Jean Monnet Centre of Excellence

‘The Multilateral Diplomacy of the European Union’

Athens University of Economic and Business

Professor Dimitris Bourantonis
Course:

‘The Diplomatic System of the EU’

Prof. Dimitris Bourantonis

Topic 2: The High Representative
The High Representative

- The post of the HR for the Common Foreign and Security Policy was created under the Amsterdam Treaty.
- Under the provisions of the Lisbon Treaty the post of the HR has been maintained with significant changes regarding his/her tasks and institutional status.
The High Representative

Tasks and institutional status under the Lisbon Treaty

- He conducts the Common foreign and Security Policy including the Common Security Defence policy,
- Contributes by his/her proposals to the development of the above-mentioned policy, which he/she shall carry out as mandated by the Council,
- Ensures the unity and consistency of the EU’s external action,
- Presides over the Foreign Affairs Council
- Vice-President of the European Commission,
- As one of the Vice Presidents of the Commission, he-she is in charge of responsibilities to his/her mission in external relations and of coordinating other aspects of the EU’s external action.
The High Representative

- Represents the EU for matters relating to the CFSP;
- Conducts dialogue with the third parties on behalf of the EU and express the Union’s position in international organisations and conferences.

Appointment of the HR:
He/she is appointed by the European Council, acting by a qualified majority, with the agreement of the President of the Commission. The EU may end his/her term of office by the same procedure.

He is appointed to serve for five (5) years.
The High Representative

- As he is member of the Commission, he/she is subject to a vote of consent on the entire body of the Commission by the European Parliament. By a motion of censure, the Parliament can force the EU Commission to resign as a body. In this case, the HR is obliged to resign from the duties that he/she carries out in the Commission.
The High Representative

**European Council**
- Chairs European Council
- Represents Union externally on CFSP policy

**European Parliament**
- Provide strategic guideline

**European Commission**
- Composed of several DGs and Commissioners active in EU's external relations
- Various DGs and Commissioners deal with trade, enlargement, justice, etc.

**Foreign Affairs Council (MS Foreign Affair Ministers)**
- Elaborates the Union's external action
- Ensures that the Union's action is consistent. Article 9C TFEU

**High Representative of the Union for Foreign Affairs and Security Policy**
- Ensure EU's external action consistency
- Heads the European External Action Service

**European External Action Service**
- Headquarter + Delegations + EU Special Representative
- Composed of:
  - 13 National Diplomats
  - 13 Commission Staff (RelEx)
  - 13 Council Secretariat Staff (current DG, Crisis Management, Civilian Planning, Military Staff, etc.)

**MS Foreign Ministries**
- Single geographical and thematic desks
- Dealing with enlargement countries on political level
- Handle politically the Instrument for Stability

**Graph 1: EU's External Relations after Lisbon**
- Nominated HR / terminates his office (QMV)
- Approved by QM as member of Commission / can dismiss the Commission
- Should consult on main aspects
- Vice President and Member of the College of Commissioner Assists Commissioners dealing with external relations aspects
- College Commissioner approved by QM/V can be dismissed
- Presides over Heads

**President European Council**
- Presides

**European Parliament**
- Provide strategic guideline
The High Representative

Basic Question to be addressed:

- Does the institution of High Representative contributes to the Coherence of EU’s overall External Policies including diplomacy?

About Coherence of EU External Policies

According to the Lisbon Treaty the pursuit of coherence of its external action has been a primary objective of the Union.

Coherence has become a perpetual quest for the Union in an effort to reducing contradictions in EU policies and strengthening its common front appearance in its external action.
The High Representative

Coherence touches upon the various levels and institutions of EU decision-making for external action as well as to the perceptions of third parties regarding the EU appearance, when it goes international, as a common front with a common position.

In that sense coherence should be examined in four dimensions (Marangoni 2012):

a. Institutional coherence;

b. Horizontal coherence;

c. Vertical coherence;

d. External coherence.
The High Representative

So the question which arises is whether the HR institution as it has developed, is a step forward in addressing problems of coherence at all dimensions including of course the external one.

The HR and the Institutional coherence

The double-hat of the HR (chair of the Council of the Foreign Affairs and Vice-President of the European Commission is a step forward to strengthening the coherence between the two EU institutions. It has also a positive impact on the intra-institutional decision-making of both institutions, namely the Council and the EU Commission.
The High Representative

The HR and the horizontal coherence

We define horizontal coherence as the coherence between different policies adopted either by one or more EU institutions.

The institutional coherence including its intra-institutional one is a prerequisite for the horizontal coherence.

The duty of HR under the Lisbon Treaty to ensure coherence of CFSP gives to him/her the power to contribute to the horizontal coherence in issue falling with his/her specific policy domain (see for instance Art. 43.2 TEU in conjunction with Art. 18.2 and 26.2 of TEU).
The HR and the Vertical coherence

Vertical coherence appears because of the multi-level governance of the EU. Vertical coherence refers to the tensions which very often appear between EU decisions and the actions or positions adopted by individual member-states. Depending on the personal traits of the HR-post holder, he/she can take advantage of its position as Chair of the Council of Foreign Affairs in order a. to resolve problems arising out from the conflicting interests of MS and b. to ensure to the extent possible, through his role as a broker, that Council decisions will be inclusive, meaningful, clear and relevant to the positions of MS.
The High Representative

The HR and the External Coherence

External coherence refers to the coherence of the EU when it takes the EU output at the international level. Although the external coherence depends on the other dimensions of coherence (institutional, horizontal and vertical) the Lisbon Treaty gives space and resources to the HR to improve the coherence of the EU when it takes external action.

He can do so because:

a. he represents externally the EU in issues of CFSP, he is responsible for conducting political dialogue with third parties on behalf of the Union and expressing the EU positions in international organisations and conferences.
The High Representative

b. He has under his control and make use of a repertoire of resources such as the European External Action Service the EU delegations, his special representatives, national diplomats and experts. Acting in his capacity he can also act in coordination with national embassies and permanent missions of MS around the world.

Thus, the external coherence of the EU depends to some extent on the way the HR will use his/her power and the resources in place. This, in turn, depends, on his personality potential.