

European External Action Service (EEAS)

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Can the European External Action Service become a power multiplier ?

It is important to understand the fence that has been erected by the EU Member States around both the High Representative of the Union for Foreign Affairs and Security Policy, and the European External Action Service to keep them “off their patch” (I). We shall then review the achievements of both to date, with arguments for and against (II).

As part of its interdisciplinary approach to geopolitical analysis, *Diploweb.com* is delighted to bring you an extract from the new work by Pierre Verluise, *Géopolitique des frontières européennes. Elargir, jusqu’où ? (The Geopolitics of the European Union Borders, Where should expansion stop ?)*, illustrated by 20 color maps, published in France by Argos, 2013, and distributed by Puf. The selected extract is in fact the third chapter, published under the title : *Quel Service européen pour l’action extérieure ?* The maps used to illustrate the chapter in the book are not reproduced here.

I. A FENCE HAS BEEN ERECTED AROUND THE HIGH REPRESENTATIVE OF THE UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY, AND THE EUROPEAN EXTERNAL ACTION SERVICE.

The [European Union’s Member States](#) are not fond of blurred attributions, especially when the contours of sovereignty are at stake [1]. Hence their vigilance when it came to setting in stone, in the form of treaties, all the safeguards they deemed necessary regarding the position of High Representative. However, to more flexibly organize the European Service, they decided that a Council decision would suffice, as it would facilitate subsequent tweaking.

Pierre Verluise, “The Geopolitics of the European Union Borders, Where should expansion stop ?” Eska, 2014.

Pierre Verluise delivers a master stroke with this work that operates on two levels : as a manual of geopolitics and an essay on the Eastern and Southern borders of the European Union. Thorough and informative, it steps outside the box of back-slapping political correction.



P. Verluise, The Geopolitics of the European Union Borders.

Where should the expansion stop ? éd. Eska, 2014

Director of the geopolitical Web site Diploweb.com. [Pierre Verluise](#) closely monitors the development of the European Union and its borders. He is a lecturer in geopolitics at the Sorbonne. He founded the seminar on European geopolitics at the French "War College". He is Distinguished Professor of Geopolitics at GEM.

This work offers clear, precise answers to the following questions :

- . How far does the European Union still plan to expand ?
- . What relations does the EU now entertain with the Eastern countries that were so recently perceived as enemies ?
- . How is the EU organizing its relations with the South ?

Let us first take a look at the position of High representative (A), and then turn our attention to the European Service.

A. The High Representative of the Union for Foreign Affairs and Security Policy

It was [the Treaty of Lisbon - phased in since December 1 2009 -](#) that brought in the High

Representative of the Union for Foreign Affairs and Security Policy [2].

Let us try to first understand the rules of the game.

Appointment... and resignation

Article 18, paragraph 1, of the Treaty of European Union [3] reads as follows : “The European Council, acting by a qualified majority, with the agreement of the President of the [European] Commission, shall appoint the High Representative of the Union for Foreign Affairs and Security Policy. The European Council may end his term of office by the same procedure. [4]”

C. Ashton contested

“France, Austria, Belgium and the Netherlands will be among countries suggesting that she has failed to stamp her authority on the EEAS”, explains *The Daily Telegraph*. Some countries even go so far as suspecting that “Lady Ashton remains in the job only because Tories [the party in power in the UK], who tried to block the Lisbon Treaty, are happy to have an ‘incompetent’ as foreign minister”.

Source : *The Daily Telegraph*, May 23 2011, quoted by *Presseurop.eu*



Lady Catherine Ashton, 2013. Copyright European Commission.

