

European Issue

n°184

25th october 2010


The European External Action Service: towards a common diplomacy?

from **Christophe Hillion**,teacher of Law at the Universities of
Leiden and Stockholm; he is also aResearcher for the Swedish Institute for
European Policy Studies, Stockholm;and **Maxime Lefebvre**,French diplomat, professor at Sciences-Po
Paris and founder of "europ-info"

(www.europ-info.eu)

SUMMARY Created by the Lisbon Treaty the European External Action Service (EEAS) should bring together, within an autonomous diplomatic institution, the services of the Commission and the Council responsible for external affairs. From an administrative point of view this means the creation of the post of High Representative for Foreign Affairs. But it includes another innovative feature: by receiving within its fold staff from national diplomatic services it intends to associate the Member States in a process that may lead to the emergence of a common diplomatic culture.

Until the decision of 26th July the organisation of the service was the subject of intense discussion between the players involved. With the support of the Parliament, the Commission has defended its "community" prerogatives whilst the Member States have made sure they have representatives in key positions within the new service.

In the end although the creation of the EEAS should lead to an improved interweaving of community and intergovernmental rationale in terms of Europe's external policy the danger of incoherence between the institutions and a lack of coordination between national diplomats is nevertheless real. But the service offers Europeans a real opportunity to strengthen their influence on the international stage just as the Member States' individual positions are being eroded.

INTRODUCTION The establishment of the European External Action Service (EEAS) results directly from the Lisbon Treaty that entered into force on 1st December 2009. After months of discussion the Member States, the Commission and the European Parliament agreed on the organisation and the functioning of the Service thereby enabling the adoption of the decision creating the EEAS on 26th July 2010 [1]. After the appointment of a stable President of the European Council, Herman Van Rompuy and a High Representative for Foreign Affairs and Security Policy, Catherine Ashton, will this new body enable the European Union to assert itself in a more efficient and coherent fashion on the international stage?

BACKGROUND

With the Lisbon Treaty the European external policy has undergone two major reforms.

The first comprises a rapprochement between the two old pillars established by the Maastricht Treaty; the

"Community" pillar over which the European Commission has the upper hand and the "Common Foreign and Security Policy" pillar, which by nature is more intergovernmental.

The draft European Constitution in which the Lisbon Treaty mainly found inspiration with regard to its content initiated the interweaving of these two pillars by merging the position of commissioner for external relations (held in the old Commission by Benita Ferrero-Waldner) and that of "High Representative" for the CFSP (created by the Amsterdam Treaty and held from 1999 to 2009 by Javier Solana). It was also decided that the new "double-hatted" High Representative (member of the European Commission and representative of the Union for Foreign Affairs and Security Policy) would chair the Foreign Affairs Council (quasi-monthly) thereby giving it an additional role to provide impetus to the detriment of the former "rotating presidencies" held by the Member States.

The second reform is the creation, to the benefit of the High Representative, of a "European External Ac-

1. Council Decision n° 2010/427/UE of 26th July 2010 establishing the organisation and functioning of the European External Action Service - (JOUE L 201, 3.08.2010, p. 30).

The European External Action Service: towards a common diplomacy?

tion Service" (EEAS). In this respect Article 27-3 of the Treaty on the European Union (TUE) revised by the Lisbon Treaty indicates that: "This service shall work in cooperation with the diplomatic services of the Member States and shall comprise officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services of the Member States. The organisation and functioning of the European External Action Service shall be established by a decision of the Council. The Council shall act on a proposal from the High Representative after consulting the European Parliament and after obtaining the consent of the Commission."

