to ensure the future success of the EEAS.

What all nine member states covered by this study share is an interest in seeing the European Union emerge as a stronger player on the world stage. As the Swedish government put it in its parliamentary declaration of 2007, it would like to see the European Union be “a force in the service of peace, freedom and reconciliation.” Indeed, this goal was behind the Lisbon Treaty's objectives for the creation of the EEAS in 2010; namely to enhance the coherence, effectiveness and visibility of EU external action and to combat the lack of synergy between national diplomacies of member states.

Equally, in times of economic crisis, some member states see considerable merit in pooling resources and making cost savings by attributing additional tasks to the EEAS, especially in the areas of defence and consular services. Yet these hopes have been mitigated from the outset by the tension, indeed the paradox, between the desire to see the EEAS succeed in its mission and the will to protect and promote long-standing national interests in the field of foreign policy.

This inherent tension is less apparent in the accounts provided by smaller member states such as the Netherlands, Sweden and Estonia than those from France and the UK, for example, with the latter stating:

British diplomats believe that the EEAS is well-placed to complement the UK's foreign policy objectives in a manner that is entirely consistent with the British government's pledge not to cede more powers to Brussels.

And from France:

According to a French diplomat, the approach to the EEAS is akin to a love-hate relationship. After having pushed for its creation, France complains constantly about its functioning now. This attitude replicates patterns rooted in debates over Europeanisation versus national sovereignty.

There is general recognition that collective European foreign policy is preferable to individual member states going it alone, especially in their relations with major powers, but the EEAS should not encroach upon bilateral relations and national positions. For Portugal this means relations with Brazil and other Portuguese-speaking countries; Romania is keen to protect its close relations with neighbouring countries and the US; the Netherlands has strong views on the Middle East peace process and Spain wishes to maintain its close ties to Latin America and North Africa, for example.

Yet, as the contribution from Estonia reveals:

There is a feeling among diplomats that in the absence of (strong) coordination efforts from Brussels, the ‘big ones’ revert to their natural instincts of going it alone (e.g. France and the UK in the case of Libya) and that this seems to happen more than before the entry into force of the Lisbon Treaty.

A recurrent theme is the ‘struggle for presence.’ Member states have invested considerable energy in posting their nationals in the Service, in the right numbers and at the right level, not simply to ensure an adequate national balance but to keep tabs on what is being decided to relay back to national capitals. And all this alongside trying to foster a common diplomatic *esprit de corps*. Inevitably, there are winners and losers in the first round of representation: Germany is

under-represented given its size, but for the moment contents itself with the reflection that its considerable export orientation is another means of projecting its presence in the world. Portugal has been well catered for in terms of the allocation of important slots at delegation level. For some of the new member states (e.g. Estonia and Romania), seconding national diplomats to the EEAS presents an opportunity to raise professional levels in the diplomatic service at home.

Another question is what the diplomats should do once in post; a number of countries (such as the Netherlands, Belgium and Luxembourg) would like to see a greater exchange of information between the EU delegations and member states' embassies, in particular on issues relating to Common Foreign and Security Policy (CFSP).

Inevitably, the financial and economic crisis has meant that foreign policy per se has slipped down the list of priorities for most countries and, as a consequence, the EEAS has not featured large on the radar screens of many capitals. Economic diplomacy has tended to replace traditional diplomacy, with the emphasis being on the search for new markets and export opportunities.

Notwithstanding the crisis, other reasons for the general reticence about the Service are the shortcomings perceived in a number of member states about the capacity of the nascent EEAS to act effectively, diplomatically, and above all strategically, when required to do so. To cite a French observation: "the bureaucratic machinery obviates ambition and the development of strategic policies; and the right expertise is sometimes lacking."

In December 2011 eleven foreign ministers drafted a so-called 'non-paper' for the attention of High Representative in an attempt to address the issue of member state involvement in the EEAS, internal procedures and the optimal preparation of the Foreign Affairs Council. If the EU wants to establish a truly European diplomatic service, state a number of sources in member countries, then it must create a corps that can prove to national capitals that it can do some things better at the European level and that it can provide added value.

Initial scepticism about the EEAS seems, with time, to be dissipating into cautious endorsement of the work it is doing and the role it is carving out for itself in a sensitive and highly charged European and global political environment. If nothing else, one notable achievement of the EEAS is that it has now become normal procedure for member states to bring foreign policy initiatives to the EU table.

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# France and the EEAS: A give-and-take relationship

Vivien Pertusot\*

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## Introduction

The institutional changes brought about by the Lisbon Treaty such as the new post of High Representative for Foreign Affairs and Security Policy, supported by the European External Action Service, bolster French ambitions for a stronger Europe in the world, often referred to as “*Europe puissance*”.

Paris has always been keen to see Europe emerge as a stronger player, both internally and internationally, but equally it has been keeping a close eye on the EU’s increasing capacity to safeguard France’s national sovereignty and interests.

Paris has welcomed the recent institutional developments, but has been careful to prevent any unwanted influence over its national policies. Moreover, the Lisbon Treaty has given renewed impetus to the CFSP and the CSDP. In France, foreign policy and defence policy belong to the ‘*domaine réservé*’; a functional perimeter at the core of national sovereignty. Any decrease of national competences is therefore handled with the utmost care.

This paper looks at three core questions. How has France approached the creation of the EEAS? Has the country found a balance between the ‘*rayonnement*’ (influence) of its national diplomacy and the burgeoning of the EEAS? Lastly, how has French foreign policy coped so far with the creation of an institution whose goal is to harness common EU positions?

A comprehensive picture of the state of play requires a three-level analysis: first, the general approach to the EEAS; second, the need to ensure a good French presence; last, the love-hate relationship it has with certain policies.

## France and the creation of the EEAS

France was arguably the most supportive member state for the creation of the EEAS. Notwithstanding this support, France also had clear ideas about what it wanted from the Service. It has articulated its European policy around the notion of “*Europe puissance*”, for which Frédéric Charillon provides a good definition:

*Europe puissance*’ is a power that takes on its responsibilities as an actor on the international scene and that can relay the ambitions of its member states outside the mere Atlantic framework.<sup>1</sup>

France has always perceived Europe as a force multiplier. Leaders in Paris proclaim that France is a great power, but that Europe could be a great echo chamber to its ambitions. The end of the Cold War reinforced the French desire to see Europe become more political, which has always been associated with the emergence of a European defence policy and consequently a more coherent and structured foreign policy. Former President Sarkozy followed the tradition of his predecessors in that regard when he said in 2009:

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<sup>1</sup> Frédéric Charillon, *La France peut-elle encore agir dans le monde?*, Armand Colin, Paris, 2010, p. 53. All translations are the author’s, unless otherwise stated.

We need three things [for the defence of France]: a strong diplomacy, a strong defence, a strong Europe ... A country on its own, a solitary nation, is a nation without any influence.<sup>2</sup>

### *A proactive approach to a stronger external policy...*

Following that reasoning, the creation of a stronger and more visible EEAS High Representative only bolstered France's project to build a '*Europe puissance*'. This was evident during the European Convention, when France and Germany co-authored a contribution calling for a 'European Minister of Foreign Affairs' who would be supported by a European diplomatic service.<sup>3</sup> France embraced the idea of the EEAS because it could foster better coherence, cohesion, and visibility in European foreign policy, and sought to correct one of the main shortcomings of the EU's external action: the lack of synergy between national diplomacies and European institutions.

France was also keen to provide the EEAS with a large portfolio that would go beyond the traditional scopes of the CFSP and CSDP. It wanted the EEAS to have competencies on trade and enlargement, but did not succeed in this aim. Even on European Neighbourhood Policy, the EEAS has to share this portfolio with the European Commission.<sup>4</sup>

### *... without hindering national interests*

In spite of this clear support, France was vocal in its opposition on several points. First, it insisted that the EEAS be a *sui generis* institution not attached to the European Commission. Paris has always been ambivalent about increasing European integration through the institutions, preferring instead to promote intergovernmental solutions. Europe may be viewed as a source of power and influence, but it also represents a threat to national sovereignty.<sup>5</sup> Foreign and defence policy are among the most sensitive policy areas to 'Europeanise.' France recognises that it cannot achieve worldwide influence on its own, yet it goes to great lengths to avoid deep integration.

Similar concerns resurfaced in the debate about the EEAS. Former Secretary of State for European Affairs, Pierre Lellouche explained that:

It is neither a service from the Commission, nor a service from the Council, but truly a new service headed by the High Representative, and which should consolidate the Union with a mandate from the Council.<sup>6</sup>

French leaders have stated repeatedly that the EEAS is not the EU's 28<sup>th</sup> diplomacy.

Second, in order to prevent the Service from evolving outside the close watch of member states, the French government defended the tripartite staff distribution with a third of the staff coming from member states.

<sup>2</sup> Nicolas Sarkozy, Speech at the conference "France, la défense européenne et l'OTAN au XXI<sup>e</sup> siècle", Paris, 11 March 2009 (<http://tinyurl.com/bue6wva>).

<sup>3</sup> Franco-German contribution to the European Convention concerning the Union's institutional architecture", contribution submitted by Dominique de Villepin and Joschka Fischer, CONV 489/03, 13 January 2003 (<http://tinyurl.com/d3y3et7>).

<sup>4</sup> Elisabeth Guigou and Yves Bur, *La Réforme de la gouvernance et la politique extérieure de l'Union européenne*, Rapport d'information, No. 2632, French National Assembly, June 2010 (<http://tinyurl.com/39bdo55>).

<sup>5</sup> Maurice Vaisse, *La Puissance ou l'influence? La France dans le monde depuis 1958*, Fayard, Paris, 2009, p. 94.

<sup>6</sup> Pierre Lellouche, Hearing before the Foreign Affairs Committee of the French National Assembly, 2 October 2010.



Having national diplomats within the EEAS is seen as the best way to foster a common diplomatic culture, but also to keep tabs on internal developments.

Within the French parliament, another debate also raged: over the division between the national parliament and the European Parliament. The French legislative body repeatedly stressed that the European Parliament should not overstep its boundaries and that national parliaments should play a greater role in the EU's external action. Both the Senate and the National Assembly were in agreement on this, again underlining the French preference for intergovernmentalism. The dividing line here is not between political parties, but between the French Parliament and the European Parliament.

Overall, France has adopted an ambivalent position vis-à-vis the EEAS. This tension was evident as the structure of the Service was being negotiated.

### **The struggle for presence**

The creation of a new institution always entails turf battles over the issue of presence and representation. Arguably, the more a country fills an organisation with its nationals, the more it can shape the institution from the inside. This is the approach France adopted and the challenge was twofold: how to learn from past mistakes and ensure a strong showing within the EEAS.

#### *A slow lessons-learned process*

France's influence and presence in Brussels has been subject to criticism. For most member states, France is sufficiently represented, but debates on French influence in the EU regularly surface, and the EEAS offers no exception to this. As Bastien Nivet of the EEAS put it,

France is inclined to self-flagellation on issues such as national decline and loss of influence.<sup>7</sup>

Some points of criticism are fair, however. France has failed to adjust to new parameters. First of all, it has favoured top positions and devoted little attention to middle management. This top-down approach posits that common visions trickle down, but it disregards social processes and interactions at lower levels, and the potential influence of lower-level positions in the European decision-making process. Second, the arrival of new member states has diminished French influence.<sup>8</sup> Third, France lacked a convincing argument for the rotation of its diplomats within European institutions: lack of clarity in the different roles, lack of clear perspectives for a French official returning to the French system, and little reward for the experience and expertise gained.<sup>9</sup>

France wanted to guarantee a good presence and the adequate use of the French language, but in the early days of the recruitment process, it fell into its old ways. It had supported the creation of a strong executive secretary general that would be running the institution on a day-to-day basis, because of the overwhelming agenda of the HR/VP. France considered that such a position would be crucial to shaping the EEAS. It lobbied to obtain that coveted position, which was eventually awarded to one of France's finest diplomats, Pierre Vimont. Once Vimont was appointed, French efforts decreased.

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<sup>7</sup> Bastien Nivet, "Europeanising European Foreign Policies by Forging European Diplomats", *Les Notes de l'IRIS*, July 2011, p. 8.

<sup>8</sup> Pierre-Henri d'Argenson, "L'Influence française à Bruxelles: les voies de la reconquête", *Politique étrangère*, 4/2008, pp. 857-870.

<sup>9</sup> Frédéric Charillon, "Action extérieure et défense: l'influence française à Bruxelles", *Cahiers de l'IRSEM*, January 2010, No. 1, pp. 38-39.

### *Renewed efforts*

However, France has taken measures to improve its presence and to ensure that its candidates are well prepared to meet the requirements, but evidently, the EEAS creates numerous challenges. First, it is the first time that national diplomats are directly recruited; second, there is a competition for almost all positions; last, the recruitment process is not familiar to French diplomats. It now implements a three-pronged approach: mobilise candidates from as many sources as possible; select the best candidates; and ‘accompany’ them individually.<sup>10</sup>

France favours a very open and transparent policy for potential candidates. The only requirement is to belong to the diplomatic corps, which includes diplomats from the Ministry of Foreign Affairs (MFA), but also officials from other ministries, such as the Ministry of Interior and the Ministry of Defence. The same applies to seconded national experts. They do not need to have a diplomatic status, but could work at the MFA as contractors.

The French MFA also holds training sessions for the candidates. Once a year, the MFA organises a week-long training course on EU policies to ensure that diplomats are well-versed in Union affairs. It created an online portal where it has gathered reference documents and uploaded briefing notes, and holds mock interviews.

All the efforts to mobilise French officials seem to have paid off. Interest in the EEAS has been high, more for the delegations than for the headquarters. According to a French official in Paris, two reasons explain the attractiveness of the new Service: the appreciation that more and more competencies are going to the EU, and financial considerations.<sup>11</sup> However, the initial momentum has decreased because the EEAS has yet to prove convincing, also because many candidates who faced multiple rejections are not keen to start a lengthy and uncertain recruitment process over again. Moreover, according to another diplomat at the MFA, the French system has yet to improve its return policy.<sup>12</sup> Yet it seems that a rotation within an EU institution may be seen as a welcome advantage on a career path, but only the first turnover of diplomats can validate this change. A generational effect may also help in that regard as efforts to Europeanise national diplomacies and foreign policies grow and compel additional resources and attention across the Ministry.

### *Good showing and monitoring*

It is difficult to measure the presence within the EEAS, because of the variety of statuses, so all figures should be interpreted with caution, but French presence in the EEAS is quite strong. In December 2011, there were 300 French nationals within the EEAS, including EU officials, SNEs (Seconded National Experts), national diplomats, and assistants. About 180 work in Brussels and the rest in the delegations. About 15% of the administrators are French and France accounts for 75 administrators in Brussels, which is the highest number across the member states. However, it is difficult to quantify precisely the number of national diplomats and of French European officials.

France has also set up a more structured approach to monitor its presence and identify its weaknesses. It is satisfied with its presence, especially in delegations, but there is less enthusiasm to work in the headquarters. In Brussels, it considers that the main weakness is at the level of head of division, but finds it difficult to mobilise very high-level people to apply for those positions, while some member states send former ministers. Yet a good presence does not necessarily translate into influence, and there is room to create an *esprit de corps* among French nationals within the EEAS. Beyond the struggle for presence, the new-born EEAS, the growing

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<sup>10</sup> Interview with a French diplomat, Ministry of Foreign Affairs, Paris, December 2011.

<sup>11</sup> Interview with a French official, General Secretariat of European Affairs, Paris, December 2011.

<sup>12</sup> Interview with a French diplomat, Ministry of Foreign Affairs, Paris, December 2011.

importance of the HR/VP, and the increasing significance of European decisions have compelled France to adapt to the new landscape.

### **The EEAS: a love-hate relationship**

According to a French diplomat, the approach to the EEAS is akin to a love-hate relationship.<sup>13</sup> After having pushed for its creation, France complains constantly about its functioning now. This attitude replicates patterns rooted in debates over Europeanisation versus national sovereignty. However, it has become normal procedure to bring all foreign policy initiatives to the EU table.

#### *European policy 'à la française'*

France considers Europe as a pillar to its foreign and defence policy and widely uses its tools to give more clout to its national interests. The 2008 White Paper on French foreign policy stated that:

for the defence of its economic interests, in its relations with emerging partners and historical partners, at the 2020 horizon, Europe must go beyond a 'common but not single' foreign policy to become, where possible, the main driver of our external action.<sup>14</sup>

France also seeks to channel its ideas through the EU's megaphone. For instance, it was the first country to recognise the National Transitional Council in Libya and actively encouraged the EU to follow suit. It was also among the first countries to encourage alleviating sanctions on Burma. Second, the wide portfolio of the EEAS could be the perfect platform to promote a stronger CFSP and CSDP. Nicolas Sarkozy provided a clear-cut vision in that respect:

Europe is threatened by some kind of 'strategic shrinkage' (...) and the invocation of 'soft power' is the screen of renunciation; and too often it is the screen of blindness against threats that are truly real.<sup>15</sup>

Third, France could push policies onto the European agenda and benefit from EU funds and legitimacy to achieve its objectives. As a French diplomat at the EEAS explained, concerns over developments in the Sahel region have been worrying the French and they have been seeking EU support for a CSDP operation so that they would share the costs of the intervention and put it under the EU flag.<sup>16</sup>

Interviews conducted for this article show that there is overall support for the EEAS – despite recognition that the challenge is a daunting one – and that on more occasions than not, its work has been satisfactory. This cooperative attitude should not detract from the fact that France and the EEAS are to a certain extent in competition.

#### *The EEAS: too weak for now*

France sees great advantages in Europe being more visible, but it can also overshadow its own national policies and stance in the world. In addition, France sees the EEAS as being too weak for now. There is overwhelming agreement on the fact that the EEAS is not a force for initiative on strategic issues. Two main grievances top French concerns: the bureaucratic machinery

<sup>13</sup> Interview with a French diplomat, French Permanent Representation to the EU, Brussels, January 2012.

<sup>14</sup> *La France et l'Europe dans le monde*, White Paper on the French foreign and European policy, 2008-2020, under the presidency of Alain Juppé and Louis Schweitzer, 2008, p. 41.

<sup>15</sup> Nicolas Sarkozy, Speech at the 19<sup>th</sup> Conference of the Ambassadors, Paris, 31 August 2011 (<http://tinyurl.com/d8jchq7>).

<sup>16</sup> Interview with a French diplomat, European External Action Service, Brussels, January 2012.

obviates ambition and the development of strategic policies; and the right expertise is sometimes lacking.<sup>17</sup> It is debatable whether the leadership makes the whole organisation, but it is important to remember that Catherine Ashton was the choice of a compromise among the bigger member states, and they did not want to promote a visible and proactive candidate who could have stepped on their ‘territories’.<sup>18</sup>

Moreover, France has historically been an advocate of a more robust European foreign policy as long as it fits its perceptions and perspectives. France has always benefited from a substantial foreign policy agenda and has promoted it at the European level – which contrasts with member states less active on that front. Despite a lack of support among the member states for “*Europe puissance*”, France has not held back in its efforts to influence European foreign policy. As a French diplomat in Brussels said, “We want to control what the EEAS does”.<sup>19</sup> The best way to achieve that is to convince other member states to follow the French lead. The EU context is constraining, because it requires member states to sell their policies to others; and France knows that the cost of going it alone is too high.<sup>20</sup> The southern neighbourhood debate is illustrative in that respect. In the first semester of 2011, France took several visible initiatives with a few member states to shape EU positions. For instance, France co-authored with Cyprus, Greece, Malta, Slovenia, and Malta a non-paper in mid-February 2011 to urge the EU to devote more resources to the southern neighbourhood.<sup>21</sup>

Lastly, the EEAS is in fact no competitor to French diplomacy and France has a high regard for its own diplomatic establishment and presence in the world. It enjoys the second biggest diplomatic service in the world after the United States.

Today, France is active in 194 countries with 162 full embassies and 26 delegations to international organisations. Its budget for external action amounts to almost €3 billion. While the new distribution of roles is accepted on the ground with the chiefs of the EU delegation as coordinator of meetings among EU ambassadors in third countries, practical cooperation (sharing of information, diplomatic cables etc.) remains difficult. It is deepening, but it requires time, trust, and transparency.<sup>22</sup> So what role for the newly empowered EU delegations? France supports the idea of giving more responsibilities to the delegations in terms of consular protection. Yet, Paris is not prepared to go as far as surrender its right to grant visas. France also supports a greater EU presence in some international organisations, but as a French diplomat explains tactfully, the EU is “not mature enough for the IMF and the UN Security Council”.<sup>23</sup>

### *What priorities for France in European external policy?*

The new administration has not offered many hints yet on which European external policies it will more specifically focus on. Yet French foreign policy tends to be reasonably constant regardless of the party in power, which explains why we will use the previous administration’s positions as well. Based on public speeches, we can identify four issues where France would

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<sup>17</sup> Interview with a French diplomat, French Permanent Representation to the EU, January 2012.

