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From Global Payer to Global Player

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On 8 July, at its last session before the summer recess, the European Parliament adopted with an overwhelming majority (549 for, 78 against, and 17 abstentions) the report of Elmar Brok on the "Proposal for a Council decision establishing the organisation and functioning of the European External Action Service." Thus the new diplomatic service can now become a reality. However, it seems that a genuine common EU foreign policy has receded even further into the distance. That is what Stefani Weiss from the Bertelsmann Stiftung wrote in our June 2010 edition of Spotlight Europe. Her analysis was greeted with acclaim both in Brussels and throughout the EU. We interviewed the EP negotiators on the EEAS, Elmar Brok (EEP) and Guy Verhofstadt (ALDE), and asked them to tell us what they think about the new diplomatic service and the prospects of a truly comprehensive EU foreign policy.

I

More Visible

With your proposal for the establishment of the EEAS you seized the initiative to co-shape the EEAS and to make the new diplomatic service an ambitious project that can raise the visibility of the EU's foreign policy so that it is commensurate with its real international trade and economic status. After protracted and detailed negotiations, spearheaded on the part of the EP by the two of you, and Roberto Gualtieri (S&D) a compromise was reached in Madrid on 21 June. Do you think that the compromise on the basic structure reached by the EP will eventually help us to achieve these objectives?

Elmar Brok: The agreement reached in Madrid forms the basis for a strong service which will be in the position to enhance the role of the EU on the global stage. From the very beginning the two key goals of the EP were to create a strong service able to support the HR/VP in developing a coherent and active EU foreign policy and the ability to speak with a single voice, and to strengthen the democratic legitimacy of EU foreign policy by ensuring that the service is accountable to the European Parliament in political and budgetary terms. Lady Ashton's first legislative draft for the EEAS presented on 25 March fell short of the mark in this regard.

At our last Quadrilogue in Madrid we reached important agreements strengthening the communitarian identity of the service. The compromise arrived at guarantees its political and budgetary accountability to the European Parliament. Thus the EP, by introducing a number of modifications in the draft proposals submitted by Lady Ashton, has succeeded in clarifying the responsibilities of EU institutions and the assistance that the EEAS will be giving them. With this structure the EU can now move on to become a more visible actor on the global stage.

Guy Verhofstadt: We now have a structure that will be able to implement a genuine kind of EU foreign policy. The initial proposal by Lady Ashton was slanted too much towards the Council and was not enough of a communitarian approach. In the negotiations over the last few weeks the EP has ensured that the EEAS is well

Guy Verhofstadt

and truly a communitarian service that can formulate a genuine kind of EU foreign policy. We now have a good political instrument, but we need as well the political will to use it. I hope that Ashton will be able to seize the opportunity to make full use of the powerful new tools at her disposal.

II

Communitarian or Intergovernmental

One of your central demands was that the EEAS should not become an independent institution with a budget of its own, and that it should be attached to the Commission. This is because you saw the service as a logical extension of the "acquis communautaire" of the EU´s external relations. Why do you think the Council, the Member States and even the Commission were so reluctant to agree with you on this point and eventually succeeded in setting up the service as an institution sui generis?

Guy Verhofstadt: The EP would have found it more logical to attach the EEAS in administrative, organisational and budgetary terms to the Commission. But this idea was rejected. Why? Because some of the Member States feared that if the EEAS were formally attached to the Commission, it would mean that the intergovernmental CFSP/ESDP was being "communitarised". Anyway, we have now reached a good compromise. The EEAS as a "sui generis" service is neither part of the Commission nor of the Council. Its establishment and structure reflect Lady Ashton's double-hatted role. It unifies communitarian and intergovernmental policies, and thus makes the EEAS a logical extension of the "acquis communautaire" (i.e. the accumulated body of EU law) as it relates to the Union's external relations. It integrates the Common Foreign and Security Policy (CFSP) on the one hand and the external policies pursued in accordance with the communitarian model on the other hand.

Lady Ashton's initial proposal was far more intergovernmental, and the European Parliament has had to fight very hard to move the service even more into the communitarian sphere. The Commission did not seem to be able to grasp the importance of having a service that was genuinely more communitarian. It tended to see the EEAS as a threat to its competences, and therefore tried to diminish its impact. We believe that this was a great mistake, for the EEAS is also going to be at the disposal of the Commissioners and the President of the Commission. A genuine integration of the various different external action tools available to the Union will enable us to have a more profound impact on the world. And this can happen only within the EEAS structure, and by bringing together intergovernmental policies with communitarian ones.

