



# The Path to an Upgraded EU Foreign Policy

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## SUMMARY

The European Union (EU) is struggling to cope with geopolitical challenges in its increasingly turbulent neighborhood. This struggle is not new. When it comes to foreign policy, the EU has long been hampered by a structural division between the union's institutions and its member states, by its lack of a common understanding of what its external action should be, and by institutional barriers to the implementation of reforms.

These challenges can be overcome, and Europeans have already begun to create the right conditions for more assertive EU external action. But what Europeans need now is patience, determination, and a set of clear reforms that make the current system run more smoothly and set up an environment ripe for the long-term reinvigoration of the EU's external action.

### How the EU Can Generate New Momentum

- Develop a comprehensive political vision for EU foreign policy based on a common understanding among EU member states of the union's global role.
- Design a long-term foreign and security policy strategy that reflects the union's responsibilities as a geopolitical power.
- Introduce simple and specific working rules at the administrative level to overcome practical obstacles to the implementation of a global strategy.
- Give the EU's diplomatic administration the resources it needs now. The EU should not wait to react to the next global crisis.
- Formalize the use of ad hoc groupings of member states on specific issues to help reduce the pressure to achieve consensus among all EU countries and make EU external action more flexible.
- Provide member states with political analysis that anticipates developments by going beyond superficial assessments of current events.
- Produce a steady flow of creative policy initiatives and proposals. Innovative thinking should become a natural feature of EU foreign policy.
- Set more lucid and realistic priorities. The EU does not have the capacity to handle all crises and should focus on the areas in which it can have the strongest impact.

As crises multiply and become more complex in Europe's Eastern neighborhood and around the Mediterranean, the European Union seems to find it difficult to respond to challenges in these regions. The EU's Common Foreign and Security Policy is criticized for giving the impression that it cannot get a grip on events as they unfold. Such criticisms are unfair: Europe's partners look just as helpless in finding solutions to the present turmoil, and it has only been six years since the EU's Lisbon Treaty reviewed the union's whole set of institutional arrangements for foreign policy. Yet, questions arise about Europe's ability to become a significant actor in the international field.

Despite its efforts to improve the EU's external action, the Lisbon Treaty has encountered strong resistance, creating the impression that the union is condemned to live with some sort of permanent flaw in its foreign policy system. Has the EU failed in its attempt to upgrade its foreign policy because there is an unbridgeable gap between the member states and the union's institutions? Or is there nevertheless hope that such structural weaknesses can be overcome?

To make its foreign policy work, the EU needs to focus on three key tasks: crafting a comprehensive political vision, improving capacities, and developing a more assertive mind-set. These efforts will require a considerable amount of commitment and patience, but they by no means represent an impossible challenge.

### **A LIMITED CONCEPT OF EU FOREIGN POLICY**

To understand the real nature of European foreign policy would probably require a long trip down memory lane. It may be enough to remember that European nations have always been eager to retain their diplomatic powers

as much as possible. At the same time, the EU's founding fathers perceived classical diplomacy as fundamentally opposed to their concept of the European project: from the start, the road toward European integration was conceived as free from the diplomatic alliances of the past and based on the permanent rule of law.

This approach led to an integration process that essentially sought to contain traditional diplomacy, relying on the legal constraints of treaties, on permanent institutions, and on the gradual buildup of a new body of European legislation that would have the permanence and continuity lacking in past practices.

For their part, the member states agreed to establish coordinating structures at the European level, from the European Political Cooperation launched in 1970 to the function of foreign policy high representative introduced in 1999. In 2009, the Lisbon Treaty made the high representative's profile more powerful by giving the incumbent the additional hats of vice president of the European Commission and chair of the EU Foreign Affairs Council meetings. And admittedly, the member states also supported the creation of an administration dedicated exclusively to foreign and security policy, the European External Action Service (EEAS).

But the practical consequence of this vision is that European states have given very little to the EU's Brussels-based institutions. The whole set of arrangements did not transform the core of the EU's system, in which member states still retain most of their sovereign rights and powers. EU countries vote by unanimity for all foreign policy decisions, preserve their national representations in multilateral organizations and forums like the G7 and G20, and have not transferred their military capabilities to the European level.

### **ABOUT THE AUTHOR**

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Foreign policy, when compared with other fields of action like trade or development assistance, has received very little input from the union's members. Even since the Lisbon Treaty, European diplomacy is still mostly a national affair.

