



Europe's New Diplomats

An initial appraisal of the creation of the European External Action Service

by Franziska Brantner

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The new service at a glance

After months of negotiations, the European Parliament and the EU Council finally gave the go-ahead in October for the creation of the European External Action Service. As a result, the new service can start work on 1 December 2010, drawing on around 3 700 staff and 135 embassies worldwide. The EEAS is one of the most important institutional reforms provided for by the Treaty of Lisbon. Existing but fragmented EU structures will be reformed, enhanced and brought together under the EEAS's umbrella. The idea behind the EEAS, originally devised by the European Constitutional Convention, is to ensure that Europe speaks more often with one voice, that the Union acts more effectively and more cohesively across policy fields and that the unwieldy EU foreign policy machinery is streamlined and duplication eliminated.

The proposals put forward last spring by EU foreign minister (or High Representative) Catherine Ashton did not fulfil those ambitions. However, thanks to the European Parliament's efforts during the legislative procedure over the past months, and despite sometimes strong opposition from national governments, the EEAS now has the potential to become a driving force for a more effective and more legitimate EU foreign policy. As the Greens group has urged, democratic scrutiny by Parliament of the new External Action Service and civilian operations overseas has been strengthened. For instance, new, mission-specific budget lines will enable Parliament to oversee EU foreign missions more closely. Not least because of pressure from the Greens, the attempt to place the Union's crisis management and peace-building activities largely in the hands of military personnel deployed by member states has been averted. Moreover, human rights will play a central role in the External Action Service and the EEAS will build up a global network of human rights experts. Contrary to the original proposal by Ms Ashton, steps are now also being taken to ensure that the political priorities and aims of development policy do not take second place to geostrategic interests. Finally, it is due to the insistence of the Greens that gender balance plays an important role in the new service and women are to be proactively promoted.

However, it is not yet certain whether, in practice, the European External Action Service will actually develop its full potential and deliver real added value, or whether it will simply become Europe's twenty-eighth foreign ministry. That now lies mainly in the hands of Ms Ashton. The EU foreign policy chief has to design the EEAS as a powerful coordinating body for a whole range of external and internal policy areas, from climate change to development cooperation. She also has to make it the linchpin for conflict prevention and civilian crisis management. She will be able to do so only if she keeps her promise to Parliament and sets up effective conflict prevention, crisis management and peace-building structures and allocates to them the necessary staff. We shall have to remain very vigilant on this point. Up to now, Ms Ashton has not earmarked a single one of the 118 newly created posts in the EEAS for that purpose.

As far as Germany's involvement in the negotiations is concerned, the German government has stood on the sidelines. Berlin remained silent when it should have opposed the anachronistic views taken by a number of governments in the Council. In fact, the German government failed to put forward any constructive or even ambitious proposals whatsoever, even though the Greens in the Bundestag had presented a number of excellent proposals at an early stage.

A closer look at the new service

The Greens campaigned for the External Action Service to be a leader in the worldwide promotion of **human rights**. Ms Ashton's initial proposal for the EEAS completely ignored this important issue and did not mention human rights at all. At our insistence, she eventually undertook, in a formal statement to Parliament, to make human rights and good governance a 'high priority', mainstreaming them into all areas of external policy. In addition, structures to promote human rights and democracy would be put in place both at the Brussels headquarters and in the EU embassies.

It was also not least thanks to pressure from the Greens group that **development policy** was safeguarded from being subordinated to geostrategic considerations and will remain subject to supranational decision-making procedures. Ms Ashton had proposed to partly transfer the strategic planning and programming of development cooperation to the EEAS without committing the service to the objectives of EU development policy – with the risk that development cooperation would be used to promote foreign policy interests not related to development. After tough negotiations, Parliament managed to ensure that development cooperation will be planned and programmed jointly by the EEAS and the Commission, with the commissioner responsible for development policy taking the lead and having the final say. At the same time, the EEAS was, in legally unequivocal terms, committed to the principles and objectives of EU development policy. Hence combating and eradicating global poverty will remain the primary goal of EU development cooperation.

The Greens put forward ambitious proposals on **crisis management and peace-building** but could not overcome the bitter opposition from some national governments, chief amongst them the French administration. However, after tough negotiations, we did manage to ensure that the EU will take a step in the right direction. If Ms Ashton had put through her original proposal, ghost-written by Paris, Europe would have faced the real risk of reverting to a purely intergovernmental and militarily dominated system of crisis management. As chief negotiator for the Greens, I strongly promoted the creation of a 'crisis management and peace-building department', bringing together, under the EEAS's umbrella and on an equal footing, the existing Commission and Council structures. The department would be responsible for the whole conflict cycle, from preventive measures to crisis management to reconstruction and peace-building, and would place prevention, mediation and civilian conflict management in the forefront. With that solution, furthermore, the instruments and competences in the field of security policy already communitarised at European level would be safeguarded against renationalisation. That is important since, in the supranational Community method, decisions can be taken more quickly, transparently and democratically than in intergovernmental secret diplomacy. The original proposals of Ms Ashton would have gone in exactly the opposite direction: less European and more dominated by military structures, with no mentioning of conflict prevention and mediation.