<sup>18</sup> The media devoted a lot of attention to those backroom negotiations. See, for instance, Jean-Michel Demetz, “Duo pour une Union européenne au rabais”, *L’Express*, 24 November 2009.

<sup>19</sup> Interview with a French diplomat, French Permanent Representation to the EU, January 2012.

<sup>20</sup> Frédéric Charillon, *La Politique étrangère de la France: de la fin de la guerre froide au printemps arabe*, Paris: La Documentation Française, 2011, pp. 78-81.

<sup>21</sup> Michèle Alliot-Marie et al., “Action de l’Union européenne en direction du voisinage sud”, Non-paper, 17 February 2012 (<http://tinyurl.com/d4p75tj>).

<sup>22</sup> Interview with a French diplomat, Ministry of Foreign Affairs, Paris, November 2011.

<sup>23</sup> Interview with a French diplomat, Permanent Representation to the EU, Brussels, January 2012.

like to see the European Union play an important role: the Middle East and North Africa; the so-called “strategic partners”; sanctions; and the CSDP.<sup>24</sup>

The southern neighbourhood is a region where France has historically been very involved, especially North Africa and the Middle East. Moreover, it is considered as both a source of great potential and of dangerous instability and risk. France has been an enduring advocate of the ‘two-third/one-third’ approach to the ENP funding policy: two thirds for the South and the rest for the East. It agrees with conditionality as reaffirmed in the ENP Review in May 2011, but according to the local contexts – a fixed assessment process would be counterproductive. France supported Ashton as the lead voice of the EU in the Middle East Quartet, as well as the lead negotiator in the E3+3 negotiations with Iran. Last but not least, France has tried against all odds to keep the Union for the Mediterranean on the EU agenda. The decision in late February 2012 to hand over the North co-presidency to the EU – Ashton becoming co-president and the EEAS taking over the technical supervision – illustrates the fact that France is aware of the difficulties of promoting this organisation on its own. Having the EU as an institution is a guarantee that the UfM remains active, but there is a risk that it will meet the same fate as the Barcelona Process.

On the so-called ‘strategic partnerships’, France has adopted a simple approach: united we stand, divided we fall. It maintains solid bilateral relationships with all of the strategic partners (in particular China, Russia, and the United States) both at a political and economic level. However, France recognises that it is a middle-ranking power and that it needs additional support to play in the same league as these countries. France wants to see the EU’s involvement as being complementary to its national approach and is anxious to see the EU develop deeper and more substantial relations with them. Overall, France is not satisfied with the content of the relations and complains that they lack political substance. One of the main points of contention is the lack of reciprocity, especially with China. The fact that François Hollande decided to name Jean-Paul Ortiz, a French diplomat well-versed in Asian affairs, as his diplomatic advisor may indicate that France will increase its attention on this region and will attempt to embark the EU on that path as well.

Sanctions are also an issue that France would place high on the list of priorities for European external policy. It knows that sanctions can only work if a wide range of countries joins the regime. In 2011, France was particularly instrumental in relations with the following four countries: Iran, Ivory Coast, Libya, and Syria. On the Ivory Coast, French officials stress that the clout of sanctions against Laurent Gbagbo’s regime was a decisive factor in the collapse of his leadership. Paris is also resolute on Iran; far more so than many member states. It had already imposed strong unilateral sanctions, and wanted to include the whole EU to amplify the firepower of these measures.

The CSDP has been a flagship issue for France as a testimony to a more political Europe. Yet, the CSDP has been stalling for the past few years, due to a lack of political will, funding, and ambition. Having the CFSP and CSDP under the leadership of the HR/VP could have facilitated more cohesion and progress of the latter. Three elements have hindered that development, however: the economic crisis, the lacklustre support of the French presidency, and the lack of interest in that question on the part of the HR/VP. EU budgets are undergoing dramatic cuts and the defence budget is most often the first target. It has consequently curbed the appetite of member states to devote resources to European defence, or even to discuss it.

Second, France has scaled down its unwavering support for the CSDP, which reflects a long-standing tradition of contrasting views between the presidency and the Foreign Ministry. On the one hand, France had to commit significant political and human resources to NATO, both to fill

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<sup>24</sup> This prioritisation is based on Alain Juppé, speech at the 19<sup>th</sup> Conference of the Ambassadors, Paris, 2 September 2011 (<http://tinyurl.com/c9zzar8>).

positions in the structures, but more importantly to strengthen France's political voice within the Alliance. As was indicated in the 2008 Defence White Paper, "the complementarity between the European Union and NATO must grow from the added value of those respective two entities."<sup>25</sup> However, it did not find the Pareto efficiency, and consequently it devoted less attention to the CSDP. When France is not wholly committed, the '*Europe de la défense*' ends up in a stalemate, especially since Catherine Ashton has shown little interest in security and defence issues. Despite recent progress, the consequence is that this creates a dearth of initiatives and crisis management tools are scattered within the EEAS, with little clarity on who does what – an issue that is being addressed. Former Foreign Minister Alain Juppé was keen to call for more attention to the CSDP, both on the operational and capabilities front, which resulted in the launch of new operations and projects at the European Defence Agency. However he was rather isolated and never enjoyed the unwavering support from the Élysée that would have made his efforts more politically vocal. It seems to be changing with the election of François Hollande, who has rekindled French focus on the "*Europe de la défense*" and made it a clear priority.<sup>26</sup> He is trying to rebalance French attention between NATO and the EU, which will likely show in the upcoming White Paper on Defence and National Security, which should be published in early 2013.

## Conclusion

It is too early to gauge the impact of the Lisbon Treaty on the Europeanisation of French diplomacy. France had already realised that it needed the Union to project its views with more influence, yet the same pattern repeats itself: France wants Europeanisation '*à la française*'. Three elements stand out in the analysis.

First, France has a vested interest in seeing the EEAS work well. It was one of its biggest supporters at the outset. Moreover, the development of a stronger and more cohesive European external policy serves French interests in seeing a more political Union emerge; consequently bolstering French efforts to shape EU positions. Yet paradoxically, because it does not want the EEAS to become too powerful either. Whether it is a temporary fixture to ensure that the EEAS grows as France projects it and then loosens its efforts to control it is not impossible. However, such a change of policy would imply that France perceives the Service as mature and fully operational, and living up to the high expectations that one can hope of an optimal EEAS. Also, it would require a mindset change in Paris so that France sees more interest in giving the lead to the EEAS. It is safe to say that it will take years before this comes to fruition.

Second, France is playing on two fields. Paris wants to cultivate its national diplomatic and military prestige across the globe and adopts vocal positions that often precede a European one. On the other hand, it realises that on long-term developments, such as the relations with great powers, it cannot go it alone and needs the EU.

Third, 'more EU' could also mean more pooling of resources and possible costs. In times of economic hardship, this element is not a trivial one: France has been pushing for pooling and sharing initiatives in the defence field, for instance.

In the end, France wants more Europe in order to see more France, and counts on the fact that few member states have such a developed and prolific foreign policy agenda.

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<sup>25</sup> *Livre Blanc sur la défense et la sécurité nationale*, Paris: Odile Jacob, p. 101.

<sup>26</sup> See Laurent Fabius, speech before the Polish ambassadors, Warsaw, 27 July 2012 (<http://tinyurl.com/brtp2ah>).

# From co-founder to wait-and-see: Germany's policy on the European External Action Service

Almut Möller and Julian Rappold\*

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Germany drafted one of the proposals in the European Convention in 2002 that eventually led to the inception of the European External Action Service (EEAS). However, since its launch in 2010, the government of Chancellor Merkel has been rather unimaginative in making strategic use of the EEAS. Generally speaking, EU foreign policy ‘fell off the radar’ three years into the euro crisis. In terms of numbers, Germany has room to improve its representation in both the EEAS Brussels headquarters and the EU delegations abroad. But more importantly, Berlin should propose ways and means of creatively linking the resources of German and EU external action to give both the EU and its members greater international clout.

## Position of national actors

In the debate and process that led to the establishment of the European External Action Service (EEAS), Germany was an active contributor. The idea to set up a European foreign service was first introduced during the European Convention in 2002, to support the new ‘EU foreign minister’; an office to be created by merging the High Representative with the Commissioner for External Relations. The future EU foreign policy chief was meant to improve cohesion, and as a result, the clout of the European Union’s foreign and security policy. During the Convention, Germany drafted a blueprint for the new institutional brief of the foreign policy chief, whose work, according to a document presented on 5 November 2002 by Gunter Pleuger, then Secretary of State in the Foreign Office to the working group “External Action”, should be supported by a “European foreign office”.

With the ratification of the Lisbon Treaty in 2009 and the launch of the EEAS in December 2010, the Union’s external action service has finally become an institutional reality. Ten years down the road, however, the enthusiasm Germany demonstrated at the time of the European Convention has somewhat dimmed. While Germany was active in crafting the set-up of the service, it has become less active on the question of what to actually *do* with it now that it is in place. Although there is undoubtedly some kind of engagement – for instance, Foreign Minister Guido Westerwelle was among the 12 signatories of the non-paper to the High Representative in December 2011 with proposals on how to make the EEAS work better and recently, more efforts regarding staffing have been made. Considering the potential impact of the EEAS on the structures, procedures and substance of German foreign and security policy in the medium to long term, since its inception the EEAS has not ranked high on the German government’s European agenda.

There are a number of reasons for this reticence, which only to a certain degree have to do with the EEAS itself. In the wider picture, since 2010 Germany’s *Europapolitik* has clearly focused on solving the sovereign debt crises in Greece and other eurozone countries. EU foreign policy has pretty much fallen by the wayside. Foreign Minister Guido Westerwelle’s initiative to place greater emphasis again on the institutional aspects of CFSP, in a report published with ten of his colleagues from EU countries in September 2012, did not receive a great deal of attention in Berlin. In general, Germany is a country still more comfortable with its economic power than

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with its role in foreign and security policy, and the euro crisis has reinforced this view, as German economic clout is one of the major pillars of the common currency. One could argue, however, that because of its traditional inclination towards multilateral frameworks in its foreign and security policy, the EEAS would be an ideal institution in which Germany could invest.

The current picture is rather different, however. As well as the lack of priority given to foreign and security policy is a certain reluctance on the part of the *Auswärtiges Amt* (Foreign Office) to help build up an institution that might take even more powers away from the Foreign Office in the medium term. Having been lost some of its competences on European affairs since the Lisbon Treaty (being absent from the European Council meetings) and facing a dominant Federal Chancellery in questions related to the EU, and the euro crisis in particular, the German Foreign Office is fighting to maintain its relevance in EU affairs. With a foreign minister who has been criticised across all party lines for his lack of political weight since taking office in 2009, it is even more difficult for the Foreign Ministry to wield considerable leverage. Moreover, while German diplomats traditionally take pride in their *esprit de corps*, forged in a year of joint training of all newcomers at the Ministry's academy, the idea of being mixed with a bunch of Brussels Commission and Council staff may sound rather unappealing, especially as the EEAS has not exactly enjoyed the best press since its inception. Does it really pay off in career terms to be seconded to the new service? A reasonable question for a career diplomat to ask. All this has led to the current situation in which Germany gives modest support to the EEAS, but stops short of making strategic use of the new external service.

In the run-up to the Council decision on the EEAS in July 2010, the Foreign Office primarily engaged in two areas: Foreign Minister Guido Westerwelle intervened with the High Representative to make German one of the official languages of the service, and the Foreign Office aimed to secure a number of top positions in the EEAS. This goal was in line with the incumbent CDU/FDP government of Chancellor Angela Merkel, which had committed to an overall increase of German staff in the Brussels institutions in its coalition agreement of 2009. Back in 2010, there seems to have been a concern in the Foreign Office about a disproportionately large British influence on the establishment of the EEAS and its staffing, according to sources from the Ministry. Until now, Germany has not been represented on the level of the seven Managing Directors. However, the Foreign Ministry managed to place Helga Schmid, (nominated as a deputy director of the EEAS), Hansjörg Haber (EU Civilian Operations Commander and Director of the EU Civilian Planning and Conduct Capability) and Markus Ederer, (the EU's Ambassador to Beijing), in three key positions of the EEAS. In addition, in 2012 two new Special Representatives from the German Foreign Ministry were appointed, Andreas Reinicke (Middle East Peace Process) and Patricia Flor (Central Asia). Nevertheless, for now Germany remains under-represented (see below, Germany's contribution to staffing in the EEAS).

The German Parliament, the *Bundestag*, challenged the start-up phase of the EEAS, particularly on budgetary issues of parliamentary control and on resources and structures for civilian-military co-operation. Fundamentally, German MPs argued for a meaningful co-ordination of European and national levels to avoid establishing a mere '28<sup>th</sup> ministry of foreign affairs'. The opposition Social Democratic Party (SPD) challenged the government coalition in a motion in June 2010 on the cost and performance efficiency of the Foreign Office (regarding consular services, press and communications) in light of the changes emerging from the new resources of the EEAS. In November 2010, the parliamentary group of Bündnis 90/die Grünen called for the focus of the EEAS to be placed on peace-keeping and crisis-prevention. In addition, the party DIE LINKE demanded a more efficient control of the Common Foreign and Security Policy and proposed the establishment of an interparliamentary assembly with comprehensive powers of control over the EEAS. These debates will probably continue even after the EEAS' structures have settled in, and the service is fully operational. However, since its launch in 2010 the EEAS



has been a low profile issue in Berlin and is not currently being discussed much beyond expert circles.

### **Germany's contribution to staffing the EEAS**

While the Foreign Office declared staffing as one of its priorities for the EEAS, in the early days of the new service Berlin struggled to reach the level of representation of member states such as France, Belgium, Italy, or Spain. Recent figures from June 2012 published by the EEAS in its letter to the committee on budgets of the European Parliament reveal that Germany is still under-represented, both in the Brussels EEAS headquarters and in EU delegations around the world. Germany, by far the largest member state with a population of about 82 million is being represented by only 54 members of staff in the Brussels headquarters, compared to 74 French, 63 Italians and 56 Spaniards. Germany is not represented at all at the level of the seven managing directors in the EEAS. At the level of the 12 directors, Gunnar Wiegand, a former European Commission official, is the only German, however serving as Director of Russia, the Eastern Neighbourhood, Central Asia and OSCE, which are areas of strategic importance for Germany (see *Strategic Interests and Key Regions* below). In an earlier assessment for her fellow German EPP-MEPs of September 2011, Inge Gräßle noted that, in her view, the Foreign Office was more inclined to push for national diplomats than for Germans working in the Commission or the Council Secretariat. Furthermore, it was not motivating Germans enough to apply for vacancies, or supporting applicants enough once they entered the selection process. Moreover, she noted, as countries from Central and Eastern Europe have been virtually disregarded so far in the staffing process, German influence is even more likely to decrease in the coming months.

Indeed, it is questionable whether the initial decision of the Foreign Office to place Germans in top positions instead of supporting German candidates on a large scale has been the appropriate strategy, especially when other EU member states have already placed considerably more candidates in the EEAS, also among the lower ranks. However, in the meantime, the Foreign Office seems to have realised the high relevance of recruitment and has redoubled its efforts to enhance overall German representation.

Having said that, there has clearly been dissatisfaction in Berlin about the High Representative's recruitment process, as expressed in the non-paper sent to Catherine Ashton by 12 foreign ministers, including Guido Westerwelle, in December 2011. The foreign ministers asked the HR to develop an implementation plan for the target of one-third representation for member states in the EEAS, suggesting that no new outside recruitment should take place until this target is reached. The ministers also called for greater transparency about vacancies that they claimed must all be advertised "at all levels, in particular for those positions covered by the Consultative Committee on Appointments Decision and for all Heads of Division posts". Furthermore, candidates should be better informed and have more time to prepare for interviews, ideally by bringing the timing in line with the annual summer staff rotations practised in many of the member states.

### **Co-operation with the EEAS on third countries and in international organisations**

While it is difficult to assess the way in which the German representations co-operate with EU delegations in third countries (so far there has been no systematic and in-depth research published about the situation on the ground, and it is still early days), Germany is generally likely to adopt a constructive approach towards co-operation. After all, the overall practice of working with the other EU members has been established for some time under the rotating presidencies. Nevertheless, the more the EU delegations start to extend their political, diplomatic and policy work, the more the member states' representations will keep an eye on the delegations' activities, and one should not rule out the possibility of differing views between

a German representation and an EU delegation on a particular issue. It will be interesting to see where such divergences will be played out – in Brussels, or on the ground. Secondly, particularly in countries or regions of strategic interest, especially with regards to bilateral economic relations, Germany is very likely to keep a strong presence there and, if interests diverge, its engagement with the EU delegation will probably be more low-key. Conversely, it can be expected that in areas of convergence of interests, the German government will seek a dynamic and powerful cooperation with the EEAS. Nevertheless, such a convergence of interests is also highly dependent on the behaviour of the respective third state that is able to undermine a common EU position by playing off bilateral positions.

Overall, Germany has solid resources for external representation, especially compared to some of the smaller EU member states. Size matters: as a large country with a strong export orientation in its economy, Germany has other ways of projecting its power in the world, and makes active use of them. In terms of its diplomatic resources, Germany has a widespread network of 227 representations around the world in total, 152 of which are embassies and 55 are consulates general, plus a number of lower level forms of representation (these and the following numbers are based on the CEPS 2011 study “Upgrading the EU’s Role as Global Actor”). In the EU, only France and Italy carry out more diplomatic missions.

Furthermore, the overall budget of the Foreign Office, excluding major operational programmes such as humanitarian and development aid, amounts to €873 million, which is the third biggest budget among the EU member states (2010). Although the Foreign Office is supposed to reduce its spending by 3% between 2010 and 2015 (Official website of the *Auswärtiges Amt*), austerity debates have not quite reached the Foreign Office in such a way as to pressure it to use its resources more efficiently, for instance by exploring options of joining forces with other EU member states in third countries, or through the EEAS. Other countries such as the UK, Poland, Austria and Slovenia are already putting far more constraints on their foreign ministries by making cuts in the range of 10-25% over a short to medium-term time span. Furthermore, in contrast to smaller member states such as Finland, Sweden, Slovenia or the Netherlands, which are all spending over €30 per capita on their foreign services, Germany has a relatively low budget per capita of around €10. This is also true compared to other larger countries, with France spending €13 per capita, Italy spending €16, and the UK spending a little less than the Germans per capita.

Against this background, it is quite likely that Berlin will not feel pressure to significantly downsize its resources in the short to medium term, especially if the EEAS is continuously confronted with political problems, which ironically are largely related to the engagement – or lack thereof – of the EU member states.

The transformation of the Commission delegations into EU delegations has been particularly challenging for multilateral delegations, such as those in New York, Geneva, Vienna or Paris, as expressed by the High Representative in her annual report on the state of the EEAS in December 2011. Generally speaking, with its commitment to “effective multilateralism”, Germany has a positive attitude towards the EU taking on a stronger role – as long as it is organised efficiently. At the United Nations, for instance, Germany has been a non-permanent member of the Security Council since January 2011. In a speech to a joint meeting of the European Parliament’s Foreign Affairs and Defence Committees in May 2011, Foreign Minister Westerwelle welcomed the UN General Assembly Resolution on the status of the EU under the new EEAS arrangements. He stated that Germany was committed to giving the EU a stronger voice through its presence in the Security Council. However, he added, Germany would continue to lobby for a permanent German seat on the Security Council “until an EU seat was ‘achievable’”.

Beyond the rhetoric one needs to bear in mind that actions often speak louder than words: while Germany might have had good reasons for its abstention in the vote on Security Council

Resolution 1973 on establishing a no-fly zone over Libya, it clearly damaged a joint EU approach and dealt yet another blow to the Common Security and Defence Policy (CSDP). Incidents like this one demonstrate that the real problem of the EU's foreign and security is not to be found in its nascent institutions, but at the level of member states' political will to work towards joint EU approaches, enabling the new EU institutions to work properly and become real players in foreign affairs.

### **Strategic interests and key regions**

Fundamentally, as stated above, Germany's export industry quite naturally makes the country's trade policy reach out to the world. In the EU's neighbourhood, Germany has traditionally had a strong interest in engaging with Eastern Europe, Russia, and Central Asia. In recent years, the federal government also published strategy papers on Latin America and the Caribbean (2010) as well as on Africa (2011). In January 2012, the federal government adopted another strategic document dealing with what it calls new 'shaping powers' ("Gestaltungsmächte").

