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The EU's Foreign Policy What Kind of Power and Diplomatic Action?

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Conclusion

The EEAS is the outcome of a series of political compromises between the EU institutions and the member states rather than the result of a grand design. The creation of the EEAS (which is not the topic of this chapter) can be analysed with the model of bureaucratic politics (Allison and Zeikow 1999). The EEAS's staff members, coming from different administrative cultures, are still in the process of establishing new practices and in search of their own identity.

The EEAS contributes to the coherence of EU foreign policy only within the limits of what is allowed to a bureaucratic body. Its ability to influence the member states' interests through coordination remains limited when politics takes the lead in the debates. The EEAS does not validate then completely the neo-realist model that will assert that the member states dominate every phase of the foreign policy-making. The EEAS can play a role when the process implies the diplomatic bureaucracies. But as the process reaches the level of the ministers or the commissioners, the EEAS is not able to produce any added value in terms of coherence.

The EEAS does have a certain capacity to produce new ideas for the EU foreign policy that can influence the member states and the Commission. However, this capacity is not strategic, in the sense of producing a meta-project of what the EU foreign policy should be. The production of ideas is very sectorial and limited to specific dossiers.

The functional potentialities of the EEAS are not absent in the fields of coordination, information providing and production of strategic ideas, but with clear limits. There is one question for further research: to what extent do these potentialities depend or not on the profile of the HR/VP? Should the member states appoint a personality with a higher political profile than Catherine Ashton, would the EEAS acquire more functional potentialities as politics and strategy are concerned? The answer to that question is not obvious, because the high transaction costs between the various stakeholders of the EU foreign policy can also limit structurally the role of the EEAS, whatever the leadership of the HP/VP is.

Chapter 5

The EEAS and EU Executive Actors within the Foreign Policy-Cycle

Caterina Carta

Abstract

The Treaty of Lisbon provoked a massive reorganization in the field of external relations at the executive and administrative level. Instead of simplifying the institutional structure, this overall reorganization crowded even further the 'leadership table' (Nugent and Rhinard 2011: 13). Within the EU, with different intensity of cooperation, conflict and contamination, a variety of governmental actors share policy responsibilities in the making of foreign policy. This chapter aims to explore the role of executive actors which concur to the EU foreign-policy making by locating them in a simplified policy-cycle model. It is here suggested that this heuristic device offers a streamlined analytical grid to order a wide commucopia of actors, processes and political dynamics. The policy-cycle model serves as an simplified device to detect the position of bureaucratic and administrative actors in the policy process; the set of formal and informal procedures that order their interactions; and 'the cumulative effects of the various actors, forces, and institutions that interact in the policy process and therefore shape its outcome(s)' (Werner and Wegrich 2007: 50). In order to introduce EU executive actors' interaction in the making of foreign policy, this chapter presents a simplified cycle based on four main stages: 1) policy initiative; 2) policy formulation; 3) decision-making; and 4) implementation.

Introduction

The Treaty of Lisbon provoked a massive reorganization in the field of external relations at the executive and administrative level (Carta 2012; Duke 2009; Missiroli 2010). Instead of simplifying the institutional structure, this overall reorganization crowded even further the 'leadership table' (Nugent and Rhinard 2011: 13). Within the EU, with different intensity of cooperation, conflict and contamination, a variety of governmental actors share policy responsibilities in the making of foreign policy. This chapter aims to explore the role of executive actors which concur to the EU foreign-policy making by locating them in a simplified policy-cycle model. It is here suggested that this heuristic device offers

a streamlined analytical grid to order a wide cornucopia of actors, processes and political dynamics. The chapter, therefore, complements Chapters 1, 2 and 4 in this volume, by highlighting the institutional, organizational and bureaucratic constraints to the tuning of a common voice.

The policy-cycle model¹ serves as a simplified device to detect the position of bureaucratic and administrative actors in the policy process: the set of formal and informal procedures that order their interactions; and 'the cumulative effects of the various actors, forces, and institutions that interact in the policy process and therefore shape its outcome(s)' (Werner and Wegrich 2007: 50).

In order to introduce EU executive actors' interaction in the making of foreign policy, this chapter presents a simplified cycle based on four main stages: 1) policy initiative; 2) policy formulation; 3) decision-making; and 4) implementation. In presenting the stage of decision-making, the chapter mainly focuses on new arrangements in the Council of Ministers. The Council of the EU and the European Parliament (EP) share legislative competences in the setting up of 'low' policy measures. With a legislative involvement that now reaches 90 per cent of the EU policy competences, recent analysis of the role of the EP has remarkably increased with the entry into force of the Lisbon Treaty (Peters et al. 2010; Raube 2012). While acknowledging the growing importance of both the EP in policy-making, and of the European Court of Justice (ECJ, Hillion 2009; Jørgensen and Wessel 2011), this chapter refers to other analyses for a closer examination of their role. The chapter relies on 30 interviews conducted in the European External Action Service (EEAS), the Foreign Policy Instrument Service (FPI) and the Commission.