The British politician Lady Catherine Ashton was appointed to this position on November 19 2009 for a 5-year term [5], due to end in 2014. A member of the Labour Party, she had relatively recently been appointed European Commissioner for Trade, where she succeeded Peter Mandelson. Some claim that the new appointment was the result of a deal : she got the job because the naming of a British personality made up for the impossibility of installing Tony Blair at the very stable position of President of the European Council. The first choice surrogate would have been David Miliband, who, the story goes, preferred to stay in the UK in order to stay in the race for the leadership of *New Labour*. [6] To satisfy the British, unenthusiastic about the prospect of the EU developing an ambitious foreign policy, the choice defaulted to Lady Ashton, then the British Commissioner. Whatever the case, a section of the European press instantly opened fire on the nominee. The broadside was not unlike that dealt out by some of the French press in the early nineties to France's first woman Prime Minister, Édith Cresson [7]. A diplomat nonetheless enquired : "Was there a game plan from the outset to deliberately weaken the function by appointing an incompetent personality ? Or, conversely, was the idea to do European diplomacy a service by involving the most dyed-in-the-wool of Eurosceptic nations ? This, at least, was the claim of former French president, Nicolas Sarkozy. The way the appointment was made rather reflects indifference on the part of the main leaders of the member States faced with the challenges of the fledgling European diplomacy, and a total lack of determination to beef up and use it." [8] **Whether the choice of Lady Ashton turns out to be astute or not, let us not lose sight of the fact that it is first and**

foremost an appointment made by the qualified majority of the European Council. In other words, the heads of State and governments of the Member States have only themselves to blame if they turn out to be clueless recruiters. Unless the choice was nothing but a - small - calculation to appoint a personality who would not take centre stage at the expense of the power in majesty of the heads of State, each aspiring to defend their own diplomatic game plan. This hypothesis had already been put forward in June 2009 when José Manuel Durão Barroso was reelected President of the European Commission [9]. Should Lady Ashton fail to deliver, the heads of State and governments can put an end to her mandate whenever they wish. The President [10] of the Commission and the Parliament can also get involved.

It is also worth pointing out that article 17 paragraph 6 specifically states that “The High Representative of the Union for Foreign Affairs and Security Policy shall resign, in accordance with the procedure set out in Article 18(1), if the President so requests.” [11] Paragraph 7 of the same article 17, sets out that the Commission - including the High Representative - is subject, as a college, to the Parliament’s vote of approval. It sets out in paragraph 8 that **the European Parliament may vote on a motion of censure of the Commission. If such a motion is carried, the members of the Commission shall resign as a body and the High Representative of the Union for Foreign Affairs and Security Policy shall resign.** [12] [13] In the mean time, “The European Parliament may address questions or make recommendations to the Council or the High Representative. **Twice a year it shall hold a debate on progress in implementing the common foreign and security policy,** including the common security and defence policy” [14] (TEU, art. 36). Notably, this is when the High Representative of the Union for Foreign Affairs and Security Policy shall keep the European Parliament and the Council regularly informed regarding developments in enhanced cooperation (TFEU, art. 328).

What are the High Representative’s functions ?

Alongside the Heads of State or government, the High Representative of the Union for Foreign Affairs and Security Policy takes part in the work of the European Council (TEU, art. 15).

The functions of the High Representative of the Union are particularly defined in articles 18, 26 and 27 of the Treaty on European Union.

Let us take a look at what else article 18 has to say.

. Art. 18, paragraph 2 : “The High Representative shall conduct the [European] Union’s common foreign and security policy. He shall **contribute** by his proposals to the development of that policy, which he shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.” [15] It is significant here that since December 1 2009 **the Treaty of Lisbon has transformed European Security and Defence Policy (ESDP) into Common Security and Defence Policy (CSDP)** [16].

. Art. 18, paragraph 3 : “The High Representative shall **preside over the Foreign Affairs Council.**” [17] The Foreign Affairs Council is made up of Foreign Affairs ministers from the EU member states.

. Art. 18, paragraph 4 : “The High Representative shall be one of the Vice-Presidents of the

[European] Commission. He shall **ensure the consistency** of the Union's external action. He shall be responsible within the Commission for responsibilities incumbent on it in external relations and for coordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, the High Representative shall be bound by Commission procedures to the extent that this is consistent with paragraphs 2 and 3." [18]

Article 26, paragraph 3, reads as follows : "The common foreign and security policy shall be **put into effect** by the High Representative and by the Member States, using national and Union resources." [19] **It is therefore clearly the European Council that identifies strategic interests, sets goals and defines general CFSP orientations, leaving the High Representative to "put them into effect"**. This leaves the latter with significantly reduced elbow room. Only a fine line separates his (or her) role from that of mere "actuator".

Article 27 continues in like vein.