The establishment of the EEAS thus translates, in administrative terms, the double-hatting of the new High Representative. In effect, it merges the services of the two EU institutions that have hitherto been actively involved in the formulation and conduct of EU external relations. At the Commission this mainly means the Directorate General for External Relations (DG Relex), although many other directorates are involved (DG Enlargement, DG Development, DG Humanitarian Aid, Europaid etc ...). The Council Secretariat (CSG) is a Council service (body that brings together the ministers of the 27 Member States); in particular it assists the State that is ensuring the rotating presidency and which, as such, chairs the institution and its preparatory bodies (Committee of Permanent Representatives, Committee for Policy and Security, working groups etc ...) Before the creation of the CFSP by the Maastricht Treaty there was a secretariat for European Policy Cooperation that was integrated into the European institutions by the Single Act of 1986. From then on external relations were followed by the CSG and an entire Directorate (DG E) as well as by a Policy Unit, a Crisis Planning and Management Directorate, a Civilian Planning and Conduct Capability, a European Union Military Staff and a "Situation Centre" (SitCen) for intelligence purposes.

Beyond the administrative merging of the two institutions of the rue de la Loi (the GD Relex has its HQ in the "Charlemagne" building, next to the "Berlaymont", the Commission HQ, whilst opposite is the "Justus Lipsius" building where the Council Services are based) the treaty contains an additional novelty. By the inclusion into the EEAS of diplomats from the Member States

it fosters the hope that Jean Monnet's "functionalist" method might be applied to diplomacy (the traditional domain of State sovereignty and there of inter-governmentalism), thereby leading to the emergence of "de facto solidarity" and a common diplomatic culture.

Here lies the most interesting element in the creation of the European External Action Service. Fundamentally the Lisbon Treaty has not changed the decision making procedures with regard to the European Union's external policy: matters which until now were the "community" reserve are still mainly driven by the Commission (particularly external aid programmes that are consequential in total: around 7 billion € per year) and policy matters generally continue to be decided by unanimity in the Council [2]. At that time to accommodate the British the President of the European Convention, Valéry Giscard d'Estaing relinquished enhancing the qualified majority vote. As a result the amendments were of just a procedural nature and it remains to be seen whether these technical adjustments will lead to the emergence of a true common diplomacy. In particular, will the institutionalised collaboration between the staff of the Member States, the Commission and the Council that have hitherto acted more in competition than in cooperation in itself be able to generate more ambitious, better coordinated and more efficient European external action?

THE NEGOTIATION AND ITS ACTORS

As the TEU indicates the decision establishing the organisation and functioning of the European Service for External Action was due to be unanimously approved by the Council based on a proposal by the High Representative and after approval by the European Commission, with the European Parliament only being consulted on the matter. However the latter tried to influence this negotiation as much as it could since it was also supposed to approve the modification of the financial regulations (with regard to the EEAS budget) and that of the status of the staff (with regard to recruitment procedures).

Before the Lisbon Treaty even came into force on 1st December 2009, a report had been approved under the Swedish Presidency by the European Council of 29th-30th October 2009, reflecting a broad consensus on the creation of the service. In the report it had been agreed

2. The recourse to qualified majority voting is only foreseen in the adoption of a decision defining a Union action or position, on a proposal which the High Representative of the Union for Foreign Affairs and Security Policy has presented following a specific request from the European Council, made on its own initiative or that of the High Representative (article 31-3) TEU

that the EEAS would be a service of sui generis nature, distinct from the Commission and the Council Secretariat; that the crisis management structures (i.e. Common Security and Defence Policy CSDP tools, CFSP budget) would be integrated into the Service while keeping their essentially intergovernmental nature; that it would play a strategic role in the financial programming of aid instruments (jointly with the Commission); that it would cover all geographical areas in the world, though enlargement and trade policies would continue to fall within the Commission's remit; and finally that no distinction should be made between the three staffing sources (and with equal treatment) i.e. the Commission, the CSG and the Member States. The Commission delegations for their part would be turned into EU delegations integrated into the service and placed under the authority of the High Representative.

Given the late entry into force of the new Treaty, the Commission was sworn in only in February 2010, although

José Manuel Barroso had already been confirmed back in September for a second mandate as Commission President, while Herman Van Rompuy (Permanent President of the European Council) and Catherine Ashton (High Representative) had been appointed by the European Council on 19th November 2009. In setting out his new college and with the support of the European Parliament, José Manuel Barroso seemingly sought to ensure a strong influence of the Commission over the new European diplomatic service. He was aided in this because Catherine Ashton was from the outgoing Commission herself (she had succeeded Peter Mandelson as Trade Commissioner) and José Manuel Barroso had appointed his former Head of Cabinet, João Vale de Almeida [3] to the influential position of Director General of the DG Relex.

