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Three Phone Numbers for Europe: Will the Lisbon Treaty Make the European Union More Effective Abroad?

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The most famous challenge to European unity abroad was articulated by Henry Kissinger in his oft-quoted question of the 1970s: "What is Europe's phone number?"

Since then, many things have changed in the Old Continent, and while the challenge of unity remains, the question can no longer be asked in exactly the same terms. For one thing, Europe – or, more precisely, the European Union (EU) – is now larger and more powerful. It has grown from nine to 27 member states and includes 500 million citizens, almost twice the population of the United States. Europe's GDP is larger than that of the United States. Taken together, the United States and the European Union make up more than 50% of the world's GDP, and more than 40% if calculated in purchasing power parity. They still constitute a critical mass in the global economy and the international system.

In the 1980s and 1990s, the European Community transformed itself from an essentially economic body with an internal market into a political entity able to formulate a Common Foreign and Security Policy (CSFP, Maastricht Treaty, 1992), and then, a few years afterwards, a European Security and Defense Policy (ESDP, 1999). The European Union launched its first military operations abroad, taking over from NATO (Macedonia, Bosnia) and on its own (Republic of Congo, Chad, the fight against piracy off the coast of Somalia).

Europe also reformed its institutions. In order to embody the new common foreign policy, a position of High Representative was created in 1999, and the first person to hold the job was Javier Solana, former Secretary General of NATO. If the European project faced a setback with the French and Dutch rejection of the European Constitution project in mid-2005, the core of this project, especially in foreign relations, was transplanted in a leaner and less grandiose treaty – the Lisbon Treaty – which came into force on December 1, 2009.

The Lisbon Treaty is designed to make the functioning of the European Union more

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effective, more democratic, and more coherent, particularly regarding its external relations. Two new positions have been created and were filled right before the treaty came into force. Belgian (Flemish) Herman Van Rompuy has been named President of the European Council (the meeting of the 27 heads of state or government), and British Catherine Ashton has been named High Representative for Foreign and Security Policy, presiding over the External Relations Council (the meeting of the 27 foreign ministers). The question, of course, is whether these appointments and the new machinery created by the Treaty will effectively enable Europe to play a more assertive role in the world, or if American Secretaries of State will still be looking for Europe's phone number in the years ahead. Or will they end up with too many phone numbers?

1. Two New Positions for a More Effective Diplomacy

The President of the European Council

Since it was created in its present form in 1974, the European Council has been composed of the heads of state or government and meets at least four times a year. It is chaired by a different member state every six months according to a rotational system. In a Europe of 27 member states, this rotating presidency system means that a country only gets to chair the presidency once every fourteen years. The Lisbon Treaty remedies this, with a stable President of the European Council, who serves for two-and-a-half years and can be re-elected once. He will ensure greater continuity, preside over the work of the European Council, and represent the European Union at the highest level. The treaty makes it clear that the president must "work to facilitate cohesion and consensus among the European Council."

Many European political observers had hoped that the member states would choose charismatic figures to fill these positions. In this regard, the choice of Herman Van Rompuy, a former Belgian Prime Minister, caused disappointment, even dismay. Valéry Giscard d'Estaing, the former French President who chaired the Convention in charge of designing the European Constitution project in 2002-2003, wanted Europe to find, in his terms, its "George Washington." He expressed his disappointment by noting that "European leaders are not considering the president as someone above them, but at the very best as someone among them – a representative figure from the average of the system."[1]

Political figures seen as too strong or too assertive can be more divisive than consensus-building. Tony Blair, for example, failed to secure unanimous support partly as a result of his outspoken role defending the intervention in Iraq, his strong charisma, and his willingness to ruffle feathers. The smooth functioning of the Union requires a culture of negotiated compromise – now between 27 states, perhaps even more in the future. This is why the President of the European Council must be first and foremost a consensus-builder, someone capable of managing big egos, reconciling heads of state or government on sensitive issues – starting with his or her very own selection as President. The choice of Van Rompuy, a man of compromise, seems to match such requirements. As a minister, president of the Flemish Christian-Popular Parliament, deputy prime minister, president of the Chamber of representatives, and then prime minister of Belgium, he succeeded at easing the strong tensions that had, until recently, prevented the formation of a stable government acceptable to both the Flemish (Dutch-speakers) and the Walloons (French-speakers).