. Art. 27, paragraph 1 : "The High Representative of the Union for Foreign Affairs and Security Policy, who shall chair the Foreign Affairs Council, shall **contribute** through his proposals towards the preparation of the common foreign and security policy and shall **ensure implementation** of the decisions adopted by the European Council and the Council.

. Art. 27, paragraph 2. The High Representative shall **represent** the [European] Union for matters relating to the common foreign and security policy. He shall conduct political dialogue with third parties on the Union's behalf and shall express the Union's position in international organisations and at international conferences." [20]

Furthermore, Article 220 of the Treaty on the Functioning of the European Union (TFEU) makes the High Representative responsible for implementing cooperation with the organs of the United Nations, the Council of Europe, the Organisation for Security and Cooperation in Europe (OSCE) and the Organisation for Economic Cooperation and Development (OECD).

Article 221 of the TFEU grants the High Representative worldwide authority over European Union delegations that work in close cooperation with the diplomatic and consular missions of the Member States.

In the spring of 2010, this led a Foreign Affairs Minister of one of the most populated member states to confide, off record, that : "We have to accept it, and deal with the doubt and the mistrust. What we need now is a lofty ambition for the High Representative and for the European External Action Service. It is the High Representative who should now have precedence over the Foreign Affairs Ministers and the EU countries' ambassadors. It's no fun, but that's the way it is. This is Europe ; this is what we wanted. Now we must accept it and probably hope to be pleasantly surprised. When the applicants for the Service have been chosen, the chemistry will have to work." [21]

However, as we shall see later, Declarations 13 and 14 on the subject of the European External Action Service do shed a different light on the Member States' "sweet surrender".

Let us now take a look at the instruments available to the High Representative.

B. The European External Action Service

Article 27 of the Treaty on the European Union introduces us to the European External Action Service. It is worth noting that no other TEU article directly mentions the Service. This can be interpreted as a sign of either very low esteem or a desire to maintain greater flexibility to organize or reorganize *via* a Council decision.

. Art. 27, paragraph 3 : “In fulfilling his mandate, the High Representative shall be assisted by a **European External Action Service**. This service shall **work in cooperation** with the diplomatic services of the Member States and shall comprise officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services of the Member States. The organisation and functioning of the European External Action Service shall be established by a decision of the Council. The Council shall act on a proposal from the High Representative after consulting the European Parliament and after obtaining the consent of the Commission.” [22] [23]

This third paragraph of Article 27 of the TEU is fleshed out by three declarations that set the framework for the European External Action Service. These are declarations 13, 14 and 15 [24] concerning the provisions of the Treaties, annexed to the Final Act of the Intergovernmental Conference that adopted the Treaty of Lisbon signed on December 17 2007.

Declaration 13 is explicit : “The Conference underlines that the provisions in the Treaty on European Union covering the Common Foreign and Security Policy, including the creation of the office of High Representative of the Union for Foreign Affairs and Security Policy and the establishment of an External Action Service, **do not affect the responsibilities of the Member States**, as they currently exist, for the formulation and conduct of their foreign policy nor of their national representation in third countries and international organisations.

The Conference also recalls that **the provisions governing the Common Security and Defence Policy do not prejudice the specific character of the security and defence policy of the Member States**.

It stresses that the European Union and its Member States will remain bound by the provisions of the Charter of the United Nations and, in particular, by the primary responsibility of the Security Council and of its Members for the maintenance of international peace and security.” [25]

Declaration 14 adds that : “In addition to the specific rules and procedures referred to in paragraph 1 of Article 24 [26] of the Treaty on European Union, the Conference underlines that the provisions covering the Common Foreign and Security Policy including in relation to the High Representative of the Union for Foreign Affairs and Security Policy and the External Action Service **will not affect the existing legal basis, responsibilities, and powers of each Member State in relation to the formulation and conduct of its foreign policy, its national diplomatic service, relations with third countries and participation in international organisations**, including a Member State’s membership of the Security Council of the United Nations.