Using his power to attribute portfolios within the college, José Manuel Barroso also decided that three commissioners would 'flank' Ms. Ashton within her field of responsibility qua Vice President of the Commission: a commissioner for enlargement and neighbourhood policy (Štefan Füle, Czech Republic), a commissioner for development (Andris Piebalgs, Latvia), and a commissioner for humanitarian aid (Kristalina Georgieva, Bulgaria). Moreover, the Commission President ensured that trade, an area of EU exclusive power, would

fall outside the Vice President's attribution altogether. Such a careful distribution of portfolios suggested that the Commission would keep primary responsibility over significant aspects of EU external relations, alongside the EEAS, notably with respect to neighbouring East European and Mediterranean countries, where the EU probably exercises its strongest influence.

The Spanish Presidency, the first rotating presidency of the Council according to the new Lisbon Treaty rules, was caught out somewhat by the entry into force of the latter. It had prepared its presidency according to the old model and was looking forward to asserting itself on the international stage with an ambitious external agenda that reflected Spanish priorities with many summits planned in the USA, Latin America, the Mediterranean countries (Union for the Mediterranean summit), Morocco etc. All too soon Spain had to tone down its ambitions allowing Herman Van Rompuy to preside over the European Council and Catherine Ashton chair the Foreign Affairs Council. However matters were so arranged as to console it. Some summits with third countries were held in Spain, allowing José Luis Zapatero to chair them (but the summit with the USA and that with the Union for the Mediterranean were postponed). Spanish Foreign Minister Miguel Moratinos represented Catherine Ashton on several trips abroad (for example in the South Caucasus) or chaired several ministers' sessions in her stead. All of this led to criticism by MEPs who believed the essence of the treaties was not being respected.

Incidentally during its presidency Spain played an important role as a transition between the old and the new system; presidency of COREPER and the Political and Security Committee (since the PSC still has no permanent presidency) [4] and member of the small team of diplomats and high ranking civil servants from the institutions (13 in all) asked by Catherine Ashton to prepare the Council's draft decision with regard to the establishment of the service.

As for the Member States, their interests and concerns have varied. On the whole, they have sought – especially the big ones – to counter the Commission's attempts to take control of the EEAS. Their involvement in the service is indeed vital for the success of the envisioned co-existence between the loosely coordinated Member States' diplomacies under the CFSP,

3. The latter was then appointed head of the Commission's delegation in Washington, an extremely strategic post that has led to anger on the part of some Member States and the European Parliament which had not been consulted with regard to this appointment.

4. Temporarily the Spanish presidency was also able to chair the 'horizontal preparatory bodies that mainly work in the area of the CFSP as well as 'the preparatory bodies that work in the area of the CSDP' (Common Security and Defence Policy)

The European External Action Service: towards a common diplomacy?

and the integrated “*Communitarian*” external relations (based on law, common policies and external aid). In an area so imbued with national sovereignty as foreign policy, it is essential to ensure a good level of cooperation between Brussels and other European capitals, notably the biggest of them. So far the UK has been well served since it is the country of origin of the High Representative. France wanted Catherine Ashton to be assisted by a powerful Secretary General. Pierre Vimont, former French permanent representative in Brussels currently France’s Ambassador in Washington was appointed to this position on 25th October [5]. Germany also showed an interest in the job but since it is due to take the position of Council Secretary General relinquished by Pierre de Boissieu (who will retire), it may have to lower its ambitions and be satisfied with a hierarchically more modest post (but not less important): the position of Deputy Secretary General for Political Affairs (the equivalent of political director) has been earmarked for Helga Schmid, at present head of the CSG’s policy unit; whilst a Pole may take the post of Deputy Secretary General of Operational (administrative) Affairs [6]. While big Member States have thus attempted to snatch key positions within the future Service, others, in particular the small Member States and the new Member States from Central and Eastern Europe have asked for a fair representation of all nationalities, at all levels, in order avoid the big states holding the reins on European diplomacy.