Above all, the new President of the European Council fits the profile advocated by certain

[1] Valéry Giscard d'Estaing, *Le Monde*, 21 November 2009.

large member states, including France and especially Germany. He is a conservative (a Christian-Democrat), coming from a small member state but one that was part of the original founders of Europe, and located at the historical heart of the European construction - "Carolingian Europe" – and a country profoundly devoted to the federal aspect of European institutions.[2]

As Van Rompuy knew when he was named to the job, the President of the European Council is more a chairman than a leader. He is in charge of reconciling points of view, building cohesion, and encouraging the emergence of consensus. His role is about influence more than power. As a facilitator of decisions, he will also have to work in favor of inter-institutional cooperation, in particular during European summits. That includes working in harmony with Jose Manuel Barroso, the President of the Commission, and Catherine Ashton, the newly appointed High Representative.

The High Representative for Foreign Affairs and Security Policy

The other position created by the Lisbon treaty is that of High Representative for Foreign Affairs and Security Policy. The European Constitution project referred to it as a "Union Minister for Foreign Affairs," but this ambitious title, which conjured up a European super-state, was abandoned in the Lisbon Treaty. Its attributions, however, were maintained.

The new position combines two functions existing today: that of High Representative for Foreign and Security Policy, held for ten years by Javier Solana, as noted above, and that of Commissioner for External Relations, most recently held by Benita Ferrero-Waldner. In other words, Catherine Ashton, the new High Representative, will have to coordinate the foreign policies of member states on an inter-governmental basis (with unanimous decisions) and preside over the external relations of the European Commission – a community or *communautaire* policy, with considerable resources, around seven billion euros a year (although this figure includes in particular development aid which will not come under her direct supervision).

Merging the two functions was meant to ensure greater coherence between European foreign policy (statements, sanctions, diplomatic initiatives, and the like), defense policy (military or civilian missions for crisis management), and foreign aid. It is the symbol that the European Union is indeed a single policy actor, which is made official by the acquisition, under the Lisbon treaty, of full legal personality. The European Union is now able to act as a single body under international law, instead of being previously the sum of the community and the member states.

The objective of greater coherence should be enhanced by the fact that the rotating presidency is also abolished for the External Relations Council, which will now be chaired by Ashton. Likewise, at the level just below, her staff should in all likelihood preside over the preparatory meetings such as the Political and Security Committee (the meeting of the 27 ambassadors for CSDP, the Common Security and Defense Policy) and the majority of "working groups" (gathering representatives from the member states) in the area of external relations.

The creation of an EU diplomatic corps, called the External Action Service, placed under the supervision of Ashton should also increase coherence, since it will bring together the foreign services of the Commission (including its delegations in countries around the world), those of the Council Secretariat (who used to assist the rotating presidencies), and diplomats seconded by member states. The allocation of these positions will be without doubt the

[2] All of this differentiated him from his main rivals: Tony Blair and the former President of Latvia, Vaira-Vike Freiberga, who comes from a new member state and never sat in the European Council.

subject of a complex negotiation between the Commission and the member states, who can appoint one-third of the future EU diplomats. The new external service will be built up progressively starting in 2010, and may eventually change the way national diplomacies in Europe are conceived. It will open up new possibilities, like the merger of consular functions among EU countries, or embassy groupings, eventually allowing the European Union to assert itself as a global actor in a very visible manner. This new service will implement policy under Ashton and will also assist the President of the European Council. It could promote, in the long term, the development of a unified diplomatic culture between member states and EU institutions.

Is Ashton the best choice to take full advantage of the institutional changes brought about by the Lisbon Treaty? As smart and respectable as she may be, Ashton does not seem, at first glance, to fit the ideal profile of a European foreign minister. She made her career in the social field and is not well acquainted with diplomatic issues. She has never held any important ministerial function in her country, even though she presided over the House of Lords before being appointed EU Trade Commissioner in 2008, replacing Peter Mandelson. In truth, Ashton has been appointed by default – because the Blair candidacy for President of the European Council failed and it was necessary to give compensation to the British; because David Miliband, an obvious candidate, preferred to dedicate himself to his national ambitions; because a woman was in any case preferred, especially by Scandinavian countries; because it was necessary to find someone from the left side of the political spectrum, since the jobs of President of the Commission and President of the European Council were assigned to male conservatives stemming from small states; and finally because her rivals could not establish themselves as viable candidates.[3]

The clear conclusion is that the choice of the Van Rompuy/Ashton duo, which completes the re-election of Barroso as President of the European Commission for a second five-year term, is essentially the product of a negotiation between the three main European capitals – Paris, London, and Berlin. As a result, the newly appointed officials will undoubtedly pay particular attention to these capitals when advancing policy initiatives.

