

## EU foreign policy after Lisbon: what role for small state diplomacy?

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SKANDER NASRA, AUG 14 2011

Over the past decades, the European Union (EU) has evolved into a global actor that is acknowledged to have the potential to be a major force in shaping global events. This potential has however been strained due to the EU's rapidly expanding foreign policy agenda and its successive enlargement rounds. The EU's foreign policy-making system curbed rather than facilitated cohesive and effective action on the international stage. This has resulted in a tendency where large EU states increasingly shape EU foreign policy in more restricted settings.[1] By introducing substantial institutional changes, the Lisbon Treaty seeks to streamline EU foreign policy-making. It installs a more unified representation and a more stable leadership that ought to result in effective EU external action.

Even if the great majority of EU member states are small, i.e. states with a limited material resource base, their role in the EU's international activities is often neglected. The success of EU foreign policy is commonly regarded as dependent on the extent to which the large EU states, i.e. France, Germany and the United Kingdom, have common interests. From this perspective, there is not much choice for small states other than to accept the authority of large states. This line of argument has however been balanced by numerous examples of small state influence in the EU's external relations: Finland and the EU's Northern Dimension Initiative, Belgium and the EU's Central Africa policy, Sweden and conflict prevention, and the three Scandinavian countries and the development of European Security and Defense Policy to name a few.[2] These examples underline that under specific conditions small states have been able to pursue their foreign policy objectives through the EU. Given the important institutional innovations of the Lisbon Treaty, the question arises what role is left for small state diplomacy after its entry into force.

### ***Lisbon and EU foreign policy***

The Lisbon Treaty introduces significant modifications to the EU's foreign policy-making set-up. It introduces three key institutional changes: a permanent Presidency of the European Council[3], a renewed position of the High Representative for Foreign Affairs and Security Policy[4] and a supporting diplomatic corps or European External Action Service (EEAS)[5]. The High Representative merges three pre-Lisbon functions: the function of High Representative, the vice-chairmanship of the European Commission and Commissioner for External Relations and the chairmanship of the Foreign Affairs Council. As a result, the role of the rotating Presidency in the EU's international relations has been substantially reduced.[6]

While Lisbon installs a more unified representation and a more stable leadership, it does not shift national competences in the domain of foreign policy to the EU level. It leaves the decision-making process largely untouched, preserving the dualism within EU foreign policy between 'Community matters' and 'Common Foreign and Security Policy (CFSP) matters'. The rules and procedures governing the CFSP are only slightly altered. Besides some minor exceptions, unanimity remains the prevailing decision-making rule. Even those CFSP matters subject to qualified majority voting may still be opposed by any member state for 'vital and stated reasons of national policy'[7], triggering an emerging brake which may ultimately refer the matter to the European Council 'for a decision by unanimity'[8]. Rather than replacing national diplomacies, the persisting dualism within EU foreign policy sustains the complementary character of the EU with regard to matters of foreign policy.

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Inside the EU, the upgraded 'Brussels-based machinery' remains firmly embedded in an intergovernmental shelf. With the steady enhancement of the institutional foreign policy set-up in Brussels, Lisbon intensifies the so-called *Brusselization* process, shifting authority away of national capitals to Brussels where foreign policy results from the intense interaction between member states and common EU actors.[9] It preserves, at least legally, the principle of sovereignty. Consequently, the success of EU external action continues to rely on a coordination effort that is stretched out between the EEAS and the European Commission, between the member states and EU institutions as well as between member states.

In this regard, the renewed position of High Representative has raised most expectations about the consistency and coherence between the various policy areas of EU foreign policy. In his/her tasks, the High Representative is assisted by the EEAS which has been formally operational since December 2010. However, initial experiences underline the need for the first High Representative, Catherine Ashton, and her EEAS to work out their operational capacities and to find their institutional place within the EU's foreign policy machinery. As the existing formal and informal mechanisms of 'making EU foreign policy' do not fit the post-Lisbon reality, it will be up to Ashton and her staff to redefine formal and informal practices and to flesh out their role in EU foreign policy.[10] While it remains to be seen whether the High Representative will be able to go beyond the mere sum of her/his institutional components, the retained dualism within EU foreign policy gives member states a continued central role. It can therefore be expected that the trend where those member states most willing and able to shape the EU's external policies will continue unabated. The recognition of this practice by the Lisbon Treaty[11] gives this informal practice (more) legitimacy and, in case the legal provision would be formally applied, the necessary transparency. This trend is furthermore strengthened by the political and legal reality outside the EU.

