



The EU's High Representative for Foreign and Security Policy

On December 1, 2009, Baroness Catherine Ashton of Upholland was appointed to become the first EU High Representative for Foreign Affairs and Security Policy, taking over a number of responsibilities from Javier Solana but adding in an important new institutional role. In her new position Catherine Ashton faces high expectations and what appears as an “impossible job description.” This briefing paper will review the tasks and responsibilities of the EU’s new foreign policy chief under the Lisbon Treaty and speculate on Catherine Ashton’s ability to succeed in that position.

The EU’s New Foreign Policy Architecture

The ratification of the Lisbon Treaty in late 2009 – following years of deadlock and internal bickering – has cleared the way for an extensive overhaul of the EU’s foreign policy structures. The basic thrust of these reforms has been to overcome some of the structural problems of EU foreign affairs, and to provide the EU with greater visibility and a more consolidated voice on the international scene. To this end, the Lisbon Treaty draws extensively on the reform proposals developed during the European Convention in 2002-2003 and subsequently enshrined within the failed European Constitution of 2005.

Ever since the European Union set up its Common Foreign and Security Policy in 1992, EU policies have been plagued by the institutional divisions between the Council and the Commission. While the Council has been responsible for running the EU’s foreign and defense policies (CFSP/ESDP), the Commission has conducted the Union’s external economic relations. In the past, both of these policy areas were governed by different methods and logics of decision-making and directed by separate personalities. Since 1999, the EU’s High Representative for Foreign Affairs, Javier Solana, was responsible for running CFSP, while a Commissioner for External Affairs was responsible for managing the Commission’s external relations, including its large number of delegations around the world.

These artificial divisions between different areas of EU foreign affairs, together with the institutional complexity of EU decision-making, have compounded the EU’s lack of coherence and direction in international affairs. The multiplicity of actors representing the EU in foreign policy matters – the High Representative, the Commissioner for External Affairs, the Rotating Presidency, and the Commission President – further prevented the EU from speaking with “one voice.” Most importantly, of course, the EU’s ability to act as a coherent international player has fallen short due to the more fundamental divisions existing between the different EU member states.

To overcome these structural deficiencies and allow the EU to operate more effectively, the Lisbon Treaty has significantly amended the institutional structures of EU foreign affairs. A “double-hatted” High Representative for Foreign and Security Policy – in the person of Catherine Ashton – is now in charge of directing the entire gamut of EU foreign policies, uniting the positions formerly held by the EU High Representative and the Commission for External Affairs. While different decision-making procedures remain in place for different policy fields – some requiring unanimity, others qualified majority voting – the High Representative (HR) is now charged with the strategic direction and implementation of the entire spectrum of EU policies, in the hope that this will allow for a more comprehensive and coherent policy.

To allow the High Representative to fulfill her role effectively, a number of other structural changes have been set in place: In the future, all decisions will be taken by a newly created Foreign Affairs Council (FAC), consisting of the EU-27 foreign ministers and chaired by the High Representative; the role of the Rotating Presidency in foreign affairs will be ended, boosting the agenda setting powers of the High Representative; and the High Representative has been appointed as a Vice President of the European Commission to facilitate coordination with those parts of the Commission with relevant competencies, especially in the areas of trade and overseas aid, even though the responsibility for these areas remains with the Commission.

To assist her in her various roles, the High Representative will also be able to draw on a new European External Actions Service (EEAS), conceived as the EU’s own nascent diplomatic corps.¹ The new service, which will be created as a *sui generis* institution, will inherit much of the staff and competencies of the Commission’s former DG RELEX and the Secretariat of the Council, as well as the EU’s defense-related institutions, such as the European Military Staff and the Situation Center. It will also be in charge of running the Commission’s former delegations around the world, which will be upgraded to provide them with a more political role. While much of the staff of the new institution will be recruited from the Council and the Commission, one third of it will consist of national diplomats on rotation from member states’ foreign ministries.

However, many open questions remain about the details and content of the EEAS and no formal decision on its creation will be taken before April 2010. Even then, it will take some time to put the new institution and structures into place and few expect the new service to run at full-speed anytime before 2012. In the meantime, EU foreign affairs will remain of a somewhat makeshift nature, giving added importance to the position and person of the High Representative in running the EU’s foreign policy.

An Impossible Job Description?

Within the EU’s post-Lisbon foreign policy architecture, the EU High Representative occupies a central place, unifying the functions that have in the past been exercised by at least three different institutions: the six-monthly Rotating Presidency, the High

The European Union Center of Excellence of the University of North Carolina at Chapel Hill is funded by the European Union to advance knowledge and understanding of the EU and its member countries.

