FOREIGN POLICY

Making the EU's Voice Heard Globally

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A foreign policy treaty?

The Treaty of Lisbon introduced a number of significant innovations and fuelled high expectations in the area of European Union (EU) external relations. The reforms are primarily institutional. The most incisive reform relates to the enhanced role of the High Representative of the Union for Foreign Affairs and Security Policy (HR), who is now "multi-hatted" as High Representative, Commission Vice-President in charge of external relations, and chair of the Foreign Affairs Council.

An entirely new *sui generis* body, the European External Action Service (EEAS) was created to support the work of the High Representative. The EEAS, designed as "a functionally autonomous body" separate from both the Commission and the Council is unprecedented in its objective to develop a European foreign policy by integrating both diplomats from national capitals and officials from EU institutions (Commission, Council Secretariat). In addition, the Union gains a more coherent representation with eventually more than 130 EU delegations replacing those of the Commission.

In the new foreign policy structure, the rotating presidency has seen many of its previous functions taken over by the High Representative and her team. The foreign minister of the country holding the Presidency no longer chairs the sessions of the Foreign Affairs Council. The Political and Security Committee (PSC) and most of the working groups are now chaired by a "representative" of the HR.

The role of the rotating presidency is also weakened on the top political level. The Head of State or government of the country holding the Presidency no longer presides European summits, which are now chaired by the semi-permanent President of the European Council. In EU foreign policy, the latter has been attributed a treaty-based role as he shall represent the Union on "his level" on issues concerning the EU's common foreign and security policy. In his first year in office, President Herman Van Rompuy has already shown that he wants the European Council to be a strategic agenda-setter (also) in the realm of EU foreign and security policy.

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Irrespective of the rotating presidency organising some key events with external partners such as the EU-Latin America Summit or the Eastern Partnership Summit, its role has changed to that of providing support to the new foreign policy apparatus introduced by the Treaty of Lisbon. At the same time, the external dimension of internal EU policies – related to trade, energy, climate or the Single Market – is becoming more prominent with the rotating presidency often driving the process as it still chairs all sectoral Councils (with the exception of the Foreign Affairs Council), the General Affairs Council, and COREPER, which is responsible for preparing the work of the Council.

The aforementioned changes have created a new, complex hybrid structure, which still needs to pass the test of time. But what are the experiences after the entry into force of the Lisbon Treaty on 1 December 2009?

New set-up in action – high expectations and early deficiencies

The creation of the EEAS and other innovations aiming to enhance EU foreign policy were communicated to the outside world as a flagship project. Many analysts went even so far as to describe the Treaty of Lisbon as primarily a foreign policy treaty. Key capitals, especially Washington, were told that once the treaty-making process was completed, the EU would emerge as a strong and capable actor on the world scene.

All this created high expectations, to which the EU has not (yet) lived up. On the contrary, while the EEAS was being set-up in 2010, partners witnessed major difficulties and turf wars between national capitals, and among Member States and the Commission as well as the European Parliament. In the end, all actors involved were able to strike a compromise. However, there will be a need for a lot of reassurance among the EU's partners once the current birth pains of the EEAS subside.

Creating a separate service and working out its relationship with established institutions and especially the Commission were always bound to be tricky. This process was burdened by the fact that the EU lost time in preparing for the EEAS. The initial decision to set up the service was already taken in 2003-2004, in the framework of the Constitutional Treaty. But following the "non" and "neen" in the French and Dutch referenda in May and June 2005, nothing much happened until the Lisbon Treaty entered into force at the end of 2009. And the actual work on the structure and internal organisation of the EEAS only began in earnest in 2010 and once the approval of the European Parliament for the terms of its establishment became clear.

Following the formal launch of the EEAS in December 2010 and the official start of operations in January 2011, there are still a number of major uncertainties and challenges surrounding the new EU foreign policy machinery.

First, the EEAS relies largely on a geographic division of labour, with some functional and horizontal functions attached. The geographical emphasis in the structure of the service has meant that political issues have been the dominant focus, rather than the whole spectrum of tools – diplomatic, military, civilian, political, legal and cultural – which Hilary Clinton has famously named "smart power". In the case of the EU, such a comprehensive strategy would cover a similarly broad range of issues, from climate change to non-proliferation and trade. A horizontal, thematic focus is currently in embryonic form, which partly has to do with the intention to avoid friction and rivalry between the EEAS and Commission services. Strategic planning has not been given a prominent place – at least for the time being. Overall, the mix between geographic and horizontal departments runs the risk of once again creating "independent silos", which counter the objective of an integrated and comprehensive policy approach connecting the dots between different policy areas and different foreign policy instruments.