The Conference also notes that the provisions covering the Common Foreign and Security

Policy **do not give new powers to the Commission to initiate decisions nor do they increase the role of the European Parliament.**

The Conference also recalls that the provisions governing the Common Security and Defence Policy do not prejudice the specific character of the security and defence policy of the Member States.” [27]

Casting an eye over Declarations 13 and 14 one has the impression that the **Member States safeguarded themselves as much as possible against intrusion by the European External Action Service** – though it was their brainchild – on their turf, namely their foreign policy and defence prerogatives. Indeed, Declaration 13 and even more strongly Declaration 14 significantly cramp both the High Representative of the Union for Foreign Affairs and Security Policy and the European External Action Service.

The Service’s budget for 2011 was €646 million.

So with the framework in place, what has the Service achieved to date ?

II. THE CASES FOR AND AGAINST

We shall probably have to see off two or three legislatures before we have enough data to truly review the achievements of the European External Action Service. The future should therefore be given a chance. We shall hear firstly the case for the defense (A), before handing over to the prosecution (B).

A. The case for the defense

A year after the European External Action Service came into being, the Secretary General, Pierre Vimont, is upbeat : “The Service has been up and running for a year now. Obviously it will need time to find its marks and get up to speed, but over the course of one year, we have already fulfilled a number of goals and progressed.

The goal of the Treaty of Lisbon was first and foremost to instill a little more continuity and coherence with the Member States and enable us to dovetail better. We now have a bit more unity.

In one year we have firstly set up European Union delegations in 138 countries. Previously, the European Commission delegations focused essentially on commercial issues. The EU delegations take care of all aspects of our external action : diplomatic, political, global challenges. It really is a network of diplomatic representation.

We have also successfully recruited civil servants from the Commission, the Council and diplomats from Member States. Our aim was for the latter to account for around a third. One year down the road, we are up to around 20%.

Finally, we have made progress in crisis management. The EU delegations play their part.

What we do need to improve are our relations with the Commission, because it has expertise in

global issues (the environment, terrorism). We need to go further than day-to-day crisis management to develop a longer-term strategic vision. How do we see ahead 30 years ?

For our international partners, Lady Ashton is a European Minister of Foreign Affairs and the European External Action Service finds itself perceived as a European diplomatic service. So we shouldn't get our hands tied by titles, even though the Member States are watchful over their prerogatives." [28]

It is scarcely surprising to hear Pierre Vimont defending the first steps taken by a Service that he helped to launch. More startling perhaps is the choice of vocabulary by such an experienced diplomat. Catherine Ashton is not a "European Minister of Foreign Affairs". She is the High Representative of the Union for Foreign Affairs and Security Policy. Likewise, the European External Action Service is no "European diplomatic service". The terms used by Vimont are those of the draft constitutional treaty blown out of the water by France and the Netherlands in May and June 2005, a rejection that was a windfall for the United Kingdom. To British ears the terminology of the rejected draft smacked of federalism. London made sure that the offending vocabulary was written out of the Treaty of Lisbon and had it replaced by convoluted titles that are hard to remember. Vimont is more aware of this than anyone but seems to have decided to ignore the niceties, probably using these word games to pump up the EEAS. These semantic shifts occur from time to time in EEAS communications.

With its second anniversary approaching, the Service offers the following review of its action to date on its Web site.

["The Union is supporting stability in the Balkans](#). Assistance projects in seven countries receive EU funding, helping build stable societies. In Kosovo, the EU has deployed a 1900-strong justice and police force to help secure the rule of law. Countries in the Western Balkans are already candidates or potential candidates for membership of the EU as part of its **enlargement** policy.

1. The Union is member of the Quartet, alongside the United Nations, the United States and Russia, which is working to push for peace in the [Middle East](#). Resolution of the Arab-Israeli conflict is a [strategic priority for Europe](#). The EU's objective is a two-state solution with an independent, democratic, viable Palestinian state living side-by-side with Israel and its other neighbours.
2. The Union is offering its neighbours a privileged relationship within the European Neighbourhood Policy. The policy is designed to strengthen the prosperity, security and stability of all partners and to avoid the emergence of new dividing lines between the enlarged EU and countries of the southern Mediterranean, [Eastern Europe and the southern Caucasus](#).
3. The Union was instrumental in negotiating the Kyoto Protocol on climate change and, boasting a domestic low-carbon agenda that is probably the most advanced and sophisticated in the world, remains a crucial player on this issue, indispensable for pushing an **ambitious agenda of change**. The Union is focusing on building a coalition for a legally binding agreement on climate change.
4. The Union works closely with the United Nations on a host of issues. The Union's belief in multilateralism reflects an attachment to negotiated, binding rules in international relations,

and is explicitly spelled out in the Treaty of Lisbon. Wherever possible, the Union seeks to replace or moderate power politics by rules and norms, hence making international relations more similar to the domestic order : more peaceful and predictable.