Two aspects are of particular interest for the context of this paper: firstly, without drawing up a final list of countries or regions (such as the 'BRICs'), the 60-page concept generally addresses countries that have become economic powerhouses; increasingly willing or at least able to shape a more multipolar international order. While the concept is rather fluid with regard to its geographic focus, it states that Germany wants to pursue its new strategy in line with the EU's strategic partnerships with countries such as China, India, Brazil, Mexico, and South Africa. Secondly, the concept mentions the foreign policy innovations of the Lisbon Treaty (HR and EEAS), stating that Germany will work with and make use of them. However, it would have been desirable for the federal government to inject some practical and innovative ideas into the new concept on how to make co-operation with the EEAS (the 'new kid on the block') fly in its strategic partnerships.

### **Conclusions**

Indeed, at this stage no German strategic vision has yet emerged on the EEAS. While Germany helped the EEAS come into being during the European Convention in 2002/2003, the current approach of the federal government can be characterised as one of modest reticence. There seems to be a wait-and-see approach until the EEAS' structures have settled in, and the big institutional battles are over. This goes hand-in-hand with a kind of identity crisis in the Foreign Office that is fighting for its relevance in Germany's *Europapolitik*; hence tending to see the EEAS as a competing rather than a complementary structure.

Overall, the euro crisis has dominated Germany's *Europapolitik* for almost three years now. Developing the EU's foreign policy has not only become less of a priority, there is also a growing scepticism about a joint approach to foreign and security policy as such. At least for the moment, this means that Germany's EEAS policy and its contributions to European foreign and security policy under the Lisbon Treaty have been rather lacklustre.

# Deliberate 'spoiler' or misunderstood pragmatist? Britain and the European External Action Service

Edward Burke\*

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Britain appears determined that the creation of a single EU diplomatic service, the EEAS will not in any way change the prerogative for London to make its own foreign policy. In a speech in 2011, Foreign Secretary William Hague made it clear that

We cannot outsource parts of our foreign policy to the European External Action Service as some have suggested. There is not and will never be any substitute for a strong British diplomatic service that advances the interests of the United Kingdom. We can never rely on anyone else to do that for us.”<sup>1</sup>

This is a far cry from the hybrid diplomacy envisioned by many as proof of the EU’s emergence as a truly global power. It begs the question as to what, if anything, does the UK want the EEAS to do?

Hague’s position, and that of the British government, is more nuanced than his rhetoric leads many to believe. In government Hague is less of a eurosceptic than most in his party, but he is engaged in a constant balancing act between diplomatic pragmatism in Brussels and maintaining the confidence of a profoundly eurosceptic Conservative Party at home.<sup>2</sup> He has a realistic appreciation of Europe’s importance to the UK, in terms of trade, finance and the collective use of power internationally. Hague has also criticised the previous Labour government’s failure “to give due weight to the exercise of British influence in the EU”<sup>3</sup> by neglecting to place more British officials in influential positions in Brussels. In making statements that overtly denigrate the role of the EEAS, he is not denying it a purpose, but simply reasserting (for domestic consumption) the primacy of member states in setting and guiding EU foreign policy objectives. This reflects a British preference for inter-governmental decision-making and is in line with the provisions of the Lisbon Treaty on foreign policy.

British caution over the prerogative of member states to set foreign policy should not be over-interpreted as a damning sign of ill-will towards the EEAS. Under instruction from William Hague, the foreign office in London has worked hard to identify quality diplomats from among its ranks for secondment to the EEAS. But British officials concede that making the EEAS work has been nowhere near Hague’s list of priorities. With UK diplomacy focused elsewhere, it is perhaps unsurprising that misconceptions of British attitudes towards the EEAS have gained traction. Contrary to rumours of almost total British obstruction of the EEAS, there are a number of areas where the UK is willing to delegate a lead role for Europe’s new diplomatic service, albeit carefully overseen and guided by the member states.

Britain’s diplomats have identified four areas of the EU’s external relations for the EEAS to focus on: i) the European Neighbourhood Policy (ENP); ii) adding a diplomatic complement to the European Commission’s trade negotiations, particularly with those countries with whom the EU has a strategic partnership; iii) better linkages between EU development funds and political

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<sup>1</sup> The Rt. Hon. William Hague MP, “The Best Diplomatic Service in the World: Strengthening the Foreign and Commonwealth Office as an Institution”, September 2011.

<sup>2</sup> “William Hague is no longer a Eurosceptic”, *The Daily Telegraph*, 24 October 2011.

<sup>3</sup> The Rt. Hon. William Hague MP, “Britain’s Foreign Policy in a Networked World”, July 2010.

objectives; iv) common security and defence policy (CSDP) mission performance (with an emphasis on civilian police and rule of law missions, such as those in place in Afghanistan, Bosnia-Herzegovina and Kosovo).

In 2012 the foreign office in London says that it is focused on spelling out a more coherent vision of future EEAS priorities and actively works towards ensuring it has the tools to succeed. Britain spent much of 2011 blocking EEAS statements on behalf of the EU in a row over division of competence on foreign policy. At the same time Britain's most senior European official, the High Representative for Foreign Policy, Catherine Ashton, has been subject to escalating criticism, from other member states and the media, amid calls for her to resign.<sup>4</sup> The fact that Ashton was appointed by the previous Labour government is unimportant. As the British government's nominee, her performance impacts upon the UK's reputation in Europe. Yet, ironically, Ashton's tenure has been made more difficult by accusations that London, far from helping her do her job, is deliberately undermining it by blocking the work of the EEAS.

### **A question of competence**

Even prior to the 2009 adoption of the Lisbon Treaty, which created the EEAS, the EU routinely spoke with one voice in multilateral forums, even where full competence lay with the member states as opposed to the EU institutions. It therefore came as a surprise to other EU member states when Britain decided to renege upon established procedures. In May 2011, William Hague sent an urgent diplomatic cable to all British overseas missions, warning diplomats to look out for EEAS 'competence creep'. Hague believed that the EEAS – without the consent of the member states – was increasingly speaking for Europe on foreign policy issues, even where competence rested with national governments rather than the EU institutions. Shortly afterwards, British diplomats began to block EEAS officials from speaking at international organisations, saying that new arrangements were needed to clarify when the EEAS was speaking for the EU institutions, the member states or both.

Germany, the Netherlands and other member states took a dim view of Britain's concerns, seeing a eurosceptic, 'spoiling' agenda behind Britain's actions. In particular, they resented Hague's opposition to a more forceful EU representation at the UN. Meanwhile, the European Commission threatened to take Britain to the European Court of Justice if it persisted in blocking the EU from speaking at multilateral organisations where it had partial competence, including at UN bodies dealing with development and/or trade issues.

On 22<sup>nd</sup> October 2011 EU foreign ministers agreed to new rules on diplomatic representation. In future, the EEAS and other EU representatives will have to identify when they are speaking on 'behalf of the EU' (implying that common institutions enjoy full competence over the matter), 'on behalf of the EU and its member states (in cases when common institutions share competence with national governments) or 'on behalf of the member states of the EU' (when EU institutions have no competence and only act upon the request of the member states). Britain believes that these arrangements will prevent EEAS officials from making commitments without first consulting the member states.

While the UK government feels vindicated by the October 22<sup>nd</sup> agreement, other capitals are grumbling about it. They argue that precedents have long existed for the EU to represent the member states on issues of shared competence (as they have done for the past 20 years at the UN Food and Agriculture Organisation, for example). They remain concerned that the UK will use the new rules to block a more proactive role for the EEAS in international organisations. These fears were heightened by an overly rigid interpretation of the new general arrangements by some British diplomats in multilateral organisations, such as at the UN and the OSCE in the immediate period after the agreement, including debates over competence, even on issues where

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<sup>4</sup> *The Economist*, "The Berlusconi option for Lady Ashton", 2 February 2011.

clear statements from the Council existed. However, at the beginning of 2012 the foreign office in London provided more guidance to its diplomats on exactly how to apply the general arrangements, resulting in fewer clashes between the UK and other member states.

The British government rejects the tendency of other member states to argue that the ‘spirit of Lisbon’ should prevail over a strict legal interpretation of its contents. Some other member states (including those seeking a greater role for the EEAS than the UK does, such as Finland or Ireland) concede that the British legal view that the vast majority of foreign policy issues remain within member state competence is the right one. They are also concerned that other member states (such as those of the Benelux) believe that the Lisbon Treaty provides for an inevitable momentum towards a unified European foreign policy on all counts. But even those member states sympathetic to London’s views strongly object to the way that Britain suddenly escalated its objections into a crisis that, for a time, blocked EU statements in multilateral organisations during 2011.

Some member states worry that the previous deadlock over competence signals a deeper UK dislike for a collective EU foreign policy. The foreign office in London has attempted to allay such concerns, saying that because of the clarity provided by the October 2011 agreement, the UK now wishes to engage constructively on how best to employ the EEAS. UK diplomats claim that, although Prime Minister David Cameron’s Conservative Party was against the Lisbon Treaty – and thereby implicitly against the creation of the EEAS, Britain pragmatically accepts that Europe’s diplomatic service is here to stay. Consequently, they will employ it to complement Britain’s interests in a limited number of areas, as previously identified.

### **Narrowing the focus of the EEAS**

Ironically, British caution on the future of European diplomacy may work to the EEAS’s advantage in the short term. A lowering of expectations offers an opportunity for the EEAS to focus on areas where EU institutions have real potential leverage (e.g. trade, the European neighbourhood) as opposed to wishful thinking. Moreover, far from being in competition with British government policy, British diplomats believe that the EEAS is well-placed to complement the UK’s foreign policy objectives in a manner that is entirely consistent with the British government’s pledge not to cede more powers to Brussels.

The British argument is a simple one: it will take time to build a capable diplomatic service. Member states, including the UK, need to be much clearer on setting objectives for the EEAS and providing the tools it needs to deliver. The EEAS mandate, and consequently its resources, is limited; ambitions must therefore be lowered. (At the end of 2011 the EEAS consisted of 3,267 personnel, not much more than the number of people employed by the Danish Ministry for Foreign Affairs – with a budget of around €500 million; almost equivalent to the defence budget of Slovenia.).<sup>5</sup> The UK is against any consular role for the EEAS – arguing that it has neither the mandate nor the resources to take on such a task.

Larger member states, including the UK, are unwilling to delegate to the EEAS their diplomatic relations with the United States, the BRICs and other leading countries, when they already enjoy unique access to political and business elites envied by other member states.

But this is not to rule out a role for the EEAS in Washington DC, Ottawa, Tokyo and in emerging power capitals. London encourages the EEAS to bring diplomatic weight to bear in New Delhi, Beijing or Brasilia on areas of EU competence such as trade, climate change, shared competence such as energy or climate and on agreed areas of Common Foreign and Security Policy, such as the imposition of sanctions or prevention of piracy.

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<sup>5</sup> OECD-DAC, “European Union: Peer Review 2012”, OECD, Paris, 2012, p. 68; Daniel Keohane, “The EU’s ‘ludicrous’ Foreign Service budget”, FRIDE, 26 April 2012 ([www.fride.org](http://www.fride.org)).

London recognises that an EU without an effective diplomatic corps will be less effective in securing Britain's trade interests. Catherine Ashton has identified this as the key value-added of the EEAS: "a service that brings together economics and politics".<sup>6</sup> Most developed countries have moved to an 'integrated diplomacy' model; one that recognises the value of diplomacy towards securing political advantage and information that can turn trade negotiations. The EU needs to do the same – ending the artificial distinction that leads to the Commission conducting trade negotiations at the World Trade Organisation or with bilateral partners without making use of the wider tools of diplomacy at its disposal.

The EU has in the past been caught out in negotiations because of a lack of diplomatic skill. While the Commission's officials are good at technical dossiers they often lack an understanding of the internal political situation in the countries with which they are negotiating. For example, at a Doha round of WTO talks in 2008, EU officials underestimated the resistance of Brazil, India and others to a deal on reducing agricultural subsidies, leaving the EU's trade and agriculture commissioners appearing surprised and defensive.<sup>7</sup> This is a deficit that the EEAS is designed to fill.

Britain also supports the consolidation of the EU's role with regard to civilian crisis management: the HR has done well to establish the crisis management board to better integrate planning for general crisis response, as well as introducing the concept of 'a crisis platform' to respond to specific conflicts or natural disasters. But complaints over possible duplication of effort between the Crisis Management Planning Directorate (CMPD) and the Civilian Planning and Conduct Capability (CPCC) persist (the latter has responsibility for CSDP missions). A lack of political insight has also impacted upon the EU's conflict management and development roles in countries such as Afghanistan. The European Commission, and some senior EEAS officials, argue that development assistance and humanitarian aid must be protected from being hijacked by political considerations. This position has merit – a balance must be struck between the amount of aid distributed on the basis of need as opposed to EU strategic interests - but it does not diminish the need for clear-eyed political analysis to sound a warning when aid is in danger of being abused by corrupt local actors or is having an effect contrary to original objectives. Since 2010 the UK government has stressed the need to spend its aid money in a politically informed way, so as to root out waste and corruption. London wishes to see a similar logic applied to how the EU works overseas. Progress towards this goal was limited in 2011, but the UK is now waiting to see how a new General Service Level Agreement (signed in January 2012) regulating division of labour between the EEAS and the Commission on development assistance will work in practice.

Although the UK sees value in EU civilian police and rule of law missions in trouble-spots such as Kosovo or Afghanistan, London is far less enthusiastic about deeper EU military cooperation. Britain is convinced that most European countries will never become credible military partners. London believes that the European Defence Agency is "a waste of money" and has attempted to reduce its budget. Britain has also threatened to veto any attempt to establish an EU military operations headquarters, arguing that such a move would be too costly and would duplicate existing military cooperation put in place under the NATO alliance. In sum, the UK sees merit in a civilian crisis management role for the EU, but is very sceptical about the potential of the EU to develop as a 'hard security' actor.<sup>8</sup>

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<sup>6</sup> Address by HR/VP Catherine Ashton at the seminar "The EU and Brazil in the world", 8 February 2012.

<sup>7</sup> Commissioner Mariann Fischer Boel, "Statement on the failure of the Doha round of the WTO", European Commission, July 2008.

<sup>8</sup> Clara Marina O' Donnell, "Britain and France should not give up on EU defence cooperation", CER, October 2011.

Britain has a security and trade interest in fostering stability in countries such as Egypt and Libya. And while it lacks the political and economic tools to do so alone, the EU is North Africa's biggest market and investor. William Hague has described how Britain "should use the EU's economic magnetism to encourage and support real political and economic reform. That means a new partnership with the southern neighbourhood with a simple proposal at its heart: that the EU will share its prosperity and open up markets in return for real progress on political and economic reform."<sup>9</sup> Hague pragmatically appreciates that the EU is the principal means for Britain to secure its interests in the southern Mediterranean.

Overall, Britain is a strong supporter of the ENP and particularly of a strong role for the EEAS in the aftermath of the Arab Spring.

### **Conclusion: thus far and no further?**

The Conservative majority of the British government takes pride in adopting a realistic, traditional approach to foreign policy. The EEAS priority areas recently identified by the foreign office are sensible and feasible. Political information and diplomacy are critical to the successful implementation of EU trade, development and energy negotiations in the future. Although the Conservative Party opposed the Lisbon Treaty, its leaders now accept that the EEAS is here to stay and appreciate that it can play a positive role in achieving British and European foreign policy objectives. However, Britain's more pragmatic attitude towards the EEAS has been overshadowed by an ugly spat over the division of labour between the EU and its member states in international organisations. Where some member states saw an opportunity for 'constructive ambiguity', the British government, under pressure from the eurosceptic right, was determined to be seen to resist 'competence creep.' Britain's diplomats now say that they want to draw a line under the affair and focus more on setting clear objectives for the EEAS's work.

Britain can be a constructive player on the EEAS – but only as long as other member states, such as the Benelux countries, are willing to lower their ambitions for the EEAS to those areas of competence that have been unambiguously agreed by all 27 member states.

This may be helpful to a nascent EEAS that wishes to develop deliberately and focus its limited resources upon readily achievable objectives. But in the long term Britain's lack of ambition for a truly comprehensive European foreign and defence policy could add further fuel to those beginning to wonder whether an ambitious EU in the world might be better off without UK membership.

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<sup>9</sup> The Rt. Hon. William Hague MP, "Speech at the Lord Mayor's Banquet", May 2011.



# The European External Action Service fails to impress the Dutch: Will it bring added influence?

Louise van Schaik\*

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## Summary

Overall, the Netherlands was rather supportive of the establishment of the European External Action Service (EEAS). It has seen the nascent service taking small, but positive steps forwards. Ideally, the EEAS would be able to take over consular tasks from Dutch embassies in the future, but it is recognised that thus far, support for this move from other member states is lacking. The Netherlands would like to see a more coherent and effective EU foreign policy, and the EU more often speaking with one voice. At the same time the Netherlands is one of the advocates of a rather restrictive enlargement policy and has relatively strong views on the Middle East peace process, even though this may change when a new government enters office. It supports the EEAS' efforts to pay more attention to human rights and economic diplomacy, and the contribution of the EU to sensitive political dialogues with, *inter alia*, Iran. It underlines the need for better and well-secured information flows and realises that this requires investment, but is keen to emphasise that the EEAS' budget may not be expanded in these times of economic austerity.

## Introduction

The establishment of the European External Action Service has challenged the notion that diplomacy is solely the remit of nation states, but can also be conducted by a regional entity, i.e. the European Union (EU). The Netherlands has a long tradition of linking international diplomatic presence to promoting Dutch products and values. Since the 17<sup>th</sup> century, the notion of the 'merchant and the vicar' characterised the image of the embassies and consulates of the Netherlands. As a founding member state of the EU, the Netherlands is now considering how to make good use of the EU's new diplomatic service; can it eventually replace national diplomacy or is it merely an additional vehicle for influencing international relations? Will it be able to reverse or manage the decline of the international influence of individual EU member states, or merely illustrate how ineffective and divided Europe is?

This section looks at the impact and influence of the EEAS on Dutch diplomacy, both with regard to policy orientation and the organisation of national diplomacy. It will also look at how the Netherlands has tried to influence the Service in terms of structure, the presence of Dutch diplomats among its staff and its policy priorities.

## The Netherlands as a foreign policy actor: the merchant and the vicar

Foreign policy, and particularly European integration, was a delicate matter for the centre-right Dutch government composed of Liberals (VVD) and Christian-Democrats (CDA) that took office in October 2010 and had to resign in April 2012. The parliamentary support they received for their minority government from Geert Wilders' Freedom Party (PVV) did not extend to government positions on European integration. For issues such as the Greek bail-out, support had to be obtained from other parties, notably the Social Democrats (PvdA), the Social Liberals (D66), the Greens (Groen-Links) and Christian Union (CU). Concerning general foreign policy, according to its Coalition agreement (2010), areas of focus included: fostering international

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stability and security, energy and resource security, promoting the international legal order, and advancing the trade and economic interests of the Netherlands and Dutch businesses. Israel was explicitly mentioned as a country with whom the relationship will be enhanced. On the issues of asylum and migration, the government aimed to decide if European policies can be altered with a view to making these policies more restrictive. Directly after the fall of the cabinet, the government took on a caretaker function and announced that it would no longer seek to obtain specific PVV endorsement, including the reversal of EU asylum and migration policies.

In terms of organisation, the Dutch Ministry of Foreign Affairs is headed by a Minister for Foreign Affairs and a State Secretary for European Affairs and Development Cooperation. Currently, 2,800 people are employed with a planned reduction to 2,500 staff in 2015. About 1,500 of staff members work abroad as diplomats (1,100) or attachés (400) in 113 embassies; 24 consulates; 19 permanent representations and 4 other diplomatic entities. The rest of the staff is allocated to various directorate-generals in the ministry, i.e. the DGs for Political Affairs, European Cooperation, Development Cooperation (officially “International Cooperation”) and the DG for Consular affairs and Operations (finance, HR, etc.). The Netherlands does not have a separate agency for development cooperation, but does channel a considerable share of its funding through a long-standing and well-established network of non-governmental development organisations.

The Netherlands is a large investor in third countries and has an open export-dependent economy. Economic diplomacy has regained importance in the current economic crisis and European integration is first of all judged on the benefits it brings to ‘merchant Holland’. The other prevailing image of Dutch foreign policy is that of the ‘vicar’. The Netherlands is keen on promoting values, such as human rights and the rule of law. The Hague likes to refer to itself as the legal capital of the world and is the hometown of the Peace Palace, several tribunals, Europol and Eurojust and the International Criminal Court. Another element of its normative orientation is Dutch spending on development cooperation. Despite the benefits of development cooperation increasingly being the subject of debate, the country is still spending 0.7% of its GDP on ODA, which makes it a relatively influential donor country. Another example of the ‘vicar attitude’ is the emphasis on the need for EU conditions for enlargement to be “strict and fair” (the Netherlands government, 2011d).