On the basis of the October 2009 Presidency Report Lady Ashton and her team drafted a decision on the EEAS which was tabled on 25th March 2010. The drafting process and the initial negotiations were facilitated by her close coordination with the Commission and the Member States which had already approved the October Report and which had been included in the draft’s writing (discussions with the COREPER, inclusion of some in Catherine Ashton’s team). After final discussions with the COREPER on the draft decision, the Foreign Affairs Council which met on 26th April approved a policy agreement between the Member States and the Commission. The procedure followed is noteworthy: traditionally it is the Commission that takes legislative initiative before entering a ‘trilogue’ with the presidency (Member States’ representatives) and the European Parliament; this time it was the High Repre-

sentative who negotiated with the Council (COREPER, presidency) and mainly the Commission but also with the European Parliament and even the Council Secretariat (*‘quadrilogue’* or *‘pentologue’*).

As for the European Parliament in particular, which is accustomed to working in all transparency, its positions have benefited from a publicity that has been inversely proportionate to its formal power on the decision [7]. The treaties are clear on this: the EEAS is established by the Commission and the Council while Parliament is in principle only consulted. The latter has nevertheless used all leverages at its disposal (approval of the amended financial and staff regulations) to promote its own conception of the Service. The European Parliament, notably via its two rapporteurs, Elmar Brok (EPP,DE) and Guy Verhofstadt (ALDE, BE) have actively advocated the idea of a “*Communautarian*” Service attached to the Commission over which Parliament would be able to exercise tighter control than if it was more intergovernmental in nature. In particular the Parliament pleaded for the participation in the EEAS leadership of the Commissioners for Neighbourhood Policy, for Development Aid and Humanitarian Aid, as well as the appointment of political deputies instead of senior civil servants (such as SG’s and Deputy SG’s) to give support and represent Catherine Ashton who might not be able to face her many calendar commitments alone. The Parliament also asked that appointees to senior EEAS posts (i.e. Heads of Delegations and EU Special Representatives to one specific region or conflict) be auditioned by the relevant parliamentary Committee.

After difficult negotiations with the European Parliament a compromise was found in Madrid at the end of June 2010. Hence Parliament approved this on 8th July after the formal approval of the Commission on 20th July and the Council adopted the decision creating the EEAS on 26th July. Finally the new financial regulation and new staff status were approved by the European Parliament on 20th October last.

THE CHOICES MADE FOR THE FUNCTIONING OF THE SERVICE

As agreed in October 2009, the decision establishing the EEAS includes in article 1 that this is an autonomous body in relation to the Commission and the CSG

5. http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/117313.pdf
France had three other personalities at the CSG, who originated from the Quai d’Orsay, also in line to enter the service at a high level: Claude-France Arnould, General Director of Crisis Management Planning, Christine Roger, Communication Director, and Patrice Bergamini, former deputy director of Mr Solana’s cabinet who became Ms Ashton’s advisor; and Hugues Mingarelli at the Commission – who was deputy director general for external relations. It seems that only Mssrs Bergamini and Mingarelli may be taken up in the service’s leading team (the first as the Director of the Sitcen Centre – the EEAS’s intelligence centre; and the second as head of the geographical department). France already has an extremely satisfactory representation in terms of numbers of delegation heads (corresponding to its share of the EU’s population).

6. The name of Mikolaj Dowgielewicz, Polish European Affairs Minister was spoken of for a long time, but finally it is to be former Polish ambassador from the Political and Security Committee, Mr Popowski.

7. We should note that Ms Ashton’s preliminary team did not include any representatives from the European Parliament.

and the idea of the *sui generis* service has since been abandoned. This autonomy is enhanced by the fact that it is treated as an “*institution*” due to the status of its staff and that it has its own budget within that of the Union over which the Parliament can exercise budgetary control. The Service comprises a central administration and Union delegations to third countries and to international organisations. It is under the authority of the High Representative for Foreign Affairs and assists the Commission and its President as well as the President of the European Council.

