

U.S. – EUROPE ANALYSIS SERIES: NUMBER 57
February 23, 2016

**EU election observation policy:
a supranationalist transatlantic bridge?**
Matteo Garavoglia

Abstract

Scholarly research has traditionally viewed the European Union's Common Foreign and Security Policy as an eminently intergovernmental affair. However, the entry into force of the Lisbon Treaty has now firmly established the European External Action Service at the center of a slowly emerging, multi-layered European foreign policy decision-making process. Within this context, European Union Election Observation Missions (EU EOMs) provide an example of a foreign policy area that could gradually be conceptualized, managed, and controlled by supranational rather than intergovernmental actors. This paper draws upon principal-agent theory to investigate to what extent European supranational agents tasked with implementing EU EOMs might increasingly act independently of the collective principal constituted by the member states. Subsequently, the paper moves on to explore a number of avenues through which Europe's international partners could engage with EU policymaking in the field of election observation missions.

Matteo Garavoglia is the Italy Program Fellow at the Center on the United States and Europe at Brookings. His research focuses on European Union foreign and security policy. In particular, he is interested in humanitarian affairs, development aid, democratization, election observation, and migration policies. Additionally, he covers issues pertaining to U.S.-Italy relations. Matteo is also research associate at the University of Oxford's Centre for International Studies and adjunct professor at Johns Hopkins University's Paul H. Nitze School of Advanced International Studies.

Election observation missions as a tool of EU foreign policy

The entry into force of the Lisbon Treaty,¹ the establishment of the European External Action Service (EEAS),² and the appointment of a High Representative of the Union for Foreign Affairs and Security Policy,³ highlight the European Union's wish to play a more assertive role on the global stage. Within this context, the EU's direct involvement in the P5+1 negotiations on Iran's nuclear ambitions,⁴ its very long-term and often behind-the-scenes engagement with the Western Balkans,⁵ and its role in facilitating a rapprochement between Cuba and the United States⁶ all show the breadth and depth of European diplomatic efforts worldwide. While these efforts often fall short of what would be expected of the largest economic bloc in the world,⁷ Europe is

¹ Signed on the 13th of December 2007 and entered into force on the 1st of December 2009.

² Established on the 26th of July 2010 (Council decision 2010/427/EU) and launched on the 1st of January 2011.

³ Currently former Italian Foreign Minister Federica Mogherini.

⁴ While these formally involved only the five permanent members of the UN Security Council plus Germany, the EEAS had a *de facto* constant and significant presence.

⁵ The European Union has developed ad hoc long-term strategies that, according to developments in each country in question, will eventually bring all states of the region to become members of the Union itself.

⁶ While the thaw in relations between Washington and Havana has rightly made the headlines, the EU played a key role as a “trust broker” between the two historical enemies in the early stages of their rapprochement.

⁷ At USD 18.8 trillion, the nominal GDP of the European Union is slightly greater than the one of the United States (USD 18.2 trillion).

nevertheless slowly moving towards a more integrated and coherent common foreign and security policy.

Although Europe wishes to play a more assertive global role, its ability to project power across the world through military means is limited. A chronic lack of military assets, the duplication of competing military programs championed by individual governments, and significant cuts in defense budgets in response to the recent financial and economic crisis all contribute to severely hamper its effectiveness. Even if a number of significant defense projects—such as the A400M airlift program and the Galileo satellite system—have been put in place to address this “capability-expectations gap”,⁸ it might take decades for the EU to be able to mount overseas military operations on a scale remotely comparable to the modest ones currently carried out by the United Kingdom and France.⁹ Notwithstanding an exceptional scenario where these major obstacles were to be overcome, European public opinions are consistently and vehemently opposed to the use of military force. Culture and history make it exceptionally hard for European governments to convince their electorates of the value of any military interventions. This is a state of affairs particularly evident in Germany—Europe's real *primus inter pares*.

Unable or unwilling to develop and use significant “hard power,” the EU finds itself

⁸ First introduced by Christopher Hill in his seminal 1993 article.