In terms of security, the transatlantic orientation of the Netherlands stands out with its strong support for NATO. In the context of the EU it accepts the lead of the ‘big three’, but also considers itself as a foreign policy actor when it comes to economic interests or issues on which the current government has strong convictions. Examples of the latter are the Netherlands being relatively pro-Israel within the political spectrum of the European debate on the Middle East peace process, something that may change with a new government.

### **The Dutch position on the HR, the EEAS and EU external action**

After the no-vote in a referendum on the Constitutional Treaty in 2005, the Netherlands supported the British position to no longer use the title EU Foreign Minister for the upgraded position of the High Representative. Despite the removal of this symbolic title, the Netherlands did not oppose the idea of setting up a European diplomatic service and combining the foreign policy tasks previously performed by the EU Commissioner for External Relations, High Representative and EU Presidency. In general the creation of the HR position and the performance of her functions have attracted little attention in the Dutch media. For instance, the quality newspaper *NRC* only mentioned Ashton eight times in articles in 2011, and none of these articles was devoted to her function (*NRC*, 2012). Instead, they covered foreign policy issues and referred to Ashton when mentioning the EU’s position on the matter. Similarly, the *Volkscrant* devoted little attention to the High Representative, but did publish a letter by two pro-European politicians of the Liberal party (D66) in which they argued why more EU diplomacy was better for the Netherlands (Pechtold & Schaake, 2011). In 2010, attention was

paid to the decision to establish the EEAS in both newspapers; otherwise there were few articles on the subject during this year. Mention was made of the establishment of the new EU diplomatic service creating opportunities to economise on the Dutch diplomatic presence abroad. The Parliament adopted a motion in which it called upon the government to investigate this matter (Ormel, 2008), but the government replied that more time would be needed to assess whether and to what extent the EEAS would be able to take over the tasks of Dutch embassies abroad (the Netherlands government, 2010).

Despite the topic being paid scant attention in the news, from its inception the Netherlands was relatively supportive of the EEAS. A letter to Parliament in 2010 on the establishment of the EEAS mentions that gains are to be expected with regard to the quality and coherence of decision-making in the area of EU foreign policy (the Netherlands government, 2010). It also refers to the need to increasingly speak with one European voice due to the shifting tectonics in world order and the emerging economies being increasingly assertive – to the detriment of the EU's international influence.

Dutch support for the EEAS was also demonstrated by a high-level seminar organised by the Clingendael Institute in October 2010, in close cooperation with the Ministry of Foreign Affairs. The event brought together senior policy-makers from over 17 EU member states with academic experts to discuss how the EEAS could be turned into a success (Driessens & Van Schaik, 2010).

The Netherlands is among the strongest proponents of a role in consular affairs and visa services for EU delegations. Together with Belgium and Luxembourg, it drafted a non-paper in April 2011 in which it advocated:

- better cooperation in third countries and international organisations;
- increased information sharing and joint analyses;
- consular cooperation;
- streamlined foreign policy decision-making with a strong role for the Political and Security Committee;
- logistical support in times of crisis;
- joint travel advice and cables;
- common communication;
- more coordination between the EU and national development cooperation programming;
- common training of EU and national diplomats.

At the same time, the Netherlands underlines its longstanding demand that the budget for the EU's external action can only be increased when other items of the EU budget decrease, as no extra monies can be given to the EU at this point in time (the Netherlands government, 2011c). This demand is consistent with the objective of budget neutrality as enshrined in the decision on the establishment of the EEAS (EU, 2010). Recently, the Netherlands also asked for more clarity on the status of certain internal EEAS documents, such as Heads of Missions (HOMs) reports that are agreed upon in third countries by the Heads of Embassies of the EU member states and the EU Delegation. This matter arose after an incident in which the minister was displeased at the leaking of a HOMs report drafted in Gaza.

The Netherlands supports the practice that one third of EEAS staff come from EU member states, as agreed upon in the decision establishing the service (Parliament, 2011b). One senior staff member at the Permanent Representation, in fact the former deputy Permanent Representative, is responsible for promoting Dutch nationals in senior EU positions, including those within the EEAS. In September 2011, 64 Dutch nationals were employed in the EEAS

(4% of total staff numbers). Eight out of the 136 EU delegations across the world were headed by a Dutch national (more than 6% of the total) (the Netherlands government, 2011d).

In December 2011, the Netherlands Minister for Foreign Affairs, together with 11 colleagues from other EU member states, co-signed a three-page letter to Catherine Ashton on the EEAS (*EUobserver*, 2012). Some observers viewed this as a criticism of the service, even though the ministers emphasised their objective of being constructive and supportive. The letter mentions, amongst other things, that “the setting up of a secure communications network should be a major priority” and that “the creation of defence and security attachés in EU delegations ... should be considered.” In reaction, Ashton presented a report in which she pointed to the administrative and budgetary challenges facing the EEAS and highlighted the achievements made thus far (High Representative, 2011).

It seems as if the Dutch criticism focused mainly on organisational aspects. For instance, in October 2011, the Minister of Foreign Affairs, Uri Rosenthal, assured Parliament that HR Ashton had made an active and valuable contribution to international policies, including to the Middle East peace process, relations between Serbia and Kosovo and in the Arab region (Parliament, 2011b). In an informal meeting of the Foreign Affairs Council in March 2012, Rosenthal underlined the need for “more synergy between the EEAS and member states’ diplomatic services” (*Bulletin Quotidien Europe* 10571, 2012).

In general, the Netherlands considers an effective and coherent EU foreign policy to be an essential addition to Dutch diplomacy. In its annual policy statement on EU policy (Netherlands government, 2011d), the following priorities are mentioned:

- The EU is to be more assertive in defending its interests and could decide earlier on that economic sanctions will be implemented,
- The EU should focus on the emerging economies: China, India, Brazil and South Africa,
- The EU should promote common objectives, such as fighting climate change, protectionism and piracy, as well as common values, including democracy, human rights and the rule of law.

At the most recent informal meeting of the Foreign Affairs Council (“Gymnich”) Minister Rosenthal pointed to more specific objectives, such as the need to pay more attention to frozen conflicts in the EU’s neighbourhood, focusing on human rights and economic diplomacy. The minister explicitly praised the contribution of the EU on important issues of foreign politics, such as the statement of the quartet on the Middle East peace process, the E3+3 meetings with Iran, the dialogue between Serbia and Kosovo on human rights and the sanctions against Myanmar and Syria (the Netherlands government, 2012).

### **Changes to Dutch diplomacy as a result of the establishment of the EEAS**

As a result of the establishment of the EEAS a number of relatively minor changes have already been made to the way Dutch diplomacy operates. First of all, the Netherlands proposes that *demarches* made on behalf of the EU are always made by the EU Heads of Mission. This should also be the case when the EU considers that other states have committed serious political offences (for instance grave human rights violations); otherwise an impression could be given of the EU as only being in charge of less politically sensitive issues. Secondly, the Netherlands accepts a (leading) role for the EU delegation in the coordination of development cooperation. Thirdly, the Netherlands will (passively) follow the EU’s policy in countries where it has no embassy. Fourthly, the Netherlands is pragmatic with regard to questions of EU external representation in international organisations. EU coordination and external representation practices should be adjusted to the post-Lisbon rules, but it is recognised that these can be interpreted in different ways. It also matters how far apart are interests and preferences of EU member states and if the rules and culture of the relevant international organisation allow for a

unified EU external representation. Finally, the Netherlands is very much interested in obtaining access to the political reports of EU delegations, including those with politically sensitive information. It realises that this requires considerable investment in IT to ensure a safe transmission of data. It is willing to advise the EEAS on this matter and to provide technical support, but at the same does not think that this matter justifies any additional funding for the EEAS from the EU budget or the member states.

Many questions remain as to the impact of the EEAS on Dutch diplomacy. Initially the Ministry of Finance saw the establishment of the EEAS as a justification to close embassies and to hand over consular and visa affairs to the EU delegations. Today it is recognised that it is still too early to rely on the EEAS and EU delegations to take over the substantial tasks of national embassies. Nevertheless, the Netherlands still aims to explore the possibility of delegating tasks in the area of consular affairs and visa applications to the EU delegations in years to come (the Netherlands government, 2011b; 2012). This point is reiterated in policy documents and debates with members of parliament (e.g. Parliament, 2011a). The option of co-locating embassies with EU delegations is also considered a viable one for those countries in which the Netherlands has a small diplomatic service.

Within the ministry structure responsibility for EU neighbourhood policy, EU development cooperation and other topics on the agenda of the former EU external relations commissioners and services fall within the Directorate-General for European Cooperation. Common Foreign and Security Policy, including the European Correspondent and Common Security and Defence Policy, falls within the Directorate-General for Political Affairs. The two main aspects of EU external action are thus the responsibility of two divisions of the ministry that fall within different organisational entities of the same ministry; one of them reporting primarily to the State Secretary of European Affairs and the other reporting primarily to the Minister of Foreign Affairs. On EU external action, they also coordinate regularly with other departments, such as the department for multilateral institutions regarding EU representation in those fora and the Directorate-General for International Cooperation for EU donor coordination and aspects of EU development cooperation policy, such as aid effectiveness, on which the Netherlands has its own viewpoints and considerable experience. The fact that issues covered by the EEAS are handled by different organisational sub-entities within the ministry risks undermining the Dutch objective of coherence in EU external policies, and is the source of a considerable amount of intra-ministerial coordination. This aspect might be taken into account by a group of ‘wise men’ that is currently advising the minister on how to modernise Dutch diplomacy.

### **An EU delegation for international organisations in The Hague?**

The Hague is often portrayed as the legal capital of the world. It is the host city of the International Criminal Court, the International Court of Justice, and various tribunals, of which the International Criminal Tribunal for the former Yugoslavia (ICTY) is the most important. It also hosts the Organisation for the Prohibition of Chemical Weapons (OPCW). With the entry into force of the Lisbon Treaty it was expected that EU coordination and external representation in these fora, which mainly address issues falling within the remit of the EU’s Common Foreign and Security Policy (CFSP), would be taken over by the new EU foreign policy actors. However, as there was no Commission delegation to international organisations in The Hague, it could not be changed into an EU delegation to international organisations.

As things stand at the moment, the EEAS lacks the resources to establish a delegation in The Hague and it does not seem to be one of its priorities as the current (pre-Lisbon) set-up is still working relatively well (Delaere & Van Schaik, 2012). If, in the future, it would decide to open an EU delegation this might affect the diplomatic presence of EU member states in The Hague, who currently all have diplomats working on the OPCW, for instance. It might also strengthen the relationship between international debates held in The Hague and debates held elsewhere

across the globe, and possibly make new EU foreign policy actors more visible in the Netherlands.

## Conclusion

All in all, the establishment and functioning of the HR and EEAS thus far have attracted relatively little attention in the Netherlands. The government is moderately supportive and sees opportunities for the EEAS and EU delegations to take over tasks from its national diplomacy, especially in the field of consular affairs. It sees the EEAS as a (potentially) useful vehicle for extending influence in world politics. The Netherlands is supportive of a more assertive EU foreign policy, but not where EU majority positions conflict with its own conviction, for instance in the Middle East or on enlargement.

Given the Dutch 'vicar attitude', new convictions are likely to emerge and replace old ones, meaning that the Netherlands is unlikely to submit its foreign policy completely to the objective of reaching a common EU position on all issues.

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# Europeanising National Diplomacies: The Case of Romania

Paul Ivan\*

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## Romania and the setting up of the EEAS

Since the mid-1990s, the main goals of Romania's foreign policy have been Euro-Atlantic integration. Once these were achieved in 2004 and 2007, Romania found itself without major foreign policy aims. That said, the country's foreign policy has largely remained constant, with a more visible Europeanisation process taking place after 2007. Romania is one of the most pro-EU member states, and this is reflected in its government's positions on the development of a common EU foreign policy. Romania has been an active supporter of the European External Action Service (EEAS) and supports the consolidation of the role of the High Representative of the Union for Foreign Affairs and Security Policy (HR/VP).

Romania has a mid-sized diplomatic service with 93 embassies, 41 consulates and 7 missions at international multilateral organisations, with a staff of 742 in the headquarters and 1,317 in the external service. However, due to the country's late accession to the EU, Romanian nationals had a rather reduced presence in the General Secretariat of the Council and in the Commission DGs (Relex and Development), which were the main sources of staff for the EEAS. For this reason Bucharest advocated a proper geographical balance within the EEAS, and one of its priorities has been to ensure a fair representation of Romanian diplomats in the service, including at management level. The fact that no Romanians were appointed in the first group of nominations for management positions led the Romanian foreign minister to publicly express his frustration and dissatisfaction with the nomination process (and indirectly towards the HR/VP).

Moreover, the two sides had a different understanding of the human resources necessary for the service. The Romanian Ministry of Foreign Affairs (MFA) prepared to send diplomats with regional expertise and knowledge of 'lesser-known' languages to the EEAS, whereas the HR/VP later asked for people with EU (institutional) experience. This initial lack of success in the nomination phase was used by the parliamentary opposition, who blamed the government for the failure to assure the presence of Romanian diplomats in the management structure of the service. The criticism regarding the staffing of the EEAS mostly evaporated after the appointment of Viorel Isticioaia-Budura, the Romanian Ambassador to China, as the Managing Director for Asia in the EEAS and the appointment of another Romanian diplomat as the Head of the EU delegation in Armenia. However, Bucharest is still not satisfied with the current presence of Romanian nationals in the service and will continue to push for a better representation of its nationals. The strict austerity measures taken by the Romanian government have nevertheless affected the MFA with new recruitment to the ministry being blocked since the beginning of 2009. Although it strives for a better representation, the former Foreign Minister Baconshi raised the issue that the secondment of national diplomats in the EEAS risked leading to a deficit of personnel in the ministry.

The Romanian MFA also focused on supporting the actual setting up of the EEAS, with the ministry being engaged in the process both before and after 1 January 2011. Bucharest continues to support the EEAS, which it sees as a multiplier of its efforts; an opportunity to

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promote its interests and priorities as part of a general European interest. At the same time, the EEAS is also seen as a good place for Romanian diplomats to gain useful experience when they return to the country. The support extends to the HR/VP, but criticism (public and private) becomes apparent when Bucharest feels that its interests are not being taken into account or that it is not properly consulted.

Essentially, Romanian diplomats wish to see the EEAS become more efficient, and in the summer of 2011 the MFA circulated a non-paper with proposals for improving the work of the new service. Bucharest wants to see improvements in the exchange of information between the EEAS and member states, and would like the EEAS to improve its consultation with member states. In Brussels, a better organisation by the EEAS of the agendas of the Foreign Affairs Council preparatory working groups is also desired. Romanian diplomats note that sometimes there is an agglomeration of agendas or a lack of correlation between them. Although more work needs to be done, Romanian diplomats have described cooperation between the EEAS and the Romanian MFA as improving, with regular meetings taking place between junior ministers or directors from the member states' MFAs and representatives from the service.

Romania has been supportive of the idea to develop EU delegations and was among the member states in favour of giving consular powers to the EU delegations. Cooperation between Romania's embassies and the EU delegations is generally described as being good, with improvement noted since the beginning of 2011. At the same time, in some capitals, there is still room for a better dialogue between the embassies and the EU delegations. This tends to be seen by the diplomats interviewed so far as a process that takes time, as the EU delegations themselves are in a process of change, many of them having new heads. Romania hasn't yet reduced the number of missions or diplomats in its external service as a result of the creation of the EU delegations; the cuts made so far in the external service being part of wider austerity measures caused by the economic crisis affecting Romania. This 'work in progress' viewpoint is also valid for the exchange of information between the EU and the MFA. The system is described as having improved but further work is necessary because communications sometimes reach the ministry late. Bucharest wants to see in place a system that would facilitate the exchange of information between the delegations and MS embassies. Cooperation at the level of the international organisations is also described in positive terms but more sensitive situations can arise on dossiers where the EU and member states have shared competences.

### **EU influence on Romania's foreign policy**

A proper reflection on the impact of the EEAS on Romania's foreign policy is lacking, and debates on this issue only seem to happen at the level of the government. The few discussions that did take place seem to have focused on the issue of the distribution of management posts in the service. Generally, in Romania there is little debate about the foreign policy of the EU, and the challenging internal economic and political context has not been conducive to fostering debate.

In general, however, the Romanian government supports the development of EU relations with both the established and emerging powers and wants to see the EEAS and HR/VP doing more on these dossiers.

From a security point of view, the United States is by far the main ally of Romania. The two countries collaborate very closely in many areas and have developed a *strategic partnership*. The latest manifestation of this partnership was the signing on 13 September 2011 of a missile defence agreement allowing for the deployment of anti-ballistic missiles at a base in the south of Romania.

On the same day, the two sides signed a *Joint Declaration on Strategic Partnership for the 21st Century*. Romania participated in the Iraq war, currently has several hundred soldiers in Afghanistan and American soldiers use some of its military bases. Traian Basescu, Romania's

president since 2004 and a major player in the definition of the country's foreign policy, describes himself as an 'Atlanticist'. Romania is one of the most pro-American countries in Europe and on some controversial issues<sup>1</sup> has sided with the US, to the annoyance of some of its European allies. However, after its EU accession, Romania's foreign policy has taken a more European direction, following EU positions and adhering to EU commitments, even counter to the views of the US. One example is the status of international adoptions from Romania. In 2004, on the recommendation of the EU, the Romanian government forbade international adoptions of Romanian children. Since then, despite an intense American lobby (from congressmen, diplomats and various other groups) Romania has managed to stick to the position agreed with the EU and has not resumed international adoptions. Romania is likely to accept the increased role of the EU in matters of relations with the US, but in the field of security it will continue to prioritise its own alliance with the US.

While Romania's economic relations with Russia are improving, political relations between Bucharest and Moscow are often strained. Romania would like the EU (and itself) to develop pragmatic relations with Russia with a view to enhancing economic relations. The EU is seen as being able to play a role in 'socialising' Russia and tying it in to a series of agreements that would moderate its actions. However, Romania will not support EU initiatives towards Russia if they are taken at the expense of its Eastern Partnership neighbours.

For example, Romania will oppose the EU granting Russia a visa-free travel regime before granting this regime to the Eastern Partnership countries that have made progress in this area (such as Moldova, Ukraine and Georgia).

Romania and China have a rich history of cooperation, which reached a peak during the Cold War. Even today, Romanians have the most positive image of China among 12 EU countries polled by the GMF's Transatlantic Trends Survey.<sup>2</sup> Romania wants to develop its relations with China, in parallel with EU-China relations. At the same time, however, Romania tends to look more at the investment opportunities China could provide than at its human rights record.

However, signs of Europeanisation can be seen here as well. For example, concerning Romania's representation at the 2010 Nobel Peace Prize ceremony, Romania postponed a decision on whether its ambassador to Norway would be present at the ceremony that awarded the Nobel Peace Prize to Chinese dissident Liu Xiaobo. After it became clear that the other EU member state representatives would be present at the ceremony, Bucharest announced that it would send a representative, but not one at the level of head of mission or ambassador. In the end, reluctantly, Romania adapted its position to that of its EU partners and sent its ambassador to the ceremony. It is thus expected that Romania will support a softer EU line on China but if push comes to shove, Bucharest will follow the position of its EU partners.

As a middle-sized European country still focused on its internal development, Romania tends to be more diplomatically active in its own neighbourhood. The Romanian foreign policy establishment is thus especially interested in the stability, economic development and European integration of two areas in its vicinity: the Black Sea/Eastern Partnership area and the Western Balkans. Some of the countries from these areas (Republic of Moldova, Georgia and Serbia) are also the focus of its official development assistance.

Romania is supportive of the EU objectives in the European Neighbourhood Policy (ENP) area and since its 2007 EU accession Bucharest has advocated a strengthening of the ENP, especially regarding its Eastern dimension. The extended Black Sea area is one of special importance for

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<sup>1</sup> The participation in the Iraq war or the signing in August 2002 of an agreement with the US granting American citizens immunity from the International Criminal Court (ICC) jurisdiction.

