Peculiarities of the European Union's External Action

SCHWOK, René

Chapter 4
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RENÉ SCHWOK

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SUMMARY

This chapter aims at highlighting the specificities of the EU's external dimension and emphasizing that it is by far the most significant non-UN organisation that contributes the most to multilateralism.

This evidence is however often questioned due to three main reasons. Firstly, because scholars continue to compare the EU to 'classical States'; such a comparison can only be detrimental to the EU. Secondly, because of ideological reasons, we tend to underestimate the EU's international role. Thirdly, the complexity of the EU's multi-level governance makes it very hard to see well the EU's true performance within its external action.

Despite all these pitfalls, it is important to emphasize that, in comparison, the EU exerts a far greater international influence than any other international organisation.

The EU is obviously more influential in the economic sphere, especially in trade and development cooperation than in foreign, security, and defence policies. It nevertheless remains the international organisation that has the greatest clout outside of its borders.

The main difficulty with assessing the true international influence of the EU is that it is neither a 'classical international organisation' nor a 'classical State'. The EU is an unidentified political object (UPO): not only in its internal dimension, but also in its external dimension.
1. INTRODUCTION

The EU’s major contribution to multilateralism is a fascinating area of study that is too often underestimated and caricatured. The purpose of this chapter is precisely to demonstrate the specificities of the EU in international affairs with concrete examples. To do this, the research method consists of comparing the international action of the EU with that of other international organisations.

The chapter will not compare the EU with the so-called ‘traditional or classical’ States for two main reasons. Firstly, the specific features of the EU will become more apparent when we show what features it has more than and also less than the others. Secondly, there is no doubt that the EU has less international impact than a ‘classical’ State has, particularly if compared with the United States. The EU in fact lacks elements such as a proper capacity to vote on its own budget, a decision-making autonomy vis-à-vis its Member States, strong public legitimacy, and a proper army.

The EU can indeed be compared to other international organisations. This premise is sometimes challenged by those who argue that the EU is a sui generis case which cannot be compared with other actors in the international system. The EU for sure is a very special case because it is less integrated than a ‘classical’ State but it is more than a ‘classical’ international organisation, yet this should not prevent us from conducting a comparative analysis.

Another epistemological issue concerns the international organisations that are compared with the EU. In this chapter, all of the international organisations are taken into account except for those that are a part of the universalist system within the United Nations because they cannot have any external international impact except on extra-terrestrial aliens.

It is, however, not possible to make any systematic comparison of the EU with all international organisations because such an exercise would be too large to achieve. Indeed, there are over 100 international organisations and it is impossible to consider every one of them. Moreover, most of them are only virtual organisations: they exist only on paper although they are often marked with great and bombastic ambitions, but, in reality, they work only very little or not at all.

Therefore, international organisations which this chapter will consider are those organisations that have the largest impact on the areas that are subject to a comparison with the EU; it will also be more useful from the didactical perspective. For example, if we compare two organisations in the economic field, we will focus on the North American Free Trade Agreement (NAFTA) or the Association of Southeast Asian Nations (ASEAN), but not on the North Atlantic Treaty Organisation (NATO) because NATO is a security and military organisation.

Obviously, this chapter does not cover all aspects of the EU’s external action: firstly, because the field is too broad, particularly in the light of the editorial constraints and, secondly, because many topics have been covered by other chapters in this volume (see chapters by Woolcock, Ponjaert, and so on).

The tendency to minimise the EU’s international influence has something to do with both objective and subjective factors. Firstly, this misperception is indeed a consequence of the incredible complexity of the EU, both in its internal and external functioning. This will be analysed in greater detail in the second part of this chapter.

However, the widespread inclination to downplay the EU’s external significance has also something to do with ideological and normative prejudices of some researchers, either because they are too pro-EU or because they are too anti-EU oriented.
On one hand, idealistic pro-Europeanists have done a bad service to the EU by taking their wishes to be reality when they exaggerated the EU’s impact on the international arena. It triggered a kind of boomerang effect because it gave ammunition to those who wanted to emphasise that the EU’s importance was merely a bluff.

On the other hand, the second school which is composed of realist and often Eurosceptic researchers underestimated the international influence of the EU because it tends to compare the EU to a ‘classical’ State and overlooks the non-military, security, and diplomatic areas where the EU is more influential: trade, finance, monetary issues, environment, and development.

2. THE EU’S INTERNATIONAL INFLUENCE

The EU exerts externally more influence than any other international organisation. It is the result of the following factors: firstly, the EU as an institution has a larger margin of manoeuvre in relation to its Member States than any other international organisation: legislative autonomy, number and quality of staff, and large budget.

Secondly, the EU is also the only international organisation where certain decisions with implications for foreign policy can be taken by majority voting; that is to say that some Member States may theoretically be forced to pursue policies they do not desire even if they have an impact on their relations with countries outside of the EU.

