CHAPTER 1

European Union Diplomacy
Changes and Challenges

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Introduction

When the Treaty of Lisbon came into force on 1 December 2009 one of the major innovations it brought was the European External Action Service (EEAS), a new and, not surprisingly, large institution within the EU framework (as it turned out a \textit{sui generis} institution between the Commission and the Council).\textsuperscript{1} After a good deal of bickering between the Commission, the Council and the European Parliament, agreement on the broad outlines of the institutional set-up was reached and a formal decision was taken by the Council on 26 July 2010.\textsuperscript{2} As the agreement was implemented and the EEAS began to function on 1 December 2010, four major questions presented themselves.

First, what is the international setting in which this new diplomatic service will operate? Two differences are obvious: for one, the international setting has changed considerably since the diplomacy of the Westphalian state system, and for another, this will not be the Foreign Service of a traditional nation-state but of a somewhat unique international/supranational organisation.

Second, since the European Community (EC) has for long had a developing ‘external service’, what traditions and experience will there be to build on? Third, what aims will the EEAS pursue? Will there be a common foreign policy to guide the work of the service? And finally,

\textsuperscript{1} See the chapter by Benjamin Barton in this volume.

what might be the specific contribution that the European External Action Service can make? Will it, as in the past, concentrate mainly on trade and development, will it emulate traditional state representations or will it make a political contribution appropriate to its own identity and adequate to the new international setting and its challenges?

The International Setting: What Is New on the Diplomatic Front?

The art and practice of diplomacy has a long tradition. As far as one can think back, emissaries dealt with relations between ‘rulers’ or influential groups around them. Since the 17th century and the development of the Westphalian state system, diplomacy became more and more institutionalised and formal, increasingly focusing on relations between states. A classical definition for the period stems from Harold Nicholson: “Diplomacy is the management of international relations by negotiation, the method by which these relations are adjusted and managed by ambassadors and envoys, the business or art of the diplomatist.” The much more recent European Union *Manuel diplomatique pour les délégations de la Commission* does not differ significantly:

La diplomatie est la science qui étudie la conduite des relations entre sujets internationaux, et l’art de mettre en œuvre la politique extérieure de ces sujets, par des méthodes de négociation et de représentation disciplinées et codifiées par le droit international, en vue d’étendre et d’améliorer les relations bilatérales et multilatérales, contribuant ainsi au développement harmonieux de la Communauté internationale.

New Pace

But like the international setting much has changed in the field of diplomacy in the course of the last century and even more so since the advent and increasing momentum of globalisation. The changes are numerous but the key modifications can be grouped into several broad categories: the speed of communications and travel, increased direct interaction between numerous and different actors at all levels and the changing content and manner of diplomatic work.

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The speed with which information today is received or delivered (from the early telegraph to e-mail) as well as the increased number of sources of information, especially through the worldwide network of the press that is often enough quicker and more thorough in its information (although not necessarily in its political assessment), has significantly diminished a formerly prime task of diplomatic representations, namely reporting on the host country. All governments today have websites, and it is often easier for someone needing information to click on this website and seek direct contact than to go through an embassy.

Furthermore, the rapidity and ease of travel (or the telephone, for that matter) have made direct contacts between political decision-makers at all levels, from heads of government and foreign ministers to parliamentarians and officials, the rule. This is fostered by further changes, namely the growth of international organisations, the increasing importance of multilateral versus bilateral diplomacy and the ‘popularity of summity’.\(^5\) Contacts at these levels have not only become easier, but in fact normal and regular. All of this has decreased the previously pivotal role of diplomatic representations.\(^6\)

In an age of international organisations and summit meetings, the preparation of such meetings is important. But again, the missions will do this in close, daily or even hourly contact with their ministries, the foreign ministry or indeed any other institution relevant for the particular issue. When meetings or negotiations actually take place, the head of government or minister will, as a rule, be accompanied by close advisors from home, with the ambassador taking a back seat and often being responsible for nothing more than the logistics. Indeed, one of the less favoured tasks is that of ‘door opener’ or tourist guide. When high-level politicians come for a visit, embassies are expected to prepare the visit and arrange for meetings with particular personalities (often having to cope with exorbitant and unrealisable wishes on the part of the visitor; it is not unusual that they also ask for a sight-seeing tour).

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\(^6\) However, Cross argues that the instructions now given are usually shorter and less precise than in earlier days (because contact is quick and easy rather than taking weeks or months), hence actually giving the modern diplomat a greater degree of leeway; op. cit., p. 152.
New Actors

However, globalisation goes much beyond the acceleration of communication and travel. It also entails a “speeding up and deepening impact of patterns of social interaction”. A multitude of new actors and factors have entered the picture. Apart from the increasing role of international organisations, numerous non-state actors (e.g. NGOs, international companies, terrorist organisations) play critical roles. States and traditional state interests have lost relative weight, while the role of individual and societal interests has expanded significantly. Values, ideas and identity have become central to many issues. Correspondingly, soft power and civilian instruments have grown in importance. Finally, and not of least consequence, next to traditional state interests or ‘possession goals’, ‘milieu goals’ have taken on a new role as short-term state interests are perceived against the background of far-sighted interests and ‘self-regarding’ interests are confronted by collective interests.

In short, the “density of flows of everything from persons […] to information […] to goods […] is higher than ever”, and the result is that diplomats can no longer confine themselves to talking to other diplomats and government officials but need to address a wide array of actors on various levels involving a broad range of issues. Rather than ‘club diplomacy’ it is ‘network diplomacy’ that is required. To a large extent this means contact with personalities from the economic and business sphere. Trade is one of the key components of all inter-state relationships. The interests are often quite specific, for example in preserving the supply of certain raw materials, opening possibilities for investments or maintaining contact with the defence establishment to prepare or secure defence procurement contracts.


8 These points are taken from the thorough analysis of changes in the international setting by Keukeleire and MacNaughtan, *ibid.*, pp. 8-34. The expressions ‘possession’ and ‘milieu’ goals, of course, go back to Arnold Wolfers, *Discord and Collaboration: Essay on International Politics*, Baltimore, Johns Hopkins Press, 1962.