The compromise language eventually agreed on (in an official statement to Parliament by Ms Ashton) is vague, stating that the EEAS will have an 'appropriate structure' for crisis management and peace-building. Existing Council and Commission bodies will be integrated into this structure on the basis of 'close cooperation and synergy', with due regard to the intergovernmental or supranational character of the decisions to be taken. It is regrettable that we were unable to commit Ms Ashton and the Council to less equivocal and more comprehensive language and that the role of conflict prevention and civilian crisis management was not further enhanced. However, it is an

important success for the Greens that the role of the existing crisis response, conflict prevention and peace-building experts in the Commission will clearly be recognised in the new EEAS structures – hence their civilian and supranational expertise cannot simply be subordinated to the intergovernmental and more militarily dominated Council structures. We also succeeded in ensuring that the EU constitutional principle prohibiting the intergovernmentalisation of existing Community policies was again enshrined in a binding and clear-cut manner in the EEAS founding act.

Even though we have thereby put the train on the right track, in this area, more than in any other, a great deal depends on the practical implementation. Therefore the Greens must and will keep a close watch on Ms Ashton. The draft EEAS budget for 2011 has already shown how necessary that is. If this proposal were to become a reality, the most important Community instrument for civilian security policy, the **stability instrument**, would *de facto* be placed in the hands of military officers seconded by member states; up to now, civilian experts in the Commission have been responsible for the instrument, worth around EUR 200 million a year. Such a shift would clearly be at odds with the commitments Ms Ashton and the Council made to MEPs. However, Parliament, acting on an initiative by the Greens group, has already responded to these moves and blocked part of the EEAS crisis management funds until the draft budget has been brought in line with the commitments made by Ms Ashton and the Council.

The European Parliament was also able to obtain major concessions from Ms Ashton and member states on **democratic scrutiny** of EU foreign policy. In a formal declaration, the EU foreign policy chief agreed that newly appointed EU ambassadors and EU special envoys must present themselves for a hearing in Parliament before taking up their duties. In addition, MEPs are allowed greater access to confidential documents and must in future be consulted ahead of Council decisions on overseas operations and on strategies in the field of foreign and security policy.

Even if it may appear merely a technical detail, the question of where exactly to place the **EEAS budget** was controversial in the negotiations right up to the end. Parliament wanted to have full budgetary control over the new service and at the same time tie it closely to the Commission. It therefore opposed the EEAS having its own section in the Union budget and instead wanted its resources to be included in the Commission section of the budget. Ms Ashton and most of the national governments, on the other hand, wanted the service to be as independent as possible. In the end, a good compromise was found. The EEAS will have its own budget section for administrative expenditure, but the Commission will be fully involved in drawing up that budget and Parliament will have full budgetary control over it. Furthermore, all operational expenditure (e.g. for civilian overseas operations) will remain part of the Commission budget.

Parliament's **budgetary scrutiny rights** were also substantially extended through a reform of the EU financial regulation and a political agreement with Ms Ashton. EEAS headquarters and the EU embassies throughout the world will have to account to Parliament in detail for the use of taxpayers' money. In addition, the Union's major civilian operations abroad (such as EULEX Kosovo and EUPOL Afghanistan) will, for the first time, have their own budget lines, which will make for greater transparency and give MEPs a full say in where to set foreign policy priorities and how to spend taxpayers' money.

Given the sheer scale of her tasks, it will be impossible for the EU foreign minister to fulfil all her responsibilities herself. The Greens, with other political groups, therefore promoted the creation of **political deputies** for Ms Ashton, on the model of state secretaries or junior ministers. However, the Council resisted this idea, preferring to leave the question as open as possible and seeing it as a potential new field of activity for national foreign ministers. Even so, Parliament did manage to secure politically binding clarification of the issue and an important role for the Commission in that respect. It has now been established, in a formal declaration by Ms Ashton, that the EU foreign minister will be represented by an EU commissioner for predominantly supranational matters under Community competence. On issues that predominantly fall within the scope of the

intergovernmental common foreign and security policy, the EU's chief diplomat will generally be represented by the foreign minister of the member state holding the rotating EU Council presidency.