## **THE EU'S UNDEFINED ADDED VALUE**

As a further illustration of this reality, the EU has never genuinely elaborated on the concept of the union's added value in foreign policy. Such a concept could, if properly defined, have been a useful way to achieve progress on making the EU's external action more influential and predictable. Indeed, member states have never discussed any real EU foreign policy doctrine or proper criteria for developing that policy, and the notion of a European added value has been built into the union's diplomacy mostly through chance or according to circumstances.

Military operations are launched (or not) without any objective reason. In Libya, for example, there was no agreement for an EU maritime operation to ensure the surveillance of the country's coast at the time of the 2011 international intervention led by the North Atlantic Treaty Organization; but there is a green light today for the mission announced in May 2015 to deal with irregular migration across the Mediterranean. Similarly, in the Central African Republic, some EU leaders had strong reservations at the end of 2013 about launching any military intervention to restore order in the conflict-ridden country, but they agreed a few months later to do precisely that—at least in the capital, Bangui. As for mediation in conflict situations, member states encourage EU-level efforts in this area in South Sudan and Yemen but discourage comparable steps in Syria or Iraq.

Many good reasons could be given to explain such decisions: the member states lack real commitment on military matters, the conflict situations are of varying degrees of complexity, and EU countries differ in their understanding of what the EU's strategic vision should be. But the reality remains that European nations are still hesitant to allow the union to take over on foreign policy, as they don't share the same perception of their common interests in international affairs—at least, not for the time being.

## **EU FOREIGN ACTION LED BY THE EUROPEAN COMMISSION**

This situation has resulted in EU-level external action that is driven mostly by the European Commission, the EU's executive arm. The commission has based its role on the powers given to it by the union's treaties—powers that have been further reinforced by subsequent decisions of EU judges. Backed up with substantial financial and human resources, the commission has progressively developed its external interventions in many areas such as trade, development, humanitarian assistance, human rights, and, more recently, neighborhood policy, climate change, and energy. With the expertise of highly qualified officials, the commission has gathered a momentum of its own in these fields, while the member states' more classical diplomacy has appeared somewhat stuck because of their reservations about any substantial transfer to the union.

The European Commission's dynamism in external affairs has brought an additional effect: it has promoted the union's image as a soft power that acts through influence and standards rather than through the traditional diplomatic instruments of *realpolitik*. One may wonder whether the EU's soft-power

projection was inspired more by an absence of hard-power capabilities than by the clear affirmation of political will. Whatever the cause, the fact remains that this trend has reinforced the structural division of European foreign affairs. That has resulted in a lack of consistency and made it difficult to give EU action a comprehensive dimension.

### **THE LIMITS OF THE LISBON TREATY**

The EU's Lisbon Treaty introduced a number of innovations—beefing up the post of foreign policy high representative, creating the EEAS, and emphasizing a comprehensive approach to external conflicts and crises—that represented a clear attempt at rectifying the union's shortcomings. These reforms were based on an understanding that Europe can only benefit from bringing together the two components of its foreign policy, the member states and the institutions.

Yet the factors that hampered the EU's foreign policy efforts in the past have not significantly changed, and the continued presence of these factors explains in large part the difficulties in implementing the Lisbon Treaty's new provisions. It appears that the Lisbon arrangements somewhat jumped the gun in presuming a new state of mind that is not yet there on either side. On the one hand, the member states are still far from certain they should let the institutions step in and take the lead on foreign affairs. On the other, the commission's services still perceive traditional diplomacy as contrary to the principles and spirit of the union approach.

Some observers have even gone so far as to question the decision to set up the EEAS as a separate administration, given that many of the difficulties faced in the past, like the allocation of EU funds or the endorsement of policy papers, were quietly settled inside the offices of the commission. Today, any

divergence between the commission and the EEAS risks developing into a matter of principle or doctrine.

Patience is an important element for ensuring the success of the Lisbon Treaty's changes. But it seems that observers have underestimated the polarized nature of the debate on the future of EU foreign policy. Analysts have overlooked the preconditions for the sort of intellectual revolution that would be needed to make the reforms work. This shortsightedness could give rise to disenchantment among EU officials and, potentially more worrisome, to the risk of a slow demobilization in implementing these new provisions.

If the Lisbon Treaty's goals are still relevant—and they are, as combining assets from member states' diplomacies and from the commission's external action can only make European foreign policy stronger—then it is important to set up the necessary conditions to make this evolution possible.

