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# Is the European External Action Service Relevant?

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## Thesis summary

The European integration has undergone dramatic advancement for more than six decades since the ending of the Second World War. This European project upholds peace and stability in the European Continent for a long time, and has restored and promoted the international influence and status of Europe gradually, which is an important strategic goal for the European foreign policy integration by means of integrating foreign policy instruments and resources to coordinate the EU Member States' foreign policies and actions. After several decades, the European Union has been functioning as a decisive international actor in the world stage and brought about significant impacts upon the international relations. The construction of common foreign policy plays a unique and indispensable role in the European integration.

Despite the fact that the EU has obtained outstanding achievements in terms of the foreign policy integration, and advanced much as regard the set-up and reform of the foreign policy institutions, posts and departments, to some extent, however, the European Union is incapable of tackling with the fast-change and complex challenges both within Europe and global level efficiently, as a result of its institutional arrangements and decision-making procedures or mechanisms. Therefore, the process of European integration, as well as the international situations, has led to the creation of numerous external actions at the Union level, and these should now be brought together to reinforce the coherence of EU foreign affairs<sup>1</sup>. The European External Action Service was established by the Treaty of Lisbon under the circumstance that a rigid separation of the powers of Union bodies hindered the development of positive connections among EU policies internally, and the rapid change international situations externally. Undoubtedly, the establishment of the EEAS represents a significant organisational, institutional and – potentially – ideational upgrade of the EU's

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<sup>1</sup> Mauro Gatti, "Chapter 10: Coherence vs. Conferred Powers? The Case of the European External Action Service", in Lucia Serena Rossi and Federico Casolari (eds.), *The EU after Lisbon: amending or coping with the existing treaties?* (Heidelberg [etc.]: Springer, 2014), p.241.

external capabilities<sup>2</sup>.

### **Significance of the topic**

The European External Action Service was officially launched on 1<sup>st</sup> January 2011, with the Treaty of Lisbon and Council Decision 2010/427/EU as legal foundations. The establishment of the EEAS is the latest development of the European political and security cooperation since the end of the WWII. We can assure that it's urgent for the EU to reform its mechanism in terms of foreign policy and external actions with analyses on the external pressures and internal tensions the EU is faced with. The Treaty of Lisbon chooses mechanism building which consists of institutional design and functional distribution as the route to restructure its foreign policy mechanism, it recognizes the foreign policy institutions, adjusts the functions, and reforms the foreign policy decision-making procedures. The EEAS is responsible for supporting the High Representative, who is also the President of Foreign Affairs Council and Vice-President of the Commission, operates works in the spheres of CFSP and CSDP, coordinating the cooperation among European Council, the Commission, the Council and the Member States. This reform attracted so much concentration at the beginning, people are all curious and expectant about how this new service could consolidate and improve the EU's external competences and actions.

After almost five years' operation, the EEAS is as much praised as blamed. The Arab Spring happened just after several months of establishment of the EEAS exposed many disadvantages of the EEAS. Internally, the institutional design and staff composition put the EEAS under the control and influence of many linked EU institutions, especially fell into the competition of the Commission and the Council, as well as the EU Member States with their unilateral national diplomacies, all of these factors hampered the efficiency and consistency of EU's external actions, resulted the delayed and much more general principles without unanimous decisions or specific declarations. Internationally, Member States' unilateral

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<sup>2</sup> Nicholas Wright, "Co-operation, co-optation, competition? How do Britain and Germany interact with the European External Action Service?", *UACES 43<sup>rd</sup> Annual Conference*, University of Leeds. UK, 2<sup>nd</sup> – 4<sup>th</sup> September 2013, p.1. Accessed at 28<sup>th</sup> May, 2015. <http://uaces.org/documents/papers/1301/wright.pdf>

diplomacy seriously damaged the credibility and accountability of the High Representative and the EEAS.

But on the other hand, the EEAS has also been successful in a number of areas. The High Representative with the EEAS established a leading position in the negotiations with Iran, and brought Member States to agreement on sanctions on Syria. And comparing with the rotating Presidency, the establishment of the EEAS ensured and improved the continuity of EU's external actions.

Under this circumstance, people would doubt if the European External Action Service is relevant? Or to what extent it is relevant? This paper is concerning about this question. Why this question is important? The reason could be these two followings:

#### 1. The significance of European integrated foreign policies

With more than half century's development since the end of the WWII, the European integration not only wins lasting peace and stability for Europe, but also gets the significant position in international stage. One of the aims of European integration is consolidating various diplomatic resources, achieving the overall coordination of EU foreign policy, and improving the EU's international status furtherly. For completing this aim, the European Community/European Union tried many spheres for initiating, when suffered the frustration on the political and security area, Member States turned to the economic sphere and accomplished deepening the level of integration. As the high level, and sometimes very sensitive spheres, political cooperation and external policies are getting more and more attention in academic sector, especially the CFSP becomes the main theme of many scholars, analysts and politicians. Also this academic trend is corresponding with the changes on international stage as well as the EU's development in external actions. More importantly, the two eastern enlargements in 2004 and 2007 separately brought historical chance and difficulty and complexity in external decision-making process: on the one hand, the rapid increased number of Member States led to pluralism as the inevitable result. Every country has their own considerations on external actions and national diplomatic relations, which

challenges the EU's decision-making procedure and institutional arrangements, consensus would be much more difficult than before. On the other hand, the increasing number of member states enlarged the scope of EU external policies, the content of CFSP would be more abundant, which also necessary and even urgent for modification and reformation. This circumstance requires the EU's external policy could be flexible as well as effective. The establishment of EEAS is for facing this challenge and requirement.