Second, the roles of the top management and the division of labour between top officials in the EEAS have not been clearly defined and the respective chain of command still needs to be fine-tuned. Third, the selection of staff has aroused enormous sensitivities with strong national rivalries and the ensuing scramble for positions, which in many ways lacked transparency. Fourth, some training programmes have begun, but no systemic decision has been taken on the optimal institutional set-up, involving, for example, the creation of a Diplomatic Academy.

Finally, it remains to be seen how effective the EU's new hybrid arrangement can function on the highest level. The multi-hatted position of the High Representative represents a daunting challenge for any person holding the post. In her first year in office, Catherine Ashton has been absent from up to 40% of Commission meetings due to other obligations and she has been unfairly criticised for not being at different places at the same time. The initial arrangements prevented her from being deputised or participating in the meetings through video-conference. This experience has made it all too clear that the High Representative must be able to delegate tasks to different deputies, who can represent her in and outside the EU.

Having said all this, it was always clear that creating such a novel and innovative, but also complex institutional set-up, for which there was no precedent, would take time and effort. The EU had already lived through similar experiences in the past. The introduction of a High Representative in the second half of 1990s or the creation of EU Agencies, such as FRONTEX, were also a struggle at the outset, but with clear leadership and determination, they have grown and matured to fulfil their functions well.

The future of the EEAS will be at least partly decided by the budgetary means put at its disposal. It is understandable that in times of austerity, EU governments insist on the principle of "cost-efficiency" being applied in the course of setting up the new service. At the same time, the EEAS cannot grow properly without a sufficient level of investment. One option is to save resources within national diplomatic services and transfer them together with some of the functions, including the consular ones, to the EEAS.

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Substance in the shadow of the process

The launch of the new foreign policy structures has been an absorbing process, often at the expense of policy content. In the absence of substance, Member States have taken a fairly distanced attitude to the new arrangements. This development is highly alarming as the overall success of the reforms brought about by the Lisbon Treaty will ultimately require that national capitals feel a sense of ownership towards and buy into the new EU foreign policy structures.

Initially, there was an attempt to identify an area in the new system where individual foreign ministers could be more active. The idea of sending foreign ministers as plenipotentiaries or representatives to trouble spots or conflict areas was discussed. One option, which could have been undertaken, is that of carrying out policy reviews of the most important dossiers. A number of foreign ministers could have been in charge of coordinating that type of exercise on the basis of their particular expertise.

The early days of the new foreign policy structures have not been followed by a policy offensive. The High Representative has rather taken a cautious stance on most sensitive issues. The High Representative's Timid reaction to some critical international events in 2010-2011 pushed Member States to a higher degree of individual or group activism. This could be witnessed in the case of Poland's unilateral actions on Belarus after the presidential elections there at the end of 2010 or by statements by groups of Member States, especially the largest ones, on developments in North Africa in early 2011. When asked about their expectations concerning the EEAS, officials in EU capitals often say they had hoped to be bombarded with strategic papers and policy initiatives. The sense of frustration is strongest when it comes to the weak and unconvincing crisis response. Comparison is often made between the way the United States (US) and the EU reacted to the Haitian earthquake, with the former immediately sending an aircraft carrier with 19 helicopters, hospital ships, assault ships, troops and hundreds of medical personnel, and the former strenuously collecting contributions from Members States – such as search and rescue teams, tents and water purification units.

However, one should not be overcritical. There have been some important success stories in the first year, as well. The fact that Ashton and her team were able to strike a compromise on the EEAS – more or less on time – has been a major accomplishment. The High Representative and her team are also credited for having enhanced the concept of strategic partners, which was discussed at the September 2010 European Council meeting. Based on answers to questionnaires sent to EU capitals, three discussion papers were produced during the year on relations with China, Russia and the US. In policy terms, the new understanding between Serbia and Kosovo is also rightly credited to the High Representative.