<sup>2</sup> German Marshall Fund of the United States (GMF) and the Compagnia di San Paolo, Transatlantic Trends 2011 ([http://www.gmfus.org/publications /TT/TT2011\\_final\\_web.pdf](http://www.gmfus.org/publications /TT/TT2011_final_web.pdf)).

the current president of the country. Romania has been an active promoter of the EU's Black Sea Synergy and has called for an increased role of the EU in this area on numerous occasions, including trying to solve some of the region's protracted conflicts. Despite its activism in the Black Sea area, Romania's successes are rather limited given that regional cooperation organisations such as the Black Sea Economic Cooperation (BSEC) are dominated by its larger neighbours (Turkey and Russia). In what concerns the Caucasus region and Central Asia, Romania is interested in diversifying its own and the EU's energy routes<sup>3</sup> and is one of the most active promoters in the EU of the Southern Energy Corridor. To that end, Bucharest has developed very good relations with Azerbaijan (a gas exporter) and Georgia (a transit country) and tries to diplomatically engage Turkmenistan, another energy-rich country. Bucharest is also an active promoter of Georgia's European and Euro-Atlantic integration, though its enthusiasm has been somewhat curbed since the August 2008 Russo-Georgian war.

The Eastern Partnership country that benefits most from Romania's attention and investments is the Republic of Moldova. For cultural and historical reasons, the Republic of Moldova is a country of special interest to Romania. It is also one of the main bones of contention between Romania and Russia. Romania is trying to bring the small country closer to the EU and eventually integrate it into the Union, while Russia opposes such a scenario and tries to keep Moldova within its sphere of influence, including through the maintenance of a military foothold in Transnistria. This rivalry over the future of Moldova will continue to consume some of the energies of Romanian foreign policy.

Having suffered the economic consequences of conflicts in the Balkans, Bucharest has a keen interest in the stabilisation and development of this troubled region of Europe. Romania has participated in the various UN, NATO and EU missions in the area and is an advocate of an open enlargement policy of the Union.

Thus, in the Western Balkans and the Eastern Partnership area, Romania will advocate for an increased role of the EU and for the integration of these countries into the EU.

Romania supports the development of the EU's Common Security and Defence Policy (CSDP) and has sent military and police forces and civilian officials on various EU missions: EUPM (Bosnia and Herzegovina), EUFOR Althea (Bosnia and Herzegovina), EULEX Kosovo, EUPOL Afghanistan, EUJUST LEX (Iraq), EUMM Georgia, EUPOL Afghanistan, EUPOL COPPS (Palestinian Territories) and EUNAVFOR ATALANTA (Gulf of Aden). However, Romania supports the development of CSDP as long as this is not seen as undermining NATO or its relations with the US. The North Atlantic Alliance is regarded as the main guarantor of Romania's security.

### **Autonomous position**

On some issues Romania maintains and is likely to maintain an autonomous position that could even be contrary to the one adopted by most other member states. A case in point is its stance over the independence of Kosovo. Romania, together with four other member states (Spain, Slovakia, Greece and Cyprus) opposes Kosovo's independence. Bucharest argues that Kosovo's independence, against the will of Serbia, broke the principles of international law and if recognised, could be used as a dangerous precedent by other break-away regions. Bucharest maintained the same position even after the International Court of Justice advisory opinion on Kosovo, which declared that the declaration of independence did not violate international law. Romania argues that its opposition to Kosovo's independence is based on the need to defend international law, but in fact domestic factors tied to the quest for territorial autonomy on the part of the Hungarian minority in Transylvania and external factors such as its proximity to

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<sup>3</sup> Romania is only partially dependent on Russian gas imports, as 60% of its gas use comes from internal sources.

protracted secessionist conflicts in the wider Black Sea Area, and its traditionally good relations with Serbia also seem to influence its decision. However, as Romania aimed to contribute to regional stability, until recently it has been one of the main contributors to EULEX, the EU rule of law mission in Kosovo. Bucharest decided to scale back its involvement with the mission once it realised that EULEX is turned into a state-building exercise.

## Conclusions

Romania is one of the most pro-EU member states and this is reflected in its positions on the setting up and development of the EEAS. The Romanian government sees the EEAS as a possible multiplier of its efforts that would allow it to promote its foreign policy interests and priorities, but also as a good training ground for Romanian diplomats. This support extends to the HR/VP, who is, however, not immune from criticism from Bucharest if it feels that its interests are not taken on board. Being one of the most under-represented member states in the EU institutions that provided staff to the EEAS, Romania has tried to place its diplomats in the service but has so far achieved only limited success.

The Romanian diplomats interviewed have described cooperation between the EEAS and the Romanian MFA as improving. However,

Bucharest wants the EEAS to consolidate the dialogue mechanisms with member states and be more transparent with their diplomats. More work also needs to be done at the level of EU delegations in order to improve the exchange of information between the delegations and member states' embassies.

Romania has been a member of the EU for more than five years, during which its foreign policy has taken on a more European outlook. Bucharest supports the development of EU relations with the *strategic partners* and wants to see a more active EEAS on this front. Romania especially values the political and security alliance with the United States, with President Basescu being a stalwart Atlanticist.

Bucharest also supports the active involvement of the EU in its neighbourhood, both in integrating the Western Balkan countries and some of the Eastern Partnership ones. Given the cultural and historical ties with neighbouring Moldova, it is to be expected that Romania will continue to be the most active proponent of Moldova's European integration.

Despite a more advanced Europeanisation of its foreign policy compared to its pre-accession phase, the issue of Kosovo's independence shows that Romania is willing to maintain an autonomous position in the EU if it believes that the views of the other member states run counter to its perceived national interests.

# The Europeanisation of External Representation: The Case of Sweden

Fredrik Langdal\*

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## Introduction

Sweden's foreign policy has traditionally stood on the pillars of neutrality, of remaining outside military alliances, of being a strong supporter of the UN and a major provider of development aid. This changed, in part, with EU membership, and it is now clear that the foreign policy of the present and previous Swedish governments has gradually moved towards an 'EU-first' approach. In other words, regardless of the issue, the Swedish government will first check to see if there is likely to be a European position or response, and acts alone only in the absence of such a position.

To the extent that this picture is correct one might believe that the ambition of strengthening the external representation of the European Union as defined in the Lisbon Treaty would be fully supported by the Swedish government and the Swedish foreign policy administration. The present analysis will test this hypothesis and outline the Swedish position on a number of issues related to the European External Action Service (EEAS).

This analysis starts with an overview of the role of the EU in Swedish foreign policy as expressed in its annual foreign policy declarations. In the following sections we will focus on the Swedish approach towards the EEAS and on the impact the EEAS has had or may come to have on the diplomatic structures in Sweden and abroad. The analysis concludes by summing up the findings and relating them to the stated aim of 'member state ownership'.

## The general Swedish approach to a European foreign policy

When analysing the annual foreign policy declarations of the government, which are delivered in February each year, one is struck by the importance accorded to the European Union, both concerning the place of Sweden in the European Union (at the core) and to the role of the EU in the world: "a force in the service of peace, freedom and reconciliation".<sup>1</sup>

The opening paragraph of the 2011 declaration is worth quoting in full as an illustration:

Europe's voice is needed in the world. And Sweden's voice is needed in Europe. The European Union must be a strong voice for freedom and a strong force for peace. Sweden – in the context of European cooperation – has a responsibility to contribute to freedom, peace, security and development in our immediate vicinity and globally.<sup>2</sup>

This framing of national foreign policy as a part of European foreign policy must be seen as a strong rhetorical sign of the government's wish to place itself squarely at the heart of a common European foreign policy.

The foreign policy declaration of 2012 also frames Sweden's foreign policy in this way, i.e., the EU infuses most parts of the national (to the extent that one can identify a national dimension) foreign policy, both as a means and as an end. Foreign Minister Carl Bildt proclaimed:

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Note: in addition to the references given, the report draws on formal interviews with MFA staff in Stockholm and Brussels and several informal interviews conducted between October-December 2011.

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<sup>1</sup> Statement of Government Policy in the Parliamentary Debate on Foreign Affairs, 14 February 2007.

<sup>2</sup> Statement of Government Policy in the Parliamentary Debate on Foreign Affairs, 16 February 2011.

We want to be a committed and constructive force in European cooperation. Sweden aspires to be at the core of the European Union. This is how we can best look after our national interests as well, and this is how we can best promote the universal values by which we stand.<sup>3</sup>

This brief account is supported by a study of Swedish foreign policy declarations between 2000 and 2010, in which two of the main conclusions were that Sweden was moving from a policy of neutrality towards a policy of European solidarity and that towards the end of the decade the European Union was accorded a special status in Swedish foreign policy, whereby European foreign policy is seen as an extension of Swedish foreign policy.<sup>4</sup>

According to the European Council on Foreign Relations and their latest edition of the European Foreign Policy Scorecard,<sup>5</sup> Swedish foreign policy strategy has paid off in that Sweden now punches considerably above its weight in foreign policy. Sweden was ranked as a leader on 11 (out of 80) components of European foreign policy, with only Germany, France and the UK providing leadership in more areas.<sup>6</sup>

What impact, if any, has the Lisbon Treaty and the European External Action Service had on Swedish foreign policy-making, and how has Swedish foreign policy adapted to the changes brought about by this new foreign policy framework? It is difficult to disentangle what are best seen as national responses to the changing European level framework in these developments, and what constitutes a broader foreign policy re-orientation, only partly conditioned by changes within the EU. One hypothesis would be that the European re-orientation of Swedish foreign policy is primarily due to a changing geo-political environment, but is to a limited extent also driven by the perceived potential of the Common Foreign and Security Policy (CFSP).

## The Swedish approach to the European External Action Service

As several of the questions addressed in this analysis are not the subject of official statements or government positions, the account given below is a synthesis of a number of interviews with both junior and senior diplomats in Stockholm and in Brussels. So while not necessarily representing an official Swedish position, the analysis rests on statements of diplomats, often supported to differing degrees by non-papers and internal memos.

As with the official approach to a European foreign policy, the Swedish government has been – and remains – strongly supportive of the EEAS, although certain criticisms have also been raised. In the words of one diplomat, Sweden wants to be the EEAS’ ‘best friend’ and the relationship between the Swedish Foreign Minister and the High Representative appears to be good.

The approach taken towards the EEAS and other institutional innovations in the external action area could best be described as two-sided. On the one hand, diplomats are at pains to stress the view that nothing has changed in terms of the vertical division of competencies in the field of external action since the introduction of the Lisbon Treaty, nor that decision-making rules have changed. On the other hand, the same diplomats stress the potential of the EEAS as a tool for increased coherence, increased continuity and increased transparency. Essentially, this can only be understood in terms of organisational change that is meant to eliminate previously existing inefficiencies without affecting the decision-making competencies and the prerogatives of

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<sup>3</sup> Statement of Government Policy in the Parliamentary Debate on Foreign Affairs, 15 February 2012.

<sup>4</sup> Engström, D. et al., *En jämförelse av Sveriges utrikesdeklarationer 2000-2010: Vad är svensk utrikespolitik?*, Stockholm: Utrikespolitiska institutet, 2010.

<sup>5</sup> See ECFR (<http://www.ecfr.eu/scorecard/2012/countries/sweden>).

<sup>6</sup> Vaïsse, J. et al., *European Foreign Policy Scorecard 2012*, London: The European Council on Foreign Relations (ECFR), 2012, p. 20ff.

member states. The expectation has thus been that the EEAS is to contribute to making the EU a more cohesive foreign policy actor; increasing concordance between EU institutions, coherence between different policy instruments and increasing the effectiveness of foreign policy actions.<sup>7</sup>

One significant change that interviewees highlight is that the creation of the EEAS and the Lisbon Treaty has meant the stripping of the Council Presidency of its foreign policy role.

The initial phase of transferring foreign policy leadership to the HR and the EEAS from the rotating presidency did not take place entirely smoothly. The EEAS showed a certain lack of capacity here, in particular at the seats of multilateral organisations, where some delegations were said not to have lived up to the standards of the previous institutional arrangements. Even though the resources and ambitions of member states holding the Council presidency probably varied between presidencies, interviewees stated that this format for external representation was more efficient and that it in general had more adequate resources. However, this may well have been a transient problem which will disappear as the EEAS becomes fully operational and develops adequate processes and structures.

Moreover, the creation of roles for national foreign ministers – like the role that was given to the Polish foreign minister during the Polish presidency – is welcomed by Swedish diplomats. In one sense, the sentiments reflect the sense of a lost function; a role that previously belonged to the member states and one that appears to be missed by certain national diplomats.

One problem area frequently highlighted by interviewees and in a non-paper signed by Swedish Foreign Minister Carl Bildt and 11 other foreign ministers<sup>8</sup> (henceforth the FM's non-paper), is the issue of coordination with the Commission and the influence of the Commission – more generally termed by some as a clash of administrative and political cultures. The issue of how to cooperate with the Commission is frequently brought up as one that needs to be addressed. One Swedish diplomat identified the problem as being one of the “almost inhuman” tasks placed on the shoulders of the High Representative (HR) and that this would have to be tackled by designating deputies, for example. Scope for improvement was suggested in the form of using the role of Vice President in the Commission more efficiently, for example in relation to energy, European Neighbourhood Policy, trade etc., where one could envisage an increased role for the EEAS. The EEAS “should [also] be involved in preparatory work within the Commission from the outset of such initiatives [of the HR together with the Commission on issues relating to foreign policy]”.<sup>9</sup>

The infighting between the Commission and the Council – or the clash of cultures, to put it more diplomatically – is also a concern voiced by interviewees. This concerns tensions arising between civil servants versed in the Community method on the one hand, and civil servants used to operating on an intergovernmental basis – in particular diplomats – on the other. The practical aspects of cooperation between the EEAS, the Council Secretariat and the Commission were also highlighted for review in the FM's non-paper.

### **The role of delegations**

The picture that emerges of the EU delegations is that they are seen as potentially useful but are currently struggling with a number of problems. The fact that the delegations have emerged

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<sup>7</sup> See *Att tillvarata svenska intressen i EEAS*. Rapport av ambassadör Anders Bjurner. Stockholm: Utrikesdepartementet, 14 January 2011.

<sup>8</sup> Non-paper on the European External Action Service from the Foreign Ministers of Belgium, Estonia, Finland, France, Germany, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland and Sweden, 8 December 2011.

<sup>9</sup> See also *ibid.*

from the Commission representative offices has created a certain continuity that can be seen as both a weakness and a strength.

Firstly, several interviewees highlighted the problem of understaffing, with the effect that the delegations risk being one step behind. Combined with the risk of having the wrong person in the wrong post ('bureaucrats make bad diplomats') understaffing also leads to a problem of capacity, both related to field work and to political reporting, in particular. According to one interviewee, political judgment is lacking at times (for example the 'feel' for when to refer something to the EU27). However, the same interviewee stressed that the quality of reporting had gradually improved. In fact, most diplomats indicated that progress had been made during the first year (see point below, on political reporting).

Secondly, the role of the head of delegation is highlighted as being key to the functioning of the delegation. One Swedish diplomat stated that it was perhaps not ideal that both the EEAS and the Commission can issue instructions to the heads of delegations.

Thirdly, the efficiency of the delegations is at risk of being compromised by overly centralistic procedures; for example every press statement needs to be processed in Brussels via cumbersome procedures. Whether anyone is really prepared to let go of this type of control is questionable, however.

Lastly, the cooperation between different actors 'in the field' leaves something to be desired and must be improved to reap the benefits of coherence. This can apply to internal EEAS coordination, coordination between different EU actors or between EU actors and member states. In fact, the best place to achieve a coherent approach as *one* actor might be at the local level.

### **Political reporting**

Several interviewees and the FM's non-paper highlighted the potential for using the EU delegations' political reporting, while the interviewees stressed that there was great room for improvement in this area. As mentioned above, some diplomats expressed the view that some of the current EEAS staff lacked the political skills necessary to draft such reports (a staffing problem), but that this was also an area where EEAS could be very useful once the political reporting improves its standards sufficiently and once it is *shared* with the member states.

### **Impact on national diplomatic structures**

The impact on the structures and procedures of the national diplomatic service has been – and is expected to remain – very limited. The one-third member state quota is stressed as important but in practice entails only ten AD-level civil servants, which will hardly affect the overall staffing situation in Stockholm or abroad. In the words of one diplomat: "This [the EEAS] does not affect the need for Sweden to have diplomats".

However, the launch of the EEAS has increased pressure on the permanent representation in Brussels to keep ahead of developments and to work proactively to feed Swedish perspectives into the EEAS decision-making machinery. Conversely, it is more difficult to gain access to classified documents due to the culture brought in from the Commission and thus to obtain a fully informed picture of what is going on. Consequently, and perhaps contrary to expectations, there is a growing need to increase the number of Swedish diplomats in Brussels to perform these 'new' tasks. Likewise, the view has been aired that regarding areas and countries important to Swedish interests, the work at the embassies will need to intensify. If the delegations are to have a role in the formulation and implementation of CFSP policy, the embassies will have to work hard to be informed of the thinking and the reports of the



delegations that are sent to Brussels.<sup>10</sup> However, none of the persons interviewed stated that such an increased burden on the embassies should be matched by a similar increase in resources.

Moreover, as the chain of delegation runs via the permanent representation, the Brussels-based Swedish diplomats sense some frustration in the capital with the workings of the EEAS, and the fact that the Representation to some extent needs to explain the workings of the EEAS to their counterparts in Stockholm.

The Foreign Ministry in Stockholm has not yet made any major investment in human resources as a result of the setting up of the EEAS; rather it has been stressed that they are working much as they did before. However, the issue was under discussion in late 2011 and the Press, Information and Communication Department has endeavoured to increase awareness of the EEAS.

The issue of increased consular cooperation is seen more as a remote possibility than something that will materialise in the near future. However, one diplomat stated that there might be scope for some synergies through pooling resources; by sharing offices in the field, for example.

### **Staff**

As mentioned above, the one-third member state quota is generally stressed as important, together with secondments, even though the symbolic value is probably more important than its practical impact. Out of a projected 900 AD-level staff, the member states are to provide 300. If the budgetary contribution rule of thumb is followed, it would imply that Sweden is to provide 3% of those 300, i.e., nine until the middle of 2013. In the FM's non-paper, the importance of an "adequate representation of member states' diplomats in the EEAS" is underlined, and that no outside recruitment should take place before the member state quota has been filled.

Not only are numbers important within the system but positions are too, of course. Swedish diplomats seem most pleased to have a Swede chairing the Political and Security Committee. As far as they express a preference for other positions to be filled by Swedes, it would be securing a Swedish head of delegation in a location of importance to Swedish interests.

### **Strategic priorities**

The central role that is accorded to the European Union in Swedish foreign policy thinking means that there are relatively few areas where Sweden – at least in rhetorical terms – prefers to go it alone. It is via the EU that Sweden can best promote its national interests; that Swedish and EU interests coincide is not certain, but this will probably occur more frequently. It is therefore in the interests of Sweden (and of the EU) that the EU is an effective actor that can exert influence in the world as an exporter of norms, through enlargement or concerning more tangible goals, such as stability or material interests. It should also be mentioned in this context that Swedish relations with Russia are best described as lukewarm, but according to the abovementioned European Foreign Policy Scorecard, Sweden plays a leading role in some aspects of European relations with Russia. Other areas where Sweden acts as a leader include relations with wider Europe and on a number of issues related to crisis management and climate change.

When probed about possible Swedish priorities for the EEAS, diplomats singled out, albeit reluctantly, the eastern neighbourhood and EU relations to strategic partners. The Swedes also take the view that the Security Strategy needs to be reviewed and updated.

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<sup>10</sup> *Att tillvarata svenska intressen i EEAS*, op. cit., p. 44.

Another area with room for improvement is the strategic vision of the HR and of the EEAS. It was suggested that more effort should be put into long-term thinking and long-term perspectives; the production of option papers and that the EEAS should become more involved in the preparatory work of the Council and in the preparation of Council conclusions.

### **Conclusion: member state ownership**

The approach taken by the Swedes towards the EEAS can be characterised by the slightly elusive concept of ‘member state ownership’, which is frequently referred to by Swedish officials but rarely materialises in explicit empirical content.

The final point of the FM’s non-paper has the title “Full involvement of member states” and mostly concerns the member state staff quota and recruitment procedures. It also states that “there should be a close interaction between the EEAS and the member states” so as to “avoid the setting up of a new structure disconnected from the member states”.<sup>11</sup>

The member state ownership concept can be construed as a container for measures aimed at ensuring continued member state control and influence over the EEAS and over the CFSP. Central to this strategy are the issues of recruitment from member states’ diplomatic services, the prevalence of a diplomatic rather than a bureaucratic (i.e., Commission) organisational culture and member state access to political reporting, the policy formulation and decision-making process. Moreover, the system should also accord an important role to national foreign ministers. Member state ownership could also be seen as a two-step strategy where first member state influence over the EEAS is ensured, and secondly where the position of the EEAS concerning the role of the EU as an external actor is strengthened in relation to the Commission.

