

Managing Europe's Foreign Policy: The Record and Prospects

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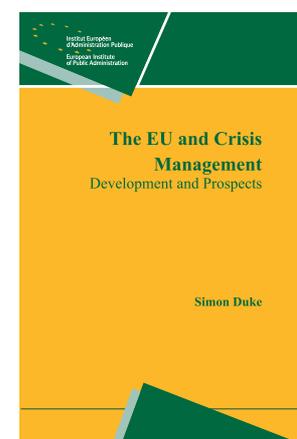
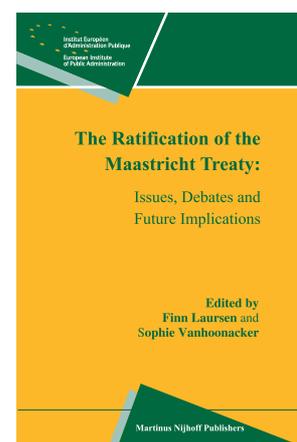


As we look back over the last twenty-five years of external relations it includes some impressive, even momentous, developments. François Mitterrand's accession to power on 10 May 1981 and his appointment of Claude Cheysson as Foreign Minister, removed the main impediments to the growth of what was then European Political Cooperation (EPC). The increasingly frequent and important consultations of Community foreign ministers at European level also enjoyed support from Hans-Dietrich Genscher, the Federal Republic of Germany's Foreign Minister, and his British counterpart, Douglas Hurd. In the third of a series of reports leading up to the Single European Act, the London Report of 13 October 1981 claimed that political cooperation had become a "central element in the foreign policies of all Member States" and that the "Community was increasingly seen by third countries as a coherent force in international relations". The report also noted that "the Ten [Community members] are still far from playing a role in the world appropriate to their combined influence".

The ensuing years saw the external relations of the European Community, built around the Community areas of external relations and EPC as a parallel process, develop in scope and intensity. The momentous events of 9 November 1989 (our "9/11") reshaped European perspectives on the world and security and also led to the transformation of EPC into the Common Foreign and Security Policy (CFSP) – or the second pillar, to use the popular adage. The multifarious post-cold war security challenges, including some on our very doorstep in the Western Balkans, led a decade later to the development of a variety of crisis management roles under the rubric European Security and Defence Policy (ESDP). The rapid growth of CFSP, and its subset ESDP, also gave rise to a number of problems, not the least of which was how to coordinate the more traditional and established Community areas of external relations (such as trade, development and assistance, external relations and enlargement) with the emerging intergovernmental aspects mentioned above. The issue does not though stop with the Community (first pillar) and the second pillar since there are significant aspects of Police and Judicial Cooperation in Criminal Matters (the third pillar) that have increasingly important implications for external security issues, such as the fight against organised crime and counter-terrorism.

It would be a mistake to attribute issues of coherence over the last twenty-five or so years solely to inter-pillar differences since there are well documented cases of intra-pillar incoherence and turf battles (such as the pre-DG External Relations division of external political and economic affairs into separate DGs). Indeed, coherence in external relations has both its horizontal aspects (how the EU institutions themselves coordinate) as well as vertical aspects (how the Member States and the EU institutions coordinate).

To complicate matters further the *tableau* of international relations has changed fundamentally over the last couple of decades, shaped in particular by



our 11/9 and the World Trade Center and Pentagon bombings of 9/11. These events and others have fundamentally challenged our perception of the nature of diplomacy, security, crisis management, multilateralism and the role of force. It is against this background that the EU has struggled to construct a coherent voice in EU external relations. This is very much an uphill struggle due to a number of factors that are worth briefly enumerating:

- The division of EU competences in external relations into *communautaire* and intergovernmental aspects;
- The lack of a legal personality for the EU (whereas the Community has legal identity);
- The lack of a clear “voice” in international relations on the part of the EU;
- Sensitivity and differences as to how far the EU should go in integrating some areas of external relations (notably defence);
- Difficulties in defining the EU’s role and representation vis-à-vis significant third parties (such as the US) or multilateral organisations (such as the UN);
- Providing the necessary financial and human resources to support newer areas of EU external relations, such as ESDP.