EU Foreign Policy at the Executive Level – Main Actors and Competences

The Lisbon Treaty maintained a definition of foreign policy as an artificially divided policy domain. Thus, so-called first pillar competences are still managed under the Community method, and second pillar competences follow an intergovernmental method of policy-making. In that the Lisbon Treaty maintained a markedly institutional approach, 'to streamline foreign policy by combining external action across the pillar system of divergent competences created by the Maastricht Treaty' (Laatikainen 2010: 476).

At the executive level, within the EU, the management of foreign policy issues is entrusted to three sets of institutional actors who intervene in the building up of foreign policy measures on the ground of attributed competences. These sets of actors are: 1) the European Council and the Council of the EU² which

¹ Among the proponents of the model see: Lasswell (1956) and May and Wildavsky (1978); among its critics see Lindblom (1959), Kingdon (2003), Sabatier (1991) and Everett (2003).

² The European Council cannot be considered as an executive actor. It is here included for the important functions it performs in terms of both political lead and external

negotiate common positions in Common Foreign and Security Policy (CFSP) and ultimately decide on all common decisions; 2) the Commission, which has the right of initiative in so-called low foreign policy competences such as trade and development; 3) the High Representative-Vice President of the Commission (HR/VP) in charge of traditional foreign policy dossiers, assisted by the European External Action Service (EEAS). In addition to these, the rotating presidency – which, with the exception of the European Council and the Foreign Affairs Council (FAC) still applies to all Council configurations which refers to the General Affairs Council (GAC) – maintains a margin of policy initiative, and is illustrative of the central role that the member states play in the making of all common policies.

The role of all actors in the process is ultimately decided by the attribution of competences, even if, as will be argued, contamination and a dynamic flow of information permeate all policy fields. Four sets of competences converge in the EU external policy field: exclusive EU powers, where the member states are no longer allowed to act autonomously; collective foreign policy actions, which are pursued through the intergovernmental method of policy-making; and mixed competences, where both the Union and the member states share competences. Finally, there are competences of exclusive pertinence of the member states. These competences define the role of all actors throughout the policy process and the scope of their intervention.

Table 5.1 Competences attributed to the institutional actors of the EU's foreign policy

Executive actors converging in the process of foreign policy-making		Attributions of competences
The European Council		Role of political impetus and political lead
The Council of the European Union		Executive and legislative body, intervening in all EU measures.
The Commission		Power of initiative, policy formulation and policy implementation of common measures in first pillar and mixed competences
High Representative-Vice President of the Commission (HR/VP), assisted by the European External Action Service (EEAS)		Power of initiative, policy formulation in second pillar competences (for implementation it avails of the Foreign Policy Instrument (FPI, see below))
The member states		Still competences of exclusive pertinence of the member states

representation. The Council of the European Union is not only an executive actor, it performs also legislative functions.

In organizational terms, the system does not differ dramatically from the organization of foreign policy at the national level, where the Ministry of Foreign Affairs (MFA) liaises and coordinates with several specialized ministries dealing with both external affairs (development, trade) and domestic policy-sectors of international impact. In this light, the EEAS works as a MFA – with functions of foreign-policy impetus and coordination – while the different Commission's Directorates General (DG) are in charge of specialized dossiers.

From an organizational point of view the EEAS is structured as a MFA, within the limits of the EU foreign policy system. The HR/VP directs the EEAS, along with an executive 'Secretariat' composed of an executive secretary general, a chief operating officer and two deputy secretary generals for political affairs and for inter-institutional affairs respectively. Below this level of hierarchy, a corporate board is responsible for the EEAS's policy coordination, strategic planning and the legal underpinning of its activities. It also ensures smooth relations with the European and national parliaments. As in a MFA, below the board level – together with directorates dealing with administration and finance; audit and inspection – a number of managing directorates deal with the bulk of traditional foreign-policy activities performed collectively by the EU. As is the case in other MFAs, the organization of the managing directorates reflects two main organizational criteria: the geographic and the thematic/horizontal. The new organizational chart reflects an enhanced role in foreign and security policy, with departments like the newly established Crisis Management and Planning Directorate (CMPD), the Civilian Planning and Conduct Capability (CPCC), the Military Staff (EUMS) and the Joint Situation Centre (SitCen).

From an organizational point of view, within the Commission, four Directorates General (DG) contribute systematically to the making of external policies, in analogy of what ministries of international trade or cooperation and development do at the national level. The DG for Development and Cooperation-EuropeAid (DEVCO), DG Enlargement (DG ELARG), DG International Cooperation, Humanitarian Aid and Crisis Response (ECHO) and DG Trade share competences to deal with specific macro policy-areas.