Elmar Brok: The crucial point is that the EEAS will be under parliamentary control despite the fact that it is formally not part of the Commission. A special section is going to be set up for the EEAS

Elmar Brok

administrative budget, and it will be subject to the same rules and the same parliamentary control as if it were part of the Commission's budget (including

budget discharge). The operational budget will remain under the full responsibility of the Commission.

Furthermore, even though the EEAS is not going to be linked to the Commission, we have managed to introduce important safeguards which guarantee the prevalence of the community approach. For example, there is the Community character of the EEAS staff. At least 60% will be permanent EU officials, and diplomats from the Member States will be able to pursue a career in the service under the same conditions as other EEAS staff. In addition, the Community method has been retained in development policy and in programming EU external assistance, and will continue to be the responsibility of the College of Commissioners. The Development Commissioner remains responsible for programming of development assistance. The HR/VP will have a coordinating role. In disputed cases the College of Commissioners will have the final word. Another important issue where the EP's views were adopted relates to the political representation of the HR/VP. This function is being assigned to the Commissioners, not only in areas where they have exclusive competence, but also in areas of prevailing Commission responsibility.

III

More Stumbling-Blocks Ahead?

After the EP has approved the new basic structure which emanated from your negotiations on 8 July, there are still some important and controversial issues relating to the EEAS budget, the staff and the financial regulations. Are you optimistic that this legislation will pass smoothly and quickly, so that the EEAS can become operational during the second half of this year?

Elmar Brok: I very much hope so. But we should remember that the Council decision as amended by the political agreement does not prejudge more detailed measures which the Parliament as co-decision-making body may wish to adopt in its amendments to the Financial Regulation, such as the transparency of the budgetary procedures within the EEAS, and of the whole EU external action budget, as well as regards the accountability of Heads of Delegation for implementation of operational budget. Therefore the EP, the Council and the Commission should continue to discuss this important issue in order to avoid in advance possible discrepancies. The EEAS is in the interests of all of us, and the sooner it becomes operational the better.

Guy Verhofstadt: The Council decision sets out the basic framework of the EEAS, but it leaves many details to be sorted out with regard to the Staff and Financial Regulation, not to mention the budget that will have to be agreed on by the Parliament and Council during the annual budget procedure.

For instance, in the Council decision we have ensured that national diplomats can stay on in the EEAS after 10 years of service. However, the details of how they can do this, the selection procedure and so on still have to be worked out in the staff regulation. So whilst the principle is in place, agreement on the implementation is still required.

IV

Striving for 21st Century Diplomacy

In the debate about the EEAS some commentators questioned whether the EU actually needs a classic diplomatic service, and suggested that it should commit itself to a whole of government approach that takes into account the nexus between diplomacy, development

and defence and the major global challenges such as climate change. Where do you see the added value of the service?

Guy Verhofstadt: We have always wanted to have an ambitious and sizeable External Action Service, a diplomatic service for the 21st century, and not for the 19th century This means that it ought to have at its disposal all of the Union´s external tools. It does not mean that other policy areas should simply become the pawns of European foreign policy. Rather, 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. Finally, we would be able to play a role that is commensurate with our economic power. And it is important to ensure that these policies are coherent. The aims of the Union's foreign policy are simple, and they are also laid out in the Treaty. They are the promotion of our values and the protection of our citizens. But the aims also include contributing to peace, security, sustainable development, solidarity, and the eradication of poverty, to name but a few. The EEAS will provide the Union with the ability to exercise these powers and to uphold the principles outlined above.

Elmar Brok: 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 and to bundle our competencies and expertise. Then the EEAS may well become a formidable foreign policy instrument. With its help the EU could finally change from being a global payer to being a global player able to pursue the interests of EU citizens throughout the world, to meet successfully global challenges, and, as one of the key global players, to shape the world order. This ability of the EU to act comprehensively as a whole will determine whether it can make an effective contribution to security and welfare within the EU.

V

Foreign and Security Policy Challenges for the EU

When you look ahead, what in your opinion are the main challenges facing the Union´s foreign and security policy, and what are the issues to which the EEAS should give priority?

Elmar Brok: First, what we urgently need now is political support for the EEAS as the diplomatic representation of our common interests in the world. Therefore the Member States should leave national egoisms behind. We must begin to understand that our national interests are

Franziska Brantner

Statement

The agreement on the EEAS paves the way for a more **coherent and effective** European foreign policy.
It is regrettable, though, that a more ambitious service in the field of conflict prevention and crisis management has been prevented by the jealous and small-minded **resistance of national governments** and the Commission. We will now keep a close eye on how Ms. Ashton is going to **implement the agreement** and whether she gets the service's priorities right - her proposal for **100 additional posts** rather reflects the desire of member states to send off their diplomats.

part of a common European interest. No single state can cope with today's challenges on its own, and they include terrorism, illegal migration, conflicts in our neighbourhood, and so on and so forth. All this has a direct influence on security and welfare in Europe. The main challenges facing the EU's foreign and security policy are listed in the 2003 European Security Strategy. We should now concentrate on tackling these challenges with the help of a coherent policy and by speaking with a single voice. We have to create synergy and coordination for our foreign policies. The EEAS provides the EU institutions with the necessary means to do so.