Connected to the question of political deputies is another important achievement by Parliament and the Greens: contrary to Ms Ashton's original proposals and French wishes, the service will not be headed by an all-powerful **Secretary-General**. This top official, with no direct democratic accountability to any parliament, cannot now represent the EU foreign minister on political matters. Instead, Parliament has confined his leadership role to mainly administrative aspects; furthermore, the Secretary-General will be part of a wider management team, as a safeguard against an excessive concentration of power.

A good compromise between all parties involved was found as regards the **staff** of the European External Action Service. At least 60% of the EEAS staff will be European Union officials, while at least a third will be coming from the national foreign ministries, seconded for four to ten years. This solution preserves the European character of the new service while also tying it closely to national foreign policies, with the latter encouraging coordination between Brussels and the national capitals and building confidence in member states. However, to ensure that national diplomats in the EEAS are loyal to Europe as a whole rather than 'their' national government, we successfully insisted on two important safeguards. Firstly, only the EEAS and the staff member concerned will decide whether his or her contract is to be extended after four years; the national government has no right of veto in that respect. Secondly, national diplomats have the right to continued employment in their national ministry after returning from the EEAS. Unfortunately, we Greens did not manage to have it explicitly established that member states may also send staff who are not from their 'diplomatic service' (as the EU staff regulations now require). For instance, there is a clear need for the EEAS to draw on experts from development or home affairs ministries. It will now be solely up to national governments whether they are inventive and choose to provide the EEAS nonetheless with such experts by channelling them through their 'diplomatic services'.

The Greens also promoted the creation of a **European External Action Academy**, a proposal for which we gained the backing of the competent parliamentary committees. For legal reasons, however, Parliament could not use as intended the reform of the EU staff regulations for the creation of such an institution. Yet, we did succeed in securing a statement to Parliament by Ms Ashton that she supported the idea and would present a proposal in the next ten months. Joint training is important, since EEAS staff come from very different backgrounds. Whereas EU officials often have little diplomatic experience, national diplomats often lack a clear understanding of the European Union. Either group rarely has expertise in civilian conflict management and mediation. A European External Action Academy could therefore make a real difference. Furthermore, only with joint training can EEAS diplomats from such different backgrounds develop the *esprit de corps*, on which the cohesiveness and success of the service will depend.

Important progress has been made in relation to **gender balance** thanks to the persistent and visible pressure by the Greens group. The agreement that was reached goes well beyond Ms Ashton's initial plans – she had merely proposed that gender balance should be taken into account in the recruitment process. Through our insistence, the EEAS is now legally required to ensure gender balance among its staff. In addition, Ms Ashton has committed, in a formal statement, to take proactive steps to remove structural barriers for women in the External Action Service. Such barriers include the facts that women's careers are often non-linear and men are rarely prepared to hold back their own professional advancement to allow their partners to pursue a diplomatic career (which involves frequent relocation). What we have achieved goes beyond mere lip service. For the first time, Ms Ashton has made a clear commitment to proactively promote the recruitment of women by removing structural barriers and drawing on best practices in national foreign ministries. A glance at the statistics shows how important such measures are: before the latest rotation in September 2010, only seven of the 135 EU ambassadors were women.

A very reasonable compromise was also found as regards the **geographical balance** in the new service. In selecting its staff, the European External Action Service will have to ensure that all member states are appropriately represented. Furthermore, Ms Ashton must put forward a programme of measures to promote applicants from under-represented EU states. These are important rules, since up to now EU external relations have been largely managed by Western Europeans (before the latest rotation in September 2010, for instance, only two of the 135 EU ambassadors were from Eastern Europe). However, some members of the European Parliament took their good intentions to extremes and put out all the stops to introduce national quotas. They went so far as to argue that criteria such as merit should take second place to nationality. Not only would that be contrary to the European spirit of the EEAS, it would have discredited the service and its diplomats. We Greens, together with a majority in Parliament, therefore successfully opposed such national quotas and laid the ground for smart measures that both promote Eastern European applicants and are in line with the European character of the service and the merit system.

Links to the European External Action Service

[Council Decision \(2010/427/EU\) establishing the organisation and functioning of the EEAS](#)

[adopted in Parliament: 08.07.10; adopted in the Council: 26.07.10]

[Declaration on political accountability](#)

[by Catherine Ashton: 08.07.10]

[Statement on the basic organisation of the EEAS central administration](#)

[by Catherine Ashton: 08.07.10]

[Regulation amending the EU staff regulations](#)

[adopted in Parliament: 20.07.10; adopted in the Council: 17.11.10]

[Regulation amending the EU financial regulation](#)

[adopted in Parliament: 20.07.10; adopted in the Council: 17.11.10]

[Amending budget No 6/2010](#)

[adopted in Parliament: 20.07.10; adopted in the Council: 13.09.10]

[EEAS website](#)

Brussels, 25 October 2010

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