Post-Lisbon arrangements changed the composition of the RELEX family: former DG RELEX has been absorbed by the EEAS (together with some units from DG AIDCO and DEVCO); and a merger occurred between former DG DEVCO and AIDCO, which previously were separated (Carta 2012). Coordination among these DGs, and between these and the EEAS, is ensured by the Commissioners' Group on External Relations and the Commission Secretariat General. The Commissioners' Group on External Relations intervenes systematically in the making of common policies, together with the President of the Commission and the DG for Economic and Monetary Affairs (DG ECOFIN). Consistency between different first and second pillar competences is ensured by the presence of the HR/VP in the Commissioners' Group on External Relations.

Locating EU Executive Actors Throughout the Policy-Cycle

The Stage of Political Initiative: A New Actor in Town

Before the Lisbon Treaty, three main actors contributed to varying extents to define external and foreign-policy initiatives: the European Council in CFSP matters, the European Commission in so-called 'low politics' and the rotating Presidency. Under current arrangements, the stage of initiative is scattered between the European Council, the European Commission and the HR/VP. At the higher level of inter-state coordination, the European Council steers the conduct of the EU foreign and external policy. The Commission and the EEAS contribute, in their respective fields of competence, to set up the agenda of the EU. As will be argued, the rotating Presidency maintains a role in initiating policies.

The European Council has increased its leading role which virtually encompasses all policy fields. Article 15 TEU posits that its role is one of providing 'the Union with the necessary impetus for its development and [shall] define the general political directions and priorities thereof'. As was noted, the broad mandate of the European Council potentially allows it to promote initiatives across the entire spectrum of the Union's external action (Wouters et al. 2008). In light of its role of impetus, the President of the European Council is now in charge for two and a half years. The institutionalization of the European Council adds increased institutional complexity to the institutional balance (Monar 2010). It potentially creates both an overlap of functions with the new figure of HR/VP (Missiroli 2010) and a possible incursion in the Commission's functions of strategy-setting and coordination prerogatives.

The rotating Presidency still maintains both its willingness and potential to have a say in determining policy priorities at the EU level, by pushing new policy initiatives (Tallberg 2006). To begin with, the rotating Presidencies throughout the first two years contributed massively to shape the rules of procedures regenerating the EU's institutional machinery: from arrangements within the Council to arrangements in the Delegations. In the new institutional framework, the rotating Presidency still holds the chair of the GAC and, at a lower level of hierarchy, the COREPER II³ and horizontal Working Groups (such as the Trade Policy Committee). The degree of entrepreneurship of the rotating Presidency in performing its role of agenda-setter varies widely among the member states. For example – during the semester inaugurated in July 2011 – the Polish Presidency assumed a proactive stance. *Inter alia*, the Polish Presidency sponsored the European Endowment for Democracy (EED), a private foundation under Belgian law which would add flexibility to finance democracy assistance projects

3. 'Coreper I, consists of the deputy permanent representatives, deals with technical matters; Coreper II, consists of the ambassadors, deals with political, commercial, economic or institutional matters' <http://europa.eu/newstroom/calendar/event/290057/coreper-ii-coreper-i>.

(Kostanyan and Nasieniak 2012). Thanks to 'the Polish connection' within both the Commission and the EEAS, the Presidency launched in 2011 an Ad-Hoc Task Force with both EEAS and Commission's officials, in order to frame the proposal to submit to the Council (interview with an EEAS official, June 2012). Both the establishment of the task force and the EED met the lukewarm reaction of the member states. Yet the initiative shows the potential of the new architecture and the possibility of the Presidencies to gather different expertise from both the EEAS and the Commission to promote new initiatives.

The Lisbon Treaty complicated the script of the stage of policy initiative, by adding another player, the EEAS, to the process. The institutional location of both the HR/VP and the EEAS is at the crossroads between the Council and the Commission. On the one hand, the HR/VP takes part in the meetings of the European Council and can propose foreign policy initiatives. Under her Commission's hat, the HR/VP takes part in and, in absence of the President of the Commission, chairs the work of the Group of RELEX Commissioners. The hybrid position of the HR/VP, therefore, represents an attempt to exert coherence in a fragmented policy field (Duke 2009). It has been argued that the HR/VP has a double-hatted position, in reality her mandate conveyed four different and very engaging tasks: 1) setting up and directing the EEAS; 2) proposing foreign policy initiatives; 3) chairing the newly established Foreign Affairs Council (FAC); and 4) chairing the proceedings of and exerting coherence in the Group of RELEX Commissioners. With this incredible workload, the current HR/VP apparently decided to focus less on her role of Vice-President to focus decisively on the more foreign policy oriented components of her task (interview, March 2012; interviews, June 2012). As follows, the Commission's Secretary General consistently took on the task of guaranteeing both intra- and inter-institutional coordination.