⁹ The European Union's two dominant military powers.

confined to relying on its “soft power.”¹⁰ Within this context, Europe’s democratic credentials, its respect for human rights, its innovative hybrid governance system, and its success in healing historical conflicts, are all appealing attributes that the EU has worked hard to promote on the global stage. Keen to export its governance model and convinced of the positive developments democracy might nurture, over the years the EU has committed significant resources to the promotion of good governance worldwide. It has also acquired a wealth of experience in the field of state building, and it has been pivotal in framing policies in relevant international *fora*.¹¹ Testimony to these efforts are the EU’s global provision of Overseas Development Assistance (ODA)¹² and humanitarian aid,¹³ as well as the readiness of prospective member states to fulfill the demanding Copenhagen criteria¹⁴ while adopting legislation conform to the EU’s *acquis communautaire*.¹⁵

Within the broader context of democracy support, the Election Observation Missions (EOMs) that the EU deployed over the years are a specific tool through which it could

play a significant role in international affairs.¹⁶ While a variety of non-governmental organizations (NGOs), such as the U.S.-based Carter Center and National Democratic Institute (NDI), are accustomed to carrying out their own EOMs, no institution other than the Organization for Security and Cooperation in Europe (OSCE) could match the breadth and depth achieved by EU EOMs worldwide.¹⁷ Indeed, from its first mission to the Russian Federation in 1993 to the end of 2014, the EU has deployed 156 EOMs across the globe. While just over 50 percent of these took place in Africa, all regions of the world saw the deployment of European observers.¹⁸ As the degree of sophistication of EU EOMs and the know-how of the European institutions in this field has grown, election observation missions have increasingly come to be seen as necessary tools (although not sufficient by themselves) in the EU’s broader efforts to support democracy worldwide.¹⁹

The peculiar institutional DNA of EU election observation policy

European foreign policy is fundamentally dominated by intergovernmental practices. EU EOMs, however, are deployed as result of

¹⁰ A concept originally proposed in a rather different context by Joseph Nye in 1990.

¹¹ Regulation (EC) No 1889 / 2006 of 20 December 2006; European Commission (2006, 2007, 2010a, 2010b).

¹² OECD 2015:
<http://www.oecd.org/dac/stats/documentupload/ODA%202014%20Tables%20and%20Charts.pdf>

¹³ Development Initiative (2015) “Global Humanitarian Assistance Report 2015”.

¹⁴ The “Copenhagen Criteria” spell out the objectives that candidate countries have to fulfil in the field of human rights, democratic standards and economic reforms in order to be able to join the EU.

¹⁵ The entire body of existing EU legislation.

¹⁶ See: European Council (2004a; 2004b).

¹⁷ In an informal but consistent division of labor, the OSCE runs EOMs primarily in Eastern Europe and the CIS while the European Union runs them everywhere else across the globe.

¹⁸ EEAS 2015:
http://eeas.europa.eu/eueom/missions/index_en.htm.

¹⁹ In this respect, dedicated work is ongoing within the EEAS to strengthen the link between the findings of individual EOMs and the ad-hoc policies that the EU could implement to support democratic practices in each country where EOMs were deployed.

a complex interaction between actors operating both at the national and the supranational levels as well as within and outside institutions formally mandated to shape policymaking. Within this context—and while the Lisbon Treaty gives supranational institutions a complementary role (shared competence) to member states' actions²⁰—European supranational institutions have over the years become leaders rather than followers in fostering European, and indeed global, democracy support.²¹ This state of affairs begs the question of whether, in this specific policy area, European supranational institutions are still to be considered agents of the member states or, rather, principals in their own right.²²

To what extent are EU EOMs conceptualized, organized, and operationalized by European supranational institutions rather than their

national principals?²³ To begin with, national governments have a clear interest in employing control mechanisms in their relationship vis-à-vis supranational institutions. On the one hand, governments can establish *ex ante* control mechanisms by narrowing the geographic focus of potential recipient countries of an EOM. This can be done through a variety of approaches: by coming to a unanimous agreement on where EU EOMs should be deployed ahead of a Political and Security Committee (PSC) meeting with the EEAS, by requesting the inclusion or exclusion of potential recipient countries suggested by the EEAS in a PSC meeting, or by arguing in favor of moving a specific country from one priority list to another.²⁴ On the other hand, once a mission comes to an end, national governments can also move on to exercising *ex post* control

²⁰ Art. 4 of the Treaty on the Functioning of the European Union (TFEU). Please see: European Council (2010).

²¹ Council Regulation (EC) No 2240 / 2004 of 15 December 2004; Council Regulation (EC) No 2242/2004 of 22 December 2004 as well as European Commission (2006a; 2006b; 2007; 2009; 2010a; 2010b).

²² Only some of the EU's institutions can be classified as being primarily of a supranational nature: the European Parliament, the European Commission, the Court of Justice of the European Union, the European Central Bank and the Court of Auditors. Others, such as the European Council and the Council of the European Union, are overwhelmingly of an intergovernmental nature. NB: From a strictly legal perspective, the European External Action Service (EEAS) is not an institution of the European Union but, rather, a “functionally autonomous body of the European Union” (Article 1.2 of Council Decision 2010/427/EU). For the purposes of this paper, the EEAS is conceptualized as a body of a hybrid but primarily supranational nature.