To conclude, Sweden is publicly very supportive of the EEAS and of the idea that the EU is a strong external actor. However, this statement will have to be qualified by the fact that it is unclear about the extent to which Swedes are willing to let go of their national control and influence to achieve the goals of the EU as a cohesive foreign policy actor with effective foreign policy actions. Are the EU delegations to become more effective through increased autonomy? Is effectiveness to be achieved at the expense of member state influence? We do not have the answers to these and similar questions, but they will be decisive for the future of the EEAS and the global ambitions of the EU.

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<sup>11</sup> Non-paper on the EEAS, op. cit., p. 3.

# Foreign Policy in Times of Crisis: The View from Portugal

Maria João Seabra \*

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The European External Action Service has never been high on the political or public agenda in Portugal, either in terms of the strengthening of the EU's wider political role or the internal impact it could have, most notably on the structures of the Ministry for Foreign Affairs.

Since the beginning of the global financial crisis, and especially since the sovereign debt crisis, the focus of debate and political action in Portugal has been almost exclusively on the budgetary deficit and debt control measures.

The economic crisis has changed foreign policy priorities. For the time being, 'economic diplomacy' is the most frequently used expression, aiming to explore new markets to create conditions for the development of the export sector.

As far as the European Union is concerned, Portugal's priority is on assuring the support of the EU in the sovereign debt crisis, a particularly acute issue since April 2011, when Portugal asked for external financial assistance. Internally, the crisis led to the adoption of a strict austerity plan that has affected the annual budget of the MFA.

The creation of the EEAS did not have any significant impact on the restructuring process of Portuguese foreign policy, because the main driving force behind the redefinition of foreign policy priorities and the restructuring of the diplomatic network has been the economic and financial crisis.

## Portugal and the EEAS

Setting up a European External Action Service has been and still is a challenge for the EU, the member states and the national diplomatic networks. Many questions arose that remain largely unanswered. What is the impact on national diplomacies? Will European member states rethink their diplomatic network, including closing embassies? What will be the articulation between the EEAS and the diplomatic action of the member states? The main task of the EEAS is to support the action of the High Representative and to promote the values and interests of the European Union, not to take care of member states' specific interests.

As for the external 'projection' of Portugal, the EEAS has the potential to provide room for the accommodation of new interests, allowing Portugal to take advantage of a structure with much larger economic and political capabilities. Having a European Union with a greater presence on the international political stage could be a valuable asset for the development of Portuguese external action in countries and regions outside its more traditional foreign policy priorities. At the same time, Portugal can follow its more traditional approach of trying to keep its own specific foreign policy interests high on the EU's agenda, like relations with the African-Portuguese speaking countries or Brazil, for instance.

The creation of the EEAS could have triggered a much broader reflection, which is still necessary, on the foreign policy priorities of Portugal and the opportunities the country could seize upon to have a greater international presence. This reflection has not yet taken place,

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either politically or publicly, and in the country's present situation it is not expected to happen any time soon.

The establishment of the European External Action Service coincided with the worsening of the economic and financial crisis in Portugal. The former Minister for Foreign Affairs, Luís Amado,<sup>1</sup> stated that

the European External Action service [is not] a limitation to the action of the member states, but rather a complement that may reinforce the national action. For a country like Portugal, it is possible to express its interests through that service in several regions of the world.

He did note, however, that “larger member states will have more relevance in the projection of their interests, but that's the reality.”

Right from the beginning, the main concern was the ‘representation’ of each member state in the EEAS and the possible complementarity or overlap with national action; not so much the specific merits of the new service as an instrument to develop the EU's role on the world stage.

The main concern of Portugal was to stand up for a representative and effective participation in the EEAS, especially in the selection of ambassadors and members of the board and directors of the service in Brussels.

Most particularly, Portugal was interested in the recognition of its privileged relationship with some countries in Africa and Latin America, bearing in mind that the heads of the EC delegations in Brazil and Angola, for instance, were Portuguese nationals. The former Minister for Foreign Affairs, Luís Amado,<sup>2</sup> while maintaining that Portugal would like to have Portuguese diplomats in places like Luanda and Brasília, stated that it expected that “the designations will be based upon the merits of the candidates and respect of a sound balance between the different member states.”

At the moment, there are 26 Portuguese nationals in the EEAS (10 in Brussels and 16 in the delegations). Although somewhat under-represented in the head office, the ‘Portuguese’ representation in the delegations is not negligible, with Portuguese nationals leading the EU delegations in the United States,<sup>3</sup> Gabon,<sup>4</sup> Venezuela, Cameroon, Ukraine, Brazil and India. The delegations in Luanda, Bissau and Maputo are not headed by Portuguese diplomats, something that the former Secretary of State for European Affairs, Pedro Lourtie, did not consider a “defeat”. The important thing, he stated, is “to find the balance. This is not a mathematical game”.<sup>5</sup>

The most interesting question related to the EEAS was the invitation addressed to the High Representative Catherine Ashton, offering the EU a seat on the Portuguese delegation to the United Nations Security Council. Portugal was elected as UN Security Council non-permanent member for the 2011-12 period. Right after the election, in October 2010, Luís Amado wrote to the High-representative Catherine Ashton, proposing that the delegation include an EU representative, which could have been an important occasion to test the articulation between the

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<sup>1</sup> *Público*, 3 January 2010.

<sup>2</sup> *Expresso*, 24 July 2010.

<sup>3</sup> The appointment of João Vale de Almeida to Washington was one instance of the EEAS being more discussed in the Portuguese media. Although a Portuguese national, his application was more endorsed by the Cabinet of the President of the European Commission than by the Portuguese government.

<sup>4</sup> The delegation in Libreville also covers Sao Tomé e Príncipe, a Portuguese-speaking country, and Equatorial Guinea, which has applied for membership to the Community of the Portuguese-speaking countries.

<sup>5</sup> *Diário de Notícias*, 16 September 2010.

service and the national diplomacy of the member states. The proposal was never met with an answer.<sup>6</sup>

### **The restructuring of the Portuguese MFA**

The restructuring that is currently underway in the Portuguese MFA is not directly linked to the creation of the EEAS. In the past, there were some political declarations linking the restructuring with the EEAS. Theoretically, the setting-up of the EEAS could give Portugal scope to close some embassies and open others, allowing it to focus on countries that could provide economic opportunities. However, with the worsening of the crisis, the need to cut expenses and the centrality of the economic diplomacy shadowed that link, removing the EEAS even further from the public and political eye.

In 2011 and 2012, the MFA budget underwent cuts of 8.2% and 10.6% respectively, and this trend is not expected to change in the coming years. Although already relevant in 2011, the concrete measures to reduce spending are more tangible in the 2012 budget, due to the external financial assistance programme.

Two main political measures were taken to achieve the reduction of expenditures: the reform of the diplomatic network<sup>7</sup> (embassies and consulates) and the merger between IPAD, the Portuguese Institute for Development Cooperation and Instituto Camões, the institution responsible for the promotion of Portuguese language and culture.<sup>8</sup>

Portugal currently has 140 diplomatic posts (embassies, consulates, missions and permanent representations), mostly concentrated on the European and American continents.<sup>9</sup>

The proposal put forward by the Minister of Foreign Affairs, Paulo Portas, includes the closing of seven embassies (Andorra, Bosnia-Herzegovina, Estonia, Latvia, Lithuania, Malta and Kenya), the restructuring of the consular network and the merger of administrative services in missions abroad. If the closing of embassies turned out to be uncontroversial, the same cannot be said about the restructuring of the consular network, with many complaints being made by Portuguese migrant communities affected by the process.<sup>10</sup>

Apart from budgetary pressure, the reform of the diplomatic network is in line with Portuguese foreign policy priorities and the focus on economic diplomacy. According to the government's programme<sup>11</sup>

Foreign policy should focus on the recovery of the financial reputation and international prestige and on the promotion of economic activity abroad, boosting our exports, supporting the internationalisation of our companies and attracting more foreign direct investment.

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<sup>6</sup> According to some informal conversations, this proposal was opposed by France and the UK.

<sup>7</sup> This reform was already being planned by the former government, but the concrete decisions were taken only by the current government.

<sup>8</sup> This merger raises some important questions, which have been the subject of political and public debate, since it is not clear yet what kind of economic savings can be achieved and if it will jeopardise Portuguese development cooperation policy.

<sup>9</sup> 80 embassies, 37 general consulates, 2 consulates, 12 vice-consulates and 9 missions and permanent representations.

<sup>10</sup> This process was already underway and has always generated a massive protest from the Portuguese communities living abroad.

<sup>11</sup> Programa do XIX Governo Constitucional, June 2011 ([http://www.portugal.gov.pt/media/130538/programa\\_gc19.pdf](http://www.portugal.gov.pt/media/130538/programa_gc19.pdf)).

With this objective in mind, it is the government's intention to reallocate resources to countries<sup>12</sup> with the greatest potential for increasing exports and attracting foreign direct investment, boost the 'Label Portugal' and develop a line of action that contributes to the elimination of obstacles to the internationalisation of Portuguese companies.

With this political aim in mind, the largest organisational debate to take place in Portugal was the political guidance of the Portuguese trade and investment agency, AICEP,<sup>13</sup> i.e., which ministry should have the competence over trade and foreign investment policy in Portugal. AICEP focuses on encouraging foreign companies to invest in Portugal and contribute to the success of Portuguese companies abroad in their 'internationalisation' processes or export activities. In the past, AICEP was located in the Ministry of Economy and the relations with Ministry of Foreign Affairs and with the embassies in third countries were not always easy. Under the present government, AICEP is under the direct supervision of the Ministry of Foreign Affairs, in a clear statement about the importance of economic diplomacy to Portugal's overall foreign policy.

### European policy priorities

Although formally stating the maintenance of the traditional lines of the Portuguese foreign policy, namely European integration, transatlantic relations and the Portuguese-speaking countries, the fact remains that the priority of Portugal's external action is the pursuit of an economic diplomacy to restore the external credibility of the country, to attract investment and to promote companies, products and national brands abroad.

The Major Planning Options for 2012-2015<sup>14</sup> state that:

Within the bodies of the European Union, Portugal will strive to promote an increasing presence of Portuguese agents and officials, including the development of training programmes especially designed to support the recruitment processes.

Although not explicitly mentioned, the support of the Portuguese government to the recruitment of Portuguese nationals to the EEAS fits in well with this political line of action.

There is still much uncertainty ahead, both regarding the ability of the country to fully comply with the terms of the Memorandum of Understanding with the European Commission, the European Central Bank and the International Monetary Fund troika and the overall development of the European financial and economic situation.

The situation of 'national emergency', as the government calls it, makes it very difficult to place other issues high on the policy priority list, and the EEAS is certainly not on top of this list. In reality, we could envisage a certain downgrading of the political importance of foreign and European affairs. Even if this focus on overcoming the economic crisis is understandable, and it is probably not exclusive to Portugal, it remains to be seen whether it is still possible to catch up with the developments of the EEAS and European political activity in general.

If it is too soon to draw conclusions about the global functioning of the EEAS and its articulation with the Portuguese foreign policy, one thing seems to be clear: the economic crisis has overshadowed the political and public debate over the EEAS and the substantive issues of EU foreign policy.

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<sup>12</sup> Portugal will open an Embassy in Doha, Qatar, reflecting the political decision to concentrate efforts in countries and regions that offer scope for new economic opportunities.

<sup>13</sup> Agência para o Investimento e Comércio Externo de Portugal – Portugal Global – Trade & Investment Agency.

<sup>14</sup> Grandes Opções do Plano 2012-2015 (Law No. 64-A/2011).

# The Impact of the European External Action Service on Spanish Diplomacy

Ignacio Molina & Alicia Sorroza\*

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## Spain's European policy

The position of Spain vis-à-vis the European External Action Service (EEAS) should be seen in the broader context of Spain's European policy. Since the country returned to democracy in 1977, Europe has unquestionably taken priority in Spain's foreign policy and is even a core element of its national project. As the philosopher José Ortega y Gasset once said, in the highly turbulent 19<sup>th</sup> and 20<sup>th</sup> centuries, Spain was a problem in itself and Europe was the solution. Indeed, since accession in 1986, the EU has been seen as the ideal mechanism with which to attempt to solve, or at least to normalise, Spain's diverse political and economic problems.

Although the eurozone's profound crisis may be altering this reality to a certain extent, Europe still remains the model to uphold for the vast majority of Spaniards, regardless of ideological position or regional location. This widespread Europeanism also has implications, as is logical, for the Spanish Ministry of Foreign Affairs, which considers the EU as Spain's main alliance and understands that furthering integration is the core aim of its foreign policy (and, even more importantly, its domestic policy).

Spain has almost invariably maintained a federalist position regarding European integration,<sup>1</sup> and, as a result, has supported efforts to create the Common Foreign and Security Policy, with a view to overcoming the decades of international isolation suffered by Spain.

Spanish diplomacy has championed a strong EU that could play a meaningful role as a global actor, while recognising that some of its national interests (mainly in Latin America and North Africa) require independent national action.

As a result, allied with greater Europeanisation ('downloading') of the decision-making process and almost all substantive aspects of its foreign policy, Spain has also sought to 'hispanicise' the European agenda ('uploading') in these two geographical regions. It was an initiative that produced significant results during the country's first years of membership, but has subsequently dwindled in the context of Spain's relative loss of importance within the EU; a trend exacerbated by the economic crisis since 2010.

The implementation of the European External Action Service has coincided with a severe international economic crisis that is particularly affecting the eurozone and especially Spain. Although it does not appear to be an opportune moment for defining a European foreign policy,

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<sup>1</sup> Spain's European policy has, of course, evolved over the years and the idea that everything that is good for Europe is good for Spain has had its ups and downs. After a long period of marked Europeanism championed by its social-democratic prime minister, Felipe González (1982-1996), and maintained during the first time in office of the conservative Prime Minister, José María Aznar (1996-2000), a certain distancing took place. Aznar's second term (2000-2004) saw Spain partially turn its back on the Brussels-Paris-Berlin axis, preferring instead a more liberal and Atlanticist view that looked more towards Washington and London. The socialist government of Rodríguez Zapatero (2004-2011), by contrast, sought to return Spain to its European origins and its relationship with France and Germany, but Zapatero's Europeanism was somewhat rhetorical and, certainly prior to the onset of the eurozone debt crisis, he paid no real attention to Spain's European policy.

the current situation has, in fact, had the effect of opening up two windows of opportunity: first, the possibility of making progress towards political union for the member states that are more committed to saving the euro and, second, the justification to carry out a root-and-branch review of Spanish diplomacy, which the current government under Mariano Rajoy, in power since December 2011, appears minded to undertake.

### **Spanish post-Lisbon diplomacy**

There is very little doubt that the economic crisis is affecting Spain's position in the world and that it has lost relevance as an international actor in recent years. In 2008, it was still the eighth largest economy in the world (and therefore its involvement in the G-20, of which it is now a permanent member appeared justified). Four years on, however, Spain's GDP has fallen to 12<sup>th</sup> or 13<sup>th</sup> position in the world ranking, also due to the rapid rise of other powers such as Brazil, Russia and India. Although Spain is experiencing diminished relative prosperity, political power and image abroad, it still occupies the tenth place in the world in terms of aggregated international presence.<sup>2</sup> Moreover, Spain has occupied this privileged position since the beginning of the 1990s, when its multinational companies began to expand rapidly, its army increased its participation in missions abroad, its language and culture started to be promoted internationally, millions of immigrants began to arrive and it became more involved in development cooperation, although this is now diminishing. As a result, and due to its size and level of development, Spain today is a nation that is well immersed in globalisation, in spite of it not being a global power. It is only the fifth largest country in the EU in terms of economic or demographic weight and its diplomatic aspirations are those that are typical of a medium-sized power, similar to other member states such as Italy, the Netherlands and Poland.

Spain's foreign policy priorities, beyond Europe itself, are clearly centred on three regions: the United States, Latin America and North Africa. The strategic alliance with the US is a strong one, although it has occasionally been politicised and difficult to manage, as a result of some anti-American sentiment among the Spanish population, especially on the part of the left, and the excessive emphasis that Washington puts on security aspects, either through NATO or bilaterally through the two major US military bases on Spanish soil. Latin America has always been closely linked to Spain through historical ties and their common language, and more recently, these links have been strengthened by sustained immigration flows and the deployment of Spanish companies to almost every Latin American country. Spain's close proximity to the Arab countries of North Africa (especially Morocco) also represents a major challenge for Spanish diplomacy, in terms of energy supply, migration flows, organised crime, Islamic radicalisation and even contentious issues that remain unresolved: the decolonisation of Western Sahara, problems with the United Kingdom over Gibraltar and Morocco's sovereignty claim over the Spanish cities of Ceuta and Melilla. Because of Spain's specific interests in these regions, some issues preclude any synergy between Spain's and Europe's strategic objectives, and can even produce significant divergence.<sup>3</sup> That said, there would be no particular difficulty in reconciling national interests with those of the CFSP. The Spanish position would thus consist more of ensuring that the EU pays closer attention to Latin America and the Mediterranean than of defining a reserved domain.

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<sup>2</sup> According to the Elcano Global Presence Index, which uses economic, military and 'soft' presence indicators. In 2011, Spain occupied 11th position in the world, behind Italy and ahead of Australia (see <http://www.iepg.es/?lang=en>).

<sup>3</sup> For example, in the case of the relationship with the US, Spain has its own agenda to promote the Spanish language, which is difficult to share with the EU. In Latin America, because of its economic interests and special political relationship, occasional differences can occur, for example, regarding Cuba's authoritarian regime, against which many member states wish to take a harder line than Spain. And finally, in relation to Morocco, Spain has the difficult task of defending its territorial enclaves in North Africa, but this is not a threat shared by its European partners, or even NATO.



Apart from these three major geographic priorities, Spain has little foreign policy formulated towards the rest of the world and is therefore inclined to entrust to the EU the bulk of its diplomacy in the Middle East, sub-Saharan Africa, the former Soviet space and the Asia-Pacific region. It would similarly not resist a much greater degree of Europeanisation of crisis management, international armed conflicts and so-called ‘global issues’, such as defending human rights and climate change, in which the EU represents a highly effective vehicle to pursue the markedly pro-multilateral and even pro-UN agenda that Spain already has in these areas. There may, of course, be occasional disagreements, as occurred with Spain’s non-recognition of Kosovo, for instance, but in the vast majority of cases, Spain would support the idea of a common European position and would be willing to defer to it if the EU’s stature as a global actor matures. For example, the Spanish foreign ministry has participated in the work of the “Future of Europe Group” and currently sponsors the “European Global Strategy”; two member state group-led initiatives particularly interested in a stronger European foreign policy.<sup>4</sup>

Although Europeanism and the certainty that Spain has very limited capacity to promote its own foreign policy, the government is still hesitant about throwing its full weight behind the EEAS. First, there is a logical ‘performance-related’ objection that is being reinforced in view of the weakness and disorientation within the EU itself because of the euro crisis. There is a fear that the project of a European foreign policy will not grow beyond its current embryonic stage as a result of increasing political mistrust between the north and south of the eurozone or the possible division of the EU between those that participate in the common currency and those that do not. In addition, and second, even if the EU were able to overcome its present confusion and promote a strong foreign policy, Spain is a medium to large member state that does not seem too well prepared to actively mould it.<sup>5</sup> At the moment, defending a strong EEAS remains the official doctrine and the profound conviction of most politicians and Spanish officials. However, they can also be heard to say that Europeanism can neither be naive nor delegative. The euro crisis and Spain’s weakness lead the country to want more Europe but also to be more aware that Spanish priorities do not always coincide with those prevailing in the EU and that the country, whether due to lack of influence, resources or of will, does not play the proactive role in the CFSP it should given its size and global presence.

### **Spain and the creation of the EEAS**

Since the beginning of the Convention on the future of Europe and later during the long institutional reform process that ended in the Treaty of Lisbon, Spain supported the more federalist thesis regarding the strengthening of the EU as a global actor. However, it did it so without particular emphasis and it readily accepted that decision-making in CFSP matters continue to be governed by intergovernmentalism and unanimity. In late 2009, the socialist president Rodríguez Zapatero played an important role in the appointment of British labour politician Catherine Ashton as High Representative, electing her to replace party colleague Javier Solana. And that role was extended during the first half of 2010 as Spain was the first

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<sup>4</sup> The “Future of Europe Group” was an initiative of the German Foreign Minister Guido Westerwelle to reflect on political union and included 11 member states, especially Europeanist. Among its findings, he emphasises that all current components of European external action (including development cooperation, enlargement, neighbourhood or migration management) should be better integrated and that the EEAS should be strengthened. The ‘European Global Strategy’, in turn, responds to an idea of Swedish Foreign Minister Carl Bildt supported by three other medium-sized member states (Italy, Poland and Spain) and supervised by Catherine Ashton herself. Through the work of various think tanks it intends to promote an external action strategy to update and complement the European Security Strategy of 2003 (see [www.euglobalstrategy.eu/](http://www.euglobalstrategy.eu/)).