The Commission maintains its power of setting the agenda in its own areas of responsibility. With the exception of CFSP, the Commission participates in the making of external policies through different portfolios of expertise: not only through the RELEX family but through 'domestic' policies with an important foreign policy component (i.e. environment, energy, agriculture). The field of intervention of the Commission, therefore, varies wide across the policy field. For instance, DG Trade drafts the mandates for international trade negotiations, which are largely agreed upon by the Council of Ministers. The importance of such initiatives is self-evident. As the Commission is not an unified actor, it needs to ensure that all its services frame their policy proposals in the most cooperative way as possible in order to perform effectively its powers (Daviter 2007). We will see this in more detail in the section on policy formulation.

Considering the presence of different and balanced sources of political initiatives, all actors need to be able to sense the general climate surrounding a policy proposal. The ability to gather consensus around policy options determines the climate of support or ostracism surrounding a policy measure and eventually its probability of success.

The Stage of Policy Formulation: Further Compartmentalization

In terms of drafting of common positions and decisions, the EEAS and the Commission DGs contribute, depending on the allocation of competences, to the preparation of policy outcomes. As with the difficulty of disentangling 'high' and 'low' components of policies, a given measure flows from desk to desk before being presented to the Council for adoption. Considering the allocation of policy competences between the EEAS and the Commission's services, several coordination mechanisms have been progressively put into place.

The necessity to guarantee a viable coordination of all EU services dealing with external relations is not new for the EU. The Commission has always faced the necessity of ensuring consistency between the interlinked activities of six DGs (Carta 2012). In order to do so, the Commission relied on a series of inter-service agreements among all DGs of the so-called RELEX family. Along different sectoral specializations, all DGs have historically developed their own organizational identity (Abéles et al. 1993), routines (Ongaro 2010), sense of mission and ideas of Europe (Carta 2011). The Commission itself, therefore, is not a unitary actor. Fragmentation impacts all aspects of its institutional life, in creating tremendous potential for conflict (Christianson 1997), due to the national composition of each DG, the sectoral and political approaches implied, the exposure to interest groups, to quote but a few elements (Hooghe 2001).

The reorganization and the subsequent establishment of the EEAS added complexity to an already fragmented picture. The creation of the new institutional body, separated from the Commission, was surrounded by a high degree of acrimony (Spence 2012). Entire units or individual civil servants were relocated from the Commission to the new Service with few indications of their new mandate and they needed to make sense of the new system with little indication how to proceed. The inter-institutional division of labour was created in the making, and a high degree of uncertainty surrounded and still surrounds different aspects of policy coordination.

In this context, Lisbon Treaty provisions imposed a highly formalized division of competence between the Commission and EEAS. However, informality in defining the patterns of the reform is characteristic of the process. At all stages of the policy process, all actors involved need to liaise, both formally and informally, in order to guarantee an adequate cross-fertilization of policy initiatives.

The example of multilateral dossiers is telling of the necessity to engineer a sound system of coordination among all actors involved. To deal with multilateral affairs, an apposite Managing Directorate was created. This includes four units: multilateral relations and global governance (which also chairs the CONUN Working Group within the Council); Human Rights and Democracy (which chairs the COHOM WG – for more detail see Smith's (2006) comments on the working of the WG); Conflict Prevention and Security Policy; and Non Proliferation and Disarmament (which chairs the COARM, CONOP, CODUN WGs). Depending on policy dossiers and the nature of competences, these EEAS units liaise with

homologous units within the Commission, which often have a Directorate or units dealing with multilateral issues. Accordingly, for trade issues, which mostly fall under the EU's exclusive competences, DG Trade relies on the Directorate F which is in charge of coordinating multilateral trade issues. Within DG DEVCO, different units deal with the Delegations to the Food and Agriculture Organization (FAO) in Rome; or the Delegations in Paris and the United States. Within the Commission not all relevant competences for multilateral dossiers fall under the remit of the so-called RELEX family.

In the drafting of common measures, all actors need carefully to individuate their homologous units in different Services, in order to be sure that they are framing a policy measure which takes on board all expertise. Accordingly, if homologous units have good relations and a good attitude towards cooperation, interaction goes smoothly, also in terms of informal factors. While pursuing the goal of rationalizing the management of both first and second pillar competences, the establishment of the EEAS imposed a further compartmentalization to the overall EU's policy-making. Due to this complication of the organizational script, the system can work only if sustained by an intensive load of coordination among all parties involved in the process of foreign-policy making and diplomatic representation.

The Stage of Decision-Making: Complicating the Script

Within the Council, the abolition of the rotating Presidency for the European Council and for the newly established Foreign Affairs Council (FAC) provoked a major reorganization of the Council structure (Vanhoonaeker et al. 2011). The reorganization of the Presidency of the Council was pursued through a plural arrangement for different Council configurations due to a triple organization of functions:

1. the new permanent Presidency of the European Council, the main organ for political orientation in foreign and security matters (article 22.1 TEU);
2. the Chair provided by the High Representative to the newly established Foreign Affairs Council (FAC); and
3. the rotating Presidency, which still chairs all other Council configurations.