9 Neumann, *op. cit.*, p. 17.

**New Content**

Inevitably, these developments have led to significant changes in the content of the diplomat’s work. While economic factors are not new and an inter-linkage between foreign and domestic policies has always existed, a host of new topics has been added, from fisheries and transportation to environment and climate change. These require technical expertise that diplomats can normally not provide. In other words, a major slice of external relations is dealt with by experts that are sometimes, but usually not, members of an embassy staff. This means that here, too, many more actors – more ministries or directorates-general (DGs) – are involved.

Crisis management with its all its complexities – intra-state and ethnic conflict, civilian and military input, crisis prevention and post-crisis reconstruction – has taken on an increasing part of diplomatic activity. Of particular relevance for the European Union with its emphasis on civilian means is the “blurring of the line […] between diplomatic activity and violence”. Crisis management involves both civilian and military means, with civilian means implying everything from political promises or development aid to legal advice or police missions. This is reflected in the development of the European/Common Security and Defence Policy (ESDP/CSDP) and the extensive associated tasks such as post-conflict reconstruction. In view of the EU concept of spreading its own notion of ‘good governance’ and contributing to a “fairer, safer and more just world” the thus far hardly analysed concept of ‘transformative diplomacy’ is likely to play a growing role, that is the use of diplomatic instruments to foster and influence change in other societies.

A difference with regard to mission tasks can be observed in international organisations. Not only has the importance of these missions grown, both in terms of numbers and political effect, but their work differs from that of traditional diplomats. It is determined by national interests but critically affected also by the objectives of the international organisation. The diplomats involved interact on a daily multilateral basis and in this way often develop loyalty to the organisation. Of course, there is a difference between those diplomats representing the member states within a closely-knit international organisation such as

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12 See Art. 43 (the former ‘Petersberg Tasks’) of the Treaty on European Union (TEU).
13 Such are the final words of the *European Security Strategy: A Secure Europe in a Better World*, Brussels, 12 December 2003.
14 For further discussion see below.
NATO – not to speak of the EU – and those representing external non-member states to the organisation. In other words, a German diplomat working for the German representation in NATO has different objectives and interaction with diplomats from the other member states than, for example, a diplomat from the Russian representation to NATO. The same is true for the European Union: the representatives of the member states act in a different environment and manner than the missions of non-member states to the EU. The United Nations forms something of a hybrid, where both multilateral diplomacy directed at common objectives as well as traditional ‘national interest diplomacy’ is to be found.

The wide field of public diplomacy has become a foremost task of diplomatic missions. For almost any objective popular support has become crucial. This implies the direct or indirect involvement with numerous actors from the media, business, academia and not least the local public. That this would be the case is apparent in democracies, but it has become equally important in authoritarian and dictatorial regimes. By means of educational, cultural and other events the aim is to present a positive image of oneself. A favourably disposed mood in the public and especially among elite groups (the press, business leaders, intellectuals, armed forces) is expected to influence the foreign government, but also the many other relevant societal actors. As Heine puts it: “Otto von Bismarck’s dictum that ‘diplomacy is the art of gaining friends abroad’ remains valid. What has changed is that the sheer number of friends that need to be gained has increased exponentially.”

How, then, might one classify the main tasks of a modern diplomat? Barston sums up the tasks in six categories: ceremonial, management, information and communication, international negotiation, duty of protection and contribution to international order. Neumann discusses five tasks: information, negotiation, communication, smoothing and representation, with ‘smoothing’ being the “minimisation of the effects of friction” and representation “symbolising the existence of the society of states”. With more players, diplomats “are faced with the challenge of mediating more types of relations than ever before”. Heine suggests replacing the “somewhat old-fashioned, slightly passive” connotation of representation by ‘projection’, implying “conveying what the diplomat’s
country is”. For ‘information’ he suggests “analysis and influence”. Of course, both representation/projection and ‘analysis and influence’ essentially deal with information. Projection would be providing information (as effectively as possible) and could well be included under the rubric of ‘communication’. Analysis (interpretation and assessment) would be most relevant for information that is gathered and transmitted, while ‘influence’ would seem to fit into all categories, being either the purpose, e.g. in communication or representation, or a desirable and necessary instrument in order to achieve a set aim, e.g. in the process of negotiation or ‘smoothing’.

The changes in the international setting will affect the new European diplomats and how they are likely to see their tasks and shape their work. But the EEAS is not being set up from scratch. For several decades the European Community has gained experience and even built up a measure of tradition in the field of external representation.

Development of a European Foreign Service: from Delegations to Embassies?

First Steps

Almost from the very beginning there was a strong feeling amongst the protagonists of European integration that some sort of outward representation was needed. New institutions, it was felt, were required to give Europe the chance of playing an own and independent role on the international stage. Jean Monnet, the first president of the High Authority of the newly founded European Coal and Steel Community (ECSC) and the United States were the first to recognise this. In August 1952 then Secretary of State Dean Acheson sent a note to Monnet:

As appropriate under the Treaty, the United States will now deal with the Community on coal and steel matters […] All Americans will join me in welcoming this new institution and in expressing the expectation that it will develop as its founders intended, and that it will realize the hopes so many have placed in it.21

A year later the State Department established a representation to the ECSC, and in 1954 the ECSC set up its first external representation in Washington. At this stage this was no more than a liaison or infor-

20 Heine, op. cit., p. 283.
The first head of the office was in fact an American, Leonard Tennyson, a former Marshall Plan official who served mainly as a lobbyist, seeking American support for the European integration process.22

Soon after the initial offices of the ECSC had been set up in Washington, an ECSC information office was established in Santiago de Chile, the idea being that the ECSC could serve as a model for similar efforts in Latin America. This was followed by the establishment of an ECSC external representation in London in 1955, the United Kingdom at the time not being a member of the Community. It was to be the “first full diplomatic mission”.23 The office in Washington was correspondingly up-graded to the ‘representation level’, just before the Treaties of Rome were signed in 1957, establishing next to the ECSC and EURATOM the European Economic Community (EEC). In 1958 an official from EURATOM was stationed in Washington, the first diplomat in the service of the EC Commission to be stationed outside Europe. Nevertheless, the development of the Washington office was slow. Although once more ‘up-graded’ from ‘representation’ to Delegation of the European Economic Community, it was only during the Nixon administration in 1972 that it was granted full diplomatic recognition by legislation in both houses of Congress,24 with the title of Ambassador for the head of delegation.