All of these issues are familiar and were elaborated upon at length by the relevant working groups in the Convention on the Future of Europe. The list of innovations and modifications to the existing treaties and practice that emerged from the Convention was impressive. Indeed, it could be argued that much of the resultant Constitutional Treaty was a summation and tweaking of the existing treaties, with the main innovations contained in the external relations area. For reasons that are well known, the Constitutional Treaty was rejected and it remains, at least for the time being, on ice. Herein lies the problem.

It was widely agreed at the abovementioned Convention that much could be done to modify EU external relations to address the familiar maladies: these included such innovations as the creation of a Union Minister for Foreign Affairs who would be assisted by the European External Action Service (EEAS). Provision was also made for more forms of cooperation and flexibility in external relations. It is also worth noting in passing that two provisions of the Treaty, the so-called Solidarity Clause adopted in case of terrorist attacks and the European Defence Agency, were adopted by intergovernmental consensus. These, if needed, are clear signs of the need for reform in EU external relations.

The argument is not that the Constitutional Treaty was a panacea, but that the negative Dutch and French votes threw out the baby with the proverbial bath water. If *Eurobarometer* polls are anything to go by, many would support the kind of reforms suggested in the Constitutional Treaty since there is a clear desire for more European involvement in foreign and security matters. It should not be assumed either that the foreign or other external-affairs related ministries in the Member States had any vested interest in the failure of the Constitutional Treaty; in fact, the Constitutional Treaty carried promise for more, not less, national involvement of diplomats in EU diplomacy (through the European External Action Service and various aspects of crisis management). Naturally, there were (and are) vested “turf” interests in the future institutional shape of EU external relations and these sentiments should not be underestimated. The problems are not however insurmountable and there seems to be (at least) consensus that the current structures and institutional practices are suboptimal and that reform is necessary.

As we look to the future the issue of who (and what) should manage EU external relations has a number of interesting dimensions. In the first place it is clear that in the mid-term there are areas of external relations that are likely to remain intergovernmental and any wholesale communitisation of external relations is illusory. This illusion has some popularity due to the misnomer that the Constitutional Treaty removed the old pillar structure; careful reading will reveal that the pillars were removed superficially but that the second pillar (CFSP) still retained its special character, structures and practices. This observation applies in particular to any prospective development of an EU defence policy and common defence. Not only does this pose considerable constitutional and legal issues for the six neutral or non-aligned EU members, it would also elicit strong

opposition from the more staunch Atlanticist members. For similar reasons of national sensitivity deployment of EU "peacekeepers" (and, incidentally, any EU *gendarmarie*) is also likely to remain under strict national control regarding the availability (or not) of national contributions to EU operations. This is though no different than in the NATO case, which is also built upon national contributions to achieve a common goal.

Managing external relations within the Community will remain challenging since the original *famille Relex* (which includes DG External Relations – including the Service responsible for the External Delegations; DG Trade; DG Development; DG Enlargement; the EuropeAid Cooperation Office; the European Humanitarian Aid Office and certain aspects of DG Economic and Financial Affairs) has proven a useful but limited coordination tool. Much of the effectiveness of the *famille* also depends upon the Commission President and the extent to which he is prepared to guide, steer and (figuratively) knock heads together. The *famille* is also limited in the sense that most DGs will have a legitimate external affairs role (such as Environment, Agriculture and Rural Development, Justice Freedom and Security, Education and Culture and Transport and Energy). There are therefore challenges to be met in internal coordination within the Commission which could be at least partially answered by thinking through the implications of creating something like the European External Action Service which would draw upon relevant expertise and skills as required (much as many national diplomatic services do with the secondment of experts from other ministries).