Externally, Lisbon has raised most expectations about the visibility and stability of the EU's external representation which should allow for a more effective implementation of EU foreign policy. Lisbon's ambition may however be tempered by an external legal and political reality in which the EU is, with some notable exceptions such as in the World Trade Organization (WTO), not recognized as a fully equal partner by third partners. The UN General Assembly resolution on the EU's status in the UN mirrors this reality: while the EU has acquired an advanced observer status, it cannot propose written proposal or amendments, it cannot co-sponsor resolutions, EU representatives cannot invoke procedural points in discussions and they can only reply once in debates.[12] Moreover, the constraints of the EU's external role are exacerbated by continued discussions between member states about the exact reach of Lisbon's provisions on external representation and the internal challenges resulting from the economic and financial crisis. Hanging somewhere between an international organization and a nation state, the '*sui generis* statute' of the EU in international politics, and in particular in international organizations, requires the continued support of member states' national action to effectively implement EU foreign policy. While the EU's message might be increasingly streamlined, Europeans are likely to continue to speak through an array of different voices in the foreseeable future.

The question then arises whether and how the post-Lisbon reality, where the expanding institutionalization of foreign policy-making in Brussels goes hand in hand with the preservation of member states' national diplomacy both inside and outside the EU, may affect small state diplomacy.

### ***Implications for small state diplomacy***

In the realm of foreign policy, the differences between small and large states relate primarily to differences in material resources, i.e. economic weight, military capabilities, diplomatic capacities and the demographic and geographical size of states. Resulting from these material inequalities, the most defining characteristics of small states in foreign policy are their more limited diplomatic traditions and range of interests. Following these differences, the Lisbon Treaty may lead to three benefits for – all but particularly – small EU states: the pooling of information and analyses, systems of burden-sharing and a global policy platform.

The High Representative's diplomatic service has a great potential to pool information and analyses beyond the capacities of small states. Even if the ways and extent to which these capacities may be shared with national diplomacies remains unclear at the moment, small states are likely to benefit disproportionately from the pooling of

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resources and information in the EEAS. In addition, a third of all officials working for the EEAS are set to come from EU member states. This creates additional opportunities for all member states to second national officials. Even though the seconded officials leave their national administration during their period of assignment, the strengthened structural link between national and EU diplomatic services offers the possibility to benefit from the EEAS. Next to the benefit of information-sharing in Brussels, the extensive diplomatic network of EU delegations offers small states a source of (informational) support to their own network in third countries, and in the longer term possibly in other areas such as consular assistance and representation.

The possibility for establishing systems of burden sharing between member states constitutes a second benefit for small states. As argued above, the great number of EU member states with limited foreign policy interests has led to a practice where those member states that are most willing and able to commit to a given policy dossier steer EU foreign policy. Actual burden sharing, i.e. the strengthened cooperation between a handful of member states on a particular issue while acting in the name of all member states, holds a number of benefits for small states. First of all, closer involvement in the making of EU foreign policy increases the sense of ownership of member states, stimulating their national diplomacies to take greater responsibility in areas of EU foreign policy.[13] In addition to the direct involvement in policy-making circles in Brussels, closer involvement outside the EU in both third countries and international organizations may give small states a more pronounced voice in the implementation of EU policies as well. Third, given the continued external (and internal) limitations of EU external representation, the commitment of member states to implement can, furthermore, considerably strengthen the effectiveness of EU foreign policy.[14] Lastly, a system of burden sharing, which would include member states on the basis of their relevance to a specific topic rather than on the basis of their material capacities, may decrease the material inequalities between small and large states.

A third element from which particularly small states may profit is the strengthened global policy platform which the 'post-Lisbon EU' may offer. Strengthened visibility and a more unified external representation is expected to lead to more concerted and stronger positioning of the EU vis-à-vis third partners. This may offer small states the possibility to more effectively anchor their national policies in the EU's policy frameworks and to punch above their weight internationally. In particular the EU's ambition to develop and strengthen its policies with its neighbors and its strategic partnerships with traditional partners and emerging economies offers interesting opportunities. Regarding the latter, it is far more difficult for small states to develop balanced and comprehensive bilateral relations with large third partners such as Brazil, Russia or China than for the large EU states or the EU as a whole. Also in multilateral organizations, more concerted EU action and a stronger common policy framework, in combination with a system of burden-sharing[15], may allow small states to more effectively (and more visibly) pursue their objectives. The strengthened regional and global EU presence may thus grant small states a privileged policy platform, offering 'shelter' and permitting them to mobilize the EU machinery for 'their' policy issues.

The main advantage for small states resulting from the Lisbon Treaty lies in a closer involvement in terms of access to information about global developments and the possibility to more effectively target national action outside the EU. Whereas these benefits hold the potential to narrow the material differences between small and large member states in terms of involvement, they are nevertheless likely to sustain – and possibly increase – the differences between member states in terms of influence. Even if a higher level of involvement in EU foreign policy constitutes an important first step, it does not automatically lead to more possibilities for influence. Embedding national foreign policy action within EU structures, Lisbon lays down a policy platform that strengthens the action of those member states that constitute an added value to EU foreign policy. This refers to those member states that are willing to engage and that have well-defined and pro-active policies in terms of interests, objectives, resources and capabilities. In policy areas where small states do not represent an added value to EU action, Lisbon will likely pressure small states' foreign policy (non-)action to – *de facto* – integrate in EU foreign policy.

