

The EU Special Representative: A dying breed?

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In her review of the organisation and functioning of the European External Action Service (EEAS), Baroness Ashton, High Representative for EU Foreign Affairs and Security Policy, refers to the role of EU Special Representatives (EUSRs) in the post-Lisbon Treaty environment and proposes that they be

“fully integrated within the EEAS while retaining a close link to the member states via the PSC” (Political and Security Committee).¹

According to the EEAS, the EU’s Special Representatives

“promote the EU's policies and interests in troubled regions and countries and play an active role in efforts to consolidate peace, stability and the rule of law.... acting as a 'voice' and 'face' for the EU and its policies”.²

Ashton herself points to the importance for the EEAS of having

“flexibility to recruit short-term senior figures (special representatives, coordinators or EU envoys) to undertake specific missions as the need arises.”

Yet, the comparative brevity of this reference to EUSRs in Baroness Ashton’s report says more about her general attitude towards the EUSRs than about the significance of their role in EU foreign policy and its image abroad over the past 17 years.

It is no secret that when Baroness Ashton took up office as High Representative/Vice President in 2009, she viewed EUSRs with some suspicion. The main reason is thought to be that because the EUSRs were formally appointed by the Council, she had little control over them; the real control was in the hands of the member states through the PSC.

Although this perception changed somewhat following the entry into force of the Lisbon Treaty, the issue of EUSRs and their place in the EU’s ever expanding foreign policy toolbox has continued to be a source of contention, even acrimony, between HR/VP Ashton and the

¹ See the Review at: (http://eeas.europa.eu/library/publications/2013/3/2013_eeas_review_en.pdf).

² See (http://eeas.europa.eu/policies/eu-special-representatives/index_en.htm) According to this site, (unfortunately not updated) the EUSRs cover the following countries or regions: Afghanistan, the African Union, Bosnia and Herzegovina, Central Asia, Kosovo, the South Caucasus and Georgia, the Southern Mediterranean region, plus an EUSR for Human Rights. Only one EUSR post is held by a woman.

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member states. Several expressed annoyance at what they considered to be the peremptory manner in which she informed them of her intentions.

Earlier this year, Ashton informed the member states by letter and with little advance notice that she intended to terminate three EUSR mandates, including that of the EUSR for Sudan and South Sudan and the mandate of the EUSR for the Middle East peace process. Following intense pressure from the member states, Ashton had to withdraw the latter proposal. The EUSR for the Middle East, who was appointed by the Council upon her recommendation in February 2012, had his mandate extended by a Council decision of July this year until 30 June 2014. Having refused to renew the operating budget beyond 31 December 2013, however, Ashton effectively pulled the rug from under his feet and terminated his mandate.

These latest developments have understandably been received with barely disguised anger by the member states. Some fear that it is Ashton's intention to ultimately phase out more, if not all, EUSRs.

While these decisions may be understood within the inner circle of the 'Brussels Ashton beltway' as a logical consequence of the Lisbon Treaty, they are not as easily understood in the capitals of EU member states and even less so in the host countries and regions where the EUSRs were appointed, nor among the EU's main partners, with whom the EUSRs would interact on a daily basis.

In the case of the Middle East, to withdraw the EUSR before the end of his agreed mandate at the very moment the peace process has regained some momentum raises questions about the EU's real commitment to the peace process, even though the EU is the largest contributor of financial assistance to that region. Although Ashton has announced that the EU's seat at the Quartet meetings (comprising the US, the Russian Federation, the EU and the UN) will be filled by a highly respected and competent figure (her Deputy Secretary General for Political Affairs), the visibility and accessibility of the EU as a foreign policy interlocutor on the ground will suffer, with the Deputy Secretary General having many other tasks to attend to.

In the case of the EUSR for Sudan and South Sudan, whose mandate was terminated on October 31st, Ashton has insisted that the EU's focus for the wider region will continue with an expanded mandate of the current EUSR for the Horn of Africa and with the appointment of the Director in the EEAS for the Horn of Africa, East and Southern Africa and the Indian Ocean as "Senior EU Coordinator for the Great Lakes Region". With the experience of having himself been a double-hatted EUSR to the African Union and Head of Delegation in Ethiopia, the Coordinator has the advantage of being well known both in the region and by the EU's main partners in the field and is highly respected.

This will not always be the case, however, should this be the approach that Baroness Ashton wishes to promote elsewhere in the future. It would also mean less visibility on the ground since EEAS senior staff having many other responsibilities to deal with, and could be interpreted as a lowering of EU interest and ambition in its foreign policy towards the respective regions.

All these tensions between Baroness Ashton and the member states is unfortunate, particularly as it coincides with her increased standing on the international stage following significant foreign policy achievements.

There is no doubt that it could have been avoided on her side with proper preparation, a more strategic rather than a personality-driven approach (for which she has been criticised) and greater sensitivity shown both to the member states and to the EUSRs themselves, some of whom were given just a few hours warning of their impending demise. After all, member states remain central players in shaping the EU's foreign policy. As the EEAS continues to

carve its image on the international stage, it needs to keep its primary constituents as well as its partner institutions, namely the Commission and Parliament, on board.