²³ It is well beyond the scope of this paper to describe in detail principal-agent theory. Indeed, this paper limits itself to elaborate upon key mechanisms that shape the nature of the interaction between principal and agent. For more on this, please see Axelrod (1984); Dehousse and Thomson (2013); Dehousse (2013); (Egan (1998); Epstein and O'Halloran (1999); Franchino (2000, 2002); Hawkins (2006); Hooghe (1999); Hooghe and Marks (2001); Kassim and Menon (2003); Klein (2010); Majone (2001); McCubbins and Schwartz (1984); Pollack (1997, 2005, 2006); Ross (1973) and Williamson (1985).

²⁴ Twice a year (generally around May and September), the EEAS submits to the PSC three lists of countries identified as potential hosts of an EU EOM. “List A” countries are considered priorities where an EU EOM should ideally be deployed, “list B” countries are considered “back up or stand-by countries” to be kept under observation and possibly to be shifted to the “list A” should the need arise and “list C” countries are those that could be the recipients of Limited Elections Observation Missions (LEOMs) or similar *ad hoc* scrutiny.

mechanisms. This can be done in various ways: by demanding to FPI5 within the EC to submit official reports detailing the technical aspects of an EU EOM,²⁵ by demanding a political assessment on the outcome of the EU EOM to the EEAS, or by requesting an appearance of the Head of Mission (HoM) from the EP in front of the PSC.²⁶

National specialized agencies could also apply control mechanisms on the activities of supranational institutions. *Ex ante* control mechanisms can be implemented primarily in two ways. A first approach involves the selection of Short Term Observers (STOs) and Long Term Observers (LTOs). Tasked with compiling a shortlist of potential candidates to be deployed for the EEAS to choose from, national specialized agencies (or specialized units within national foreign ministries) can influence the make-up of the human resources available to the EEAS and the

Commission.²⁷ A second avenue through which specialized agencies can leverage their influence pertains to “information gathering.” Especially when embedded within national foreign ministries, national specialized agencies can liaise with national diplomatic representations in third countries to assess whether or not the deployment of an EU EOM is advisable. The collected information can then be forwarded to the relevant national permanent representation in Brussels. Additionally, but in the realm of *ex post* control mechanisms, national specialized agencies can also request post-mission reports to the personnel they deployed and crosscheck these with the reports provided by other staff of the same EU EOM. By doing so, national specialized agencies have *de facto* control over the behavior and the performance (and hence the choice) of the individuals to be deployed for future missions.

Additionally, national parliamentary committees²⁸ could also theoretically influence the activities of European supranational institutions. For *ex ante* control mechanisms, the parliamentary committees have two channels at their disposal. On the one hand, they can pressure their own national foreign ministries to argue, within the PSC, in favor of the deployment of an EU EOM to a country. On the other hand, they

²⁵ FPI5 is a specific section within the Foreign Policy Instrument (FPI) of the European Commission. Its establishment can be traced back to the suppression of DG RELEX (the Directorate General of the European Commission responsible for External Relations) when the EEAS was set up. While FPI5 is specifically tasked with the technical, administrative and logistical aspects pertaining to the organization of EU EOMs, the EEAS is the body politically responsible for their implementations. Both FPI5 within the Commission and the EEAS fall under the “double hat” of the High Representative of the Union for Foreign Affairs and Security Policy as Head of the EEAS and Vice-President of the European Commission.

²⁶ While it is customary for the Deputy Head of Mission (DHM) to be a practitioner with many years of experience tasked with the day-to-day running of the EU EOM, the Head of Mission (HoM) playing a more openly political role is always chosen among the Members of the European Parliament (MEPs).

²⁷ Each national shortlist (comprising anything between one and six candidates of which at least one should be a newcomer to EU EOMs) is compiled for STOs and LTOs only. The Core Team of experts (comprising between five and ten individuals) deployed for each EU EOM is selected directly by FPI5 within the Commission.

²⁸ These are usually those concerned with foreign, humanitarian, development or human rights policies.

can encourage MEPs of their own nationality to engineer a non-binding resolution within the EP or one of the EP's relevant committees.²⁹ Having said that, the *ex post* control mechanisms available to national parliamentary committees are perhaps more limited. For the time being, these consist of their newly acquired right to “ring alarm bells” when they feel that the actions of supranational institutions have taken place beyond the mandate under which they had been requested to operate. This course of action can be undertaken by obtaining the relevant EU EOM reports previously requested by the PSC to the EEAS, FPI5, or the HoM.³⁰

Other political actors operating both at the national and the supranational levels are not officially part of the decision-making process and are not entitled to impose *ex ante* and *ex post* control mechanisms on European supranational institutions. Nevertheless, these external political actors find themselves in a position to significantly influence the relationship between the collective principal (national governments, specialized agencies, and national parliamentary committees) and the collective agent (the EEAS, FPI5 within the Commission, and the EP). To begin with, practitioners involved in EU EOMs have an

extremely intimate knowledge of the issues that the collective agent has to deal with. Because of that, both the collective principal and the collective agent might approach them to ask for *ad hoc* support for the running of specific EU EOMs.³¹ This state of affairs gives practitioners an informal opportunity to shape policymaking in a way that could result more or less congenially to the collective principal or the collective agent.