In the other international organisations, decisions are taken by consensus or unanimous vote, sometimes with a possibility of constructive abstention. There is no vote decided by a majority. For example, no one can imagine a majority consisting of Canada and Mexico which would force the US to adopt a trade agreement with external countries or organisations. Similarly, within ASEAN, the prospect of a single State being outvoted is unimaginable. Moreover, even within NATO and the Council of Europe, decisions are taken by unanimous vote or by consensus.

In the EU, the majority of decisions are taken through a complex system of weighted (according to the weight of Member States) and relative (over 50 per cent) majority. Under the Treaty on the Functioning of the European Union (TFEU), a majority of Member States (55 per cent) representing 65 per cent of the EU population must vote in favour of a provision so that it can be adopted. Four Member States representing 35 per cent of the EU population can block any proposal. These voting rules will be introduced in 2014.

Broadly defined, the majority voting covers decisions concerning foreign trade, services, monetary union, people, cooperation, environment, migration, culture, health, and scientific research. In contrast, within the realms of traditional diplomacy, international security and defence, external aspects of taxation, and social policies as well as the accession of new members, decisions are still taken unanimously.

Nonetheless, even in the diplomatic, international security, and defence areas the EU has developed mechanisms to prevent deadlocks which could be induced due to decision-making requiring unanimity. Thus, firstly, there is the possibility of a super-qualified majority which is more difficult to obtain than the traditional qualified majority. Secondly, there is also a possibility of constructive abstention: a State that abstains does not prevent the others from moving forward. Thirdly, there is also the possibility of a structured cooperation (close to the concept of
enhanced cooperation) that allows a group of States to conduct operations without the other Member States who are not obliged to participate.

2.1 Political, Security and Defence Dimensions

The EU is an international organisation that has the greatest political influence outside of its borders. It carries much more real impact outside of its territory than the other organisations.

Firstly, there is a level of extra-territorial ambition: the other international organisations focus their activities on the territory of their own Member States. They do not seek to exercise their influence out of this area. The Organization of American States (OAS), African Union (AU), NAFTA, ASEAN, and the Arab League (AL) all focus on their own territory. For instance, one could not imagine that these organisations would send soldiers to Europe. In contrast, the EU not only set up external operations in the Balkans but also acted in Africa and in Asia.

Since 2002, the European Union, under the Common Security and Defence Policy (CSDP), has engaged in more than 25 operations, using civilian and military instruments in three continents (Europe, Africa, and Asia). The majority of EU operations are civilian, that is, they use uniformed men for essentially civilian tasks. The only purely military operations concern the fight against pirates off the Somali coast (EUNAVFOR Atalanta) and in Somalia proper (EUTM Somalia), as well as the limited interventions in the Congo (ARTEMIS and EUFOR RDC). Operation Althea in Bosnia, the successor to NATO’s SFOR and IFOR, could also be mentioned where, despite the name change, 80 per cent of the troops remained in place. Similarly, EUFOR Concordia is the mission in Macedonia that the EU took over from NATO’s operation Allied Harmony (see box).

NATO is the only international organisation which took the liberty to intervene beyond the territory of its Member States. It occurred in NATO’s immediate vicinity in the wars in Bosnia and Kosovo. It has also deployed troops in Afghanistan in solidarity with the United States. NATO is also involved in the anti-piracy operations off the Somali coast. Finally, it has allowed for the coordination of the operation in Libya.

Note two paradoxical elements. Firstly, the majority of EU Member States preferred to use NATO rather than the EU in military interventions in the former Yugoslavia as well as in Libya. This may seem surprising because, a priori, one would expect that the European countries would favour the organisation with which they have most affinity and which they can control better, that is, the EU, while NATO shares less of a European identity and is dominated by a non-European power (the US).

Secondly, we would expect that the European States would prefer a supranational organisation such as the EU which should logically be more effective than an intergovernmental organisation such as NATO where each State has a veto.

At the level of international politics and diplomacy, the originality of the EU is less prominent than in the field of international security. Indeed, the majority of international organisations also like to express their views on international issues. This is the case with organisations such as NATO, OAS, African Union (AU), Arab League, Organisation of Islamic Cooperation (OIC), ASEAN, Commonwealth of Independent States (CIS), Non-Aligned Movement (NAM), Council of Europe, Organization for Security and Cooperation in Europe (OSCE), and so on which sometimes mingle with international issues that transcend the borders of their Member States.
BOX 4.1 CSDP OPERATIONS

Ongoing operations
Europe (outside the EU)
European Union Military Operation in Bosnia and Herzegovina (EUFOR Althea), launched on 2 December 2004. It has transitioned from the NATO-led SFOR.
European Union Monitoring Mission in Georgia (EUMM Georgia), 1 October 2008.