Colonies and Development Aid

Yet, as “the ‘demand for Europe’ grew on the international stage, the European Commission […] had begun to take first steps to be present in the wider world”.25 The thrust for the establishment of more representations abroad came primarily from member states wishing to associate colonies and former colonies, for the most part in Africa. These member states were advocates of EC development funds for these territories, and it seemed not only logical but indeed necessary to have some type of on-site supervision. Thus development aid and project development were the very first tasks of these representatives, and it turned out that

22 Tennyson’s first Bulletin was entitled Towards a federal government of Europe and encompassed the optimistic (if not even enthusiastic) words “today, Europe is on the march towards unification. Yet the details of this progress are not well known nor is their significance widely understood”. Ibid.


24 Ibid., p. 13.

development remained one of the main tasks – if not even the main task – of EC delegations.

Initially, the plan had been to move from a more technical control of projects to something resembling “single diplomatic representations covering the ECSC, EURATOM and the EEC”.26 This was not an unexpected move as decolonisation proceeded and some of the newly independent states set up formal representations in Brussels. From the late 1950s onwards attempts – mainly by parliamentarians – were made to establish such permanent delegations. However, efforts in 1960 and 1962 to set up single diplomatic representations covering the three communities failed for the usual reasons: member states were not willing to share sovereignty by setting up a proper communitarian foreign service. In addition to this reluctance there were – little is new – differences between Commission and Council on control of the delegations.27

Nevertheless, the need for something more than ‘technical control’ was apparent. A compromise was found by the establishment of “a new, semi-autonomous, non-profit organisation/agency – the European Agency for Cooperation (EAC) – funded under a Commission grant that would recruit and manage, under renewable contracts, the heads of mission (contrôleur délègue) and their staff to man the Commission offices in the associated countries”.28 From 1965 onwards 21 “offices of this type were established in the associated countries in order to implement Community aid”, making use mainly of former colonial administrators or development professionals from the private sector.29 Indeed, most of the staff was contracted; only the director of the EAC was an official seconded from the Commission. “Looking back, the EAC might appear something of a strange hybrid in political and administrative terms, but such were the exigencies of those early days.”30

By the beginning of the 1970s about 150 European Commission staff were working in these delegations. Despite the shortcomings – non-diplomatic status, “restricted mandates and limited political profile”,31 concerned primarily with development projects and strictly speaking not even representing the whole Commission but only DG

26 European Commission, Taking Europe, op. cit., p. 15.
27 Kucharski, op. cit., p. 10. There had been a Resolution by the European Parliament on 19 November 1960; see Official Journal, 60, 16 December 1960, p. 1496.
28 European Commission, Taking Europe, op. cit.
29 Ibid., p. 16. The first contrôleur délègue was appointed in Chad in 1966.
30 Ibid., p. 15.
31 Ibid., p. 19.
VIII (Development) – the claim is that “the future External Service had been created in embryo”.

**An Embryo Foreign Service?**

Certainly, developments proceeded. After the United Kingdom with its extensive Commonwealth relations had joined in 1973 and then, after the Lomé Convention had been signed, number, format and functions of the delegations changed. By 1975 the number of delegations had gone up to 41 with a total staff of 900. Of these 250 were Europeans, some of them specialists from the existing staff and the member state administrations (seconded to the EAC), but now also including officials from the Commission. While their tasks still focussed on development aid, other functions included trade, regional integration and cultural cooperation, giving the delegations a higher political profile. The head of mission was appointed in agreement with the receiving ACP country, thus moving closer to normal diplomatic procedure.

Further Commission delegations were set up not only in southern and eastern Mediterranean countries, but also in Latin American and Asian states as well as with the United Nations in New York. Development aid was no longer the primary task of many of the new delegations. As a logical consequence, all delegations were administered by the Directorate-General responsible for External Relations (DG I), and the Commission undertook a “comprehensive review […] of the rapidly expanding delegation network, which was communicated to the European Council in 1977”. This review “defined for the first time the main tasks” of the delegations:

– to provide advice and support for officials travelling on Community business;
– to act as a contact point for those wishing to communicate with the institutions;
– to provide information on EC aims and objectives;
– to assist in the execution of EC policy and cooperation agreements;
– to cooperate with Member States *in situ* and keep them informed on the implementation of EC policy; and, last but by no means least,
– to encourage cooperation and coordination with and between Member State missions.

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32 Ibid.
33 Ibid., pp. 20-21.
34 Ibid., p. 24.
Full diplomatic status for the head of mission and his staff was reached by requiring the External Relations DG to sign an *accord de siège* with the host country according to the Vienna Convention on Diplomatic Relations of 1961 before opening a representation. Thus, by 1980 50 delegations with a staff of some 1,000 were working worldwide, some still concentrating on development, but others – such as in Washington or New York – with a developing political profile.