Like practitioners, academics researching EU EOMs can yield significant influence over both the collective principal and the collective agent. Through their work and their status within the electoral observation community, these can provide or deny an aura of legitimacy and an “informal certification of quality” to the work of either the collective principal or the collective agent. Finally, NGOs can also influence the principal-agent relationship. This can be done essentially through three avenues: by providing logistical support to the EU EOM in question; by widening the pool of potential STOs, LTOs, and Core Team members to be deployed;³² or by carrying out auxiliary

²⁹ While MEPs within the European Parliament are supposed to operate in the greater interest of the Union as a whole, the history of the European Union is punctuated by anecdotal episodes whereby national allegiances have superseded European ones.

³⁰ Indeed, under provisions outlined in the Lisbon Treaty, national parliaments are specifically encouraged to exercise a control function over the activities of the institutions of the European Union and, eventually, to raise a “yellow card” should they feel these have overstepped the limits of their mandates.

³¹ All Internal National Political Actors (INPAs) constituting the collective principal are chronically understaffed compared to the Internal Supranational Political Supranational Actors (ISPAs) that make up the collective agent. Indeed, while the former often do not have officials solely dedicated to dealing with EU EOMs, the latter certainly do.

³² While training courses for Core Team members are usually run on a strict invitation-only basis through special initiatives sponsored by the European Commission, an ever-growing pool of STOs and LTOs is trained by dozens of Non-Governmental Organizations across Europe and beyond.

functions instrumental to the effective implementation of an EU EOM.³³

Supranational leadership and the limits of national government

When it comes to the extent to which national governments can rely on *ex ante* and *ex post* control mechanisms to supervise the activities of European institutions, a number of key findings emerge. These pertain to:

- the control of financial resources,
- the loose set of rules and regulations under which the EEAS operates,
- the information asymmetries between stakeholders,
- the timing of the information flow between national and European actors,
- the institutional location of specific expertise on EU EOMs,
- the nature of the “diplomatic watch” carried out in recipient countries during EU EOMs,
- the fact that most quality-control mechanisms exist within supranational institutions,
- the freedom accorded to the HR/VP in framing her official statements, and
- the lack of formal procedures to sanction supranational institutions failing to perform.

Taken together, the evidence suggests that European national governments are unable to control the activities of European

³³ While being tasked with running all technical aspects of EU EOMs, FPI5 within the European Commission often has to rely on the support of one or more NGOs for the provision on administrative and logistic services.

supranational institutions in this policy area. When it comes to EU election observation missions, European supranational institutions are in the driver’s seat.

To begin with, supranational actors—rather than intergovernmental ones—are those in control of key financial resources. Indeed, because funds needed for running EOMs come from the European Instrument for Democracy and Human Rights (EIDHR), it is FPI5 within the European Commission that decides which amount of financial resources to allocate to each EOM. Within this context and while FPI5 has to obtain funding from the EIDHR once a year, the average 40 million euros allocated to EOMs annually does not necessarily need to be spent in the year in question. Funding that is not immediately employed can then be used as “carry on money” for the following year, thus providing FPI5 with additional discretionary powers on the timing of expenditures. Within this context, one would expect national governments to make use of comitology committee process to exercise some form of control over budget expenditure. However, because each of the dozen or so individual EOMs per year is looked at separately, the “comitology threshold” is never reached.³⁴

A second issue relates to the loose set of rules and regulations under which the EEAS operates. Indeed, while FPI5 follows the Commission’s strict financial regulations, actual policymaking under the political leadership of the EEAS is far more loosely

³⁴ Regulated by articles 290 and 291 of the TFEU, comitology decisions apply to individual budget expenditures of at least Euro 20 million per year. For more on comitology, please see Dehousse (2003); Dogan (2000); Van Schendelen (2008).

regulated. Because of that, it comes as no surprise that the *modus operandi* consistently highlights the central role the EEAS plays throughout the policymaking process. The steps leading to the deployment of an EOM starts with the country desks within the EEAS stating whether or not they think a deployment is warranted. The country desks are then brought together by regional EOM desks to come up with a shortlist of potential candidate countries for each region before a final internal review with the Head of Division. Crucially, the Head of Division plays a key function at this stage. The evidence suggests that he enjoys a policymaking and synthesizing role that goes discreetly, but significantly, behind the “policy-taking” function he might be expected to assume in other policy areas.³⁵ The priority lists³⁶ (A, B, and C) the EEAS prepares are then sent to the Political and Security Committee (PSC) to receive feedback from the permanent representations of the member states as well as the EP.³⁷ Taking into account the feedback the member states and the EP receive, the EEAS revises the priority lists before submitting these to the HR/VP for final

³⁵ Author’s own semi-structured interviews.