### **STEPS TOWARD A POSITIVE NEW MOMENTUM**

The task the EU faces today is not to deny the reality of the union's divided foreign policy or to pretend this division will go away easily. The challenge is more about setting up the right environment for a new momentum in the long-term effort to reinvigorate EU external action. The EU has made substantial progress on implementing Lisbon arrangements, but too-great expectations have generated a sense of pessimism that is just as misplaced as the previous over-optimism.

What is really necessary now is to focus on creating the conditions that can allow the current system to run more smoothly. Three such conditions seem the most urgent: a comprehensive political vision for EU foreign policy, improved capacities, and a more assertive mind-set.

## A COMPREHENSIVE POLITICAL VISION

**Develop a political vision for EU foreign policy.** Member states need a common vision of what Europe's role should be in international affairs and where its interests lie. This is the necessary basis for more efficient action.

First and foremost, the EU has to recognize itself as a geopolitical power that has its own interests to promote. Europe today is a major economic actor in the world. This status leads to important political responsibilities that cannot be ignored. The union must therefore come up with a political vision that can inspire its future action. The illusion maintained for too long of a European Union confined to a soft-power role and overly reliant on a purely technical approach can no longer withstand the reality: when the EU is under constant pressure to intervene in high-intensity conflicts like those in Libya, Mali, and South Sudan, it is obvious that Europe's geopolitical environment and its role in the world are changing. The EU cannot simply dismiss such changes without the risk of undermining Europe's credibility.

From that point of view, the Ukraine crisis has been a significant warning call. As events unfolded in the country from November 2013 onward—from antigovernment protests in Kiev to the current war in eastern Ukraine—the impression grew that the EU had stepped into a most sensitive strategic confrontation with Russia without having completely assessed all the implications of that situation.

The union must learn the lessons of this confrontation. This new reality requires careful rethinking from the member states and the commission to inject a more thorough political perspective into European foreign policy and to avoid relying too much on technical and short-term toolboxes.

**Design a long-term strategy.** In the current context, the development of a long-term foreign and security policy strategy, based on a common vision that reflects geopolitical realities, has to be a top priority.

On this issue, work is moving ahead under the guidance of the high representative, Federica Mogherini. The working agenda that had been missing since the introduction of the Lisbon Treaty is now in place and on its way to shaping a road map for EU foreign policy that the member states and institutions can share.

One should not underestimate the difficulties ahead. All too often, member states have preferred to skip this kind of discussion, but at least the debate has now been triggered. With it comes the hope that at some stage, a consensus will emerge about the challenges the union is facing, together with clear political guidance on how to deal with these difficulties.

**Introduce specific working rules.** Inside this political framework, there will also be a need for specific working rules for the new institutional arrangements on foreign affairs. In spite of its objective to bridge the EU's divisions in foreign policy, the Lisbon Treaty did not give the high representative and the EEAS the necessary new instruments to overcome the practical obstacles they face in their daily work.

Because the EEAS is not an EU institution or an independent agency and therefore lacks the legal capacity to have its own rules, the service, for most of its decisions, has to follow the procedures of either the European Commission or the Council of the European Union, whereas its new position of go-between should allow for a mix of both. Hence, from financing the common costs of military operations to making operational expenditures more flexible, or from putting



together policy papers to proposing compromises to divided member states, there are many tasks that require too much time and energy because the EU lacks a more creative decisionmaking process.

Removing these hurdles was maybe not for the treaty itself to take care of. But by failing to address this issue, the current rules and procedures have created a constant weariness among EU policymakers about how to form some kind of common identity in the foreign policy field or even a sense of ownership among the institutions.

Therefore, the EU should introduce simple and easy rules, at the administrative level, with the purpose of giving more fluidity to the implementation of its foreign policy. Such rules could focus as a first priority on matters related to the union's operational budget, the drafting of strategic papers, or security and defense missions.

## IMPROVED CAPACITIES

**Give the EU's diplomatic administration the resources it needs now.** EU foreign policy also needs enhanced capacities. In that respect, the creation of a diplomatic administration with adequate resources should be one of the EU's main goals. Upgrading the EU's services should not be dependent on global events: such needs could and should be anticipated in close cooperation with member states and the commission, whose support is essential for mobilizing the proper expertise.

From the start, the EEAS has been fearful of possible criticism related to excessive expenditures. This concern has undermined many efforts to adapt the European diplomatic service to realities on the ground. So what is often witnessed these days is a service that reacts to events in a rush: following the terrorist attacks in Paris and Copenhagen in early 2015, the EU launched calls to recruit

counterterrorism experts in union delegations overseas; similar calls for immigration experts were opened after the dramatic drownings of North African and Middle Eastern migrants in the Mediterranean in the first half of 2015.