Major difficulties were pointed out in a report on the external competences of the Community that the Commission presented to the Council in 1982. It was observed that

> [t]he Commission has a nucleus of a foreign service. Its external delegations are doing work directly comparable to Member State embassies. They cover a narrower field but involve the same techniques of negotiation, representation, confidential dealings with governments and international organisations, and political and economic analysis. Like embassies, they need proper back-up from headquarters so that they have the information and instruments to do the job.36

The report was drawn up by Adrian Fortesque, a UK career diplomat, who obviously knew what he was talking about. As the main problem he identified getting the right staff and ensuring a transparent and acceptable career development for them. A major difficulty was that the still young Commission had not developed a proper administrative culture ensuring responsibility of delegations to the entire Commission rather than to specific Directorates. Moreover, since many, if not even most, of the members of the existing delegations had been recruited as specialists on a contract basis, there was no ‘foreign service corps’, adequately trained and familiar with procedures and policies in Brussels. Conversely, few of the officials in Brussels in the external relations or development directorates had any experience in the delegations.37

Hence, the development of the external relations service in the 1980s faced two major and intertwined challenges: rapid growth and the need for competent personnel. New delegations opened at an average rate of five per year, and by the end of the 1980s the number of officials serving in 89 delegations had risen from 165 to 440, with a local staff of 1,440.38

Taking up recommendations from the Fortesque report, discussions on reform started in 1982. It was agreed that the “Commission’s staff regulations (‘statute’) should be amended to accommodate the special

36 Ibid., p. 29.
37 Less than 10 percent, *ibid.*, p. 31.
38 *ibid.*, p. 34.
requirements of staff in delegations”. The deliberations on this took some time, a proposal being “submitted to the Commission, then to the Parliament and to the Council in 1986. As a result, the new ‘Annex X’ to the Staff Regulations (specifying the measures and procedures applicable to officials abroad) was approved in 1987 and took effect in 1988. The EAC contract staff became officials of the Commission; the EAC was maintained as a small service to recruit technical specialists for the delegations. For an initial period, from 1988-1993, the delegations “were managed by a specialised directorate with the central administration (DG IX) in close consultation with the operational services in DG I, DG VIII and DG X”.

At the same time, the functions of the delegations were broadening beyond development cooperation to being involved in trade questions, in assisting with high-level visits and in giving information: to the host country on Community policies and to the Community on the host country or the region. Also, full diplomatic status had been achieved for the majority of delegations, “being accredited at the Head of State level, with credentials signed by the President of the Commission, [the heads of delegation] carrying the rank and courtesy title of ambassador”.

Since 1987 there is also – much like in normal foreign services – an Inspection Service. Its purpose is to look at both the Brussels and the delegation side, first to determine what the Commission expects from any specific delegation and how those working with this delegation assess its performance. After this, the two-person team of inspectors visits the delegation to evaluate how the delegation sees its objectives, how it performs and under what constraints it has to work. A report is then drawn up and presented to the Commission.

Change and Reform after the End of the Cold War

The fall of the Wall and the end of the Cold War, including the collapse of the Soviet Union, brought new and demanding challenges. Delegations were set up in the central and eastern European countries (some with regional mandates, e.g. the delegation in Ukraine was also responsible for Moldova and Belarus). In the forefront of their activities stood two major tasks: the first task comprised supervising and monitoring the new programmes that the Community had launched for east and central Europe (PHARE) and for Russia and the newly independent

39 Ibid., p. 33.
40 Ibid.
41 Ibid., pp. 33f.
42 Ibid., p. 36.
43 Ibid., pp. 38f.
states (TACIS). The second task was providing information on the European Union. This was immediately important for the accession states and contributed significantly to the success of the procedure, but beyond that for all the states of the Union’s ‘new neighbourhood’.

Yet another chapter in the history of EU external relations was opened with the Maastricht Treaty of 1992 (effective in 1993) that explicitly called for the development of a Common Foreign and Security Policy (CFSP) and the Treaty of Amsterdam of 1997 (effective in 1999) that foresaw the appointment of a High Representative (HR) for the Common Foreign and Security Policy. While this did not have an immediately striking effect on the delegations (although many of them became strongly involved with the High Representative’s frequent travels), it was clear that a ‘common foreign policy’ would sooner or later lead to major repercussions for the service. In 1993 a new Directorate-General (DG IA) was set up and charged with “making relations with third countries more effective and coherent”, a prime focus being personnel management and training issues.

It is understandable that the issue of personnel remained a focal point in the following years. After all, the performance and effectiveness of the delegations depended on having the right people: well-trained, competent, with a thorough understanding of EU policies and mobile, ready to serve at headquarters in Brussels and in delegations worldwide. Hence, it is not surprising that yet another major report on ‘Longer-term Requirements of the External Service’, the ‘Williamson Report’, was published in March 1996. This report as well as a list of Commission ‘communications’ to the Council and Parliament in the ensuing years, “based on a thorough and serious analysis of the management and development of the service, including its role, priorities and resources”, led to “substantial modifications to the delegation network and its operations”. Indeed, something like a diplomatic service was coming about, not with the occasional official from Brussels being posted – more or less willingly – overseas, but with a corps of diplomats who saw their careers as just that and no longer as primarily Brussels officials.

Despite these developments, local staff remained important. Based on its historical development, the EU continued to depend not only on drivers and secretaries but to no small extent on highly qualified local personnel at all levels of the delegations, “such as economic advisers,

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44 See, for example, the role of the ‘Eurobus tour’ in Estonia, ibid., pp. 41f.
45 Ibid., p. 44.
46 See the list in ibid., p. 49.
47 Ibid.
press and information specialists, project managers, researchers, IT experts and top-level support staff”. 48

Reform or, more positively, adaptation to new circumstances and requirements became a mark of the developing External Service. Almost every one of the reforms or adaptations emphasised personnel and career planning, leading to the conclusion that perhaps none of them really reached satisfactory implementation. In December 2002, a decision on administrative reform was agreed upon that included the aims to “consolidate unification of the External Service, clarify the principles of action by delegations and provide a sound method of career planning in the Service”. 49

Three years before, in 1999 under Commission President Romano Prodi, the central services of the Commission were changed. Two directorates-general for External Relations and Development were set up, plus an additional one – the EuropeAid Co-operation Office – to administer EU development cooperation. This process was known as ‘deconcentration’ and led to some significant changes in the delegations with, on the one hand, more staff involved in development work and, on the other, more personnel from other DGs such as Trade and Justice and Home Affairs. By 2004 there were delegations accredited to more than 100 countries with a staff of over 5,000.