Africa
EUPOL RD Congo, 1 July 2007: Established as a successor to EUPOL Kinshasa with an initial mandate until 30 June 2008.

Asia
European Union Coordinating Office for Palestinian Police Support (EU POL COPPS), 1 January 2006.

Completed operations
Europe (outside the EU)

Africa

Asia
Thus, similar to the EU, these organisations have established mechanisms for their representation in the UN system in New York, Geneva, Paris, Rome, Vienna, and Nairobi as well as in a few major capitals. Each case is obviously different. However, in general, these organisations have small missions or delegations headed by a person at the rank of an ambassador.

The difference is that the EU has established a system at a much larger scale and in a much more elaborate way. The EU has indeed missions in 138 countries that are accredited to all States on the planet, with no exceptions. It has also set up delegations to all agencies of the United Nations system as well as to the most significant regional international organisations.

The EU works with all United Nations bodies, agencies, and programs across the entire range of UN activities: from development policy and peacebuilding to humanitarian assistance, environment, human rights, and culture. As an observer within the UN, the EU has no vote as such but is a party to more than 50 UN multilateral agreements and conventions as the only non-State participant. It has obtained a special 'full participant' status in a number of important UN conferences.

From a declaratory point of view, the EU is also much more active than any other international organisation. It takes a fairly systematic position on almost every international political issue (except when it affects its own Member States: Cyprus, Spain, and Northern Ireland). In contrast, other international organisations mostly take positions on issues that directly affect them.

In quantitative terms, the number of EU Statements is impressive. Roy Ginsberg conducted a quantitative analysis in the 1980s and 1990s that led him to argue that all these pronouncements were the beginning of an emergence of the EU as a major international political actor. Nonetheless, few analysts had then shared his optimism and he himself is now more cautious in his latest research on the relationship between the quantity of declarations and their real impact on international affairs.

The EU also differs from the other international organisations by the economic, political, and military sanctions that it imposes during many international crises. Again, it is not restricted to actions in its immediate neighbourhood as is the case with the CIS (against Georgia), ASEAN (against Burma), and the Arab League and OIC (against Israel).

The EU has also adopted measures which affected countries far from its borders such as South Africa (at the time of Apartheid), Burma, North Korea, and so on. Not only does the EU take over all the measures decided by the United Nations, but it often goes beyond, generally coordinating with the US over Iraq (Saddam Hussein), Iran, Burma, Syria, North Korea, Libya, Belarus, and so on.

At the normative level, the EU is also an exception because it is the only organisation which promotes its values: democracy, human rights, humanitarian law, and the rule of law across the globe. In addition to the EU, only the Organization of the Islamic Cooperation (OIC) is also active in promoting internationally its values, particularly within the UN system. These values are however not the same as those promoted by the EU even if they are sometimes called likewise (for instance, human rights); they are generally not understood in the same way.

The EU’s ‘activism’ led some researchers to argue that the EU is a ‘soft power,’ a ‘civilian power,’ and a ‘normative power’ (see Box 4.2). These characterisations were very popular in the late 1990s and early 2000s; they have however gone out of fashion and are used less nowadays. They have also been sharply criticised by scholars who find them too much of an embellishment and prefer to qualify the EU as a ‘market’ and a ‘structural’ power.
**BOX 4.2 MAIN THEORETICAL CONCEPTS DEFINING THE EU'S DISTINCTIVE INTERNATIONAL POWER**

Main Theoretical Concepts Defining the EU's Distinctive International Power

'Soft power' is a concept developed by Joseph Nye (Bound to Lead: The Changing Nature of American Power, Basic Books, 1990 and The American Power: Changing Roles of the United States in the New World Order, HarperCollins, 1989) to describe the ability of the United States to get what they want from the other actors through attraction, agenda setting, and attractiveness, based on values, culture, and policies, rather than through the use of force and coercion. It is contrasted with 'hard power'. However, this concept is general and not distinctive for the EU, whereas both the concepts of 'soft' and 'hard power' are more suitable for the US and for States, including China, which alternately and complimentarily can use both hard and soft power (according to their leadership strategy), while the EU does not have any military option. Soft power is useful in empirically describing some of the EU's external policies and influences, but is not a distinctive concept focusing on the EU's distinctive international power.

The first definition of EC as a 'Civilian power' has been suggested by François Duchêne in 1972 ('Europe's Role in World Peace', in R. Mayne, ed., Europe Tomorrow: Sixteen Europeans Look Ahead, Fontana). The European democratic policies combined with the lack of EC military instruments and means is mentioned by Duchêne and others as important for defining the EC/EU's specificity. The emphasis was on the panoply of civilian instruments that the EC/EU has, in contrast with, for example, NATO at its disposal. This definition was considered a contradistinction to 'hard power' by H. Bull in 1982 ('Civilian Power Europe: A Contraction in Terms?', Journal of Common Market Studies, 40, 235–58, 2002) because of the mutual nuclear threat between the two superpowers and their blocs during the bipolar era. After 1991, it looks more acceptable because of the global decline of nuclear threats, on the one hand, and, on the other, the emergence of new kinds of powers. In this new context the revival of this concept draws attention to the EU's unique position of being able to combine the role of democratic model for neighboring areas with non-military policies, contributing to the prevention of a conflict erupting and managing its aftermath by a large array of policies.