## Formalize the use of ad hoc groupings of member states on specific issues.

EU policymakers should see flexibility as a way of improving Europe's foreign policy capacities, not as some sort of failure. The Ukraine crisis has been a telling illustration of this. In early 2015, for example, following protracted negotiations in Minsk, German Chancellor Angela Merkel and French President François Hollande brokered an agreement to alleviate the war in eastern Ukraine. This informal grouping of national leaders was a commendable way of engaging Europe in a high-intensity crisis and of proposing worthwhile mediation.

But such individual efforts should not operate at the risk of creating fragmentation inside the union. The presence of an EU representative within any one of these flexible formats should become an accepted principle—along the lines of the arrangements for the international nuclear talks with Iran, which involve diplomats from six world powers as well as the EU high representative. Such a modus operandi could help make flexibility more acceptable and overcome the pressure that the union faces today to achieve constant consensus among all 28 member states.

## A MORE ASSERTIVE MIND-SET

In the same spirit, an upgraded EU foreign policy requires the development of a more assertive mind-set that can put Europe in the lead. The union can achieve this objective by focusing on better anticipation of global trends, more policy initiatives, and a clearer sense of priorities.

**Develop ways to better anticipate trends.**

The EU needs to provide the member states with political analysis that can anticipate global developments and go deeper than superficial assessments of current events. This implies a more thorough and in-depth evaluation of the trends in motion, so EU policymakers can reposition events in a historical perspective, assess the strengths and weaknesses of political groups and civil societies, and foresee possible evolutions to come. Because of its large scope of action and its diversified sources of recruitment, the EU has the resources to provide such analysis.

**Produce a steady flow of creative policy initiatives and proposals.** The EU also has to lead by producing a steady flow of ideas and proposals. The Lisbon Treaty gave the high representative a permanent right of initiative that has to be steered with the correct balance of sound judgment and audacity. The challenge for the EU's foreign service is to avoid the risk of bureaucratic routine due to its permanent nature, in contrast to the previous system of rotating presidencies, which could inject a genuine stream of energy into policymaking every six months. Now, to regain this momentum, EU diplomacy must be ready to stand on the edge and lead the union's institutions from a permanent, proactive, and ambitious position.

Thinking outside the box should be a natural feature of the EU's diplomatic service. In its overall position as a multinational administration, the EEAS has the benefit of a global vision. The service should not shy away from the responsibility of opening new doors, even on sensitive topics, and of proposing new ideas that the member states can then refuse, amend, or accept.

**Set more lucid and realistic priorities.**

Finally, an enhanced EU foreign policy requires a more lucid approach to priorities. All too often, Europe has lacked the realistic touch when it comes to setting the scope of its external interventions: too much appetite for action compared with its capabilities and overambitious objectives that are not matched by sufficient means. Europe today is in urgent need of a more calibrated and focused diplomacy. This means having the capacity to establish a clear set of priorities, both geographical and sectoral, that member states can accept.

Such efforts will not go down well.

European nations have too often reached agreement by simply adding together all of their individual interests. But this way of settling differences hardly adds up to a policy—let alone an efficient action plan. It is time for Europe to accept that it doesn't possess the capacities to handle even all the crises in its neighborhood, never mind those farther afield. The EU must therefore target its action on those issues and regions where it can have the strongest impact.


One area that offers potential for such prioritization is the European Neighborhood Policy, which governs the EU's relations with countries to its south and east, and which the union is comprehensively reviewing in 2015. Among the Mediterranean partners, surely now is the time to emphasize the importance of the North African countries as they push for closer integration with Europe. And should the EU not do the same in the east with Ukraine by making the country a special case in light of the ongoing conflict there?

## PATIENCE, DETERMINATION, AND REFORM

Since the beginning, the EU's foreign policy has lived with a structural division that has undermined its efficiency. This is not an unbridgeable gap, but Europeans need to face reality and accept that both the European Commission and the member states have to make efforts to put their houses in order.

From that point of view, the Lisbon Treaty arrangements have only started a process that will need much more determination and patience. The treaty alone could probably not provide the whole solution, as much will

depend on a change of attitude from all the institutions if the EU is ever to overcome the split nature of its foreign policy.

In the end, upgrading the EU's external action is more like a marathon than a sprint. The route should be made up of daily and practical improvements within the framework of a clear strategic vision of what EU foreign policy should look like in the future. If all the union's actors share that common perspective, there is no reason why they shouldn't succeed. 

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