With the Lisbon Treaty all Commission delegations were re-named European Union Delegations. 50 By the summer of 2010 there were 130 Union delegations in third countries and eight delegations accredited to international organisations. 51

48 Ibid., p. 47.
50 In addition, there are so-called ‘Commission Offices’, e.g. in the Palestinian territory, that do not possess a formal delegation status. See also the chapter by Shannon Petry in this volume.
51 See Council of the European Union, EU diplomatic representation in third countries – second half of 2010, 10782/1/10, Rev 1, Brussels, 30 June 2010. On 1 January 2011 the staff of the EEAS consisted of a total of 1643 permanent officials. Of these 436 came from the previous Commission delegations, 643 were transferred from the Commission (RELEX and DEV) and 411 from the Council Secretariat; 118 were new posts. European External Action Service, "A new step in the setting-up of the EEAS: Transfer of staff on 1 January 2011", press release, IP/10/1769, Brussels, 21 December 2010. See also Michael Emerson et al., Upgrading the EU’s Role as Global Actor: Institutions, Law and the Restructuring of European Diplomacy, Brussels, Centre for European Policy Studies, 2011, pp. 53 and 141.
The Role of the European Parliament

Throughout the development of the European External Service, the European Parliament has shown a distinctive interest. The motives were twofold. On the one hand, a good deal of the thrust to more integration in all fields, also in the area of foreign relations, traditionally comes from the European Parliament. On the other hand, Parliament was keen to guard – or better: to develop – its authority and competences in the field of external relations. In 2000 it passed a resolution proposing the establishment of a common (European) diplomacy which included a call that a new College of European Diplomacy be set up to train professionals from the EU institutions and from Member States in Community policies and in diplomatic methods.52

Both elements of parliamentary interest became clearly visible during the discussions on the establishment of the European External Action Service in 2009 and 2010. In fact, the two elements were intertwined. In line with the long-term objectives of those favouring more European integration, the European Parliament called for a communitarian foreign service. It wanted a service that would be as free as possible from member state, i.e. national, intervention, making it more likely that the Union would increasingly speak with a single voice in its foreign policy. Thus, the Parliament wanted the EEAS to become part of the Commission structure – which in turn would allow control by the Parliament.

When this target faded as member states decided to establish a completely separate institutional set-up for the EEAS, the European Parliament insisted that at least the deputy for the HR/VP should not be a civil servant but a politician. Parliament did not get the two ministers of state it had called for, but did achieve that the HR/VP could in case of absence be substituted only by either a Commissioner or the foreign minister of the rotating presidency. In the end, the European Parliament can exercise control through the budget or the staff regulations with a

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52 This was the Galeote Report, named after its rapporteur, Galeote Quecedo. Commissioner Chris Patten welcomed the report in a speech to Parliament on 4 September 2000; quoted in European Commission, *Taking Europe, op. cit.*, p. 51.
degree of influence expected through budgetary control of Union dele-
gations and senior appointments.53

Diplomacy in the EU and EU Diplomacy

Talking about the EU and diplomacy involves – as usual – several
levels. There are first the diplomats functioning within the EU, second,
national and EU diplomats plus EU bureaucrats fleshing out an EU
foreign policy and, third, EU diplomats representing this policy and the
EU in general to the outside. Many of them are involved in several of
the levels. While this study focuses on the third level – representation to
the outside –, the other two cannot be ignored when talking about EU
external relations in general and foreign policy in particular.

The diplomats of member states within the European Union are in-
deed hybrids. The EU and, in particular, the Committee of Permanent
Representatives (Coreper) provide ample examples. On the one hand,
they represent and bring in national interests, but, on the other, they
have to some extent actually also become senior politico-bureaucrats
and representatives of the Union, responsible for coming to common
positions and representing them to the outside.

The Common Foreign and Security Policy is an intergovernmental
procedure that always has to be negotiated: by diplomats both within the
organisation and from the member states ‘outside’ as it were.54 This
means that on most foreign policy issues the development of a common
position or action once again involves three categories of diplomats or
‘diplo-bureaucrats’: a large number of diplomats and bureaucrats from
within the organisation (Council and Commission officials, the High
Representative), a significant number of personnel in a somewhat
unique role, namely being seconded from member states but working
within Union institutions such as the Policy Unit (with staff seconded
from member states’ foreign ministries), the Military Committee or
Military Staff (seconded from member states’ defence ministries), and,
last but not least, the (national) diplomats from the permanent represen-

53 See on this the Notice that was part of the Council Decision establishing the organi-
sation and functioning of the European External Action Service, op. cit., see also the
Declaration by the High Representative on political accountability, Official Journal
of the European Union, C 201, 3 August 2010, pp. 1-2. As far as the appointment of
“Heads of Delegations to countries and organisations which the Parliament considers
as strategically important” is concerned, however, only “an exchange of views (dif-
fering from hearings)” is foreseen. Although this seems like so much less than a US
Senate Hearing, in European foreign services ambassadors as a rule do not require
parliamentary confirmation.

54 See Cross who emphasises the internal ‘process’, op. cit., p. 141.
The latter specifically represent member states, but next to the representation of national interest what is unique is that there is also the responsibility to come to mutually acceptable conclusions in order ‘to keep the ship going’. Thus, as Cross puts it: “Europe’s multileveled, mixed bag of foreign policy approaches means that each decision requires cooperation among member states to an unprecedented degree, and thus relies heavily on diplomatic skills and negotiations.”

Hence, an enormous amount of diplomacy takes place within the Union on an every-day basis. Although qualified majority voting is the rule for most issues except foreign policy and defence-related matters, voting in fact almost never takes place. Agreement is reached by consensus in most cases before reaching the ministerial level. Remarkably enough, in the actual decision-making process there is no real difference between the two categories (qualified majority voting or unanimity), even if one were to argue that the very existence of the possibility of a vote being taken by qualified majority makes member states more ready to reach compromise rather than taking the risk of being out-voted.