'Normative power' is a concept deepened by Ian Manners and others ('Normative Power Europe: A Contraction in Terms?', Journal of Common Market Studies, 40, 235–58, 2002) to emphasize the EU's ability to shape conceptions of 'normal' in international relations. It is close to the constructivist notions of 'ideational' and 'civilizing' power. According to this concept, the EU has a stronger predisposition than other polities to promote peaceful cooperation and multilateralism, according to the UN Charter universal values.

'Market power' is an approach proposed by Chad Damro ('Market power Europe', Journal of European Public Policy, 19, No. 5, 2012, pp. 682–99). At the EU's hearth is fundamentally a large single market and the EU exercises its influence through the externalisation of market-related policies and standards. The concept goes against the idealist characterisation of the EU. This market approach is based also on Susan Strange's concept of 'structural power'. The EU has the power to shape the structures within which other States and their economic enterprises have to operate.

Civilian power as a process, or a 'civilian power by default' are comprehensive and realist approaches developed by several authors, such as K.E. Smith (Still "Civilian Power EU"). Available at: http://www.arena.nn.no/idea/Workshop Oslo Security/Smith.pdf Visited 8.12.2005). J. Zielonka (Explaining Euro-Parlalysis, Why Europe is Unable to Act in International Politics, Macmillan, 1998), M. Telò (EU: A Civilian Power?, Palgrave, 2005 and EU and Global Governance, Routledge, 2009) and others (including Damro, Whitman), in order to overcome the trivial opposition between normative discourse and reality, and between rhetoric and practice. The real theoretical question regarding the EU's international nature is: how to grasp the EU's evolving distinctive balance between soft and hard power (material coercion), between military and non-military means, and between interests and ideas? In this approach, the EU's 'normative' specificity is freed from Eurocentric bias and linked to four core, long-term characteristics: 1) the EU's historical context (between 1945 and the 1960s, almost all European States — either defeated in the Second World War or losers of many colonial wars — were inclined to both an international law profile and to pool their sovereignty in order to curb nationalism; 2) the EU's hybrid, non-State-like and rather decentralised polity, combining supranational and intergovernmental forms; 3) its normative side (embodiment both standardisation and spreading up principles of democracy, rule of law, social justice and respect for human rights); and 4) the European social model as a long-term core of the EU's integration (J. Habermas, The Divided West, Polity Press, 2006).
The diminishing attractiveness of such concepts might be due to little real impact by the EU in international affairs and also due to another observation that the EU's normative policies are sometimes unbalanced. In other words, the EU dares to put more moral and political pressure on relatively weak States such as Burma, Moldova, and Ukraine than on just as guilty, but stronger political and economic powers such as China, Azerbaijan, and Russia.

The European Union also distinguishes itself through the development of a common external migration policy as it attempts to develop a single policy which would manage the flows of people from third countries.

The policy aims to coordinate the actions of EU Member States, further development of cooperation with countries outside of the EU, and an effective fight against illegal immigration. It also seeks to enhance partnerships with countries outside of the EU through establishing systems of immigration and asylum.

The EU has therefore opened the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex).

While Member States remain responsible for the surveillance of the EU's external borders, the Agency facilitates the implementation of EU measures by coordinating operational cooperation between Member States in the management of external borders, by deploying Rapid Border Intervention Teams (RABIT) in the Member States that are facing exceptional circumstances and by ensuring that countries outside of the EU will execute their readmission agreements.3

The so-called 'Dublin' mechanism is also an interesting tool. The regulation is intended to identify the Member State which is responsible for examining an asylum application and to prevent abuses of the asylum procedures. The regulation lays down the principle that only a single Member State is responsible for examining an asylum application. The objective is to prevent asylum seekers being transferred from one country to another and, on the other hand, to prevent abuses by individuals who could submit several asylum applications.

Finally, it is the so-called Schengen mechanism that exerts the greatest impact on the outside world as it creates a single short-term visa with similar conditions for entry into all the countries of the area. No other international organisation has implemented such a single visa system for foreigners. However, for now, the EU has failed to harmonise procedures for long-term visas.

Nonetheless, Schengen does not include all the EU States, but only 22 out of 28.4 On one hand, Cyprus, Ireland, and the UK decided to remain outside of this mechanism, whereas Bulgaria, Croatia, and Romania were not allowed to join as long as they do not meet all the strict conditions of entry into the system. Schengen on the other hand includes non-EU States such as Iceland, Liechtenstein, Norway, and Switzerland. In other words, there are no longer any controls on the external border of the key EU Member States with some non-EU countries (for example, between France and Switzerland) but they remain with non-Schengen EU Member States (for example, between France and the UK).