In institutional terms, delegations in third countries have largely seen a positive transformation. Placing high officials from national capitals in charge of EU embassies, such as the

one in Beijing, has been welcomed as a sign of enhanced bilateral relations between the Union and key strategic partners. Naturally, there is still ample ground to better coordinate positions on the ground. One example of the disjointed approach is provided by different reactions of national embassies to the announcement of the Chinese carbon efficiency objectives. Some immediately expressed satisfaction, others stressed that the objectives were nothing new since China would have implemented them anyway as part of its policy of managing an increasing demand for energy.

Despite all the aforementioned uncertainties, deficiencies and remaining challenges, one can expect that the innovations laid down in the Lisbon Treaty will, over time, contribute to achieving the overall objective, which the godfathers of the Constitutional Treaty had on their mind when they constructed the EU's new structures, i.e. the enhancement of a more unified common European foreign policy culture.

But the EEAS and the new hybrid structure still need to be tested and adjustments will have to be made over time. It is thus wise that the Decision on the EEAS already foresees a first Report on the implementation of the EEAS in 2011 and a substantial review by the end of 2013 – which coincides with the end of the current and the beginning of the next Multiannual Financial Framework.

However, making the EU's voice heard globally will obviously be no easy task as global affairs are in a major state of flux. Those who predicted the "end of history" were proven wrong. On the contrary: History is very much in the making – even if we, as spectators from the inside at times, do not seem to grasp the complexity and speed of developments as well as the gravity of change. The world is in the midst of a major transformative moment and the EU and its members are under pressure to respond to the fundamental changes and challenges "out there".

One cannot predict what the global order will look like in the end. It is uncertain which powers will prevail and whether the new system will be characterized by "confrontational rivalry" or "cooperative interdependence" between old and new global players. However, one can obviously witness a shift towards a less transatlantic and a less Eurocentric world. Europe is no longer in the centre of gravity and history, as global developments are increasingly shaped in other parts of the world. This geopolitical shift increases the pressure on the "old continent" to fill the gaps and to rise to the new challenges of regional and global affairs. If Europe fails to formulate a comprehensive and effective response, it runs the risk of gradual marginalisation and global irrelevance.

The role of the rotating presidency

The intensifying global competition and growing turbulence in many regions of the world mean that the EU cannot afford not to have a functioning foreign policy structure. In this set-up, there is scope for a proactive approach regarding the rotating presidency's role. There are four areas in which the Presidency could and should make its voice heard.

The first of them has to do with linking the internal and external policy agenda. Given the leading role of the Presidency in sectoral Councils as well as in the General Affairs Council, the Presidency should, in cooperation with the High Representative, examine ways of maximising EU impact through policies on agriculture, energy and climate, internal market and others. The Presidency could introduce the issue of the external dimension of internal policies as a regular item on the agenda of the sectoral councils and the General Affairs Council, with regular reviews carried out by the Commission.

Secondly, the Presidency should facilitate the EU-27 work on global governance and the G20 agenda. Even though the Presidency is only a participant of the G20 meetings, if it is held by one of the EU G20 members, there is a reason for its "special interest" in helping work out a common EU position. Most issues addressed by the G20 cut across a range of policy fields, especially internal ones. They are discussed by the General Affairs Council in preparation of the European Council, which approves EU positions for G20 meetings. There would be a merit in awarding the Presidency a more prominent role in the process.

Thirdly, the Presidency should play a particularly important role in the closest EU neighbourhood. The summits of the Eastern Partnership and future meetings with southern European neighbours at top political levels should be closely coordinated with or even hosted by the Presidency, especially if the EU country holding the Presidency has a strong expertise and commitment to the region concerned. Foreign ministers of the countries holding the Presidency should be involved in the policy formulation process as well as visits of the High Representative in the neighbouring regions.

Fourthly, the Presidency should be involved in designing and framing certain discussions of the European Council devoted to EU external relations. The themes should be selected in such a way so as to combine the current relevance with a particular interest and knowledge of the country holding the Presidency. In addition, the Presidency should plan and host "Gymnich" type meetings for foreign ministers.

A proactive approach to the role of the Presidency should be understood as strengthening the EU's capacity to act in external relations, while also enhancing the new foreign policy structure created by the Treaty of Lisbon with the key role of the High Representative. Given the pressures of increasingly unpredictable and turbulent international relations, the EU must engage all its resources and capabilities to play an active global role. The Presidency ought to be part of that effort.