It is true that strengthening the management of EUSRs and “enhancing their contribution to joint policy-making” became more of a priority as their numbers grew.³ From the first one (EUSR for the Great Lakes) appointed in 1996, the network increased to ten in 2005, with the appointment of the first ‘double-hatted’ EUSR, merging the functions of Head of Delegation and that of EUSR, in November 2005 in Macedonia, a country that had seen a proliferation of CFSP instruments. The success of that example spurred other double-hatted appointments.

To address this expansion in terms of numbers and role, in July 2007 the Council adopted the “Guidelines on appointment and financing of EUSRs”. These are now under review, and new guidelines are due for adoption by spring 2014, i.e. just before decisions on the renewal of mandates of all remaining EUSRs – except one. For some reason, the mandate of the EUSR for Bosnia and Herzegovina that was adopted in 2011 runs until 2015. Given the deteriorating political situation in that country, there is an obvious need for constant review of the EU’s strategy and presence on the ground.

There is no doubt that overall, EUSRs constitute an important network of senior policy advisers and diplomats, who underpin the functions of the HR/VP and ensure a visible presence of the EU in countries or regions prone to conflict, over and above the EU delegations that are still struggling under financial and administrative constraints. They provide important added value to the EU’s effectiveness as a viable foreign policy actor and contribute to strengthening the image of the EU out in the field, particularly on political and security issues as well as ensuring regular communication with partner envoys. Their regular reports to the PSC can contribute to developing and shaping foreign policy initiatives at the EU level with the participation of all member states and institutions. Above all, they can ensure coherence of EU actions on the ground.

To achieve this, the EUSR’s primary responsibility must be to entertain permanent consultation with the relevant EEAS departments as well as with those of the Commission, whose expertise is vital to the EU’s foreign policy together with that of the EEAS. The objective must be to ensure maximum synergy and coherence between the various EU institutions, missions and operations active in the field. This presupposes of course that the profile of the EUSR is carefully considered and is based on objective criteria of competence and experience, mediation expertise and in-depth knowledge of EU institutions.

Will the proposal of Baroness Ashton to have the EUSRs “fully integrated into the EEAS...” achieve this? Will it enhance the effectiveness of the EUSRs in terms of their added value to the EU’s foreign policy in the field? Since it would require in any case an amendment to the Treaty on European Union and the Council Decision on the EEAS,⁴ would the member states agree to such a proposal?

At first glance this proposal represents a bureaucratic solution to an EU political necessity. There is a danger that the EUSRs will become buried under the multiple layers of EEAS hierarchy, which is already overburdened and understaffed due to constant budget constraints. The flexibility under which EUSRs operate would be lost and they would lose their ability to act as a focal point within the EU institutional system in what unfortunately remains a highly competitive environment.

³ G. Grevi, (2007) “Pioneering foreign policy - The EU Special Representatives”, Chaillot Paper No. 106.

⁴ See S. Blockmans and C. Hillion (eds), “EEAS 2.0 - Recommendations for the amendment of Council decision 2010/427/EU establishing the organisation and functioning of the EEAS”, CEPS Special Report, November 2013.

There are without doubt many improvements, both from a management and budgetary point of view, which could be made to ensure the most effective role for EUSRs in the EU's foreign policy. This could easily be achieved without a formal incorporation into the EEAS at this stage. The debate scheduled for early next year on new guidelines for EUSRs offers an ideal opportunity to agree on these improvements. They could include, for example:

- mandates to be reviewed and renewed on a yearly basis to ensure consistency and allow for possible adjustments in view of developments in the country or region concerned;
- ensuring relevant expertise in the choice of candidates for EUSR, particularly in the field of mediation as the EU expands its peace-making role;
- ensuring greater gender representation in the appointment of EUSRs;
- ensuring comprehensive briefing from the EU institutions prior to posting, so that appointed EUSRs are fully aware of the EU activities in the field;
- maintaining the double-hatted model in countries prone to conflict, but ensuring maximum synergy between the merged EUSR and Commission staff to achieve the best results in EU action in the field, as was the case in the Macedonia model.

Above all, what is needed is a comprehensive and more strategic discussion between Baroness Ashton and the member states in assessing the effectiveness of the EU's foreign policy role post-Lisbon, including the role of EUSRs and EU delegations. This would allow for possible adjustments to the decision-making process and methods of work within the EU institutions, particularly in terms of regaining the former speed of decision-making.

It would have been extremely useful in this respect if the July EEAS Review presented by Ashton had focused less on the other policy areas that should be transferred from the Commission to the EEAS and more on how the institutions could collectively achieve the best results in shaping EU foreign policy, in the true spirit of the Lisbon Treaty. In this respect, the Joint Communication from the European Commission and the EEAS (published 11th December 2013) on enhancing its comprehensive approach to external conflicts and crises is a welcome contribution to discussions on this matter.⁵

⁵ See press release at: (http://www.eeas.europa.eu/statements/docs/2013/131211_04_en.pdf).