This situation is an evident paradox because it could logically be anticipated that such a flagship policy of the EU, such as Schengen, would be shared by all EU Member States. This raises a question of defining the exteriority of the EU.
2.2. Trade, Financial, Monetary, Development, and Environmental Dimensions

The EU has obviously more external impact in the economic sphere than in foreign, security, and defence policies. It is the world's largest trading bloc and has sometimes been called an 'economic giant but a political dwarf and a military worm'.

The economic dimension is however very complex because it differs from one domain to another.

From a historical perspective, the EU is unique among international economic organisations. After the Second World War, it was indeed the first international organisation that removed tariffs and quotas on industrial goods among its Member States (after the BENELUX). This aspect is however no longer original because many other mechanisms have imitated it: European Free Trade Association (EFTA), NAFTA, Mercado Comun del Sur (MERCOSUR), ASEAN/AFTA, Southern African Customs Union (SACU).

Nevertheless, key differences to these organisations remain. Firstly, the EU implemented a free trade area not only in industrial products, but also in agricultural and fishery products. Moreover, the EU has extended its free trade area to services, capital, labour, and public procurement which is not covered by the World Trade Organization (WTO). Finally, the EU has deepened its free trade by removing non-tariff barriers. This naturally has an impact on the EU's behaviour in international negotiations in these sectors.

There are at least two other important differences that should be remembered. Firstly, the EU is a customs union which means that it has adopted a common external tariff vis-à-vis the rest of the world. Only MERCOSUR (on paper) and the Southern African Customs Union are in the same situation.

Secondly, the EU set up a single capacity to negotiate commercial issues. Trade is the EU's common policy and, as a result, the EU speaks with a single voice in trade negotiations. This task of trade negotiations on behalf of the EU has been assigned to the European Commission. In practice, when the EU is negotiating in international forums, for example in the WTO, with other States and international organisations, it has delegated this responsibility to the European Commission. In comparison to EFTA, NAFTA, MERCOSUR, and AFTA, it gives the EU an undeniable clout.

Within the area of international financial market regulation, although the EU has normative power, its recognition as an actor is limited by the important role of EU Member States that keep their rights in international financial market negotiations.

The monetary field is particularly emblematic of the EU's peculiarities in foreign affairs. The euro is currently the second most commonly held reserve currency, comprising approximately a quarter of all allocated holdings. Firstly, it is important to remind us that the EU is the only international organisation that introduced, freely and voluntarily, a single currency for some of its Members. There are other currency zones in the world but they are of a different nature since they either resulted from the decolonisation process, or they are linked to a dominant power (the Franc CFA, the Eastern Caribbean Currency Union, the dollar zone in Central America, the currency areas of Australia and New Zealand, the Common Monetary Area (CMA) which links South Africa with its two enclaves of Lesotho and Swaziland).

Similarly to Schengen, there is again a difficulty in defining what is external and what is not. Indeed, 11 EU Member States are unwilling or unable to take on the euro and, therefore, stay
away. In contrast, a few non-EU States have adopted the euro such as Montenegro, Andorra as well as several micro-States such as Monaco and San Marino.

Moreover, other regions and countries were led to peg their currencies to the euro. This is the case with the majority of the French Western Africa countries. Since 2011, it is also the case with Switzerland. As a result, these African countries, and Switzerland to a lesser extent, have lost their autonomy with respect to decisions that are taken by the European Central Bank.

This paradoxical situation is unique in the world and perhaps in the history of mankind. On one hand, key EU Member States such as the United Kingdom have no intention to adopt the single currency. On the other hand, a few non-EU countries have adopted the euro. It is not an obvious situation and, in fact, it does not match with our expectations, particularly since it is such an important policy for the EU.

All the crises within the euro area have also showed the impact of the EU-17 (17 EU Member States that have adopted the euro) in international affairs. Stock exchanges were attentive to all the fluctuations of the euro. The international rating agencies (Moody’s, Standard & Poor’s, Fitch) influenced the euro exchange course by their ratings of the financial health of EU Member States and their banks. The major international financial organisations such as the International Monetary Fund (IMF), the Organization for Economic Cooperation and Development (OECD), and the World Bank (WB) advised or criticised the euro area, but also sometimes collaborated with it in order to rescue Greece.

Promoting international development is at the heart of the EU’s external policies. Taken together, the EU and its Member State aid accounts for some 55 per cent of the total development aid, and the EU together with its Member States is the world’s largest aid donor. The EU is particularly important for sub-Saharan Africa where it is its main trading partner and the main provider of development assistance. The European Union and its Member States also play a leading role in influencing the debt relief for developing countries. In the areas of crisis response and humanitarian aid, nearly half of all international humanitarian relief comes from the European Union and its Members.