2. The Peril of Competing Phone Lines

The European Union currently has several phone numbers, because its external representation continues to be divided into multiple actors such as the President of the European Council, the state holding the six-month rotating presidency, the President of the Commission, and the High Representative.[4] As a result of the Lisbon Treaty, the rotating presidency (which loses most of its power but is not abolished as an institution) should lose its external representation prerogatives in favor of the President of the European Council and the High Representative.

During summits with third countries, the European Union should be represented at the top by the President of the European Council (focusing on political issues) and by the President of the Commission (focusing on issues directly related to EU community prerogatives). At the level just below, the ministers (the High Representative in all occasions and the Trade

[3] Mr. d'Alema, former Italian Prime minister was criticized for his communist past and his pro Palestine position. Mme Guigou, former French socialist minister, was not supported by Nicolas Sarkozy who wanted to favor Mr. Barnier for a more key post for France: Commissioner for Internal Market.

[4] European Policy Center, "The Presidency of the Council : the Paradox of the New Presidency", November 2007.

Commissioner in selected occasions, for example) will meet their counterparts (for instance the American Secretary of State during U.S.-EU meetings). Yet, as the rotating presidency will still be in charge of the management of the EU's internal politics within preparatory meetings of the Council (for example on agriculture, transport, energy, research, justice-liberty-security, etc.), it is conceivable that the rotating presidency will be part of the delegation in summits with third countries, if these summits go beyond traditional foreign policy issues and include the external aspects of community policies (such as commerce, energy, regional initiatives, etc.).

During meetings with ministers for foreign affairs of third countries, the European Union should be represented by Ashton, the High Representative, alone. Likewise, EU delegations (or "embassies") to third countries, where they exist, will have the monopoly of representation of the European Union, replacing the embassies of countries holding the rotating presidency of the European council.

However, the "troika" format, made up of three representatives – from the Commission, the country holding the rotating presidency, and the one to succeed it – could be preserved in the case of meetings with third countries on community issues such as justice and home affairs, research, enlargement policies, development aid, etc. For economic and monetary issues, representatives could include external countries having the euro as their currency (this representation will still be split between the Commission, and in particular President Barroso (during summits such as the G8 or the G20), the President of the Eurogroup, representing countries having the euro as their currency (this

Phone Numbers for Europe: A Rolodex for Henry Kissinger		
President of the European Commission	Jose Manuel Barroso	call +32 22991111
President of the European Council	Herman Van Rompuy	call +32 22816111
High Representative for Foreign Affairs and Security Policy	Catherine Ashton	call +32 2 2816467
Rotating President of the European Council (Spain, first half of 2010)	Jose Luis Zapatero	call +34 913353215
President of the European Central Bank	Jean-Claude Trichet	call + 49 6913440
President of the Eurogroup	Jean-Claude Juncker	call +352 24782101
President of the Ecofin Council (Spain, first half of 2010)	Elena Salgado Mendez	call + 34 915958000
Trade Commissioner	Karel De Gucht	call +32 2 2999156
Commissioner for Development	Andris Piebalgs	call +32 2 2992143
Commissioner for International Cooperation, Humanitarian Aid and Crisis Response	Rumiana Jeleva	call +32 2 2989333
Commissioner for Enlargement and European Neighborhood Policy	Stefan Füle	call +32 229 57957

is a new position created by the Lisbon Treaty), the rotating president of the Economic and Financial Affairs (Ecofin) Council, and the President of the European Central Bank (Jean-Claude Trichet).

In order to steer European foreign policy in a coherent way, it will be necessary that the triumvirate formed by the President of the European Council (Van Rompuy), the President of the Commission (Barroso) and the High Representative (Ashton) works without friction. Van Rompuy will embody the inter-governmental legitimacy of the European Union, the meeting of the 27 heads of state or government. He may take policy initiatives, but although he will be assisted by the External Action Service, he will not have direct command of community resources. Because of his rank, he will have the possibility to upstage the President of the European Commission – formerly the only interlocutor at the level of the heads of state or government – and the High Representative, if the initiatives are not coordinated with her. That is why it is essential that Van Rompuy makes all necessary efforts to avoid this drift.