The focus of this study, however, is not on ‘internal’ but on ‘external’ diplomacy, i.e. the way in which the Union as such provides instruments and procedures for the purpose of interacting with others on the outside: with non-member states, with international organisations and with non-state actors. Collegiality, compromise and specialisation (on the EU) are the marks of successful diplomacy within the Union.

A relevant question is whether these EU ‘trade marks’ also – at least to an extent – influence Union diplomats representing the Union to the outside world and tasked with promoting specific EU interests. While there may be little reason that ‘collegiality’ would go beyond the norms of the diplomatic corps in foreign countries, the issues of specialisation and compromise may be a different story. Certainly, specialisation in the sense of a thorough knowledge of the workings of the Union should be an essential requirement. It is hard to conceive of a successful future European diplomat who would not have a more than basic knowledge of the functioning of the complex organisation that s/he is to represent to the outside. Even a measure of experience within the institutions may be

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55 There are more than 200 working groups. Their importance is not to be underestimated. According to Wallace and Hayes-Renshaw, two-thirds of negotiations are formally concluded at this level (quoted by Cross, *ibid.*, p. 144 and no. 15 on p. 210).

56 Cross, *op. cit.*, p. 144.


necessary in order to understand where decisions are taken and what the usually multi-faceted components of any decision are. This will make it advisable for member states to make sure that the national diplomats which they second to the External Action Service be given an adequate training in European affairs before taking up their duties. In the longer run the seconded national diplomats should both be given training and required to work within the EEAS in Brussels for a period before taking up a foreign post for the European Union. To be an “effective communicator” with the “ability to make one’s case persuasively” the European diplomat will need to have not only a sound comprehension of the subject at hand and communication skills but as the very foundation of his/her work a good understanding of the complexities of EU decision-making.

Since compromise is the life blood of the EU, it is not inconceivable that this attitude will be a noticeable trait of Union diplomats. This would be somewhat different from traditional ‘national interest’ diplomacy and could well be regarded as ‘post-modern’ diplomacy. Under the new circumstances it would be critically wrong if EU diplomats tried to act exclusively or even mainly in terms of conventional, solely self-regarding interest diplomacy.

But who and what exactly will future European diplomats represent and promote? Is the European Union more than its component parts? Are there European interests that go beyond the lowest common denominator of the national interests of its member states? The delegations in the past have concentrated on development aid and trade. What will be the tasks of Union delegations?

59 See also the Conclusions in this volume.
60 Heine, op. cit., p. 282.
61 In 2009 students from the EU International Relations and Diplomacy Studies Department of the College of Europe participated in a Model United Nations game in The Hague. According to reports by the students, the College students were noted for their bent to search for compromises, thus, as Martin Westlake writes of the Council, “to forego unattainable excellence for an attainable good […] prepared to compromise and make concessions and package deals”; see The Council of the European Union, London, Cartermill International, 1995, p. 320.
62 This might be the foundation for specific EU contributions to ‘post-modern’ international relations; see below. Of course, if, as the European Security Strategy states, the “best protection for our security is a world of well-governed democratic states”, this is self-interest, but it is also ‘other-regarding’ and hence would at least be ‘enlightened self-interest’.
A European Foreign Policy for European Diplomats:
Will EU Diplomacy Be Guided by an EU Foreign Policy?

There are some particularities that will make EU delegations differ from ‘normal’ embassies, at least for some time to come. The most obvious and most important is that the European Union is not a state with a single foreign ministry and a single foreign policy. The External Action Service is responsible to the High Representative of the Union for Foreign Affairs and Security Policy. But the High Representative is – not only in name – not a foreign minister and has several masters: the Commission, of which the HR/VP is also a Vice-President, and the Council, the latter consisting of 27 ‘masters’ as it were. In addition, there is the President of the European Union as well as the President of the Commission, not to mention the rotating presidency. Finally, the European Parliament has control over the budget and has shown that it is intent on being involved in the making of EU foreign policy.63

One could, of course, argue that as long as the EEAS is responsible only to the High Representative and receives clear instructions, this complexity should not pose a problem, at least not as far as the everyday functioning of the Service is concerned (and provided the diplomats seconded from member states’ foreign services are fully integrated and loyal to the High Representative). But it may nonetheless restrict the scope of the EEAS whenever the High Representative’s mandate is narrow or when there are obvious differences between member states or between the Council and the Commission on specific foreign policy issues. Member states have insisted that at least one third of the EU diplomats should be seconded from national ministries. Whenever more serious differences arise, this may create a problem or at least an awkward situation for such seconded diplomats.64 Formally, their prime loyalty is to the High Representative. But should they behave in a way that runs against a particular interest of their home state they will most probably not have done their careers much good when their secondment ends. On the other hand, if they try to muddle through between national interest and EU policy, they will not be doing the latter much good. This is one of the reasons why the European Parliament has insisted on tying in the seconded officials on an equal footing with EU officials and

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63 See the chapter by Benjamin Barton in this volume and the interview conducted by Stefani Weiss with the MEPs’ Guy Verhofstadt and Elmar Brok, *From Global Payer to Global Player*, Bertelsmann Stiftung, Spotlight Europe Special, July 2010.

64 See also the chapter by Yannick Hartstein in this volume.
giving them an opportunity to join the EEAS after ending their second-
ment.65

A further question concerns the relationship to member state embas-
sies. Member states may be tempted to exert influence at the working
level, both in Brussels and on site, particularly if they can do this
through ‘national colleagues’. On the other hand, this has not been a
problem in the past and delegations and member state embassies are in
fact called upon to cooperate with one another.

But these are questions of implementation. The more fundamental
question is whether there actually will be a foreign policy to be imple-
mented. Will it be possible to define precise foreign policy aims and to
put them into practice, that is, to implement them through the EEAS?
Whether they receive vague or precise instructions, a narrow or a wide
mandate, diplomats need to know what their tasks and their objectives
are.