At lower level of hierarchy, geographical WGs are chaired by the EEAS and are afferent to the FAC and to the Political and Security Committee (PSC). So-called horizontal WGs – like the Trade Policy Committee (TPC), the Group of RELEX Counsellors, or development – follow the organizational line of the General Affairs Council (GAC) and the COREPER II, and are chaired by the rotating Presidency. The Lisbon Treaty, therefore, slightly complicated the division of labour between institutions, by introducing a complicated structure of EU presidencies. Accordingly, a massive institutional and bureaucratic reorganization took place in the Council as well.

Within the Council, both WG afferents to the COREPER II and to the PSC work synergistically to adopt the policy measures. The capacity of all actors to liaise is, therefore, telling of the way in which different proposals percolate in the making of common decisions. The presidencies of the different WGs are in charge of managing the flow of information from one WG to the other.

On arrival at the Council, the same policy proposal is discussed in several Council configurations. At the higher level, inter-institutional coordination is ensured by the involvement of competent Commissioners at the FAC, and decision-making follows swinging dynamics, with a different intervention of the EU Parliament depending on competences. Coordination between Council configurations is ensured through both informal and formal channels of information sharing. As easily understandable, high and low policy dimensions are not easy to disentangle, so an intense work of coordination between the EEAS and Commission's services needs to be guaranteed prior, during and after the meetings.

The proceedings in the Council of Ministers are generally coordinated by the HR/VP and the EEAS independently by the chairing system in place. In that, the EEAS took on the responsibilities previously held by the Council Secretariat General (CSG) in the preparation of meetings. In a far reduced format, the CSG is still in charge of more logistic aspects of coordination, i.e. making sure that documents are circulated in all WGs, that the room is set up for meetings and so forth.

According to current working arrangements on inter-service coordination, the EEAS, sided by the relevant Commission's services, ensures that the Commission is adequately represented in all WGs' proceedings. The Commission, therefore, is duly involved in the drafting of relevant Council Conclusions and statements. Usually, a member of DG DEVCO makes sure that relevant DGs' units are adequately represented when their dossiers of competence are discussed in the Council. So, for instance, in the Council Group Maghreb-Mashrek (MaMa), often a member of DG AGRI, DG Mare or DG Trade are invited to debrief on relevant policy dossiers.

With the sudden explosion of the Arab Spring, the MaMa Working Group constituted a testing ground for the newly established system of decision-making.⁴ In a snapshot, at the lower level of hierarchy, the MaMa worked on setting the ground for an agreement on the measures to be adopted. Then, the same dossier was transferred to other horizontal DGs (i.e. the Trade Committee) to be finalized and then adopted, generally by COREPER II. Reportedly, no issue was so contentious to go through the ministers in the FAC: all positions were agreed upon at lower levels of hierarchy. Equally, no major disagreement among the member states was reported, with the possible exception on issuing sanctions to Syrian president Assad (interview, 4 April 2012). In the recollection of those days, members of the MaMa refer to a situation in which rules on coordination were done in the making, under

4 As reported by a member of the Group: 'we were driven by the events ... All of the sudden, it was all "conclusions and sanctions; conclusions and sanctions"' (interview, 4 April 2012).

extremely stringent time constraints, while the system was not yet in shape. The EEAS proposed the bulk of policy measures to adopt, under the stimulus of the member states. Thus, reportedly, the member states, usually one of the 'big three', proposed to issue sanctions; the geographic WG, under the chair of the EEAS, reached the compromise on what kind of sanctions and against whom should have been issued; and the Ralex Counsellors crafted sanctions, with the support of both the EEAS and the Commission. The system of coordination was, reportedly, ensured by a four-edged mechanism: 1) the liaison role of the CSG; 2) information coming from colleagues of the rotating presidencies, who made sure that the interested WGs were progressing in a coordinated way; 3) the member of the EEAS dealing with sanctions, who was attending both groups; 4) contacts with the Commission, both through the DEVCO representative in the WG and informal contacts with the Commission's horizontal desks, interested in the decisions to adopt.

Within the Council, in the management of policy dossiers, a pillarized logic still supervises the inter-institutional and organizational division of competences among interested EU institutions and Services. The establishment of the EEAS, as argued, was meant to bridge foreign policy and external policies related competences while maintaining the division of competences mainly unaltered. In terms of executive coordination at the EU level, current arrangements, therefore, introduced further complexity to the overall EU architecture to deal with external affairs.

The Stage of Implementation: A Money Box for CFSP

In EU terminology, beyond financing, implementation of an instrument refers to the process of contracting, managing, monitoring and evaluating different projects and programmes. This definition reveals the importance of this policy stage and the potential for transformation from original policy decisions. This also reveals that implementation is done both in Brussels and in the Delegations in third countries on the one hand and on the other hand in International Organizations. This stage adds therefore vertical complexity to the process. As interviewees revealed, also at this stage, all policy actors maintain their own sectoral sense of affiliation. Competing and partially overlapping competences, as based on a distinctive attribution of functional and political responsibility pave the ways for inter-institutional conflicts, competing visions and potential policy-misfits.