Roberto Gualtieri

Statement

The European Parliament has been able to **transform the consultation procedure** on the setting up of the EEAS in a co-decision de-facto, by significantly modifying the original text of the **Ashton proposal**. The EP has been in favour of the attribution of wide competences to the EEAS, also concerning the strategic programming of financial instruments, but at the same time it has been crucial in **safeguarding the Community** method and the prerogatives of the Commission. The agreement on the **creation of specific budget lines** for the main CFSP missions (Afghanistan, Kosovo, Georgia) and on the consultation of the EP before the adoption of mandates and strategies on CFSP is a **major achievement** that will substantially increase the parliamentary scrutiny over **CFSP and CSDP**.

Guy Verhofstadt: The challenges are immense. What will be the role of the EU in the Middle East? What is our policy towards Russia? How can we develop a common energy policy without an equivalent foreign policy? And what are we going to do about our own internal foreign policy issues such as the recognition of Kosovo, or Macedonia, or even the non-resolution of the Cyprus problem?

But we must also realise that we are not going to have a common foreign policy overnight simply because we have suddenly set up the EEAS. It will take time for the new service to function, time for the Member States to accept the forging of a common policy in areas which many of them still believe is their prerogative, and where they mistakenly believe that they can act on a bilateral basis. And, most importantly, we will need Lady Ashton's determination and resolve as she leads the shaping of this foreign policy.

VI

The EP's Enhanced Role

The Treaty of Lisbon also strengthened the role of the EP with regard to the Union´s foreign and security policy. In future the EP, for example, will play a greater role in the ratification of international treaties concluded by the EU. The Member States are afraid that this will slow down decision-making within the Union. Do you think that this fear is justified, and is it the price we have to pay for greater legitimacy?

Guy Verhofstadt: I do not think such a simple equation makes a great deal of sense. One cannot really compare efficiency and legitimacy. The European Parliament has often demonstrated that when it needs to act quickly, it can deliver

the goods. After all, the EEAS decision has taken less than 4 months. But more importantly, there can be no question of jeopardizing legitimacy for the sake of expediency. In my experience, things which are done quickly and without scrutiny are often bad and do not have widespread public support. For this reason a little extra time can often lead to far better deal making.

On the specific question of international treaties, it will be up to the Commission and the Council to ensure that the EP is kept fully informed as the negotiations continue. If we are kept fully informed, then we can take the necessary decisions within the appropriate period of time. However, whenever the Council and the Commission choose to ignore or forget to inform the Parliament, the legislation concerned tends to be rather mediocre, and then the Parliament is simply compelled to reject the proposals. The SWIFT case is a very obvious example of this.

Elmar Brok: A slow decision-making process is not caused by greater EP involvement. On the national level parliaments normally have to give their assent to bilateral treaties.

Slow decision-making processes on the European level tend to be due to the fact that the Member States can't find an agreement. So the Member States should set a good example by giving up their national ambitions and egoism. Furthermore, if we want to avoid slow legislative processes, it is essential that the EP is kept informed about the negotiations and goals pursued by the EU from the very beginning. This does not mean that the EP is going to be at the negotiating table. But the EP must be kept informed and it needs to be consulted, so that possible problems and differences can be resolved and overcome at an early stage.

In this way the EP's enhanced role can generate a great deal of added value. A more democratic and transparent European Union can act on the international stage in a manner commensurate with its economic power, as a political player who can actively preserve and enforce European values and interests throughout the world and, with its allies and partners, can help to shape the global order.

Elmar Brok has served on the EP´s Foreign Affairs Committee, where he was the rapporteur responsible for the "Draft Council decision on the EEAS". He has been a Member of the European Parliament for the European People´s Party since 1980, and worked as Senior Vice President Media Development for the Bertelsmann Media and Services Company.

Guy Verhofstadt, the former Belgian Prime Minister, was co-rapporteur in his capacity as President of the Constitutional Affairs Committee.

Roberto Gualtieri was the third negotiator and above involved as representative of the Budget Committee.

Franziska Brantner represented the opinion of the Committee on Women´s Rights and Gender Equality, and is spokesperson on foreign affairs for the Greens. Before being elected to the European Parliament in 2009, she worked briefly as a project manager for the Bertelsmann Stiftung.

Responsible

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