### **Small state influence in EU foreign policy**

A last issue relates to the concrete ways in which those small states constituting an added value to EU action may wield influence in EU foreign policy. The influence of states is foremost framed by the general policy environment in which they act, determined by the degree of involvement of EU actors, the position and interests of the dominant

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actors and the EU's external relevance. In contrast to large states, small states cannot, or only difficultly, influence the policy environment in which they operate. Despite this structural disadvantage, small states have been able to pursue their objectives of national foreign policy through the EU. As argued above, Lisbon is likely to strengthen the tendency where those states constituting an added value to EU action in terms of informational resources, problem-solving capacities and implementation efforts gain more influence in EU foreign policy. In order to valorize Lisbon's potential benefits, small states will therefore need to pursue active national strategies.

The success of national strategies depends on a number of factors.[16] First, a small state needs to commit to a dossier, putting into effect its potential to influence other actors. When it attaches a high level of importance to a policy issue, a small state is likely to display higher levels of activity which strengthens its position in the policy process. Second, a small state needs to be well embedded in both European and international policy networks. The involvement in policy networks allows for pro-active action, offering informal platforms to forge consensus within and outside the EU. It equally allows to involve those actors that are necessary to elaborate and implement policies. Third, rather than material resources, a small state needs to possess immaterial resources such as expertise and knowledge, related to content and process, as well as innovative ideas regarding the issue at stake. Especially informational asymmetries, which are inherent to complex policy settings such as the EU[17], strengthen the position of actors with relevant immaterial resources. Lastly, small states need to excel in deliberating and arguing their national preferences in a way that steers debates towards a reasoned consensus. Important tools in this respect are references to external authorities to make validity claims, the projection of credibility and the resonance of arguments with prior knowledge and agreed upon principles.[18]

For national strategies to bear fruit, Lisbon increases the importance for small states to specialize in a handful of priorities and to conduct a consistent foreign policy in pursuit of them. On a national level, this requires the identification of interests, the narrowing down of priorities, the definition of objectives, and the investment in the necessary material and immaterial resources and capabilities. Regarding the latter, Lisbon may raise particular opportunities with respect to the interaction between national and EU diplomatic networks. More in particular, it creates possible synergies in terms of informational resources and raises questions regarding small states' global diplomatic presence, their cooperation with other (small) EU states and the secondment of national officials to both EU and international organizations.

To sum up, it can be concluded that the Lisbon Treaty offers a mixed picture for small state diplomacy. While Lisbon may narrow the material differences between small and large states in terms of involvement, it is likely to sustain the differences between states in terms of influence. A strengthened global EU presence will primarily favor the large states given their more extended capacities to cope with the EU's expanding role in matters of foreign policy. However, by specializing in those issues of national importance, small states may strengthen national diplomatic action through the EU. Yet, future small state diplomacy is likely to be progressively framed by the EU's foreign policy system, resulting in reduced national foreign policy profiles.

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[3] Article 15§5, Treaty on European Union (TEU)

[4] Article 18§1, TEU

[5] Article 27§3, TEU

[6] Nasra, S., Drieskens, E., Debaere, P. and De Ridder, E. (2011), 'The external role of the Belgian Presidency: out of the limelight, into the shadow?', in: Bursens, P. and Van Hecke, S. (eds), *Readjusting the Council Presidency: Belgian Leadership in the EU*, Brussels: Academic & Scientific Publishers.

[7] Article 31§2, TEU

[8] Article 31§2, TEU

[9] Allen, D. (1998), 'Who Speaks for Europe?: the search for an effective and coherent external policy', in: Peterson, J. and Sijrsen, H., *A common foreign policy for Europe?: competing visions of the CFSP*, London: Routledge.

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[11] Article 44, TEU

[12] United Nations (2011), 'Participation of the European Union in the work of the United Nations', *General Assembly 65<sup>th</sup> session*, UN A/RES/65/856, 1 June.

[13] Keukeleire, S. (2006), 'EU Core Groups : Specialization and Division of Labour in EU Foreign Policy', *CEPS Working Document*, No. 252, pp. 1-19.

[14] In the context of the UN, Laatikainen and Degrand-Guillaud (2010) speak about the possibility to establish an "Open Method of Negotiation". See: Laatikainen, K. V. and Degrand-Guillaud, A. 'Two Logics, One Treaty: The Lisbon Treaty and EU Foreign Policy in Brussels and at the UN', *Studia Diplomatica*, 63(1), pp. 3-22 ; Keukeleire, S. (2006), 'EU Core Groups : Specialisation and Division of Labour in EU Foreign Policy', *CEPS Working Document*, No. 252, pp. 1-19.

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