Table 5.2 Division of labour between the Commission and the EEAS for macro-policy areas

	Overall responsibility	Financial responsibility	Operational management	In coordination with
CFSP	HR/VP, EEAS	FPI – Commission	EEAS	EU Council/COM
Enlargement	Commission	Commissioner for ELARG	DG DEVCO	EEAS/DEVCO
Neighbourhood	Commissioner for ELARG and the ENPI	DEVCO under the responsibility of the Commissioner for ELARG	DG DEVCO/EEAS	EEAS, DEVCO and other Commission's services
Development	DG DEVCO	DEVCO	DG DEVCO	EEAS and other Commission's services
International trade	DG Trade – Commission	DG Trade – Commission	DG Trade – Commission	EEAS and other Commission's services
Humanitarian assistance and crisis response	DG ECHO	DG ECHO	DG ECHO	DG Home Affairs, DEVCO, EEAS

In the Headquarters, in terms of implementation of common measures, an intense work of coordination between the EEAS and Commission's services is required, considering that operational responsibility of common measures is alternatively attributed to the EEAS or different Commission's DGs. In matters of financial responsibility, article 17.1 TEU provides that the Commission shall 'execute the budget and manage programmes'. Therefore, while operational responsibilities of common measures are alternatively entrusted either to the Commission services or to the EEAS, the financial responsibility for implementing operational expenditure is performed exclusively by the Commission. In practical terms, this means that the EEAS is tied to the Commission for any measure for which it holds operational responsibility.

The EEAS needs to rely on a 'money box' if it wants to plan things through. To make up this awkward situation, a new Service serving specifically foreign policy measures has been created: the Foreign Policy Instrument Service (FPI). As with the overall divisions of competences between the EEAS and the Commission's Services, as a general rule, the HR/VP (and the EEAS at lower level of hierarchy) is politically responsible for CFSP related measures; while different Commissioners (and, at the lower level of hierarchy, DGs) are responsible for external policy measures. Art. 9 of the EEAS Council Decision introduced the respective responsibilities of the EEAS and the Commission's services on the preparation of programming documents; Country/Regional budget allocations and strategy papers; and the multi-annual programming documents. Regardless of policy responsibilities over financial instruments of external action, it is up to the Commission to adopt all common measures, either through the competent units within the DGs or through the FPI.

Article 9.6 of the EEAS Decision states that the FPI is 'co-located' with the EEAS. The FPI holds a similarly hybrid character to the EEAS. It is organically part of the Commission, but it is functionally linked to the EEAS. Therefore, to finance foreign policy measures, the FPI follows the directions of the EEAS, but is financially accountable to the Commission. The Service merged together different units from former DG RELEX dealing with financing CFSP operations and thematic budget lines, such as the European Instrument for Democracy and Human Right (EIDHR) and the IS (the Instruments for Stability). The unit has a simple organizational chart, composed of a director, and has four main units: FPI-1 in charge of budget, finance and relations with other institutions; FPI-2 in charge of stability instruments operations (crisis response and peace-building); FPI-3 in charge of CFSP operations; and FPI-4 in charge of Public Diplomacy and European Interests: election observation.⁵

In order to ensure sound coordination of policy and financial responsibilities, a complicate system of inter-service consultation has been set up. The EEAS, DG DEVCO and the Commissioner for ELARG are jointly responsible for the global financial share allocated to all regions of the world; for the preparation of Country and Regional Strategy Papers and for the National and Regional Indicative Programmes. An inter-service consultation mechanism is, therefore, in place for the management of most financial instruments. All financial instruments, if required, are then scrutinized by the Council through the appositive comitology⁶

5 Commission Decision, SEC(2010) 1307 final, 27/10/2010.

6 Comitology has developed into a standard operating procedure in the EU system. When the EU legislators delegate decision-making power to the Commission, a comitology procedure is usually installed as a control mechanism. This system enables the member states to keep track of delegated powers and to intervene in selected cases. The system consists of 200–300 committees of member state representatives that monitor the Commission according to procedures leaving the Commission varying degrees of autonomy' (Bjorn-Hansen 2011: 607).

procedures. Relevant Committees follow the Commission's proposal at all stages. Although extremely complex, the reorganization of the services was meant to proceed to a simplification of a complex landscape of thematic and geographic instruments for the delivery of external assistance.⁷

Table 5.3 Political and financial responsibility in the implementation of the EU foreign policy instruments