The Council Secretariat, as a smaller institution, is arguably more nimble and able to adapt to changes in external relations than the Commission. In particular DG-E has proven itself adaptable and its role now goes far beyond the traditional mission of supporting the Presidency. While its new role in the area of policy formulation and implementation responds to the need for a more operational foreign policy, it also has led to new coordination challenges, especially with the European Commission. The rather special character of DG-E can be traced back to its origins as the secretariat for EPC. It now works very closely with seconded diplomats (notably in areas such as the Western Balkans and the Middle East) and the various military, police and civilian crisis management bodies that have been developed over the last five years or so. It is in part this flexibility that has underpinned the High Representative for CFSP's frenetic globetrotting – to the extent that, to many, Solana is *the* face of EU external relations.

Solana was the obvious choice to become the Union's first Minister for Foreign Affairs. Perhaps rather presumptively he was named as such, based on the assumption that the constitutional treaty would be adopted. In spite of the malaise surrounding the constitutional treaty, a Foreign Minister may well help the EU in terms of recognition, coherence and visibility. The role, as envisaged in the constitutional treaty, would not be without its challenges since it would involve fundamental reform of the Presidency at the higher echelons, it would also involve working out a complicated series of relations and responsibilities with the European Council, the Commission and the Council. At the national level there may also be adjustment required to the notion of a European "Foreign Minister" although the willingness of the EU members to work through Solana on, for example, the Middle East is encouraging. This may however have much to do with the current High Representative for CFSP rather than his office *per se*. Any appointment that involves this much institutional upheaval and adjustment is unlikely to occur outside a process of treaty reform, but this does not preclude the possibility of moving towards some form of European External Action Service, a professional European *corps diplomatique*, in anticipation of the eventual emergence of such a figure.

At the national level the Foreign Ministries in the Member States have already seen significant adaptation to the presence of the EU as an active international actor. Although there are differences between the members the general pattern has witnessed dedicated sections within Foreign Ministries working on, for instance, CFSP matters. The typical career profile of a diplomat from an EU Member State is more likely than not to involve either service in an EU institution or demand thorough knowledge of various aspects of EU external relations (the same is increasingly true of senior military officers). For those who serve in



Seminar: "Perspectives on EU Institutions, Policy Making and EU-US Relations", in collaboration with the Brookings Institution, Washington DC, held in Maastricht and Brussels on 20-24 March 2006.

Brussels the practice of regular consultations with their national counterparts at the European level has led to both socialisation (the change of practice in work habits and decision-making) and so-called “Brusselisation” (the actual transfer of personnel and responsibility to Brussels). The training, background and experience of national diplomats will be all the more important to the EU with the advent of some form of European External Action Service, in which they will most probably play a critical role.

One of the most notable developments in EU external relations has been the rapid development of ESDP and, with it, the ability of the Union to respond to a variety of crisis management tasks. In a remarkably short period of time (around three years) the EU members have gained valuable experience in conducting a variety of military, police and civilian missions. Although there is considerable progress to be made, most notably in the gap between rhetoric and resources when it comes to the more demanding missions, the EU can nevertheless legitimately claim to be an influential actor when it comes to the civilian aspects of crisis management. This involves drawing not only upon the normative role of the Union in international relations, but also upon the considerable resources at the disposal of the Community. Here too though there is room for improvement, especially when it comes to issues of complementarity of goals and funding. The civilian aspects of ESDP crisis management have not been developed with enough attention to Community capacities in the same or complementary areas. At a more general level, the proliferation in the number of military and civilian crisis management missions endangers the scarce resources that underpin the Union’s (and Member States’) willingness to conduct them. This may therefore call for a more reflective approach as to why the EU specifically should engage itself in one crisis or the other, as opposed to another regional or international organisation. The results of missions will also need more reflection so that a more accurate idea of whether they attain the stated goals and whether they reflect the EU’s general objectives.