5. The Union runs military, political or civilian missions to help **build and secure the peace** in a number of countries in Europe, Africa and beyond, such as in Afghanistan.

6. The Union is committed to human rights and works to ensure they are respected universally. The EU has made human rights a central aspect of its external relations : in the political dialogues it holds with third countries ; through its development policy and assistance ; or through its action in multilateral fora, such as the United Nations.

7. The Union acts as single player in foreign trade and supports the principles of free and fair international trade. As it negotiates with one voice, it can exercise real influence. Together, the European Union's 27 members account for 19% of world imports and exports. Since its technical norms are widely used throughout the world, it often sets the terms of the debate.

8. The Union supports the **social and economic development of its partners**, and stands ready to help when they are faced with disaster. Together, the EU and its Member States are the world's largest donor of development and humanitarian aid. Their contributions account for 60% of the world's official development assistance.

9. The Union is facing up to the challenges of managing global international economic and financial issues, for instance in the context of the G-20. It contributes to the ongoing effort to reform international financial institutions, such as the World Bank and IMF and to re-regulating the international financial sector. The common currency, the euro, bestows additional influence upon the euro area and the European Central Bank." [29]

This presentation certainly shows the EEAS in a most favorable light. [30]

B. Critical analyses

Each of the ten points listed in the EEAS official review is worthy of a detailed analysis, and we shall look in more depth at point 3 in the chapters devoted to the partnerships with the East and the Union for the Mediterranean. We shall also come back to point 9 in the chapter on development aid. Here we shall simply note that the establishment of the rule of law remains a major challenge in the Balkans (point 1) ; that the Middle East is not just in deadlock as regards the Israel-Palestine situation, but is in fact in the midst of a major crisis with Syria (pt. 2) ; that climate change negotiations stumble from one failure to the next (4) ; that multilateralism is still finding it hard to override national interests (5) ; that the operation in Afghanistan is teetering towards a fiasco (6) ; that little has been achieved in human rights (7) ; that the European Union is suffering from a structural deficit in its extra-community balance of trade, especially with Russia (8) ; and that in 2011-2012 the EU became a major source of concern for both the G8 and G20 international summits (10).

Admittedly, responsibilities are shared. It would make no sense to lay blame on the SEAE for responsibilities that lie outside its remit. The official mantra would nonetheless probably gain from being less upbeat, more cogently argued, or at least less categorical.

All the more so as the domino effects of the economic crisis have made the European Union look exceedingly poorly. From a would-be commercial power, the European Union has become a zone of proven monetary turbulence. From a would-be social model, the EU is becoming the place that invented the *Indignados* in Spain, a country blighted by long-term mass unemployment and on the edge of explosion. From a self-proclaimed model of democracy, the EU now has two new Member States that knowingly violate the spirit of the European treaties : Victor Orban's Hungary since 2010 and Romania in 2012. With hindsight, this situation sets question marks against these countries' accession to the EU in 2004 and 2007 respectively. This is not to mention the right- and left-wing populist movements, generally anti-European and even nationalistic, that have been going from strength to strength in elections in many Member States, including the so promptly righteous France. **The European crisis is becoming systemic... and the EEAS is making no difference.** It is true that the magnitude of the difficulties exceeds its remit. So, struggling as it is to find solutions to its own implosion, how can the European Union pretend to save the world ? **The impression that Europe is fading away in the international arena is gradually becoming part of our mental landscape.** Moreover, budgetary cuts seem to be hammering the final nails into the credibility of the very idea of European defense. Nobody can be sure that there will still be a European defense industry when, by 2020, the USA has turned its full attention to the Pacific, at the expense of a partial disengagement from Europe. By then, France's *Charles de Gaulle* aircraft carrier will be outliving its sell-by date, for want of a successor. In other words, hard power becomes evanescent as soft power sounds increasingly hollow.