Instrument	Policy responsibility	In coordination with	Financial responsibility
IPA	ELARG	Consultation with EEAS; DG REGIO; DG EMPL; DG AGRI; DG BUDG	ELARG
Humanitarian Aid and external aspects of Civil Protection	DG ECHO	Consultation with the EEAS; relevant Commission's services; DG BUDG	ECHO
ENPI	Commissioner for Enlargement and the European Neighbourhood Policy/DEVCO	Proposal jointly prepared by the EEAS; DG ELARG; DG DEVCO; DG BUDG	DG DEVCO
EDF/DCI	DG DEVCO	EEAS; DEV; ELARG; DG BUDG	DEVCO
Macro-financial Assistance	DG ECOFIN	EEAS; DEV; ELARG; DG BUDG	DG ECOFIN
ICI	EEAS	FPI	FPI
Instrument for Stability	EEAS	FPI	FPI
CFSP actions	EEAS	FPI/relevant Commission's services	FPI
Nuclear Safety Instrument and EIDHR	EEAS	DEVCO/relevant Commission's services	DEVCO
EOM	EEAS	FPI	FPI
Communication and Public Diplomacy	DG Communication (DG COMM)	Relevant Commission's Service; EEAS/FPI; DG BUDG	Commission (different DGs); FPI

7 House of Lords – Documents considered by the Committee on 12 January 2011 – EU External Action: the Instrument for Stability – www.publications.parliament.uk/pa/cm201011/cmselect/cmeuleg/428-xii/42819.htm.

The procedures put into place for the European Development Fund (EDF) give a hint of the complexity of the process. For a start, this instrument was traditionally a *domain réservée* of DG DEV. Responsibility in the management of the funds for development for ACP countries profoundly contributed to shaping the sectoral institutional ethos of the DG (Dimier 2003). Throughout the politics of reform undertaken for upgrading and improving the disbursement of funds to development, DG DEVCO remained in charge of the management of the EDF despite the creation of AIDCO and the process of rationalization of disbursement of aid (Carta 2012). While still under control of DEVCO, the planning and allocation of funds now is shared with the EEAS. DEVCO holds for the Commission financial responsibility for the preparation of the EDF/DCI and frames, in collaboration with the EEAS, the Commission's Decision dealing with these financial instruments to be adopted by the Council. Importantly, the process of implementation involves consistently the Delegations, which coordinate with member states' embassies on the spot.

As mentioned, the HR/VP is responsible for the implementation of CFSP budget, the crisis response and peace-building components of the Instrument for Stability (IFS), the Instrument for Cooperation with Industrialized Countries (ICI), communication and public diplomacy actions and election observation missions under the European Instrument for Democracy and Human Rights (EIDHR). In addition to these general competences, DG ECOFIN is responsible for macro-financial assistance, which explains its presence within the Commissioners' Group on External Relations. The Commission exercises the task of financing external policy measures, while the financing of foreign policy measures is entrusted, as mentioned, to the FPI.

For instance, the Instrument for Stability (IFS) 'constitutes a short-term component, crisis response with "assistance in response to situations of crisis or emerging crisis", and a long-term component, with "assistance in the context of stable conditions for cooperation"' (European Parliament and Council Regulation, 2006,⁸ articles 3 and 4, quoted in Lavallée 2011: 377). In 2007, the instrument has replaced a plethora of instruments in the fields of drugs, mines, uprooted people, crisis management, rehabilitation and reconstruction.⁹ Although conceived as a civilian instrument of crisis response complementing CSDP missions, the overall idea underlying the IFS is one of ensuring a synergic and comprehensive response to crisis, which links security and development. The deployment of this instrument requires, at all levels, an intense load of coordination between all European actors. In the first place, as is the case of the EDF described above, a decision to deploy the instrument requires a vertical cooperation between the Delegations

⁸ European Parliament and Council Regulation (EC) No. 1717/2006 of 15 November 2006 on establishing an instrument for stability. *Official Journal of the European Union*, L327/1-L327/11.

⁹ For more information on the IFS, visit the website of DEVCO: http://ec.europa.eu/development/how/finance/ifs_en.htm.

and Headquarters, both in the EEAS and in the FPI (interview, 7 March 2012). In preparing the draft of the Decision, the EEAS and FPI, after having heard from the Delegation on the ground, proceed, where necessary, to consultation with other Commission services, for instance in DEVCO. Finally, the IFS is submitted to comitology scrutiny in the PSC and CIVICOM WG (Lavallée 2011: 378).

To complicate the picture, two financial instruments remain excluded by article 9 of the decision establishing the organization and functioning of the EEAS: the Instrument for Pre-Accession (IPA)¹⁰ and Humanitarian Aid (ECHO) and external aspects of civil protection. These two instruments are entirely under the responsibility of the Commission. In the case of the IPA, DG ELARG liaises with other relevant Commission's Service – like DG Region (DG REGIO); DG Employment (EMPL) and DG Agriculture (DG AGRD) – due to respective portfolios of responsibility. Humanitarian aid and external aspects of civil protection are managed by DG ECHO, which consults the EEAS and other Commission services through the inter-service consultation process. In this area, ECHO also provides for secretariat and chairs to the relevant Council Committees.