³⁶ Twice a year (generally around May and September), the EEAS submits to the PSC three lists of countries identified as potential hosts of an EU EOM. “List A” countries are considered priorities where an EU EOM should ideally be deployed, “list B” countries are considered “back up or stand-by countries” to be kept under observation and possibly to be shifted to the “list A” should the need arise and “list C” countries are those that could be the recipients of Limited Elections Observation Missions (LEOMs) or similar *ad hoc* scrutiny.

³⁷ Please notice that PSC meetings are chaired by the EEAS itself.

approval.³⁸ An endorsement that is, usually, a mere formality reflecting political decisions taken in a rather informal and not entirely transparent manner much earlier in the process.³⁹

A third reason why the collective principal might struggle to enforce its *ex ante* control mechanisms upon the collective agent has to do with the fact that information needed to decide whether and where to deploy EOMs is shared primarily among supranational actors rather than between these and national actors. To begin with, the reports of exploratory missions are first handed in to the EEAS and FPI5 and, only at a later stage, to the member states.⁴⁰ Furthermore, and once they are shared with the member states, these reports are usually presented in dedicated working groups that operate at a lower political level than the ambassadorial ranking enjoyed by the PSC.⁴¹ Within this context, semi-structured interviews employing triangulation techniques highlighted the sense, among all stakeholders, that both FPI5 and the EP receive a greater amount of information

³⁸ It is customary for the HR/VP to receive the priority lists after PSC meetings have taken place so as to provide her with the opportunity to have the “last word” on their composition.

³⁹ Author’s own semi-structured interviews.

⁴⁰ EEAS permanent staff usually conducts exploratory missions in order to establish whether both the political and logistical conditions for the eventual deployment of an EU EOM to a host country are in place.

⁴¹ Geographic working groups are those most frequently tasked with addressing issues pertaining to EU EOMs. However, other working groups such as the Committee for Civilian Aspects of Crisis Management (CIVCOM) and the Human Rights Working Group (COHOM) might occasionally be involved as well.

compared to national governments. Such a finding is further corroborated by two additional observations. On the one hand, the Commission tends to be involved early and decisively by the EEAS for pragmatic reasons: it falls upon FPI5 rather than upon the EEAS to take charge of all logistical and technical aspects of a possible EOM. The EP is “kept in the loop” by the EEAS for two specific and mutually reinforcing reasons pertaining to specific EU inter-institutional dynamics. On one hand, the HR/VP decided to employ EU EOMs as a tool to provide the EP with a role within the CFSP.⁴² On the other hand, the EP has used the entry into force of the Lisbon Treaty and the more recent merging of the Democracy and Elections Action Units within the Directorate General for External Policies as opportunities to demand a greater role in this field.

A fourth challenge that national governments face has to do with the limited amount of time available to member states to prepare individual responses or common positions ahead of a PSC meeting once priority lists have been submitted to them. While a few specific governments are widely known to be particularly effective in presenting articulated arguments in PSC meetings, the consensus across national capitals is that far too little time is allotted to respond to the priority lists sent by the EEAS.

⁴² A gentlemen’s agreement between the HR/VP cabinet and the EP has been in place for a number of years whereby, ahead of any EOM, a member of the HR/VP cabinet and representatives of the main parties within the EP will get together to discuss a range of names of MEPs that could eventually be selected as Head of Missions (HoM). It is from this shortlist that the HR/VP will eventually select the HoM for a specific mission.

Indeed, while the time might range from 48 hours to a few days, most MFAs reported to the author a great deal of frustration with such short deadlines. While the EEAS officials’ claims that “these are the deadlines that we have to deal with ourselves” and that “a few countries seem to have no problems with,” it is widely acknowledged by the member states’ permanent representations in Brussels that “there is no time to get a thorough feedback from capitals, let alone develop a common position to bring to the PSC together with other countries.”⁴³ The fact that only the PSC receives the priority lists (working groups are excluded from giving input on these) and that “there is an increased tendency to use EU EOMs as a political tool to quickly raise the European flag in crisis situations”⁴⁴ make it even harder for permanent representations to provide coherent feedback to the priority lists or to forge a consensus with like-minded member states.