## 2. Legal personality for the EEAS as well as unitary external institution in EU-level

The European Union is widely considered a decisive international actor in global politics, economy and security. Although EU is different from common intergovernmental organizations and contains supranational nature in a number of spheres, but it is still not a sovereignty country. Before the Treaty of Lisbon, the EU's international nature was disputed, and it cannot sign international contracts with other international subjects. The Treaty of Lisbon endowed the EU as a complete international legal personality, and transferred the CFSP sphere operating in EU-level instead of firmly controlling in the hand of Member States. As the service of the High Representative, the EEAS would not only bear many EU's external policies, but also lead more than 140 EU Delegations around the world, coordinating their relations with Member States. Thus, the construction of EU-level diplomatic institution is crucial to improve EU's nature of international actor or subject.

### **Thesis structure and general contents**

This thesis is generally divided into three chapters. The first chapter outlines the origin and history of EU foreign policy since 1950s to the Lisbon Treaty on 21<sup>st</sup> century, under the international situation that the Western Europe's inevitably decline after the Second World War, European six countries started from the European Coal and Steel Community (ECSC), after the rejection of European Defense Community (EDC), these countries turned to the economic sector and established the European Economic Community (EEC). The European Political Cooperation in 1970s opened the political integration in Europe and with the intensive Treaties in 1990s, the Common Foreign and Security Policy (CFSP) officially

adopted, paved the institutional way for further construction of EU common external actions. Follows this historical line, chapter two concentrates on the basic information about the European external Action Service, including its founding process, legal basis, staff composition, department structure, and the complex relations between the EEAS and other EU vital institutions, as well as with the EU Member States. The last part covers the major attention problems with five years' operations of the EEAS. Within the EEAS, two of the EU institutions, the Commission and the Council, are quite influential to the EEAS, since the initial time to the construction, covers from the compositions of staff to the departments. This internal coordination is a difficult problem for the EEAS, also a disadvantage which needs modification urgently. As for the externally, especially the High Representative and EEAS's activities on international stage, are usually limited by the Member States, for the consensus need on the one side, and Member States unilateral diplomatic actions on the other.

To be more specifically, this thesis starts from 1950s because it was the time that Europe began to search an integrated cooperation within the European Continent, with the direct external assistances and incentives, as well as the peace-keeping demand between France and Germany. We could observe that Europe preferred a political and security integration at the very beginning, even if with the failure of EDC, it illustrated that the common political and defense policies are always the pursuit of Europe. The EPC in 1970s is also worthy to be stated and emphasize because it was the official opening of European political integration process, with the economic and mutual trust basis, European Community started to approach this more sensitive and high-level integration and cooperation sphere. This innovative and successful political cooperation mechanism set an example and foundation for the CFSP in 1990s, which first adopted by Maastricht Treaty in 1992. For understanding and explaining the establishment and development of the EEAS, reviewing the EU's efforts and history on political and external relations would construct a comprehensive version for the EU's external relations process. So the review of European integration history is indispensable.

When turning to the EEAS in second chapter, I believe the legal basis outlines should be the priority, although the Treaty of Lisbon only mentioned the EEAS in the Article 27 (3), the

Council decision 2010/427/EU later provided a more specific and concrete provisions about the construction of the EEAS. Then the personnel and department structure are crucial both for the introduction of the EEAS and the later discussion about its disadvantages. In the strict sense, the EEAS is not a totally new institution, almost all its departments and staff are transferred from other EU institutions, mainly from the Commission and the Council, but also interlinks closely with other major institutions such as European Parliament, European Council and its President. With the basic introductions about their relations, we could understand why the internal coordination is a really serious problem within the EEAS, which is narrated in the last chapter.

However, Member States and national diplomacies are the ultimate obstacles of the EEAS and common EU foreign policy. We couldn't deny the aspiration of EU Member States to build a more integrated and effective common foreign policy, but it would also be difficult to get out of the principles and concept of traditional sovereignty nation. As in the case of Arab Spring, we could conclude that the High Representative and EEAS are strong in will but weak in power. Member States, especially the strong powers or the Permanent Member States like France and UK, national diplomacies are much more influential and decisive than the actions of the EEAS. Besides, difficulty to reach a consensus based on the intergovernmental decision-making mechanism in CFSP is also delayed the common policies or actions from the High Representative and her service, let alone the CSDP sector, which was challenged in the case of Libya non-fly zone and military intervention.