Current arrangements, therefore, create a double line of political and financial responsibilities, whereas the Commission – through its services or through the IFP – maintains the financial responsibility of all actions and the EEAS holds, in certain areas, political responsibility. This stage further reveals the limits imposed to a unified approach to foreign policy whereas, to make up to the misfits of a fragmented policy field, a complex work of institutional engineering needed to be set up to guarantee to the EU the ability to act on the international scene. The EU Delegations are fully involved in this stage and work in a synergic way with all EU services. Further empirical research could highlight the dynamics of multiple lines of both mandates and information sharing between the multiple-edged Headquarters and the Delegations on the ground (Carta forthcoming, 2013). The stage of implementation highlights that the EEAS is not the only hybrid body created under the Lisbon template. This stage, therefore, constitutes a fertile ground for empirical research. A focus on implementation could clarify how policy decisions are transposed into policy measures and explore the potential for transformation that this transposition brings with it.

¹⁰ The Commissioner for Enlargement and Neighbourhood Policy holds the policy responsibility for the European Neighbourhood Policy Instrument (ENPI). In order to frame the ENPI, the Commissioner relies on the geographical and thematic desks of the EEAS and DEVCO, which are not, therefore, in DG ELARG. The Commissioner for Enlargement also holds responsibility for the preparation of all programming documents, which are jointly prepared by DG DEV and the EEAS. As for other regional programmes, DG DEV is responsible to ensure the overall coherence of the ENPI with global and sectorial development policy objectives. The ENPI is then implemented by DG DEVCO.

Conclusions

Locating executive actors throughout the foreign policy cycle helps to make sense of both the position of executive actors in particular instances of the process of policy-making and of the fluid adaptation of the Lisbon Treaty. The adventurous journey of all institutions interested in foreign policy is a well acknowledged feature of this process. Personal factors and bureaucratic turf-battles, the creation of new institutions and a quite unstructured plan on how to reform the system added complexity to an already complicated system of external relations.

The policy-cycle approach reveals its heuristic value as a tool to detect formal attribution of competences and the way in which executive actors are forced to interact in the making of external policy measures. The policy-cycle approach, however, does not deny the continuous flow of contacts that intervenes among all actors and the existence of a dynamic relation among them.

To recap briefly this complexity, at the level of political initiative, different actors intervene to different extents to give impetus to the EU's external action. Both the enmeshed character of policy dossiers and a partially overlapping attribution of competences require an intense coordination both at the level of initiative and at the level of policy formulation. At this stage, coordination is needed to ensure that a given policy initiative will not turn out to be a fiasco.

At the stage of policy formulation, the parallel regime of low and high foreign policy-making and the entry on stage of a new actor, the EEAS, require an intense load of coordination to guarantee that all expertise, ideas and competences are taken on board in final policy outcomes. A high degree of formal and informal coordination is required. Depending on the attribution of competences continuous emails, phone calls, meetings between individual civil servants from both the Commission and the EEAS services beat time of the framing of common measures. Informality, therefore, sustains the formulation of policy measures and reveals that the degree of personal discretion (i.e. willingness to communicate, share information and to respect the attribution of competences) accounts for the timely and feasible delivery of policy proposals.

At the stage of decision-making, different decision-making styles alternate. The fact that discussions on the same dossiers are scattered across different venues highlights the potential for policy misfit. Beyond inter-institutional agreements, a high degree of discretion contributes to shaping the final outcome of the policy process. As interviewees witness, much coordination occurs informally and is sustained by a variable blend of personal relations and individual initiative. The occurrence, timing and venue of all actors' intervention in the policy process is formally determined by the nature of competences. In this fashion, horizontal dossiers – such as development or trade issues – refer to the GAC, while foreign policy dossiers to the FAC. In the former case, the policy-making in these areas generally mirrors the community style of decision-making. In the latter case, the prevalent style of decision-making is intergovernmental and the policy measures assumed do not have a legislative character. As some interviewees reveal, the

maintenance of a pillarized logic of decision-making potentially allows the member states to try to discuss some policy competences in the FAC rather than in the GAC, by drifting away policy decisions from the rule of QMV to unanimity.

At the stage of policy implementation, the distinction between political and financial responsibility makes for separate, yet concurrent, implementation systems. All services involved in the stage of implementation need to coordinate and liaise constantly also in the stage of implementation of common measures both in the Headquarters and in the Delegations. As follows, different organizational units intervene systematically in the implementation and financing of common measures.

Currently, political analysis can depict in which cases and in which areas the system is sustained or disrupted by the high level of personal discretion. In time, institutional enactment will tell us more about the feasibility of the overall institutional system. The theoretical contributions from both public policy and bureaucratic approaches to foreign policy remind us that also at the national level the process of foreign policy-making is cut across by 'compromise, conflict and confusion' (Allison and Zelikow 1971). For as much of a strange beast as it can appear, the EU, then, is far from being an isolated example of foreign policy complexity.