The Service is managed by an “*executive*” Secretary General who, together with the High Representative, her two deputies and various directors form a collegial management (*‘policy board’* in the Service’s draft internal organisation chart). The EEAS is composed of several Directorates General comprising several geographic, multilateral and thematic desks, a Directorate General for Administration, and a Directorate General for Crisis Management that are kept separate from the ‘Community’ domain (on France’s request the decision creating the EEAS went together with a declaration by Catherine Ashton on this point). The Union’s external delegations are part of the Service and report to the High Representative but can accommodate personnel from the Commission only (for example from DG Trade, Agriculture etc.) [8]. The delegations are to work closely with the Member States’ embassies and may provide (but not systematically) aid in terms of consular protection. The unification of the Union’s external representation should be expressed in a permanent presidency (by EEAS civil servants) of around twenty preliminary Council bodies [9] and also via the fact that most of the time the Union’s delegations will ensure the tasks of the former rotating presidencies in the third countries (contact with authorities on behalf of the Union, preparation of the reports of the heads of delegation, chairing of meetings at the Union’s embassies).

Recruitment should be based on merit and adequate on gender and geographical balance. Staff from three sources (CSG, Commission, Member States’ diplomatic services) should be treated equally which means that Member States’ staff will have the status of “*temporary agents*”, civil servants from the Commission and the CSG would become a new category of European civil servant. This tripartite principle also applies to the re-

cruitment procedure (tripartite constitution of selection panels), but the Commission achieved the right to veto over the choices made by Head of Delegation.

Long term it is expected that Member States’ diplomats will occupy at least one third of the ‘administrator’ positions in the EEAS – Parliament has stipulated that at least 60% would be occupied by European civil servants.

Indeed, in view of the diplomatic and military staff already working in the EU institutions, notably in the crisis management structures or as ‘*seconded national experts*’ (‘SNEs’) [10], the required amount of EEAS staff of Member States’ origin already represents a major quota. The decision specifies precisely which Commission and CSG’s services are ‘*seconded*’ to the EEAS: particularly the DG Relex as well as a share from the DG Development which guarantees that the service will cover all geographical regions.

In the initial phase, given the limited creation of new posts – the decision includes a principle of cost-efficiency and rationalisation and there is already overlapping between the DG Relex, Commission and the DG E of the CSG – the European diplomatic service is initially due to total 1,500 administrators (70 % of whom in the central offices), i.e. a total number of around 3000 people including administrative staff (and up to 6000 if the delegation staff seconded by the Commission are added). More than half of the administrators’ posts are initially to be taken by Commission civil servants (DG Relex, part of the DG Development –for the African, Caribbean and Pacific countries (ACP) and delegation staff working in the diplomatic area). About one hundred posts are to be created within the Service in 2010 (including 80 in delegations) and 350 will be added by 2013.

The new posts are open to diplomats from the Member States [11], which means that they will progressively rise to meet the quota of one third: hence of around 30 heads of delegation posts renewed in the summer of 2010, national diplomats took one third which already guarantees them nearly 10% of the 125 heads of delegation positions.

This situation has not failed to cause a certain amount of discontent on the part of high ranking civil servants at the Commission who work in the area of external relations since they consider that their career prospects are now being impeded. To this we might add the dif-

05

8. It is foreseen that the heads of the EEAS’s delegations will be informed by receiving a copy of the instructions sent by the Commission to the Delegations.

9. This is the Political and Security Committee (PSC) and working groups which focus on the CFSP’s or mixed subjects (eg geographical groups except for the EFTA group; groups working on the UN, disarmament and non-proliferation, Human Rights, the OSCE, crisis management). Annex II of the decision 2009/909/EU stipulates that preliminary bodies in the areas of trade and development (Category 1); as well as certain horizontal preliminary bodies working in the main in the area of the CFSP (Category 3) such as the group of advisors on external relations (RELEX); the “Terrorism” group (International aspects) (COTER); the “Application of Specific Measures to counter terrorism” group (COCOP); the “Consular Affairs” group (COCON); the “International Public Law” group (COJUR); the “Maritime Law” group (COMAR) continue nevertheless to be chaired by the six-monthly presidency. See: Decision 2009/909/EU by the Council establishing measures for the application of the European Council decision relative to the exercise of the presidency of the Council and with regard to the presidency of preliminary bodies of the Council (JOUE L 322, 9.12.2009, p. 28).