Representative for CFSP, and the Commissioner for External Affairs. According to the Lisbon Treaty, the High Representative will be charged with the following functions:

- ❖ Conduct the Union's common foreign and security policy;
- ❖ Create proposals to contribute to the development of that policy, which she will carry out as mandated by the Council, and ensure implementation of the decisions adopted in this field;
- ❖ Preside over the Foreign Affairs Council;
- ❖ Serve as one of the Vice-Presidents of the Commission and ensure the consistency of the Union's external action. She is accountable within the Commission for responsibilities incumbent on it in external relations and for coordinating other aspects of the Union's external action;
- ❖ Represent the Union for matters relating to the common foreign and security policy, conduct political dialogue with third parties on the Union's behalf and express the Union's position in international organizations and at international conferences;
- ❖ Exercise authority over the European External Actions Service and over the Union delegations in third countries and at international organizations.

Uniting these different functions under the person of the High Representative carries a number of potential benefits. First, by pooling competences and resources that have previously been divided, the High Representative will be able to nurture greater coherence across different policy areas, from peacekeeping to development aid. The High Representative will also have at her disposal much larger resources than any single one of her predecessors, providing her with greater leverage in international affairs. Furthermore, as a result of her extensive agenda-setting powers, the High Representative will be able to bestow some much needed consistency on EU policies. Finally, making the High Representative the EU's sole representative abroad – and putting her in charge of an elaborate new service and upgraded EU delegations – should increase the EU's visibility in international affairs.

All of these are notable improvements on the current situation that should make the EU a more effective actor in international affairs. Amongst other things, these changes could mean that in the future, EU development aid will be better coordinated and more targeted, that the EU reacts more quickly and decisively to international crises, and that EU foreign policy announcements are more carefully prepared and followed with concrete actions. Of course, all of these changes will allow the EU to act more decisively only on those occasions where there is a consensus between the different EU member states.

Apart from offering a number of potential benefits for the EU, the new position also brings with it what has been referred to as an “impossible job description.” In effect, the

The European Union Center of Excellence of the University of North Carolina at Chapel Hill is funded by the European Union to advance knowledge and understanding of the EU and its member countries.

new High Representative will be in charge of a large number of different portfolios and extensive institutional machinery. This means that amongst others, Catherine Ashton has to attend the weekly meeting of EU Commissioners, chair the Foreign Affairs Councils, attend bilateral summits, appear before the European Parliament and coordinate the Commissioners working on external affairs. The risk is that this large load of responsibilities will force the High Representative to concentrate much of her work on managing the Brussels-based machinery, rather than being the EU's chief diplomat, as was the case for her seasoned predecessor. To ease her workload, Ashton will be provided with a number of powerful deputies that are able to replace her in some of her administrative functions. Whether this will enable her to focus more attention on conducting shuttle diplomacy, in the style of Javier Solana, remains to be seen.

As the first High Representative appointed under the Lisbon rules, Ashton will have a large role in shaping her new position – not only by setting a precedent, but also by determining the format and shape of the new institutions. But will she be up to the job?

Ashton's (Dis-)Appointment

The appointment of Catherine Ashton as the first EU High Representative, following the Lisbon reforms, was the result of a deal struck between different European member states and political factions and came as a surprise to many outside observers. In other words, some are under the perception that she got the job by default. Prior to her appointment in December 2009, it was widely assumed that the position would be filled by a political heavyweight – in the form of a former European Head of State or foreign minister. Long-time frontrunners for the job were the current British foreign minister David Miliband and the former Italian Prime Minister Massimo d'Alema. Other names under discussion included Swedish foreign minister Carl Bildt and Belgium's former Prime Minister Guy Verhofstadt. However, none of these heavy-weights was able to rally the unanimous support of the 27 EU member states.

While the Lisbon Treaty specifies that the European Council can, if necessary, appoint the High Representative acting on qualified majority, EU Heads of State and Government chose to settle for a consensual solution. As a result, the two new positions created by the Lisbon Treaty were divvied up between the political camps, with the President of the European Council going to the right and the High Representative's position going to the left.² In addition, the Socialist Group of the European Parliament resolved that its candidate should be a female, further narrowing the range of potential contenders.

With France and Germany pushing for Belgian Herman van Rompuy as their preferred candidate as Council President and the UK claiming the High Representative's position, Catherine Ashton emerged as one of the few potential contenders. Some evidence exists of her selection as part of a wider European settlement, following the appointment of a Polish President of the European Parliament, the selection of a Frenchman as the Commissioner for the sough-after internal market portfolio, and the expected election of a German as the President of the European Central Bank.