Finally, within environmental diplomacy and, more specifically, climate change negotiations, the EU can take credit for having a significant impact on the agenda setting. The EU was the only major actor that has provided leadership. However, the EU appears to be less powerful in the negotiations per se.

3. COMPLEXITY OF THE EU’S EXTERNAL DECISION-MAKING MECHANISMS

The incredible complexity of the EU’s system of decision-making is one of the peculiarities of the EU. There is no need to list numerous books and articles on all the aspects of this issue. Everyone knows the famous quote which was attributed to Henry Kissinger, the former US Secretary of State: ‘What is the phone number of the EU?’ This problem existed in 1973 and became even more acute after the Lisbon Treaty entered into force and, far from simplifying the decision-making which had been its mandate, has complicated it even further.
3.1 Political, Security, and Defence Dimensions

At the diplomatic, security, and defence level, the High Representative of the Union for Foreign Affairs and Security Policy (HR/VP) (between 2009 and 2014, Lady Catherine Ashton) is at the top of the hierarchy. This job is more important than the job of Secretary-General in any other organisation because not only has she the possibility to make proposals to the Council of Ministers or even to the European Council (in conjunction with Member States), but she also chairs one of the formations in the Council of Ministers and can thus exert a real influence on the development of a compromise and the drafting of the minutes of the decisions. The High Representative/Vis-Vis-President of the Commission (HR/VP) is responsible for coordinating the implementation of decisions in collaboration with Member States and she represents the EU vis-à-vis the outside world. Finally, the HR/VP has the challenging task of coordinating all the EU’s external policies.

The position of the High Representative is difficult because he/she belongs simultaneously to two competing bureaucracies: the Commission and the Secretariat of the Council of Ministers. In addition, the High Representative is the head of the European External Action Service (EEAS) which is composed of roughly 6,000 civil servants (see Box 4.3).

Because the President of the European Council (Herman Van Rompuy, 2010–14), the President of the European Commission (Jose Manuel Barroso, 2004–14), the President of the European Parliament (Martin Schulz, 2012–14), and heads of States of the key Member States (UK, France, Germany, Italy) sometimes issue public statements on major international issues on behalf of the EU, another problem in foreign policy, security, and defence arises.

Within the Security Council, it is France and the UK that matter because they are permanent Members. In contrast, thanks to the reforms introduced by the Lisbon Treaty, we no longer hear heads of States or governments of the country which is holding the rotating Presidency speaking on behalf of the EU on major international issues.

BOX 4.3 EUROPEAN EXTERNAL ACTION SERVICE (EEAS)
The EEAS is a kind of foreign ministry and diplomatic corps of the EU, implementing the EU’s Common Foreign and Security Policy and other areas of the EU’s external representation.
The EEAS staff is drawn from the Commission and Council as well as from the national diplomatic services of EU Member States.
EEAS is under the authority of and assists the High Representative for Foreign Affairs and Security Policy (HR/VP).
EEAS also assists the President of the European Council and the Members of the Commission in their respective functions in the area of external relations.
EEAS manages about 140 EU Delegations and offices around the world.
EEAS has six departments: 1) Africa, 2) Asia, 3) Americas, 4) the Middle East and Southern Neighbourhood, 5) Russia, the Eastern Neighbourhood and the Western Balkans; and 6) Global and Multilateral Affairs.
EEAS also includes departments for security, strategic policy planning, legal affairs, inter-institutional relations, information and public diplomacy, internal audit and inspections, and personal data protection.
The European Commission retained control over its competencies in aid (and its annual €6 billion budget), enlargement.
Development policy was split with EEAS taking over three out of five planning cycles from the Commission.
In comparison to the competences of the HR/VP, the competences of the President of the European Council are also largely confusing. An overlap between their respective competences has created concerns. Article 15 of the Treaty on the European Union was seen as particularly worrying: the President of the European Council will also 'at his level and in that capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the powers of the High Representative of the Union for Foreign Affairs and Security'. Many experts expected that these ambiguities would create conflict. Nonetheless, so far, despite the many concerns expressed, Lady Ashton and Mr Van Rompuy have managed to avoid any clashes.

There are two other issues that are particularly problematic, especially in the eyes of non-EU countries. Firstly, the fact that the European Council conclusions (that is, those of the EU key leaders!) are not legally binding and can sometimes be treated as mere rhetoric, while decisions by the Council of Ministers (composed of subordinates to the key leaders) are legally binding and are to be taken seriously.

Secondly, the competences of the European Parliament (EP) are also often misunderstood. Indeed, the EP has no real authority in diplomatic, security, and defence matters, but this fact does not prevent the Members of the European Parliament (MEPs) from expressing their views on foreign affairs issues and even to condemn external countries when they deem it necessary.