10. There are more than 200 SNEs (administrator level) working at present on external policy at the Commission and the CSG (military staff apart). It was decided that their transfer to the EEAS would be undertaken in agreement with their Member State and that in the end there would no longer be any SNEs in the Service.

11. The quality of belonging to a “national diplomatic service” is left to the discretion of each Member State but a liberal practice should be established as is the case in France: a non-diplomatic civil servant can apply to the EEAS as long as he has some experience and competence in external relations and/or in European policy.

ficulty associated with geographical quotas to which the new Member States, which recently entered the system, are particularly sensitive: indeed they are under-represented in the area of external relations - less than 10% of top civil servants for 20% of the Union's population - increasing their number after the most recent wave of recruitment from 2 to 6 heads of delegation. Given these category or national claims Catherine Ashton intends to insist on the criteria of merit and competence.

Although it is planned that the Service's civil servants will come from the Commission, the CSG and the Member States and that a principle of staff mobility will apply (mobility between Brussels and the delegations, time of service limited to 8 years in principle - 10 exceptionally - for national diplomats [12]), it cannot be ruled out that in time some of the Service's staff will become permanent and the organic link between this and the institution of origin may weaken thereby enhancing the institutional autonomy of the EEAS. The diplomats seconded to the Service will in theory be more independent than the SNE's since they will be seconded for a longer span of time and will be remunerated by the Service only. But it will be necessary to see how matters unfold in practice since these diplomats will continue to report to their original Member State for the continuation of their career. All of this incidentally is a significant problem in the light of the management of the Community's civil service.

The financial programming of the European external aid instruments (the Development Cooperation Instrument, the European Development Fund, the European Instrument for Democracy and Human Rights, the Neighbourhood Instrument, the Instrument for Cooperation with Industrialised Countries, the Instrument for Nuclear Safety) is due to be jointly ensured by the Commission and the EEAS, the role of the latter specifically being early on in the programming (the writing multi-annual programmes per country and region), but working under the responsibility of the competent commissioners (neighbourhood and development).

The CFSP budget and the stability tool are managed as part of the EEAS whilst the Commission will retain exclusive control of the pre-accession instrument (due to its competences with regard to enlargement) and humanitarian aid. From a formal point of view this

"operational" expenditure (in comparison with "administrative" [13] expenditure) continues to feature in the European Commission's budget the execution of which is controlled by the European Parliament via the budgetary discharge procedure.

In addition to this Parliament achieved a "declaration with regard to her political responsibility" on the part of Catherine Ashton whereby she promises to inform and consult the Parliament over the basic choices of the CFSP (in line with article 36 of the TEU). The High Representative will be personally obliged to attend plenary sessions or to be represented by politicians (Commissioner or Minister from the rotating presidency accordingly). The Service's civil servants are invited to speak before the Parliament's committees and sub-committees. Parliament will have the right to audition the heads of delegation and special representatives after their appointment. And it will continue to be informed of the CSDP mission in line with the inter-institutional agreement of 2002.

CONCLUSION: POLITICAL CONSERVATISM OR INSTITUTIONAL INNOVATION?

Will the establishment of the EEAS lead to a common European diplomacy with greater coordination with national diplomacies? Will the new Service be circumscribed by the Member States' external competence which the Lisbon Treaty has not fundamentally affected [14]? This question is vital and we might attempt a three tiered answer to this.

From a point of view of the interweaving of the 'Communitarian' and intergovernmental aspects of the CFSP the EEAS should lead to progress. Rue de la Loi will not have two sides - since the Service, housed in a new building in the Schuman quarter, is due to create a diplomatic culture common to the European Union under the authority of the High Representative.

Yet risks of cacophony between the Service and the Commission, between Lady Ashton and the other commissioners between Msrs Barroso and Van Rompuy, and between the latter and Catherine Ashton should not be underestimated [15].