<sup>5</sup> For example, in the European foreign policy “Scorecard” prepared by the European Council on Foreign Relations, Spain is not among the ten states that currently lead more components of the CFSP while it is listed, however, among the ten “slackers” (see [www.ecfr.eu/scorecard/2012](http://www.ecfr.eu/scorecard/2012)).

member state to serve the rotating presidency of the Council under the new Lisbon rules. During that transition semester, the Spanish Foreign Ministry had to help Ashton to chair the new Foreign Affairs Council, to convert the representations to the Commission's external delegations into EU delegations, to design the European External Action Service (especially facilitating understanding between the Council, Commission and Parliament), and to make other adjustments demanded by the Treaty. Despite some lack of coordination and the ambitions of Spain to seize its moment in the spotlight at the planned international summits, collaboration was good. In fact, the stated priority of the semester was to help Europe speak with one voice in the world.

Since then, various domestic factors and the public debt crisis in the eurozone and external factors (the low profile of the High Representative or the slow start-up of the EEAS), have lowered Spain's expectations and interest in strengthening European foreign policy.

Although the then Foreign Minister Miguel Angel Moratinos announced a major reorganisation of his ministry in the summer of 2010 to adapt it to the EEAS, the fact is that this claim only pursued a supporting framework for the first budget cuts of the service and even to downgrade the organisational importance of European affairs in Spanish diplomatic action. When the EEAS actually began work in December 2010 the Spanish Government, in a similar vein to other member states, focused its concern on ensuring that national diplomats were well represented in the delegations and at the Service headquarters. Spain supported the report presented by the High Representative in December 2011 to the Council, the Commission, and the European Parliament on the EEAS' performance during its first year. However, it did not participate in the "non-paper on EEAS" that was presented the same month by twelve member states interested in improving their performance, due to some disagreements on consular activities and, above all, because this document was prepared in the transition period between the socialist government and the new conservative government of the Partido Popular.

In 2012, with President Mariano Rajoy coming to power, it seems that there is renewed interest in exploiting the EEAS actively and in its deployment being "effective and potent".<sup>6</sup> The European Foreign Minister and former Member of the European Parliament, José Manuel Garcia Margallo, strongly supports it, and especially a deep reconsideration of Spanish foreign policy as a consequence of the rapidly diminishing resources at the disposal of the ministry, which suffered a 54% budget cut in March 2012. Strategic plans developed this year to reform the foreign service in general, or in particular, cooperation on development, which is the area where most cuts have focused,<sup>7</sup> recognise this need to seek synergies with resources and actions of the EU in such a way as to encourage a certain specialisation or division of labour. These ideas have only just taken the form of specific proposals; there has not yet been a genuine political or administrative assessment of the impact of the EEAS on national diplomacy. However, the government has asked top EEAS officials, Catherine Ashton and Pierre Vimont, to accept Spanish national diplomats working for EU delegations while remaining committed part-time to some strictly Spanish functions in countries where Spain does not have representation. In August 2012 Spain announced that it would be closing its embassies in Yemen and Zimbabwe, and in future Spanish interests there will be left in the hands of the EU delegations in these countries.<sup>8</sup>

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<sup>6</sup> As was stated on the first appearance of the Minister of Foreign Affairs in the Congress of Deputies (22 February 2012). As mentioned before, the new minister himself has participated in various initiatives to strengthen the CFSP that have taken place in 2012.

<sup>7</sup> Spending in the area of international cooperation has been reduced dramatically from 0.43% of GDP in 2010 to 0.23% in 2012, by far the largest reduction witnessed amongst the OECD's 34 member states (including Greece).

<sup>8</sup> The ministry has also announced the closure of three consulates in Morocco and Portugal. This will leave Spain with 116 bilateral embassies, 11 multilateral ones, and 94 consulates worldwide (several

Although Spanish diplomats in third countries are already engaged in a post-Lisbon reality and work closely with EU delegations, they recognise that there is still a lack of coordination and resistance to accept that the head of the EU delegation may blur Spain's visibility on topics or regions considered to be crucial. Because there is only two years' experience so far, there is no structural pattern and the relationship between the EEAS and Spanish diplomatic missions depends largely on the personality and attitude of the respective delegation heads or ambassadors. It also depends on the importance that Spain attaches to one area or another. Thus, it is relatively easy to accept a certain subordination to the EEAS in Asia and Africa, where Spanish diplomacy has never had great skill or experience. By contrast, in Latin America or North Africa, with a large presence of embassies and consulates, or with major Spanish economic interests, more autonomy is claimed for national diplomacy, as well as more prominence within the EEAS. It is no coincidence that a major proportion of seats held by Spaniards within the Service focus on those areas.

Currently, there is no overall assessment of the collaboration in the field, because there are varied situations and yet there are notable cases of good coordination, such as in Syria. There is indeed a consensus that the head of the EU delegation should become the main representative before the government of the country in question, and the drafting of joint reports stands out as very positive, between the Service and the rest of the ambassadors of EU member states. The emphasis so far has been on the flow of information and, in this sense, Spain has supported the implementation of the ACID project, a type of electronic digital signature that allows secure, fluid and confidential communication between the delegations and embassies.

### **Spanish presence in the EEAS**

As mentioned above, the main priority of Spain in the early stage of the EEAS has been personnel policy or, in the words of Minister Margallo to

take advantage of the European foreign service to achieve successful participation of our Spanish officials in it. This participation should be checked both at central services in Brussels and in delegations abroad and also in all higher levels where right now Spanish presence is very limited.

However, despite some complaints about alleged unfairness in this staffing distribution, the truth is that since late 2011 Spaniards ran eleven delegations (including some as important as Russia, Morocco or Argentina) and occupied 55 places in the central services. In both cases, it is a lower number than Italy or France has, but similar to Germany or the UK; therefore, not a bad situation. Nevertheless, it is true that the government did not complain about the absence of Spaniards, but rather about the low number of national diplomats corresponding to the third segment of the EEAS that corresponds to the member states. Anyway, with the appointments of Bernardino Leon as Special Representative (EUSR) for the South Mediterranean and Luis Fernandez de la Peña, as one of the 16 managing directors (in his case, for Russia, the Eastern Neighbourhood and Western Balkans) Spain already has senior positions in the EEAS commensurate with its weight.

Within the Foreign Ministry, there is a specific unit to inform and encourage Spanish diplomats who want to be part of the EEAS. Although there is an official stimulus policy, the truth is that there is no additional funding for it, and candidates are facing potential informal impediments because it is not certain that the rotation will benefit their career when they return to the Spanish

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missions are small and thus 47 embassies or 54 consulates currently lack a trade office, for example). The Foreign Ministry is also responsible for the International Cooperation Agency (AECID) with 44 technical cooperation offices and 15 cultural centres. In addition to this, the network of Spanish government delegations abroad includes 35 tourist offices or 75 Spanish language and culture centres (within the *Instituto Cervantes*).

Foreign Service. Something that, if necessary, may cause some segmentation between diplomats having a 'Europeanised' career and those who lack it. Another problem is the imbalance in geographical areas, with a major presence in relation to Latin America and a very minor one in areas such as the Balkans and the Maghreb.

# European External Action Service: A view from Estonia

Elina Viilup\*

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Our project has an ungainly name, the European External Action Service (EEAS), but a bold and simple purpose: to give the EU a stronger voice around the world, and greater impact on the ground.

Catherine Ashton, *Wall Street Journal*, 27 July 2010

## Abstract

A European Union with a strong and unified voice is in the interest of Estonia, and the approach of the Estonian government towards the EEAS reflects its approach to the EU, which is both supportive and pragmatic at the same time. The Estonian Foreign Service does not expect the EEAS to take on a greater share of the functions currently carried out by the national diplomacy.

Rather than expecting to pass competences over to the EEAS, Estonian diplomats do expect the EEAS to provide an added value in concrete matters such as consular services, strategic analysis, helping EU citizens in crisis situations, providing access to high-level meetings, and a stronger coordination effort from the EEAS headquarters.

As the EEAS continues to sort itself out, Estonia is forging ahead with refining its foreign policy goals and the reform of its foreign representation network, despite having lost some of its best diplomats, who left for the EEAS in search of new opportunities and experiences.

## Introduction

The aim of this chapter is to consider Estonian national perspectives on the institutional innovations created by the Lisbon Treaty, particularly as regards the setting up of the European External Action Service (EEAS) and the creation of the double-hatted post of the High Representative for Foreign Affairs and Security Policy/Commission Vice-President (High Representative). This paper aims to answer the question of whether, and how, Estonian diplomacy is reacting to the new scenario.

In addition to the analysis of relevant policy and administrative documents and the main media outlets, ten in-depth exclusive interviews were carried out in Estonia and in Brussels. These involved diplomats in the Estonian Ministry of Foreign Affairs, the chairman of the parliamentary foreign affairs committee, parliamentary officials responsible for foreign policy, Estonian foreign policy experts and senior Estonian officials working in the EU institutions.<sup>1</sup>

This paper is divided into five sections. The first section will provide a short introduction to Estonia within the European Union. It then continues with a description of Estonia's foreign policy priorities, the set-up of its external policy machinery, the state of affairs in the Estonian diplomatic service and the debate on its structural reform, which has just begun. It will then offer insight into Estonian positions and the opinions of the main actors (diplomats, officials, experts) on the EEAS, as well as Estonia's contribution to the staffing of the service. Drawing

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<sup>1</sup> Due to the politically sensitive nature of the issues discussed, the confidentiality of the respondents is respected throughout the document, unless a respondent has given a specific authorisation to be cited.

upon previous sections, some final remarks are offered on how the Estonian experience may relate to the establishment of a truly common European diplomatic and consular service.

## **Estonia in the European Union**

Eight years have passed since Estonia's accession to the European Union and the country's accession to NATO. The fourth smallest EU member state has done well during these years; the average gross salary has doubled, the gap in GDP with the EU-15 has been diminishing rapidly and the influx of FDI has increased, particularly in the service sectors. Trade and tourism have also grown. A wide array of sectors has benefited from the EU structural funds, including education, business, infrastructure, environment, agriculture, and employment.<sup>2</sup> After having deemed to have fulfilled the conditions, Estonia achieved its goal of entering the euro zone in 2011.

At the time of its accession to the EU, Estonia was one of the most sceptical countries among the newcomers, from the point of view of public opinion and the country's policies towards and within the Union. This has changed considerably in the past eight years.

Estonians now belong to the minority of the nations in the European Union which, while worrying about their own and their country's economic situation, believe that things are going in the right direction within their own country and within the EU. The majority of Estonians feel that EU membership is beneficial and trust in the EU remains strong.<sup>3</sup> Juhan Lepassaar, Director of the EU department of the State Chancellery, recently commented that:

Initial hesitation or even negative attitude has passed and (Estonia) has joined ranks with these member states that support the deepening of cooperation (within the EU). Estonian governments no longer require the restriction or referral of powers conferred to the EU but rather the opposite. Estonia sees further integration as a solution not as a source for problems.<sup>4</sup>

## **Estonian diplomatic service readapting to changing realities**

At the time of writing this paper, Estonian foreign policy actors were in the middle of three processes: reflecting on Estonian foreign policy priorities, conducting a structural reform of the Ministry of Foreign Affairs, and planning a redesign of the external representation up to 2015 and beyond. None of these re-thinking processes was motivated by the changes brought about by the Lisbon Treaty.

### *Foreign policy priorities*

Attaining membership of the EU and the NATO were Estonia's main foreign policy objectives, and all efforts and resources were geared to this end prior to 2004. Once these goals were achieved, the search for a new foreign policy identity and a 'niche' within the EU began. In 2010, Estonia achieved the membership of the OECD and, at the beginning of 2011, the country finally attained its long-time goal of becoming a euro zone member. All of Estonia's main aspirations were achieved. The years 2011 and 2012 can be seen as turning points in Estonia's own right to Europeanisation, and refining (if not really redefining) its foreign policy priorities.

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<sup>2</sup> EESTI 5 AASTAT EUROOPA LIIDUS. "Ülevaade Euroopa Liidu liikmelisuse mõjust Eestile", April 2009 ([http://valitsus.ee/UserFiles/valitsus/et/riigikantselei/euroopa/arhiiv/eesti-viis-aastat-euroopa-liidus/ulevaade-euroopa-liidu-liikmelisuse-mojust/Eesti\\_5\\_aastat\\_Euroopa\\_Liidus.pdf](http://valitsus.ee/UserFiles/valitsus/et/riigikantselei/euroopa/arhiiv/eesti-viis-aastat-euroopa-liidus/ulevaade-euroopa-liidu-liikmelisuse-mojust/Eesti_5_aastat_Euroopa_Liidus.pdf)).

<sup>3</sup> Eurobarometer. "Spring 2011 Report", August 2011 ([http://ec.europa.eu/public\\_opinion/archives/eb/eb75/eb75\\_public\\_en.pdf](http://ec.europa.eu/public_opinion/archives/eb/eb75/eb75_public_en.pdf)).

<sup>4</sup> Lepassaar, J., "Eesti Euroopa Liidu poliitika", *Diplomaatia* ([http://www.diplomaatia.ee/index.php?id=242&L=1&tx\\_ttnews\[tt\\_news\]=1346&cHash=c6fd06a4bc](http://www.diplomaatia.ee/index.php?id=242&L=1&tx_ttnews[tt_news]=1346&cHash=c6fd06a4bc)).

Matti Maasikas, Estonia's Permanent Representative at the EU has called the period that started in 2011 as the "grey everyday" of Estonian foreign policy, without big exciting goals and dramatic challenges.<sup>5</sup>

As is usual with small states, Estonia's foreign policy has been understandably defined by a limited diplomatic tradition and a relatively narrow range of interests.

The role of newcomer; its lack of economic and military weight, limited administrative and diplomatic capacity and its small geographical and demographic size have set definite limits on Estonia's participation in EU foreign policy. It is therefore not surprising that the country has more often than not been a 'policy taker' rather than a 'policy shaper'. It has rather aligned itself with the positions of the traditional partners (especially Finland) than vocally pursued its own policy goals within the EU. Its convergence with the common EU foreign policy line, whenever such a thing exists, has been high (e.g. on further enlargement or the Arab Spring). In recent years, as its experience and confidence have grown, Estonia has become more active in policy shaping in a few areas inside the EU, such as cyber security and engaging Eastern partners. Within the foreign policy context, it has recently spoken out for the Weimar initiative, which supports strengthening the EU's crisis management capacity.

Indeed, Estonia's foreign policy agenda can be said to be very 'European'. Its main foreign policy goals continue to be tied to its security within European and North-Atlantic alliances. "Our security and well-being are tightly connected with the EU, NATO and the neighbourhood," stated Estonian Minister of Foreign Affairs Urmas Paet at the 2012 annual foreign policy debate in Riigikogu, the Estonian Parliament.<sup>6</sup> Not surprisingly, therefore, the main topics of this debate were security in the context of NATO (Afghanistan, the development of EU defence and military capacity, NATO Parliamentary Assembly meeting in Tallinn); Estonia's contribution to finding a solution to the EU's financial and sovereign debt crisis, and the promotion of Estonian business interests in the world. However, a small but noticeable shift could be noted – in comparison to the previous annual debates: there was heightened sensitivity regarding the new context of the rapidly changing world and of the ongoing power shift from the Atlantic to the Pacific Ocean. The emergence of Asia as a global economic and increasingly political power centre is an issue of which Estonian foreign policy actors are becoming more aware. The government is currently working on its Asia programme; the Riigikogu's Committee on Foreign Affairs is also drawing up its report on Asia, led by Chairman Marko Mihkelson (Pro Patria and Res Publica Union).

In the context of domestic politics, foreign policy continues to be a consensual matter between all parties. At the same time, there cannot be said to be any public and media debate on an Estonian foreign policy vision and the country's civil society is still evolving.

### *Structural reform of the MFA and the future of Estonian representation abroad*

Administrative changes are starting to take place too. For the first time, the government's framework document on Estonia's EU policy for the period of 2011-2015 was not prepared by the Ministry of Foreign Affairs but by the State Chancellery. Also, one of the main aspects of the structural administrative reform of the Ministry of Foreign Affairs is a merger of the departments of bilateral relations with the EU member states and thematic issues related to EU. Some of the EU issues formerly covered by the MFA EU department have been transferred to the State Chancellery's EU department.

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<sup>5</sup> Maasikas, M., "Eesti välispoliitika kolmas faas – argipäev", Riigikogu Toimetised (<http://www.riigikogu.ee/rito/index.php?id=14466>).

<sup>6</sup> Idem.

Another central and current topic in Estonia's foreign policy debate is the reform and further development of the network of Estonia's foreign representations, due to three factors – the need to optimise the use of limited resources, the aspiration to continue to widen Estonia's foreign policy agenda beyond Europe and the US, and the perceived strengthening of the role of the (big) national capitals in the EU's external policy. As mentioned above, this review of the network of the Estonia foreign representations was not motivated by the setting up of the EEAS. Instead, the reform effort should be seen in the context of other similar reorganisation attempts in many European countries; all motivated to a lesser or greater extent by the economic crisis and/or a wish to adapt better to the globalising world.

The Estonian MFA has 619 staff members who, since 2005, have been working under Minister Urmas Paet of the liberal Reform Party. Diplomatic relations have been established with 173 states. The country has 46 foreign representations abroad – 33 of these embassies, 7 permanent representations at international institutions, 4 consulates-general, and 1 special mission (Afghanistan). Most of the embassies are based in the EU member states and important NATO allies (but not in all), and only 13 diplomatic missions have been set up outside the EU and the EEA (Egypt, Georgia, China, India, Israel, Japan, Kazakhstan, Turkey, Ukraine, US, Belarus, Russian Federation, Australia). There are 159 diplomats working in Estonian representations, 111 local contractors and 62 special attachés from other ministries. In addition, outside the ministry structures, the following Estonian foreign representations operate abroad – Enterprise Estonia has 10 offices and the Estonian Institute has 2 representations in Helsinki and Budapest.<sup>7</sup> 144 honorary consuls have been appointed.<sup>8</sup>

The lack of material resources is an issue of concern, as is often the case for small countries. Four of Estonia's 46 representations have only one resident diplomat, 17 of them are two-diplomat missions. When the opening of a full diplomatic representation is not possible, Estonia sometimes uses co-accreditation, operating from another state (e.g. Slovenia is covered from Budapest and Slovakia from Vienna). In some individual cases, the ministry uses non-residing ambassadors (Arab United Emirates, Bahrain, India, Jordan, Oman, Switzerland, and New Zealand). In 17 countries (mostly in Latin America), Estonia has honorary consuls and another EU state is issuing Estonian visas based on a visa representation agreement. In the past, Estonia has also located its diplomats in a Finnish representation (in India and Zambia), based on the agreement between Nordic-Baltic Cooperation countries.<sup>9</sup>

Although the representation of Estonia is regularly reviewed by the Ministry of Foreign Affairs and the respective Riigikogu committee, a broader debate on this issue was kick-started by the Foreign Affairs Committee, who in 2011 decided to ask if Estonia was doing the right things in the right places. With a view to achieving a better understanding of the current state of affairs and future options, it commissioned an external analysis from Estonian Foreign Policy Institute (EVI) on this issue. The MFA has also drawn up its own paper with recommendations on the development of Estonian foreign representations until 2015 and beyond.

Broadly, there are two schools of thought in this debate. The first of these, led by Marko Mihkelson, Chair of the Foreign Affairs Committee, is that Estonia should become more present in the emerging centres of power (enlarge its embassy in China, open representations in India, Singapore, South Korea, Brazil) and cut back its representation in Europe. The proponents argue that Estonia's position is not defined by its representation through small bilateral embassies in European capitals but through wide-ranging and versatile cooperation within the

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<sup>7</sup> Eesti Välispoliitika Instituut (EVI), "Eesti välisesinduste võrgustiku olevik ja tulevik", November 2011 (<http://www.evi.ee/lib/esindus.pdf>).

<sup>8</sup> Estonian Ministry of Foreign Affairs, "Eesti välisesindused kuni 2015 ja 2015+" (<http://www.vm.ee/?q=node/13701>).

<sup>9</sup> Idem.



EU and NATO.<sup>10</sup> According to this view, up to four bilateral embassies could be cut in Europe.<sup>11</sup> According to Mihkelson, although 70% of Estonia's trade is currently with the EU and its neighbours, Estonian businesses have more market opportunities in Asia than in (Western) Europe. As an example, an IT company that had participated in a hearing organised by the Foreign Affairs Committee had argued that its current pilot project in China has 30 million potential users whereas in European markets achieving the same client base would be impossible. The view of the Committee is outlined in an opinion, which contains 23 recommendations to the government.