Another factor hampering national governments’ use of *ex ante* control mechanisms has to do with the quality and the quantity of expertise available within national capitals vis-à-vis Brussels. Three fundamental factors contribute to an imbalance in favor of the latter. Unlike the vast majority of the member states, the EEAS and FPI5 (and to a lesser extent the EP) employ a full-time staff solely dedicated to dealing with EU EOMs. While some member states have managed to either sub-contract part of their activities to bodies external to their MFA or have a specific official

⁴³ Author’s own semi-structured interviews.

⁴⁴ A feeling clearly expressed by more than one permanent ambassador.

dedicated to EOMs, in most foreign ministries officials deal with EOMs as part of a broader portfolio of responsibilities. Secondly, the “generalist principle” in place in most MFAs—whereby officials are rotated to new positions every couple of years—makes it virtually impossible for them to acquire a degree of knowledge and know-how remotely comparable to the one displayed by staff within European institutions.⁴⁵ This state of affairs compromises the long-term coherence and effectiveness that MFAs should expect across the Union. Finally, it is interesting to observe that a significant proportion of officials dealing with EOMs within the EEAS, FPI5 and the EP have themselves an exceptional amount of personal expertise on the subject. This is because many of them previously worked in similar roles with the Office for Democracy and Human Rights (ODIHR) and within DG RELEX.⁴⁶

Until recently, member states were not involved in the implementation of EU EOMs. However, an emerging trend increasingly sees national diplomatic missions in third

⁴⁵ Germany stands out as a notable exception in this respect by having a dedicated focal point with the Auswertiges Amt (AA) and, crucially, by having “sub-contracted” a number of activities to a semi-independent body such as the Berlin-based Centre for Peacekeeping Operations (ZIF).

⁴⁶ As a body of the Organisation for Security and Cooperation in Europe (OSCE), ODIHR has been actively working since the early 1990s in the setting up and running of ODIHR/OSCE EOMs in Eastern Europe and the former Soviet Union. Since the turn of the century and until its competences were transferred to the EEAS and FPI5 within the Commission, DG RELEX has been the Directorate General within the European Commission responsible for policymaking in the field of EU EOMs.

countries engaging in “diplomatic watches” to informally observe elections by deploying Locally Recruited Short-Term Observers (LSTOs).⁴⁷ Leaving aside considerations on the merit of this policy, there are two rather banal reasons why these “diplomatic watches” do not provide the member states with a meaningful opportunity to either understand the technicalities of the electoral process or to observe the activities of the EU EOM deployed in the field. On the one hand, national diplomats tend to receive only rather cursory training: they have therefore a limited grasp of the methodology needed to understand the intricacies of electoral observation. On the other hand, the EU ambassador in the recipient country coordinates the “diplomatic watch” carried out by the diplomatic representations while at the same time reporting to the EEAS. This is a peculiar state of affairs whereby a supranational official coordinates the work of national actors while reporting to its own supranational principal. A situation that does not substantially change in Head of Missions (HoMs)⁴⁸ or Political Counselors meetings where the head of the EU EOM and her Deputy brief the HoMs of the member states and their political attaches respectively.⁴⁹

⁴⁷ LSTOs are usually national diplomats of EU member regularly posted in the recipient country in question that are briefed and encouraged to contribute to the “diplomatic watch” on an *ad hoc* basis.

⁴⁸ While it is customary for the Deputy Head of Mission (DHM) to be a practitioner with many years of experience tasked with the day-to-day running of the EU EOM, the Head of Mission (HoM) playing a more openly political role is always chosen among the Members of the European Parliament (MEPs).

⁴⁹ As a Deputy HoM simply put it: “interim reports are always sent to the member states but we do make sure to keep control of things so as not to allow them

While potentially useful to show the EU's commitment to the electoral process to the recipient country in question, the "diplomatic watch" certainly does not provide the member states with a meaningful insight in the work carried out by the EEAS, FPI5, and the EU EOM in the field.

On top of the fact that national governments struggle to implement meaningful control procedures in the field, *ex post* control mechanisms also seem to be either managed by supranational actors or simply consist of follow up processes (again, usually under the leadership of either the EEAS or FPI5). Three considerations are in order in this respect. Firstly, there are no established benchmarks or a standardized control mechanism for member states to independently control the activities of the supranational actors *in itinere* (i.e. while an EU EOM is actually taking place). Secondly, when an EOM is approved and subsequently discussed, the member states receive some regular updates through debriefings given by the EEAS to the geographic working groups. This is a peculiar state of affairs, whereby the EEAS effectively reports a) on its own performance, and b) at the lowest possible political level in relation to the member states. Finally, when follow up reviews do take place to translate the findings of an EU EOM into political initiatives, it is the EEAS that draws up the guidelines according to which member states should strive to become more coherent in dealing with recipient countries, not vice-versa. While opportunities for the member states to check on the performance of the EU EOM at the end of a mission are

to spin things according to their own national interests".