Goals of Foreign Policy

In broad terms both the Lisbon Treaty and the European Security
Strategy define the over-arching foreign policy objectives of the Euro-
pean Union. Article 21 TEU, in which the objectives are listed, com-
mences with a paragraph that defines not only aims but infers that these
aims are related to the very identity of the European Union:

The Union’s action on the international scene shall be guided by the prin-
ciples which have inspired its own creation, development and enlargement,
and which it seeks to advance in the wider world: democracy, the rule of
law, the universality and indivisibility of human rights and fundamental
freedoms, respect for human dignity, the principles of equality and solidari-
ity, and respect for the principles of the United Nations Charter and interna-
tional law.

More specifically, the Article continues that

the Union shall define and pursue common policies and actions, and shall
work for a high degree of cooperation in all fields of international relations,
in order to:

a) safeguard its values, fundamental interests, security, independence and
   integrity;

65 After the European Parliament adopted changes to the staff rules on 20 October
2010 MEP Bernhard Rapkay (S&D), who had negotiated the text, said that “equal
rights and equal opportunities” should apply for EU officials and staff from the na-
tional diplomatic services, and “they must be committed to the EU High Representa-
tive, they must be loyal”. See European Parliament, “EU diplomatic service: ac-
countability and balanced recruitment”, press release, 20 October 2010.
b) consolidate and support democracy, the rule of law, human rights and the principles of international law;
b) consolidate and support democracy, the rule of law, human rights and the principles of international law;
c) preserve peace, prevent conflicts and strengthen international security, in accordance with the principles of the United Nations Charter, with the principles of the Helsinki Act and with the aims of the Charter of Paris, including those relating to external borders;
c) preserve peace, prevent conflicts and strengthen international security, in accordance with the principles of the United Nations Charter, with the principles of the Helsinki Act and with the aims of the Charter of Paris, including those relating to external borders;
d) foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty;
d) foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty;
e) encourage the integration of all countries into the world economy, including through the progressive abolition of restrictions on international trade;
e) encourage the integration of all countries into the world economy, including through the progressive abolition of restrictions on international trade;
f) help develop international measures to preserve and improve the quality of the environment and the sustainable management of global natural resources, in order to ensure sustainable development;
f) help develop international measures to preserve and improve the quality of the environment and the sustainable management of global natural resources, in order to ensure sustainable development;
g) assist populations, countries and regions confronting natural or man-made disasters;
g) assist populations, countries and regions confronting natural or man-made disasters;
h) promote an international system based on stronger multilateral cooperation and good global governance.
h) promote an international system based on stronger multilateral cooperation and good global governance.

However, these are broad objectives and do not provide specific policy guidance on everyday issues. This must be developed in the framework of the CFSP based on instructions from the High Representative, who is responsible to the Council and is at the same time Vice-President of the Commission responsible for external relations in that framework.

Inter-institutional Turf Battles

Controversies over competences in the phase of setting up the European External Action Service after the Lisbon Treaty took effect on 1 December 2009 made it look as if a truly common foreign policy was the last thing the member states wanted to assure.66 Thus, responsibility for the European Neighbourhood Policy – involving the eastern and southern neighbours of the EU and a significant budget – was taken out of the remit of the former Commissioner for External Relations and assigned to the Commissioner for Enlargement. Furthermore, the sizeable budget for conflict prevention, human rights protection, promotion of democracy and development policy was largely withheld from the High Representative and thus the EEAS.67 The Service was granted a co-ordinating function and participation in the programming and management cycle for the financial instruments together with the newly created EuropeAid Development and Co-operation Directorate-General

66 See on this the forthright analysis by Stefani Weiss, *External Action Service: Much Ado About Nothing*, Bertelsmann Stiftung, Spotlight Europe, June 2010, as well as the chapter by Benjamin Barton in this volume.
European Union Diplomacy

(DEVCO). In other words, whatever the intention, the result was to limit the High Representative’s overall authority to pursue a coherent EU foreign policy. In the areas mentioned above the respective Commissioners will play a decisive role, including deputising for the HR/VP in their areas of authority.

But it was not only the Commission that appeared intent on maintaining as much control over EU external relations as possible. The Council Secretariat came up with a new Crisis Management and Planning Directorate, thus wishing to transfer its own structures (including the Civilian Planning and Conduct Capability, the Military Staff and the Situation Centre) into the EEAS.

Commission, Council and the European Parliament battled for control of the External Action Service – but so did the member states. Overall, the member states were simply reluctant to give the new service authority at the expense of their national prerogatives. This was evident throughout the entire procedure and formed the very foundation of the limitations placed on the EEAS, beginning with the appointment of a low profile figure as the first High Representative and ending with the battle over who might substitute for the High Representative on foreign policy issues in case of absence. It was finally decided to “resuscitate” the foreign minister of the rotating presidency – a clear enough signal.

The implication of all of this is that many of the more far-reaching aspirations attached to the future of a common European foreign policy (more active, more capable, more coherent, to quote the European Security Strategy) were endangered even before the EEAS had been set up. To put it clearly: it is not only that the EU member states are ‘afraid’ of handing over sovereignty in the sensitive areas of foreign and security policy but they appear openly reluctant and hardly motivated. They simply do not sense a need. The idea of a united Europe that would need a common foreign and security policy is not on their agenda. This is a fact that overlies every development, however positive it may be in institutional terms. Whether, despite all limitations, the méthode Monnet with its expected spill-over effects will function once more, also in the realm of foreign policy, remains to be seen.

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68 See also the chapter by Anne-Claire Marangoni in this volume.
69 Ibid.
70 For a slightly different accent see the chapter by Benjamin Barton in this volume.
Implications

The complexity of the structure and the fact that there is no evident and comprehensive single EU foreign policy will hamper the functioning of the EU delegations. They may well, as the Lisbon Treaty declares, ‘assist’ the High Representative/Vice-President, but this assistance at best will be limited to what he/she has the authority to do. If his/her remit is narrow, the tasks the Union delegations can perform will also be narrow. The EEAS merely provides a structure: “With the Treaty of Lisbon and the establishment of the EEAS we can only supply the structure. Now it is up to all of us, to Lady Ashton, the Council, the Member States, the Commission and the EP, to develop a coherent policy.”