Was it really judicious to select as High Representative a personality with no diplomatic track record and to fence off the European Service to prevent it from competing with national diplomacies ? The diplomat Louis Maximin reviewed the situation as follows at the end of 2011 : "the striking feature of the practical action taken by the High Representative is the lack of political energy. It is as though she hasn't grasped that foreign policy, even at European level, must be driven by the main capital cities, especially Paris, London and Berlin. She does not seem to have made the effort to reconcile these main capitals, as her predecessor, Javier Solana had done so skillfully, or as the new President of the European Council, Herman van Rompuy, is doing. While getting bogged down in "micro-management" on small decisions with no political significance (appointments, material details), she does not demonstrate a firm political sense when the situation calls for it, preferring, for example, to attend the ceremony of investiture of the new Ukrainian president, rather than chair a meeting of EU defense ministers - even though this is a vital domain on which European power depends.

Diplomacy means both action and words. Even without solving all the conflicts in which Europe is expected to play a role, Lady Ashton might have developed a line, a doctrine, a vision. However nothing has emerged from her services on the conceptual plane. Foreign policy has not moved on from where Javier Solana left it in around 2003 with the "European security strategy" (a strong, intelligent document, drafted with the leading capitals), vaguely updated in 2008 under the French presidency of the European Union.

In her defense, continues Maximin, one can legitimately question the willingness of the leading administrations to allow Lady Ashton to play a role. [...] It may be more accurate to see her as indicative of the state in which the European Union finds itself today. If as an individual she perhaps lacks stature for the job, the latter looks, with hindsight, to have been hyped. How can a single person, however talented she may be, chair the (monthly) meetings of the Council of

Foreign Affairs Ministers, attend European Council meetings, sit as vice-president at the Commission (once a week), and fulfill all the diplomatic obligations of a quasi-EU Foreign Affairs Minister (visits, countless ministerial meetings with third countries), consult with the European Parliament and the Member States and direct her own service ? The President of the European Council, who might, if he wished, be a stronger presence in the domain of CFSP, would have an easier task, unburdened as he is with such an overloaded timetable (one European Council per month and around ten international summits per year).

The relatively glum mood that prevails in Brussels is therefore unsurprising. With the internecine quarrels of Brussels bureaucracy on one hand and the lack of telling results on the external front, it is very tempting to impute the responsibility for the ambient gloom to the one person who should have embodied the new dynamic of European diplomacy. Some, through a combination of blindness, indulgence and personal positioning, still seek excuses for Lady Ashton. Others, the majority, make no bones about her being a dud.

One thing is sure : the fledgling European diplomatic service is not bringing substance to the idea of a diplomacy more tightly meshed with the Member States, and is not delivering stronger action by the Union as a whole. It is rather a 28th diplomacy that fills a void and is based on the very real skills of the Union (trade, development aid, visas, energy), but which, when it comes to more political issues, has more of the trailer than the locomotive. This is how it will be until the leading capitals find the willingness and a means to weigh more heavily together on the machinery of Brussels.” [\[31\]](#)

Catherine Ashton’s declaration on the EU-Syria situation, August 8 2012

“Council Decision 2012/420/CFSP strengthens the enforcement of restrictive measures concerning arms and equipment for internal repression set out in Decision 2011/782/CFSP, in particular by imposing the obligation to inspect, in accordance with national legislation and consistent with international law, all vessels and aircraft bound for Syria in their seaports and airports, and in their territorial sea [...]”

Can anyone remember Lady Ashton taking a forceful stance during the “Arab Spring” ? Her rare announcements and promises have been consistently underwhelming. In the summer of 2012, Vivien Pertusot had this to say about the situation : “The Arab uprisings have pushed the EEAS to the front of the stage, even though it has no guidelines and before the institutional transition has been completed. True, it has mooted a new, potentially significant partnership, but the Member States are still cautious about their course of action. [...] the EEAS is gradually finding its feet, but there is still too much jostling for influence, feedback from disenchanted personnel tarnishing its image, and it can scarcely point to a marquee success. Moreover, **nobody sees it at the forefront of EU foreign policy. It is an unsatisfactory**

playmaker.” [32]

Conclusion

Can the European External Action Service become a power multiplier ?