The other school of thought, led by the Ministry of Foreign Affairs and supported by the EVI study, agrees that looking to Asia is important but not as important as being represented in Estonia's most important allies and important neighbours (the US, NATO, EU, Russia, Germany, France, the UK, and its Eastern partners). In view of the increasing importance of Asia, Estonia had already opened an embassy in Kazakhstan in 2011, a Consulate-General in Sydney and is planning to open a new embassy in India in 2012. The proponents argue that if Estonia wants to be proactive and influence the processes in the current uncertain and nervous situation, it has to be present in EU capitals where all the important decisions are taken. The role of Brussels in policy-making has been decreasing in recent years, particularly in the field of foreign policy, partly due to the late and less than optimal launch of the EEAS.<sup>12</sup> According to Minister Paet, there are three pre-conditions to opening a representation: i) foreign policy interests, including security; ii) commercial, cultural and educational interests, etc.; iii) protection of Estonian citizens.<sup>13</sup> A case-by-case analysis should determine if a representation is necessary in light of these aspects.

Although we are very much witnessing an ongoing process, the first school of thought seems to be slowly but persistently winning ground. The Riigikogu has recently adopted a report on Estonia's capacities and interests in Asia, the Bulgarian embassy is to be closed in the autumn of 2012 and on-the-ground preparations have already begun for the opening of the new embassy in India.

### **EEAS – a matter for the distant future**

When asked, Estonian diplomats say that the EEAS is a good thing, with the potential to provide a stronger voice for the EU as a whole and a stronger platform for Estonia's interests. It is also seen as a potentially practical tool for extending networks further and wider, for providing the country with the analysis and knowledge of the countries, regions and issues that Estonia itself has limited access to, and for practical burden-sharing, particularly in the area of consular affairs.

However, the rhetorical endorsement does not seem to be backed up by actions. The aforementioned MFA paper on the development of Estonian foreign representations until 2015 and beyond does not even mention the EEAS. The parliamentary recommendation makes only a technical suggestion – asking the government to analyse the interaction of the Estonian Foreign Service and the EEAS. The reason behind this omission/curtness has been summarised by the Estonian Foreign Policy Institute (EVI) report, which argues:<sup>14</sup>

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<sup>10</sup> See the speech by Marko Mihkelson at the foreign policy debate, 21 February 2012 (<http://markomihkelson.blogspot.com/>).

<sup>11</sup> The government has already announced that it will follow the Committee's recommendation to close its embassy in Bulgaria and replace it with a non-resident ambassador.

<sup>12</sup> This is the author's view and does not reflect the official opinion of the Estonian government or that of the MFA.

<sup>13</sup> Välismääraja, Radio programme, KUKU Radio, Estonia, 26 February 2012.

<sup>14</sup> EVI Report, (2011), p.15.

The European External Action Service (EEAS) is /.../ at best a matter of the distant future in relation to the development of Estonia's own Foreign Service. On a practical plane, the EEAS won't in the near future be capable to fulfil or replace any important external representation function for Estonia.

According to a senior MFA official, there is no expectation that the EEAS will take a greater role in the functions currently carried out by the national diplomacy. He argued that the Ministry's view is that the tasks mentioned by the minister above – as well as taking care of citizens residing or travelling abroad – should continue to be fulfilled by the MFA. That it is too early to consign any human or financial resources to the EEAS (such as closing an embassy) is another view that was often put forward both on the executive and parliamentary levels.

The interviewees argue that the establishment of the service has taken longer than expected and many ambiguities persist. Instead of expecting to pass some of its own competences over to the EEAS, the Estonian Foreign Service expects the EEAS to provide an added value to national diplomacies.

As a concrete example of such added value, the Estonian diplomats interviewed said that the service should keep an eye on relations with important partners and provide a strategic and proactive vision, as well as thorough analysis. Also, they would like to see the High Representative take a more proactive role in bringing member states together and in coordinating a strong common position. Although the official position of the Estonian government is not to criticise Catherine Ashton, several interviewees remarked that they would prefer the High Representative to try to achieve a joint EU position in a more forceful manner than she has done in recent foreign policy crises. Another practical proposal that was put forward in a few interviews was that the High Representative should show a more inclusive approach towards member states (by visiting all EU capitals, for example).

From the viewpoint of the Estonian parliament, the EEAS lacks a clear policy vision and long-term direction; an argument echoed in conversations with experts and EEAS officials based in Brussels. Estonian diplomats interviewed argued, however, that the problem of the EEAS is less one of strategy and more one of tactics (whether or not to act on something) and difficulties in daily implementation.

It is also still unclear how the concrete division of tasks between the EEAS and the national diplomacies will play out. Although the rhetorical aspiration for a common foreign policy seems strong, there is no real convergence.

Indeed, the EU has been recently split over a number of important issues on the international agenda, including sanctions on Syria, intervention in Libya, and the recognition of Palestine, even in UNESCO. As a small member state, Estonia prefers to align itself with a common EU position. However, if there is none, as was the case with Palestine, it is very difficult for Estonia to stay neutral, especially if a position exists domestically.<sup>15</sup>

Like others, Estonian diplomats and politicians sense the internal tension and a difficult climate within the EU. Foreign policy decisions (but also judgments on important internal EU issues such as budgetary review) are mainly taken in the capitals of the big EU member states.

There is a feeling among diplomats that in the absence of (strong) coordination efforts from Brussels, the 'big ones' revert to their natural instincts of going it alone (e.g. France and the UK in the case of Libya) and that this seems to happen more than before the entry into force of the Lisbon Treaty.

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<sup>15</sup> Conversation with Birgit Keerd-Leppik, Head of the Secretariat of the Foreign Affairs Committee (Riigikogu), 7 March 2012.

A senior Brussels-based diplomat opined that the downgrading of the rotating Council presidency has contributed to this, since a representative of a European institution, such as Ashton, does not carry the same weight and leverage as a representative of another member state *vis-à-vis* his/her colleagues, especially compared to a minister of a big member state. In his view, the replacement of the rotating presidency with the High Representative in the Chair of the Foreign Affairs Council is the reason why the British dared to “make a mess” of the CFSP statements in the international organisations in the autumn of 2011, while the coordination of these statements had worked without difficulty before Lisbon. Moreover, prior to the establishment of the EEAS, the then-High Representative had established lines of coordination with member states. This communication system was apparently destroyed with the creation of the EEAS and the change of person in charge. Another senior diplomat noted in an interview that there is a danger that member states will lose confidence in the European level and would revert to doing certain things themselves, until the coordination capacity improves. At the same time, another diplomat argued that the issue at stake is not so much a loss of confidence in the EEAS but a lack of interest on the part of some member states in a robust European CFSP, and their fear of loss of sovereignty, particularly in an area of strong national interest.

Like some other small member states, Estonian diplomats take the view that the EEAS could be accorded consular tasks in the future, including the issuing of short-term Schengen visas and distribution of passports to citizens, if legally possible. The EU delegations should play such a role in the countries where Estonia itself is not represented. Estonian foreign policy actors argued in the interviews that they could see the EEAS providing added value in other concrete practical matters too. EU delegations could take a stronger coordinating role in providing help to EU citizens and their evacuation in crisis situations. Assistance from the EU delegation in the case of the return of a jailed Estonian pilot from Tajikistan is considered a positive example. Although there is no agreement on these issues for now, they should be taken up in the regular review foreseen for 2013.

Facility-sharing is another practical matter that could be of interest to Estonia. Diplomats have been attentive to the discussions on the possible creation of Europe Houses or on the possibility of sharing of rooms between member states in EU delegations. Should such an opportunity materialise, the Estonian MFA would be interested, if it is economical and satisfactory from other perspectives too, including security. The MFA’s own previous experiences of locating its diplomats in other member states’ embassies have not always been positive, however.

Diplomats assess cooperation between its foreign representations in non-EU countries and the EEAS positively. The main tools of cooperation between these are information-sharing and joint initiatives, which are usually prepared by the EU delegation. Economic and political diplomacy are areas where a replacement role for EU delegations is seen as tricky, due to differing interests between the member states (e.g. when member states are competing for market access in China). However, Estonian diplomats would expect a facilitating role from the EU Head of Delegation in attaining high-level meetings, which its diplomats would probably have little access to, and accompanying the Estonian ambassador at these meetings.

Information exchange is seen as satisfactory, both between the embassies and the EEAS and the headquarters in Tallinn and Brussels, but the alignment of technical equipment continues to be a serious problem. Estonian diplomats say that they have the ear of the High Representative on important issues, but in general, access to her by the small member states could be improved. On the political side, the Chair of the Foreign Affairs Committee laments the lack of flow of information from the EEAS and extremely complicated access to the High Representative. Another practical issue where the Estonian diplomats would hope for improvement is the timely preparation of papers in advance of working group and Council meetings. In addition, the EEAS could also provide more background papers and be more proactive in EU policy proposals.

Indeed, Estonia is one of the 12 EU member states with Belgium, Finland, France, Germany, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland and Sweden to have co-signed an open letter to the High Representative on 8 December 2011. This letter touched on the neglect of security affairs by the High Representative and pointed to the need to improve management and administrative procedures within the EEAS and the cooperation with the Commission.<sup>16</sup> Among other things, it called on the High Representative to circulate a yearly agenda, to produce regular preparatory policy and decision-making papers that are to be distributed sufficiently in advance of the meetings, to set up a secure communications network and to optimise the identification of political priorities. Estonian diplomats maintain that the letter was not meant as a criticism but as a constructive proposal, and expect an in-depth reply from the High Representative in the framework of the service review foreseen for 2013.

### *Staffing the EEAS*

Ensuring an Estonian presence in the EEAS has been an important objective, particularly given that other possibilities to influence the common foreign policy are limited. Through its presence, Estonia hopes to pass on its specific expertise (for example in transition or in the area of cyber security); make sure that its people are involved in issues of national interest; offer its diplomats opportunities to work on global diplomatic field, and work towards the stronger presence of Europe on the world stage.

Six Estonian diplomats have joined the one-third of the service reserved for EU member states. Like other new member states, Estonia was extremely frustrated with their representation in the EEAS until very recently – until Ashton finally promised that all member states would have a Head of Delegation, and the appointment of Estonian diplomat Aivo Orav as the Head of Delegation in Macedonia was accomplished. In addition to this Head of Delegation post, four other diplomats have been employed in EU delegations ( Moscow, Kigali, Baku, EU delegation to UN in New York). An Estonian cyber security expert has been engaged in the Brussels headquarters. In addition to these diplomats, 14 Estonian nationals have joined the service with the transfer of the Commission and Council staff. There are currently 20 Estonians altogether in the EEAS (13 women and 7 men). This is no small feat, since as a point of comparison, in 2011 there were altogether 400 Estonians in all EU institutions, including administrators, assistants, national experts and contractual staff.

The MFA is satisfied with the results achieved. The interviews are still ongoing and some more appointments could materialise. However, it was also mentioned in one interview that no more departures to the service are hoped for, since the MFA's own human resource capacity is limited. Unlike the case of Italy, no new diplomats have been specifically employed with a view to staffing the EEAS. Also, an impressive training and lobby effort to achieve better Estonian representation in the EEAS has been made. Diplomats were, for example, prepared for the interviews through specific language training (especially French) and interview simulations.

According to the Estonian MFA, the EEAS has also opened places for seconded national experts within the EEAS with a view to saving money. The salaries of national experts come from the national budgets, not the EEAS budget. This move has thus favoured the bigger and richer member states who have been able to increase their representation further. However, Estonia has decided to send one diplomat to serve as an SNE in the crisis management structures of the EEAS. The salaries of Estonian diplomats are very low already in the domestic Estonian context and the remuneration difference would be dramatic on the European level, especially in comparison with colleagues from Western Europe. Estonia's decision not to

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<sup>16</sup> The Commission is responsible for the budgeting of the delegations as well as technical equipment, such as telephones and computers.

second diplomats as a rule can also be interpreted as a tactical move to influence the EEAS to open these posts with remuneration, instead of looking for temporary solutions.

## Conclusions

Estonian foreign policy is looking for a new identity in the changing world, while continuing to be very much looking to Europe and its traditional ally, the US. Small and pro-European, Estonia's position towards the creation of the EEAS has been very positive from its inception and there is strong agreement among all interviewees, both on political and executive levels, that a unified and strong European voice is in the interest of Estonia.

However, the expectations and initial enthusiasm have been dampened in the course of the delays and difficulties in the setting up of the service, as well as a number of other outstanding glitches in the functioning of the new machinery. The EEAS does not function as a factor in the debate on the internal structural reform of the MFA and a revision of Estonia's external representation. The latter is motivated by the need to optimise the use of limited resources, the aspiration to widen Estonia's foreign policy agenda and to adapt it to the changing world, and the perceived strengthening of the role of (big) national capitals in the EU's external policy. Indeed, planning is being carried out as if the EEAS did not exist. Beyond recommendations for the 2013 review, a concrete output of MFA action in this area has been that of providing personnel for the EEAS.

At the same time there is a common understanding that Estonia as a small EU member state with limited resources could in principle reap substantial benefits from common action and increased cooperation. Although it is clear that the EEAS is still far from being a perfectly functioning diplomatic service, Estonian foreign policy actors (MFA, Parliament, academia and the think tank community) should analyse together and in a systematic manner how the new Lisbon structures could best serve Estonia's interests and then make consistent efforts to try shape these accordingly. The recommendation from the Foreign Affairs Committee to commission a study on the interaction of the Estonian diplomatic service and the EEAS is definitely a step in the right direction. In the context of limited national resources, the EEAS has a potential to provide Estonia with wider and better networks, increased analytical capacity and cost reduction opportunities. Indeed, Estonia's demands for the 2013 EEAS revision demonstrate that there would be an interest from the Estonian side to cooperate on a number of concrete issues that would offer added value, particularly in consular matters; an issue on which there is currently no agreement among the member states.

However, if the European Union wants to establish a truly common European diplomatic and consular service, it must create a corps that can prove to national capitals that it can do some things at the European level better and that it can provide added value. The current state-of-affairs within the EEAS does not yet seem to provide for such a reality.

## Glossary of terms and abbreviations

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CFSP – Common Foreign and Security Policy

CSDP – Common Security and Defence Policy

CMPD – Crisis Management Planning Directorate

CPCC – Civilian Planning and Conduct Capability

EULEX – European Union Rule of Law Mission in Kosovo

FM – Foreign Minister

HOM – Head of Mission

NATO – North Atlantic Treaty Organization

Non-paper – aide-mémoire, a general term for a document circulated in a meeting or summit for discussion purposes

HR/VP – High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of the European Commission

MFA – Ministry of Foreign Affairs

SNE – Seconded National Experts

ODA – Official Development Assistance

OSCE – Organization for Security and Co-operation in Europe

## Annexe I: Questionnaire used as basis for research

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### **European External Action Service: Europeanising National Diplomacies**

#### **Research Project (2011-2012)**

Paul Ivan, CEPS; Ignacio Molina, ELCANO; Alicia Sorroza, ELCANO

This project undertakes a comparative assessment of the expectations generated by the institutional innovations of the Lisbon Treaty on the foreign policy of the European Union, with a special emphasis on the European External Action Service (EEAS). The goal is to contribute to know more about how the different national diplomacies are reacting, or not, to the new scenario. This research will look at the EEAS's influence and impact on a number of EU member states (such as Germany, France the United Kingdom, Italy, Spain, Poland, Romania, the Netherlands, Portugal, and Sweden) at the strategic and organisational levels (internal organisation, national diplomatic resources in third countries and international organisations, synergies with the EEAS in specific regions or topics, etc). It will also consider the influence these member states try to exert on the EEAS and EU's external action. The answers of the questionnaire enclosed below, which has been distributed to all the selected experts, will form the starting point for the development of the papers to be written by each author. The final papers will be gathered together and edited as an EPIN publication. Based on the papers received and their own assessment, Paul Ivan, Ignacio Molina and Alicia Sorroza (the editors of the final document) will write an Introduction and Conclusions on how the different national positions can positively or negatively affect the consolidation of the EEAS and the role of the EU as an international actor.

#### **Draft questions:**

1. What has been your country's position (government, major political parties, experts, etc.) regarding the EEAS from its inception? Has this position changed since the launch of the EEAS? If so, why?
2. What are the relevance and expectations assigned by your country to the institutional innovations of the Lisbon Treaty in these matters? Have there been or is there any reflection on the impact of the EEAS on the national foreign policy? Is there any need to rethink objectives and priorities and, therefore, resources in this area? (Government position, major political parties, think-tanks, civil society, etc). Does the domestic political/economic context (economic crisis, election campaign, etc.) facilitate or hinder this type of exercise?

3. What are the most pressing issues in what concerns the relations between the EEAS and your government (Ministry of Foreign Affairs –MFA- and other actors if relevant)? What are the problems and what should be done to solve them?
4. Is the country you are covering more engaged in defining EU external action than before the entry into force of the Treaty of Lisbon and the launch of the EEAS?
5. How does the MFA from the country you are covering assess the cooperation with the EEAS and the EU delegations in third countries?
6. How would you describe the cooperation between the government of the country you are covering and the EEAS at the level of international institutions?
7. What is the opinion of the government (MFA, etc) of the country you are covering about the sharing of information between the government and the EEAS? (in third countries and at the central level.) Are there any initiatives of improving the sharing of information?
8. How would you describe the cooperation between the High Representative and the minister for Foreign Affairs from the country you are covering?
9. In which of the following geographical areas and subjects would it be more feasible for your country to accept a relevant/increased role for the EU and the EEAS? Which are the issues that for historical, cultural, security or other reasons your country might maintain an autonomous position or even, if the occasion so requires, a position contrary to the interests of the other/some member states?
  - a. Relationships with strategic partners: China, the US, Russia (others?)
  - b. In the Neighborhood
  - c. Multilateral affairs
  - d. Global governance and representation in international bodies and forums: G20, UN, IMF, WB
  - e. Crisis and conflicts: CSDP, NATO
  - f. Regions: Latin America, North Africa, Sub-Saharan Africa, East Asia, the Balkans, etc.
10. In those areas in which you consider that the EU and the EEAS would have to exercise a stronger role, how should your country exert more influence at the EU level to take into account your national interests and priorities?
11. Has there been any restructuring (such as reductions in the staff allocated to certain issues and/or regions) of the MFA or other ministries in your country as a result of the creation of the EEAS? Is there some kind of restructuring expected in your country? Will there be a renewal of resources to areas in which your country has a particular national interest and that are not covered by the EEAS, or will your country's national representation to the EU be strengthened in regard to other topics?
12. What is the opinion of the main stakeholders in your country about the presence of your nationals in the EEAS structures? Does the MFA of the country you are covering consider itself sufficiently involved in the EEAS?
13. What can be expected from your country's government in what concerns the EEAS and a common European external action?
14. What is your country's position on issues that are not covered by the EEAS, such as the promotion of culture and language and cooperation to development?
15. Other specific issues that are not mentioned in the questionnaire and that you might consider relevant for your country. Please add a final comment on the EEAS and its overall impact on your country and on the EU as a global actor.



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## About EPIN

EPIN is a network of European think tanks and policy institutes with members in almost every member state and candidate country of the European Union. It was established in 2002 during the constitutional Convention on the Future of Europe. Then, its principal role was to follow the works of the Convention. More than 30 conferences in member states and candidate countries were organised in the following year.

With the conclusion of the Convention, CEPS and other participating institutes decided to keep the network in operation. EPIN has continued to follow the constitutional process in all its phases: (1) the intergovernmental conference of 2003-2004; (2) the ratification process of the Constitutional Treaty; (3) the period of reflection; and (4) the intergovernmental conference of 2007. Currently, EPIN follows (5) the ratification process of the Lisbon Treaty and – should the treaty enter into force – (6) the implementation of the Treaty.

Since 2005, an EPIN Steering Committee takes the most important decisions. Currently there are seven member institutes: CEPS, Clingendael (the Netherlands), EIR (Romania), ELCANO (Spain), HIIA (Hungary), Notre Europe (France) and SIEPS (Sweden).

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### Structure

Currently there are 34 EPIN members from 25 countries, also from countries outside of the EU. The 'hard core' work of the network is based on the cooperation of about 10 most active institutes. The member institutes are quite diverse in size and structure, but are all characterised by political independence and the absence of any predetermined point of view or political affiliation.

EPIN organises at least three events across Europe per year. The network publishes Working Paper Series and other papers, which primarily focus on institutional reform of the Union. The network follows preparations for the European elections, the EU's communication policy, and the political dynamics after enlargement, as well as EU foreign policy and justice and home affairs.

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