Of course, one could point out that this does not go beyond the familiar limitations that derive from the ‘multi-level differences’ within the EU institutions and between these and the member states. After all, the Union delegations will be able to fulfil most of the tasks of a ‘normal’ embassy – public diplomacy in the widest sense, establishing and maintaining important contacts, promoting economic and specifically trade relations – at least to the same extent that the Commission delegations have done. But whenever there is no single policy, particularly in areas of a more political nature, an EU ambassador will be able to say as little as the High Representative.

This raises the question whether – if the details of policy are difficult – broader targets can nevertheless be achieved. Contributing to international order in terms of norms and rule-making is by no means new as a foreign policy goal and hence not novel to diplomacy. The European Union does have a long-term concept of international order. It is outlined in the European Security Strategy A Secure Europe in a Better World of December 2003. Based on its own experience, the EU is committed to the development of a more peaceful and stable world. This is to be a ‘rule-based international order’ in which problems and conflict are not solved by force but by ‘effective multilateralism’, i.e. peaceful conflict resolution by negotiation and the use of institutions, specifically international organisations. Through ‘preventive engagement’ potential problems are to be spotted early and dealt with before they achieve crisis dimension. While it is recognised that the EU would be better off in a world of ‘well governed democratic states’ it is not prerequisite that

71 Brok interview by Weiss, op. cit., p. 5.
all states must be democracies. They need to be sufficiently ‘well governed’ so as to be stable and not to create disruptive problems, they must adhere to certain basic rules in their international relations and they need to be committed to the peaceful resolution of conflict. Underlying all of this is economic development: eradicating poverty and offering all peoples a fair perspective.

David Spence, himself an experienced EU diplomat, calls the EU model of governance not only “a guide to which global governance might aspire” but indeed an EU “export commodity”.73 His analysis indicates that this may well be the element of EU foreign policy that makes it different and “more than the sum of its national parts”.74 “As a newcomer to world politics, it is not surprising that the EU’s notions of ‘good governance’ are more explicitly and more frequently carried into the international environment by EU policy than they would be in the context of a national foreign policy, with distinct national interests to defend.”75 These are ambitious aims. Indeed, the European Security Strategy concludes by declaring: “An active and capable European Union would make an impact on a global scale. In doing so, it would contribute to an effective multilateral system leading to a fairer, safer and more united world.”76

What this means in terms of policy is indicated by two Commissioners. Former Commissioner for External Relations, Benita Ferrero-Waldner, stated: “What the EU can and must do is use its transformative power and make sure that reform can grow from within. We want to foster societal change rather than ‘regime change’.”77 Her colleague, former Commissioner for Development Louis Michel, put it even more decidedly: “Nous pouvons ensemble véritablement façonner un monde plus juste et plus équitable, et donc peser sur le destin du monde. Et parce que nous le pouvons, nous le devons.”78

For this, the EU claims to have a particularly wide array of foreign policy tools – from trade to cultural exchange, from development aid to crisis management – and is thus singularly well-suited to aim for and

74 Ibid., p. 65.
75 Ibid., p. 63. See also the supportive quotations from Commission documents that Spence cites.
76 Ibid.
77 Quoted by Spence, op. cit., p. 73.
78 Ibid., p. 74.
implement more fundamental – structural – foreign policy aims: “as a soft power, the EU ought to have the ability to use various policies in order to have a real impact on the global stage.”

Indeed, the EU is well equipped to combine development and security, trade and climate change or any other combination of issues and to place them in an overall EU foreign policy framework that combines the concepts of preventive engagement and effective multilateralism with the appropriate policies and tools. But who is to do this? Can the High Representative, confronted by jealous institutions and wary member states, with a carefully circumscribed mandate and little stature, be expected to develop the required initiative and vision? The issue thus remains the same as before: is there a will to create that ‘single European voice’ on the international stage that can provide vision and weight or will the EEAS remain an agency to implement mainly technical and limited objectives?

**Conclusions**

There are two main conclusions to be drawn. The first concerns the historical development of a European foreign service. It is remarkable that almost from the very beginning of the European integration process there was a strong sense that this process was taking place in an international environment, would have external implications and required some form of external representation. Thus, there was a steady development from the early information offices to the full-fledged Commission delegations. But, while the EEAS now looks like the next logical step, it is not the final ‘blossoming’ of the previous development. It falls short in many ways. Nonetheless, it may well be the beginning of a truly European foreign service that could represent a more coherent, more active and more capable voice for the EU on the international stage. The Union delegations can perform both classical and new functions. They represent the EU as a unit in the international system. They give information and ‘project’ the Union into the host country and region. They supervise EU projects and further Union policies, they deal with problems arising between the Union and the host country or region. In all of these senses, they promote Union interests. Last but not least, they provide protection and services for Union citizens.

Secondly, it is an open question to what extent the diplomats of the EEAS will move in the framework of classical diplomacy and to what extent they will budge into those areas of international relations that are new: the more significant role of international organisations, effective

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79 Verhofstad interview by Weiss, op. cit., p. 5.
80 On embassy functions see Barston, op. cit., p. 21.
multilateralism and tying together diplomacy, security and development. As Spence puts it: “The EU’s interaction with other actors forms a significant contribution to the evolving institutional structure of international affairs.”81 The crucial difference that the European Union and its External Service may make is to move away from the exclusive pursuit of particularistic interests to a focus on solving problems, including the development of means, methods and habits. That is the basis of the EU’s own success. With this experience, the tools at hand and the proven capacity to think in terms of long-term concepts (both in theory, as the European Security Strategy indicates, and in practice, as the European Neighbourhood Policy shows), the European Union can make a difference. To do this, the member states will need more courage to move towards more unity. The External Action Service can be a tool of such unity; it cannot replace it.

References
Bertelsmann Stiftung, From Global Payer to Global Player, Spotlight Europe Special, July 2010.

81 Spence, op. cit., p. 64.


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