To date, the answer can only be no. We should, however, be wary about condemning the future. The framework in which the High Representative has to operate and the way the European Service has been organized bring us straight to one of the major paradoxes of European construction : the tension between the general interest — that of the European Union — and particular, i.e. national interests.

Russia. Lady Ashton speaks out against the condemnation of the Pussy Riot

On August 17 2012, Lady Ashton spoke out against the sentencing in Russia of three young female members of the punk rock group Pussy Riot, judging it “disproportionate”. “I am deeply disappointed with the verdict of the Khamovnicheski District Court in Russia in the case of Nadezha Tolokonnikova, Maria Alekhina and Ekaterina Samoutsevitch”. Mentioning the allegations of “mistreatment” during their pre-trial detention and “irregularities” during the trial, Lady Ashton said that the sentence put a “serious question mark” over Russia’s respect for legal process.

At this juncture it must, however, be said that it is harder than may seem to truly define what is meant by the interest of the EU - whose configuration is in constant flux - as it is of the interest of each member country in a changing world. It is apparently even more complex to constructively articulate the two. All the more so, if nobody is supposed to come out of the process unscathed, given that it is only common sense that politics and policies always produce winners and losers. As for defining a policy of some potency, there is a long way to go. Firstly, there must be the desire - and this is not the case for most of the member countries - secondly, the subject has to be placed on the agenda if an agreement is to be reached on strategy, and finally the latter has to be implemented. The European Union sometimes gives the impression that it needs time to address the issues facing it. History, however, waits for no man.

It will require a great deal of lucidity, pugnacity and skill to meet identified challenges and adapt to unforeseen situations. Will the institutions and individuals be capable of pragmatically inventing new ways of doing things on a par with their responsibilities ?

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More

- . See the first chapter ["Will the EU Grow Again ? From EU-27 to EU-36 and Beyond ?"](#)
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-

. **Pierre Verluise, *Geopolityka granic Wspólnoty Europejskiej*, Wydawnictwo Adam Marszałek, 2014, ISBN : 978-83-8019-016-0**



Pierre Verluise, *Geopolityka granic Wspólnoty Europejskiej*, Wydawnictwo Adam Marszałek, 2014

Unia Europejska, światowa potęga gospodarcza, przechodzi kryzys. Obecny brak wewnętrznej jedności i koordynacji jest słabością, zagraża zdolności działania i wpływom UE w coraz bardziej konkurencyjnym świecie. Europa waha się : Partnerstwo ? Z kim ? Czy nadal rozszerzać Unię Europejską ? Czy te rozszerzenia, których już dokonano, były korzystne ? Czy przyjąć Turcję do Wspólnoty ? Co z Rosją ? Jakie zobowiązania mogą wynikać z dalszych rozszerzeń ? Badając kwestię granic geopolitycznych Europy, Pierre Verluise przedstawia aktualne rozważania – swoje i nie tylko. Jego nastawienie do badania konkretnych przypadków – Maroka, Turcji, Rosji itd. – sprawia, że lektura tej książki jest zarówno przyjemna, jak i konkretna.

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P.-S.

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Notes

[1] The author wishes to thank Jean-Luc Sauron, Associate Professor at Paris-Dauphine University, President of the Association of European Jurists, for rereading this chapter. He has written numerous articles and works, including *L'Europe est-elle toujours une bonne idée ? Souverainetés nationales, Union européenne, Mondialisation*, published by Gualino, 2011.

[2] This title was preferred to that of "European Minister of Foreign Affairs" originally planned in the draft [constitutional treaty rejected by the French and Dutch in the spring of 2005](#). A number of Member States, including the United Kingdom were unhappy about the supranational implications of the initially mooted title.

[3] Cf. François-Xavier Priollaude and David Siritzky, *Les traités européens après le traité de Lisbonne, Textes comparés*. Paris, La documentation Française, April 2010, 431 p.

[4] Ibid., p. 27.

[5] Because of the unusual schedule entailed by the excess workload related to the Lisbon Treaty, Lady Ashton was auditioned by MEPs a month before the other newly appointed commissioners.

[6] Ultimately an unsuccessful strategy as his brother Ed finally took over at the head of the Labour Party.