Outside of the EU, particularly in the target countries, it is difficult to understand that these Statements by the European Parliament are rhetorical and not binding in the EU's foreign policy. Obviously, there is an element of bad faith on the part of non-democratic countries that highlight the apparent inconsistent behaviour of the EU which has always been ready to give lessons to everyone on democracy, while not respecting the will of its own parliamentarians.

3.2 Trade, Financial, Monetary, Development, and Environmental Dimensions

In the economic arena, the situation is not clear either whether it is the EU or its Member States that have the power to determine the policy and engage in negotiations with third parties. The EU’s competences vary across policy areas: while the EU may have nearly a full competence in conducting the external trade policy and in some aspects of the development policy, this is not the case in financial regulation or even international environmental policy.

Within trade policy, it is only the European Commission which participates in international negotiations and is often quite efficient. Nonetheless, the Commission can only act after having received a negotiation mandate from the Council of Ministers. In addition, every step
that it takes is monitored by Member States. For example, in the case of the WTO, even though the Commission admittedly speaks and negotiates on behalf of the EU, it is under the strict control of the EU-28 ambassadors. Finally, the result of any negotiations must be submitted to the Council of Ministers and the European Parliament for their final approval. Case studies on the WTO negotiations showed that despite the frictions between the negotiators of the Commission and the Member States, the disagreements were contained enough, allowing the EU to maintain a consistent position. During the negotiations, the Commission has also held considerable autonomy.9

The area of finance is particularly complex because the European Commission, the European Central Bank (ECB), ministries of EU Member States, and regulatory bodies participate in negotiations. For instance, all these different actors participate in financial diplomacy within the G8, G20, WTO, and other bodies.

The case-study of the International Monetary Fund (IMF) is particularly interesting. Within the IMF, there is only informal coordination. Although the Commission is in charge of the Secretariat, it is not represented in the IMF’s Executive Board and Governing Council. When the euro is discussed, the EU is represented by the ECB, the Presidency of the EU, and the chair of the Eurogroup.10

Only EU Member States can take part in the IMF boards. Britain, France, and Germany have permanent seats, while six EU Member States (from 2014, four Member States) have seats as constituency chairs.

EU Member States have led negotiations in the IMF and G20. The EU therefore does not appear as a distinct actor in these negotiations in the same way as it does in international trade and environmental negotiations. The EU’s role has been affected by the delayed and incomplete nature of the EU acquis regarding financial markets.

Monetary matters deserve a special mention: it is another case where it is not at all clear who is, in general, responsible to the outside world. The President of European Council, President of the European Commission and the Commissioner in charge of the euro make Statements in this. In addition, of course, the director of the European Central Bank is also an influential figure as well as the President of the Eurogroup. Apart from them, leaders of the key Eurozone countries (for example, the German Chancellor or French President) can be added as well as their finance ministers and sometimes their respective national bank governors. In all these cases, there is now a larger cacophony than on the monetary issues.

The EU competences within the EU’s external environmental policy are again very complex. In contrast to trade where the European Commission is the main representative of the EU, the rotating Presidency is formally in charge of leading the EU internal coordination and representing the EU externally in environmental matters. Moreover, EU Member States have kept their right to negotiate. The rotating Presidency of the Council is held for half a year by one of the Member States on a rotating basis. The Presidency of the Council is responsible for the functioning of the Council of Ministers. It rotates between EU Member States every six months. Since the Treaty of Lisbon, every three successive presidencies, or the Trio, cooperate on a ‘triple-shared presidency’ over an 18-month period to accomplish a common agenda.

The EU development policy is also embedded in a complex process since EU Member States have continued to pursue their development policies simultaneously through the EU, multilateral organisations as well as on a bilateral basis. EU Member States continue to provide their aid in addition to the aid which is provided through the EU. Member States were reluctant to cede
competence in development aid to the EU which is considered an instrument of foreign policy vis-à-vis developing countries.

Moreover, under the Treaty of Lisbon, responsibility for development policy has been shared between the Commissioner responsible for development and the HR/VP.

Finally, in environmental policy, it is important to distinguish between the different phases of the negotiation process. During the stage of the agenda setting of negotiations, the Commission is able to exercise an important role. During the negotiations per se, however, the involvement of Member States depends on the importance of an issue. Political leaders wanted to be seen as keen on the question of climate change because the issue can attract voters. However, on international environmental topics that are attracting less media attention, they left the EU institutions in charge.