limited, it is striking to observe how, even in these rare circumstances, national governments do not seem to get much insight into the quality (and potential shortcomings) of an EU EOM. Such an opportunity would present itself when the HoM and the Deputy-HoM are called to report to the PSC. It is under these circumstances that the member states could thoroughly question and assess the performance of the EOM itself as well as that of the EEAS and FPI5. Surprisingly, this is something that happens quite seldom. This is the case because the point of de-briefings is not to review the performance of the EEAS and FPI5 but, rather, to find out about the result of the elections and its political implications.

A further reason why national governments might struggle to enforce *ex post* control mechanisms on supranational institutions is to be found in the considerable "freedom of speech" accorded to the High Representative/Vice-President (HR/VP). The consensus among all stakeholders on this issue is almost unanimous: "while she [i.e. the HR/VP] is of course always made aware of national sensitivities and makes sure to keep them into account, member states are not able to vet the HR/VP official statements and, ultimately, it is up to the HR/VP to provide a political assessment of an EU EOM."⁵⁰ Crucially, this "freedom of speech" enjoyed by the HR/VP is reinforced by the "double institutional hat" that she wears. By leading the EEAS as the EU's High Representative and by being a Vice-President of the Commission within which FPI5 is located (while also

⁵⁰ Author's own semi-structured interview with officials of a national permanent representation.

chairing the meetings of the intergovernmental Foreign Affairs Council), the HR/VP has a unique opportunity to control and bring coherence to the activities of these two supranational institutions. Thus, the HR/VP is able to retain control of an EU EOM until its very final stages. Crucially, this situation also allows her to have the final word in the inevitable “trilateral tension” involving the political Head of Mission (i.e. an MEP), the technical dimension of it (observers and FPI5 within the Commission), and the leading role of the EEAS itself.

Finally, should the member states wish to “punish” the EEAS and FPI5 for straying too far from their mandates, they would struggle to do so due to a lack of clearly established legal avenues. In order to impose sanctions on the EEAS and FPI5, regulations pertaining to the EIDHR and to the EEAS (because EU EOMs are specifically mentioned by the treaties as one of the tasks falling under the responsibility of the EEAS) would have to be changed. Changes to these regulations would have to take place through the regular EU legislative process (i.e. through the ordinary legislative procedure involving a Commission’s proposal and then the approval of both the EP and the Council).⁵¹ This initiative would be difficult to implement due to the fact that it would require both a legislative proposal of the Commission and the approval of the EP: two supranational institutions that are unlikely to agree to weaken their (and the EEAS’s) role vis-à-vis the member states. Within such a context—and should the member states wish to modify the *modus operandi* of the EEAS and FPI5

⁵¹ This is the former co-decision rebranded as ordinary legislative procedure by article 294 of the TFEU.

without passing through the ordinary legislative procedure—only a few unpalatable and possibly ineffective options would be left. These could involve an informal complaint within the relevant working group (the lowest level of interaction between the member states, FPI5 and the EEAS), an “exchange of views” within the PSC (the intermediate level) or, at the highest level, an official letter of complaint addressed by a national foreign minister to the HR/VP.

The marginal role of national agencies and parliaments

In a number of member states, specific specialized agencies (ranging from QUANGOs⁵² to dedicated units within national foreign ministries) have a variety of control mechanisms at their disposal. In reality, however, a number of fundamental elements tend to decrease the extent to which such agencies can effectively control the activities of the collective agent. These factors have to do with the increasing politicization of EU EOMs at a time when specialized agencies fulfill a technical role but are deprived of a political function, the limited extent to which specialized agencies coordinate their actions with one another, the significant variation observed among such agencies when it comes to the degrees of expertise and professionalism showcased, the lack of structured pan-European evaluation processes and, finally, when these do take place, the very limited amount of

⁵² While formally not part of state structures, Quasi-Autonomous Nongovernmental Organizations (QUANGOs) are NGOs that effectively perform state functions (often receiving significant financial support by the state for which they operate).