An invisible separation will probably split the EEAS into two: on the one hand there will be a more "Communitarian" culture inherited from the DG Relex which will be numerically dominant and will influence the geo-

12. Parliament did not succeed in setting a "communitarianisation" option for national diplomats working in the EEAS which would have enhanced the autonomy of the latter with regard to the Member States. In practice however it is not rare that national diplomats succeed in integrating the community civil service and this should also be the case in the Service.

13. Parliament approved a budget of nearly 500 million € for the EEAS's administrative expenditure.

14. In the Lisbon Treaty the UK obtained an interpretive declaration which reconfirmed the integrity of national foreign policies in spite of the creation of the post of High Representative of the EEAS.

15. cf. T. Chopin - M. Lefebvre, "After the Lisbon Treaty : Does the European Union finally have a telephone number?", Robert Schuman Foundation, European Issues n°151, http://www.robert-schuman.eu/doc/questions_europe/qe-151-fr.pdf

graphic and thematic DG's as well as the delegations; and an intergovernmental culture inherited from the Council's policy unit and crisis management structures deemed to retain a certain amount of autonomy within the Service. And although the EEAS is close to the CFSP and the Community's external relations, whilst retaining a close link with the Commission with regard to the programming of the financial instruments, the unity of the Community external policy is nevertheless broken: since all community policies include an external aspect (trade, enlargement, visas, energy, environment, humanitarian aid etc ...) these will continue to be managed by the Commission, and the EEAS in principle has no technical competence in these areas. Just as an example a certain amount of competition set in between the High Representative and the Commissioner for Humanitarian Aid when it came to deciding then announcing aid for Haiti and then Pakistan.

From the point of view Member States working with each other matters are even more complicated. With regard to a number of vital issues that concern the membership of certain "clubs" of power (the P5, comprising permanent members of the UN Security Council who are also acknowledged nuclear powers; the G8 and the G20) or the role played by the Member States in certain specific crises (for example the "contact group" on the Balkans or the Paris-Berlin-London trio in the Iranian nuclear crisis), the Member States' capitals and in particular the big States will continue to play an inevitable role – as openly acknowledged by a political leader as well informed as Alexander Stubb, the Finnish Foreign Minister. Good cooperation between the EEAS and the capitals, either by means of the institutions in Brussels (PSC, COREPER, working groups)

or by way of EEAS relay staff and in the cabinets in Brussels will remain vital. But this will not be enough to halt national determination when these emerge and it will always come down to an adjustment between Paris-Berlin-London – at least.

But this where the third detail of our assessment comes into play; the entry into force of the Lisbon Treaty and the establishment of the EEAS are occurring at a time when European States are under the constraint of budgetary restrictions and appear to be on the periphery of the international stage in the face of an American administration whose interest in Europe is declining and which casually cancels summits that have been planned with the European Union and also in the face of emerging powers that claim "their place in the sun".

But Europe can attempt to compensate for this relative decline by showing greater unity and coherence, on condition that the nations of Europe work together collectively and demonstrate their ability both to define common interests and assert their joint will. From this point of view the new institutions offer a real opportunity, since they notably enable a rotation of diplomats between the EEAS and the national ministries. This is possibly the starting point of a more integrated European diplomacy.

Auteurs : Christophe Hillion

is a teacher of Law at the Universities of Leiden and Stockholm; he is also a Researcher for the Swedish Institute for European Policy Studies, Stockholm;

Maxime Lefebvre

is a French diplomat, professor at Sciences-Po Paris and founder of "europ-info" (www.europ-info.eu)

You can read all of our publications on our site:
www.robert-schuman.eu

Publishing Director: Pascale JOANNIN

THE FONDATION ROBERT SCHUMAN, created in 1991 and acknowledged by State decree in 1992, is the main French research centre on Europe. It develops research on the European Union and its policies and promotes the content of these in France, Europe and abroad. It encourages, enriches and stimulates European debate thanks to its research, publications and the organisation of conferences. The Foundation is presided over by Mr. Jean-Dominique Giuliani.