A more effective solution might have been to have the President of the Commission preside over the European Council, thus merging the intergovernmental and community legitimacies. The Convention which drafted the European Constitution project in 2002-2003 considered this option, but ruled it out, for fear of concentrating too much power in the hands of one person. But the Lisbon Treaty does exclude this scenario in the future: the 27 member states would simply have to decide to appoint the same person for both jobs. For the moment, the only dual-hatted official is Ashton, the High Representative, who must combine the intergovernmental foreign policy (and coordinate with the President of the European Council) and the community external policies (by coordinating with the President and other members of the Commission). The fact that she will preside over the Foreign Affairs Council of the 27 member states and at the same time be a member, and even the Vice President, of the European Commission, with command over real resources and personnel, should help her achieve that objective and strengthen her hand vis-à-vis Van Rompuy and Barroso.

3. Too Many Member States Still on the Line?

In the European Union, unanimity is still the name of the game as far as diplomatic and military issues are concerned. During the Convention which drafted the European Constitution project, France and Germany suggested extending the qualified majority vote to most foreign policy issues, while excluding issues relating to security. In this scenario, France would not have had to subordinate its vote in the UN Security Council to a qualified majority vote in Brussels. This extension of a more effective procedure for decision-making was rejected by Great Britain, and the requirement of a unanimous vote was maintained. During the negotiations that followed the rejection of the Constitution project and led to the Lisbon Treaty, Great Britain also obtained interpretative declarations reasserting the integrity of national foreign policies despite the creation of the High Representative position and a European External Action Service. In this respect, the choice of Ashton offers some guaranties to Great Britain.

What should be kept in mind is that the European Union is a union of *states*. While there is a single power center in Washington – even allowing for the internecine warfare among agencies and the frequent tugs-of-war between the White House and Congress – there are still several political sovereignties in Europe, and foreign policy is not nearly as integrated as, for example, commercial policy. If the European Union can speak with a single voice on numerous issues, there are also important subjects that divide it, especially on external issues, and in such cases the various

European institutions cannot do much more than paper over differences. Faced with the war in Iraq for example, the European Union experienced its greatest internal division ever.[5] Vis-à-vis Russia, the approaches and sensitivities of member states are strikingly different. Between 2006 and 2008, Poland blocked negotiations for a new EU-Russia agreement, so as to obtain the lifting of a Russian embargo on Polish meat. In November 2009, EU member states were divided on how to vote on the UN General Assembly resolution concerning human rights violations during the Israeli intervention in Gaza (Goldstone Report): five voted in favor, 15 abstained, and seven voted against it.

The interests and traditions of member states relating to foreign policy are not easily reconciled. The fact that France and Great Britain are nuclear powers, hold permanent seats at the UN Security Council, and have territories and military bases around the world give them a global approach to international issues. Closer to Europe, Germany looks mainly east, while France looks mainly south, and Great Britain looks to the United States. These three countries play more important roles than others as far as European foreign policy is concerned. It does not mean that the European Union does not take into account the opinions of other member states, but simply that nothing meaningful can be done without an agreement between these three capitals.

European integration has not made it possible to make real progress on foreign policy issues where strong differences of opinion persist, and this is the biggest obstacle to increasing Europe's leverage in the world. The European Union has no choice but to try and define a coherent strategy which takes into account the positions of the member states. With the creation of the High Representative position, the Lisbon Treaty enhances coordination between EU resources, especially economic and foreign policy (CSFP) objectives. It will be up to Van Rompuy and Ashton to encourage consensus among the main capitals and to convince the states that are reluctant to cooperate. There lies the key condition to increase EU influence on the international scene.

4. A Nostalgia for Rotating Phone Numbers?

Before the Lisbon Treaty entered into force, the rotating presidency mechanism regularly gave each member state the possibility to gain control over the totality of the European agenda for a substantial amount of time – at least one year in the preparatory phase, then the six-month presidency. It was a very important event for each member state in Europe, with significant benefits, including the opportunity to promote Europe within their own country and the possibility to push national priorities. Finland, for example, launched and then renewed the "Northern Dimension" of the European Union (1999 then 2006); Spain launched the "Barcelona Process" (1995); France transformed it into the Union for the Mediterranean (2008); Germany asserted its priorities for the east in 2007 (Central Asia Strategy, "Black Sea Synergy"); the Czech Republic launched the "Eastern Partnership" with initial impetus from Sweden and Poland (2009); and Sweden just launched a "Baltic Sea Strategy" (second half of 2009).