The European Union Center of Excellence of the University of North Carolina at Chapel Hill is funded by the European Union to advance knowledge and understanding of the EU and its member countries.

Catherine Ashton has been regarded as an unambitious and perplexing choice for the position, given that she is a relative novice to the field of international affairs. Having worked for the somewhat controversial Campaign for Nuclear Disarmament (CND) during the 1970s, she spent most of her life serving in various public sector positions before being appointed a Labour life peer in 1999. After several government appointments, she became the Leader of the House of Lords in 2007, where she oversaw the adoption of the Lisbon Treaty. Her first international experience came only in 2008, when she succeeded Peter Mandelson as the EU Trade Commissioner. While she has some considerable experience in public administration, her international exposure has been very limited and she has had no previous experiences in international security matters. All of this makes Ashton an unlikely choice and implies that she will have to spend precious time growing into her new position.

Since taking office, Catherine Ashton has been criticized for several of her decisions and seems to have made little headway in winning over her doubters. With the establishment of the EEAS a long way off, she has had to rely on a small staff of advisors and has come under considerable pressure from several member states, as well as the Commission. Specific criticism has been directed at her failure to effectively represent the EU abroad – especially during the Haiti earthquake – as well as her appointment of the EU Ambassador to Washington DC, made without prior consultation of the member states.

There are also signs that the “double-hatted” nature of her position is making it increasingly difficult for her to execute all of her responsibilities. Given her lack of experience and authority, all of this seems to indicate that she will have a tough time establishing her credibility during the current transition period, which is slated to last for at least half of her five year term in office.

Just a Bad Start?

Ashton’s difficult start in her new position bodes ill for the EU’s ambitions to become a leading global player in the immediate future. As an inexperienced newcomer, Ashton will have a very tough time guiding the EU through its current transition phase. Much of her attention in the coming months and years will be focused on the establishment and fine-tuning of the EU’s new diplomatic service, rather than projecting the EU’s influence across the globe. In repeated statements, she has confirmed the establishment of the EEAS as her most pressing policy priority and as a “once in a generation opportunity”, whilst complaining to the European Parliament (March 10, 2010) that the disagreements about the shape of the European diplomatic service was hampering her effectiveness as an international diplomat. With her credibility fading fast, this will be no easy task and will dominate much of her agenda.

At the same time, Ashton cannot allow herself to let her representative functions slip behind. On this front, she will inevitably be compared to the EU’s former High Representative, Javier Solana, who came to the job with considerable experience in

The European Union Center of Excellence of the University of North Carolina at Chapel Hill is funded by the European Union to advance knowledge and understanding of the EU and its member countries.

international affairs and quickly managed to establish himself as a key international player. Moreover, international circumstances demand her full attention: from the failure of the Copenhagen climate talks, to a potential military confrontation over Iran, the crisis in Afghanistan and the fledging Middle East peace process, there is much for the EU's top diplomat to do. Ashton's choice of the Israel-Palestine conflict in March 2010 as her first attempt to engage positively on the international stage is certainly a brave one. Given deep internal division over many of these issues, her job will not only require outside representation, but also careful domestic consensus-building. Here again, personal credibility will be as essential as the increased powers of her new position.

Confronted with a daunting policy agenda abroad and at home, Catherine Ashton will have a tough time meeting the overblown expectations about the EU's ability to become a more powerful international player following the adoption of the Lisbon Treaty. While some of her problems might have to do with her relative inexperience in foreign affairs, as well as the current uncertainty over institutional arrangements, there are indications that her failings are more than "just a bad start." On the one hand, the position of the HR might simply be too demanding, undermining her ability to fulfill her role as the EU's highest-ranking diplomat. It is a position that seems to demand a charismatic statesperson, a competent administrator and backroom operator (or at least the ability to effectively delegate roles). Ashton seems to be a competent administrator but it is not at all clear that she fulfills the other criteria. With her authority slipping, Ashton will find it difficult to broker agreements amongst the member states. All of this indicates that at least in the short run, the EU's new potential in foreign affairs might remain unfulfilled.

Last Revision: March 31, 2010

¹ Timo Behr, et al (2010), *Rewriting the Ground Rules of European Diplomacy: The European External Action Service in the Making*, FIIA Briefing Paper 57, March 2010

² For reference, see the brief on the President of the European Council in this series:
http://www.unc.edu/depts/europe/business_media/busbrief1004-council-president.htm