## **Conclusion**

The EEAS is something new and unique that brings together all of the policies and levers as at the EU's collective disposal and allows them to be focused on building influence and delivering results across the world to promote EU values and interests<sup>3</sup>. Following the successful ratification of the Treaty of Lisbon, the EEAS is being established under the leadership of High Representative. Since the 1<sup>st</sup> January 2011, when the EEAS was officially

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<sup>3</sup> European Union External Action: EEAS Review. P.3. Accessed at 8<sup>th</sup> June, 2015.  
[http://eeas.europa.eu/library/publications/2013/3/2013\\_eeas\\_review\\_en.pdf](http://eeas.europa.eu/library/publications/2013/3/2013_eeas_review_en.pdf)



launched, EU's common external policy opened a brand new stage. According to the 2013 EEAS Review, presented by the High Representative, as well as along with the initial spirit of the EEAS founding Council decision, the EEAS was created for ensuring "effectively and timely delivery of the EU foreign policy" as well as for providing "strong and effective coordination of EU external policies, including development and other global issues like energy security, climate change and migration"<sup>4</sup>. I do believe that the EEAS is relevant until now because it marks the implementation and achievement of a permanent secretariat, separated from the existing EU institutions, to better coordinate the interests of Member States. Moreover, under the authority of the High Representative, the EEAS is constructed with the transferred departments and staff from the relevant parts of the EU institutions. EU Member States decided to establish the EEAS because they want to pool resources, consolidate the EU's existing external policy responsibilities and improve efficiency, but were wary of further empowering the Commission to act in the external policy domain, this led to the creation of a new bureaucratic actor, over which Member States, the Commission and the European Parliament have tried to establish controls<sup>5</sup>. In this sense, the EEAS establishment not only achieved the EU diplomatic resources consolidation, assured the continuity, but also promoted some kind of balance among the EU institutions and Member States within the process and institutional arrangement of the EEAS. Last but not the least, the EEAS is constructed as an EU foreign ministry identity, which means the unified and integrated representation of the EU is built in international sense. It replaced the traditional problem, proposed by the Henry Kissinger, that when I want to contact the EU, who shall I call. Additionally, with the 2013 Review, the EEAS has recognized its own problems and disadvantages with a kind of self-criticized process, and has made some achievements in a number of areas, for example, the High Representative with the EEAS established a leading position in the negotiations with Iran, and brought Member States to agreement on sanctions on Syria. Therefore, we shouldn't deny the achievements and relevance of the EEAS.

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<sup>4</sup> See *ibid.*, p.3.

<sup>5</sup> Mark Furness, "Who controls the European External Action Service? Agent autonomy in EU external policy", *European Foreign Affairs Review* (02/2013), Volume 18, Issue 1, p. 123. Accessed 18<sup>th</sup> March, 2015. <http://www.kluwerlawonline.com/document.php?id=EERR2013006>

However, it does exist severe problems both internally and externally. Just like mentioned and explained in the third chapter, the multilateral responsibilities and institutional divergence within the EEAS created great difficulties on coordination. Because of integration of personnel from three distinct sources of recruitment, merging different styles of organisation and ‘internalising’ different institutional logics<sup>6</sup>, the same situation happened in the departments’ construction. Adding with the competing of the Commission and the Council for more presences in the EEAS, the effectiveness is damaged by this internal factor. Furthermore, with the case study of Arab Spring, the root cause is exposed: the Member States limited the sufficient autonomy and capability of the High Representative and her service. The EEAS is the outcome of a series of political compromises between the EU institutional and the member states rather than the result of a grant design<sup>7</sup>. It is unlikely to be given sufficient autonomy to represent EU members on the world stage because the serious lack of concrete strategic objectives the Service should pursuit and the appropriate division of responsibilities between the EEAS and Member States bilateral activities and national diplomacy. The Member States should get out of the traditional nature and identity of sovereignty nation, with clarifying what is the original attempting to establish the EEAS, it aims to add value to the effectiveness of EU external policies, and ensure the continuity, consistency and coherence of EU’s external actions.

Of course, the EEAS is just launching and operating no more than five years, it is still in the process of further construction, with little experience and learning gradually. We should believe its potential as well as the EU’s determination and capability, but it is still too early to judge this service. We could have anticipations for the future development direction, it is not the proper and mature time to judge the EEAS.

In summary, I believe the EEAS is relevant now and also in the future. In the long term, there is much to be gained by better used of EU’s diplomatic resources globally, more based on the

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<sup>6</sup> Thomas E Henökl, “How do EU Foreign Policy-Makers Decide? Institutional Orientations within the European External Action Service”, *West European Politics* (2015), Volume 38, Issue 3, p.700. Accessed 12<sup>th</sup> March, 2015. <http://www.tandfonline.com/doi/abs/10.1080/01402382.2014.1000652#.VQqeEYd0yUk>

<sup>7</sup> Christian Lequesne, “The European External Action Service: Can a New Institution Improve the Coherence of the EU Foreign Policy?”, in Frederik Ponjaert and Mario Telò(eds.), *The EU's foreign policy: what kind of power and diplomatic action?* (Farnham, Burlington: Ashgate, 2013), p.86.

EEAS as well as the support of the Member States and other joint efforts of EU institutions. The common and consolidate EU-level foreign policies and actions would not be an impossible task.

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