The rotating presidency system has not been abolished except, for the most part, where foreign policy is concerned. On these issues, member states will be deprived of the possibility to contribute individually to European foreign policy and leave their own mark. The associated risk, of course, is that smaller member states and their public opinions may feel increasingly estranged from the Brussels system and EU foreign policy as a whole. These countries might choose to pursue their specific

[5] 18 out of the present 27 EU member states supported the American position, while France and Germany led a minority of opponents.

foreign policy objectives outside of EU institutions, despite the creation of a European External Action Service. Some observers have noticed that following the enlargement to 27, the European machinery did not become significantly more jammed – thanks to the efforts of the Commission, which tries to be as consensus-building as possible, sometimes at the expense of boldness. The risk here might be that the new functions created by the Lisbon Treaty, instead of galvanizing a true "European will" in foreign policy might, lead to soft consensus and go the way of the Secretary General of the UN or OSCE.

In the past decade, Javier Solana, the High Representative, did score some political successes such as the peace agreement in Macedonia in 2001 in liaison with the American special envoy and the settlement of the crisis created by the 2004 "Orange Revolution" in Ukraine (in liaison with Poland, but also France and Germany, who used their leverage vis-à-vis Russia). But in the case of the Russia-Georgia war during the summer 2008, it was French President Nicolas Sarkozy alone who took the risk and responsibility of negotiating a cease-fire agreement, which was ratified ex post facto by the 27 member states despite some criticism (especially on the issues of respect for Georgian territorial integrity and the return of Russian troops to positions held before the war).

Would Van Rompuy or Ashton have been able to achieve such a result? Only the future will tell, but it is far from certain that they will have enough legitimacy and gravitas to expose themselves like Sarkozy did, and they will probably have to rely on an *ad hoc* cooperation between the main EU countries for each crisis. What will matter for the success of post-Lisbon Europe is the ability of the main countries to consult with each other closely, find unity, and work in sync with the new EU officials.

Conclusion: Will the Lisbon Treaty Improve Transatlantic Phone Conversations?

One of the reasons why the adoption of the Lisbon Treaty is so positive is that it finally enables Europe to turn the page of the navel-gazing debate about institutions, which consumed the better part of the 2000s. Not only did the 2005 French and Dutch referenda block the Constitution project's ratification, but they also upset the dynamics of European integration for an extra four years. The end of this cycle may also prove positive for the transatlantic relationship. Indeed, former U.S. National Security Adviser Zbigniew Brzezinski had declared at the end of the second term of George W. Bush that reviving a calmer transatlantic relationship implied fulfilling two conditions: America had to reconfigure its stance (towards less unilateralism), and Europe had to reconfigure its regime (towards more political unity). In this view, the conjunction of a new administration and the entry into force of the Lisbon Treaty can provide a "window of opportunity" for a renewed transatlantic relationship.

Expectations should, however, remain modest. The Lisbon Treaty offers grounds for hope, but to a limited extent only. On the one hand, the two new positions should help Europeans identify and pursue their own interests in the world – an essential precondition for a sounder partnership with the United States.[6] But on the other hand, the Lisbon Treaty does not profoundly alter the structural asymmetry between the two sides of the Atlantic. In Washington, Barack Obama is able to essentially define American foreign policy. In Brussels, Ashton and Van Rompuy have to

[6] Cf. M. Foucher, « Les intérêts communs des Européens », in T. Chopin et M. Foucher (dir.), *L'état de l'Union 2007. Rapport Schuman sur l'Europe*, Paris, Lignes de repères, 2007 ; et du même auteur *L'Europe et l'avenir du monde*, Paris, Odile Jacob, 2009. See also Jeremy Shapiro, Nick Whitney, *Towards a post-American Europe: a power audit of EU-US relations*, ECFR study, 2 November 2009.

coordinate common positions with 27 ministers or heads of state or government. Gordon Brown, Angela Merkel and Nicolas Sarkozy will retain key roles when defining Europe's positions – and they will remain key interlocutors for Washington.

Thus, while the transatlantic relationship will most probably benefit from the reconfiguration of EU foreign policy, hopes for a profound renewal are limited by the persistence of a "trialogue" between Washington, Brussels and the main European capitals. As a consequence, when reaching out to Europe, Henry Kissinger's successors will still have to make complex conference calls.[7]

ABOUT CUSE:

Europe is currently undergoing a profound transformation in terms of its leadership, the composition of its population, the expansion of memberships in the European Union and NATO, changing relations with key countries like France, Turkey, and Russia, and a regained willingness to address global challenges. In April 2004, Brookings launched the Center on the United States and Europe (CUSE) to understand these challenges and their relevance to U.S. foreign policy. The Center offers an ongoing forum for research, high level dialogue, and public debate on issues affecting U.S.-Europe relations.

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[7] This text is adapted from a paper published by the Robert Schuman Foundation in the "Questions d' Europe" series.