The nature of current crises in which the EU is involved has already illustrated that more thought will be required about the linkage between short-term and long-term objectives, as well as the connections between crisis prevention, crisis management and post-conflict stabilisation. The presence of crisis management tools in both CFSP and the Community calls for a more holistic approach so that the overall objectives of EU policy towards any given country or region are not lost in the midst of institutional politics in Brussels and the capitals. Arguably, the attempt to mainstream certain items in external relations, such as the efforts to curtail weapons of mass destruction or human rights, are a nod in the right direction – although, here too, questions of institutional assertiveness and friction can arise.

While considering developments in EU external relations it is also worth briefly considering the European Neighbourhood Policy (ENP) which is viewed as something of a flagship in Community external relations. In short, the policy enables the Union’s immediate members to the south and east to move closer to the Union and this includes the possibility of participation in the internal market. The overall aim is to create an area of prosperity and stability on the Union’s common borders. It remains early days for ENP but there are already evident challenges. Two in particular deserve mention: first, the promise of moving closer to the EU will not satisfy all since some (like Georgia, Moldova and the Ukraine) see membership as the ultimate goal of their respective relations with the Union, and second, ENP is underpinned by a number of normative considerations (such as democratisation, minority rights, the role of women in society and so forth) that are less palatable to a number of southern neighbours. This raises the possibility of two diverging dialogues emerging with the presence, especially to the south, of a fractious and rather unstable neighbourhood and to the east a potentially difficult dialogue that will be influenced by mutual relations (and energy dependency) with Russia.



Visit of a group of South Koreans to EIPA on 26-29 June 2006.

Meeting the challenge: training in a dynamic external relations environment

How, it may be asked, have the developments in EU external relations and the future challenges outlined above been reflected in EIPA's training activities? Historically EIPA has demonstrated a broad array of external relations activities, both in its training and complementary research agendas. These range from the presence for much of the period covered in this Eipascope issue of a specialist in the CFSP area, to regional activities (including Latin America, MEDA and ASEAN), to the training of diplomats from central and eastern Europe (in conjunction with Clingendael), the preparation of diplomats for the Presidency of the Council, to hosting diverse non-EU clients who wish to learn more about the EU and its various facets (amongst others, this includes Americans, Chinese, Canadians, Norwegians, South Koreans and Ukrainians). More recently, EIPA has conducted training activities within the External Service of the European Commission and the Council Secretariat on various facets of EU external relations. EIPA has also developed close relations with external centres of excellence, such as the Brookings Institution in Washington DC (with whom EIPA has its oldest continually running seminar series) and the Federal Executive Institute in Charlottesville, Virginia.

It is clear that EIPA faces future demand for training and research activities in the external relations field and this will include consideration of whether and how to fill possible gaps in the increasingly important external relations ramifications of police and judicial cooperation, the fight against organised crime and counter-terrorism. The individual scientific staff members will also face the challenge of training at the anticipated level in a dynamic environment. Within Europe, training of diplomats is still largely done at the national level, but there is growing realisation that the European level of diplomacy is of increasing significance and herein lie opportunities for training and research; this is of interest to a number of specialised training institutes, including EIPA. Similarly the growing influence of the EU as an actor on the international stage may well result in further demands for training from the Union's international partners.

Although it is dangerous to try and predict the future, the world in 2031 when EIPA celebrates its 50th anniversary, will be no less interconnected and interdependent. Issues of consistency and coherence, defining our relations with our neighbours and partners further afield, the increasing blurring of distinctions between external and internal aspects of EU policy, as well as global issues related to security and stability, will all provide training challenges as well as opportunities over the next quarter of a century. Commission President José Manuel Barroso and Commissioner Benita Ferrero-Waldner presented a communication from the Commission to the European Council in June 2006. The Communication, "Europe in the World – Some Practical Proposals for Greater Coherence, Effectiveness and Visibility" makes it clear that training, at both the national and European levels, has a major contribution to make if, as the Treaty on European Union states, the Union is "to assert its identity on the international scene". ::

Notes

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Seminar: "Mutual Perceptions: The EU and Its Eastern Neighbours" (in collaboration with the Clingendael Institute) Maastricht, 25-29 September 2006.