Table 4.1 The EU’s competences in external affairs (according to the TFEU)

<table>
<thead>
<tr>
<th>Exclusive competence:</th>
<th>Shared competence:</th>
<th>Shared competence:</th>
<th>Shared competence:</th>
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</thead>
<tbody>
<tr>
<td>'The Union has exclusive competence to make directives and conclude international agreements when provided for in a Union legislative act.'</td>
<td>'Member States cannot exercise competence in areas where the Union has done so.'</td>
<td>'Union exercise of competence shall not result in Member States being prevented from exercising theirs in.'</td>
<td>'The Union coordinates Member States policies or implements supplemental to their common policies, not covered elsewhere.'</td>
</tr>
<tr>
<td>Common commercial policy</td>
<td>External dimensions of the internal market</td>
<td>Development cooperation, humanitarian aid</td>
<td>Common foreign, security and defence policies</td>
</tr>
<tr>
<td>Conclusion of certain international agreements</td>
<td>External environment</td>
<td></td>
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<tr>
<td>Monetary policy for Member States who have the euro as their currency</td>
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</tbody>
</table>

4. CONCLUSION

By comparing the EU with other regional international organisations, the chapter demonstrated how, in practice, the EU has generally more influence on the international system than any other international organisation. Despite all the rhetoric about the development of international organisations and their interregionalism, we can doubt that any other international organisation can have as much impact on the international scene as the EU has in the coming years.

The EU obviously exerts more external influence in the economic sphere than in foreign, security, and defence policies. In the case of external political relations, the lack of coercive power can be explained by the absence of military capabilities at the EU level. The EU nevertheless remains the international organisation that has the greatest influence outside of its borders. It carries much more real impact outside of its territory than any other international organisation.

In the international economic sphere, the EU appears to be more efficient in the case of trade and development aid. Within the international trade in areas such as the WTO negotiations, the
EU can bring directional leadership but is weaker in shaping the final outcomes. Put differently, the EU has generally more normative than coercive power. In the case of international finances, Member States represent themselves and the issues concerning international finance are simultaneously discussed both at the EU and international levels. As a result, in the case of trade, the EU’s role is a role of an actor, whereas in finance the EU’s role is to represent a forum. In development aid, the influence of the EU is not negligible but it could be greater if the funding was not divided between the EU and its Member States.

In terms of climate change, the EU has generally developed a common position in the run-up to negotiations. It has reached a common position when it has clearly defined its goals. It had however generally no negotiating strategy of a defined ‘win-set’.

Because the EU is neither a ‘classical international organisation’ nor a ‘classical State’, it raises the difficulty of assessing its true international influence. In other words, the EU is more integrated than an international organisation but less integrated than any State. This formula has been repeated numerous times and yet it remains fundamentally correct. This is precisely the problem: the EU is an unidentified political object (UPO): not only in its internal dimension, but also, if not more, in its external dimension. The UPO really behaves like a mutant that is in a permanent transformation.

In other words, whenever the EU appears to behave like a State, it becomes an international organisation. Similarly, when it seems to look like an international organisation, it puts on the clothes of a State. All this is extremely confusing and reflects the incredible complexity of the EU’s external functioning.

TEST QUESTIONS

1. Can you demonstrate the argument that the EU is the non-UN international organisation that contributes the most to multilateralism?
2. What are the elements that the EU is lacking in order to be equated to a ‘traditional State’?
3. Who represents the EU in the international arena in the economic sphere?
4. Who represents the EU in the international arena in the spheres of diplomacy and security?
5. Give two paradoxical examples where non-EU States belong to an EU mechanism, while EU Member States stay outside.
6. What does it mean for you with respect to the notion of the EU’s external dimension?

FURTHER READING

Ginsberg, Roy (2001). The European Union in International Politics: Baptism by Fire, Boulder, CO: Rowman
and Littlefield.
Ginsberg, Roy (1989). Foreign Policy Actions of the European Community: The Politics of Scale, Boulder,
CO: Lynne Rienner.
Oxford University Press.
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Schwok, René and Mérand, Frédéric (2009). L’Union européenne et la sécurité internationale: Théories et
pratiques, Louvain-La-Neuve: Academia Bruylant.

NOTES

1 Hill and Smith (2005).
3 Balzacq (2009).
4 Schengen does not include Bulgaria, Cyprus, Croatia, Ireland, Romania, and the UK.
5 Belgium’s then-Foreign Minister Mark Eyskens.
6 Benelux is a union of Belgium, the Netherlands, and Luxembourg. The union’s name is formed by joining the
first two or three letters of each country’s name and was first used to designate the customs agreement that
initiated the union (signed in 1944).
7 Carbone (2011).
8 Delreux (2011).
10 The Eurogroup is a meeting of the finance ministers of EU Member states which have adopted the euro. It has
political control over the euro currency and related aspects of the monetary union such as the Stability and
Growth Pact. The president of the Eurogroup is one of the ministers of finance in the Eurozone, but not the
minister of finance of the rotating Presidency.
Globalisation, Multilateralism, Europe
Towards a Better Global Governance?

EDITED BY
Mario Telò

ASHGATE