[7] May 15 1991-April 2 1992.

[8] Louis Maximin, C. Ashton à mi-mandat : bilan ? published on December 2011 here : <http://www.diploweb.com/C-Ashton-a-mi-mandat-bilan.html> (our translation).

[9] Cf. Contribution by Pierre Verluise to the debate "Qui est Monsieur Barroso ?", broadcast by the France 5 television channel in its show "C'est dans l'air", June 18 2009.

[10] When he put together the current European Commission, J. M. Barroso already took care to surround Lady Ashton with three commissioners falling within his area of responsibility : a Commissioner for Enlargement and European Neighbourhood Policy, a

Commissioner for Development and a Commissioner for International Cooperation, Humanitarian Aid and Crisis Response. J. M. Barroso also made sure that trade policy – exclusive realm of the European Union – fell outside the scope of the Vice-President's attributions.

[11] Ibid. p. 26.

[12] Article 234 of the TFEU sets out the conditions whereby the Parliament secures the resignation of the European Commission and the High Representative. Ibid. p. 179.

[13] Article 246 of the TFEU sets out that “In the event of resignation, compulsory retirement or death, the High Representative of the Union for Foreign Affairs and Security Policy shall be replaced, for the remainder of his or her term of office, in accordance with Article 18(1) of the Treaty on European Union.” Ibid. p. 185.

[14] Ibid. p. 37.

[15] Ibid. p. 27.

[16] This change of title is worthy of some exegesis, but would this not be at risk of confusing public debate still further ? Whatever the case, the Common Security and Defence Policy (CSDP) is an integral part of the Common Foreign and Security Policy (CFSP).

[17] Ibid. p. 27.

[18] Ibid. p. 27.

[19] Ibid. p. 32.

[20] Ibid. p. 32.

[21] Notes taken by P. Verluise.

[22] The Council's decision setting out the organisation and functioning of the European External Action Service was adopted by the Foreign Affairs Council on July 26 2010.

[23] Ibid. pp. 32-33.

[24] Declaration 15 concerns the groundwork for the European External Action Service. It has no impact on this analysis, and is consequently not quoted hereafter.

[25] Ibid. pp. 361-362.

[26] The Treaty on European Union, Article 24, paragraph 1 : “The Union's competence in matters of common foreign and security policy shall cover all areas of foreign policy and all questions relating to the Union's security, including the progressive framing of a common

defence policy that might lead to a common defence.

The common foreign and security policy is subject to specific rules and procedures. It shall be defined and implemented by the European Council and the Council [of European Foreign Affairs Ministers] acting unanimously, except where the Treaties provide otherwise. The adoption of legislative acts shall be excluded. The common foreign and security policy shall be put into effect by the High Representative of the Union for Foreign Affairs and Security Policy and by Member States, in accordance with the Treaties. The specific role of the European Parliament and of the Commission in this area is defined by the Treaties. The Court of Justice of the European Union shall not have jurisdiction with respect to these provisions, with the exception of its jurisdiction to monitor compliance with Article 40 of this Treaty and to review the legality of certain decisions as provided for by the second paragraph of Article 275 of the Treaty on the Functioning of the European Union.”

[27] Ibid. p. 362.

[28] Interview with Pierre Vimont, December 2011, conducted in partnership by Touteleurope.eu and Diploweb.com dailymotion.com/video/xn3jnv_pierre-vimont-dans-les-faits-le-seae-est-deja-un-ministere-europeen-des-affaires-etrangees_news?start=6
This summary from the video recording by Pierre Verluise, has not been reviewed by Pierre Vimont.

[29] European External Action Service, eeas.europa.eu/what_we_do/index_en.htm, consulted in June 2012.

[30] See also : European External Action Service, Report by the High Representative to the European Parliament, the Council and the Commission, December 22 2011.

[31] Louis Maximin, “C. Ashton à mi-mandat : bilan ?”, published on Diploweb.com, December 4 2011, at <http://www.diploweb.com/C-Ashton-a-mi-mandat-bilan.html>

[32] Vivien Pertusot, “Quand la crise menace la politique extérieure de l’Union européenne”, *Politique étrangère*, IFRI, summer 2012, p. 403 (our translation)