“up-taking” exercised by national governments in following up on these assessments. National specialized agencies face a challenge in that, while EU EOMs are becoming increasingly political in nature,⁵³ such agencies are mandated to fulfill only technical roles and not political ones. Whether dedicated units within national foreign ministries or semi-autonomous QUANGOs, national specialized agencies limit themselves to short-list Short-Term and Long-Term Observers (STOs and LTOs),⁵⁴ to occasionally organizing training activities for prospective observers and, at most, to reviewing their performances after a deployment. Across the overwhelming majority of the cases investigated, these specialized agencies’ role is clearly separated from any diplomatic or political activity that is autonomously carried out by national governments. This state of affairs excludes the agencies from playing any supervisory role on the increasingly politicized activities carried out by European supranational actors. A second reason why national specialized agencies exercise a very limited degree of control over the activities of supranational actors has to do with the fact that cooperation among national agencies themselves is patchy at best. Representatives of such agencies come together on average only twice per year, and the individuals sent to these meetings tend to change with baffling frequency. Moreover, shared

⁵³ A fact, this one, both highlighted by a variety of stakeholders as well as by a review of the countries and the political contexts of where EU EOMs have been deployed over the last decade.

⁵⁴ While national specialized agencies might short-list STOs and LTOs, it is then up to FPI5 within the Commission to make the final selection and decide which observers to recruit.

guidelines on training, selection, and assessment procedures are woefully ignored.

In light of the reasons mentioned above, it quickly becomes clear how national specialized agencies are not in a position to form a united front when interacting with the EEAS and FPI5. The third and perhaps most worrying reason why national specialized agencies fail to exercise any meaningful control over the activities of supranational actors has to do with the exceptional degree of variation that can be observed in terms of know-how, expertise, and professionalism. The situation in this respect is rather extreme. On one side of the spectrum, some national specialized agencies can count on the professionalism of individuals that have accumulated relevant know-how over many years of service, that operate within institutions that have developed and refined clear selection guidelines, and through institutional frameworks that have internalized a continuous learning culture. At the other extreme, some national specialized agencies have staff that candidly admit to “having no idea who decides what in Brussels,” that will “try to give a job to people that are struggling to find one because of the economic crisis” and that “have to come up with ideas on how to get something done because of a lack of clear guidelines on the subject.”⁵⁵

Finally, two more elements contribute to undermine national specialized agencies’ ability to effectively implement *ex post* control mechanisms aimed at supervising the activities of the collective agent: lack of

⁵⁵ Author’s own semi-structured interviews with relevant staff across selected EU member states.

structured pan-European evaluation processes and, when such assessments do take place, very limited “up-taking” by political authorities that could question the quality of the work carried out by the EEAS and FPI5. This twofold challenge exists despite ample opportunities for dealing with it. With such an objective in mind, the bi-annual meetings of national focal points and/or the heads of national specialized agencies could, for instance, focus on significantly strengthening pan-European benchmarks and evaluation process. Until that is the case, each national specialized agency could independently request feedback and assessments to “its own” STOs and LTOs. If handled with care, such an exercise could provide the head of the national specialized agency in question with the opportunity to forward the findings to its foreign ministry which could, in turn, act upon them when and if necessary.

In an even weaker position than national specialized agencies, national parliaments are particularly unlikely to effectively employ *ex ante* and *ex post* control mechanisms to supervise the collective agent made up by the European supranational actors. Four correlated factors seem to account for this state of affairs: the limited amount of human and financial resources available within national parliaments, the lack of domestic pressure exercised on national MPs, the geopolitical priorities and sensitivities displayed by different countries and, finally, the lack of appropriate institutional mechanisms to exercise oversight coupled with national parliaments’ willingness to delegate supervision of the EEAS and FPI5 to other supranational agents. In the majority of cases, national parliaments simply do not

have the human and financial resources to properly provide significant input to their foreign ministries. In conversations across different member states, MPs repeatedly highlighted one or a combination of many challenges. These range from having too limited a number of PAs to do background work on EU EOMs, the unresponsiveness and unwillingness of national parliaments’ in-house research departments to work on the subject, a chronic lack of funding to hire external consultants on an *ad hoc* basis and, most frequently, difficulty in focusing on an area that falls between the competences of a plethora of parliamentary committees.⁵⁶ If lack of human and financial resources might be a genuine problem, anecdotal evidence suggests that, when a specific issue does make it to the top of the political agenda, resources are usually found. With this assumption in mind, it is worth mentioning that a variety of MPs have almost invariably highlighted how EU EOMs are simply not an issue on which they are encouraged to focus on by their constituencies. Indeed, in contrast to what happens for issues such as human rights and development assistance, dedicated NGOs and pressure groups seldom approach MPs to encourage them to include EU EOMs among the issues they should focus on. Lack of domestic pressure from outside parliaments, unsurprisingly, accounts for the lack of interest on EU EOMs within parliaments.⁵⁷

⁵⁶ Depending on the EU member state in question, EU EOMs might fall under the remit of a foreign affairs committee, a human rights committee or a development committee (or a combination of these).

⁵⁷ Authors own semi-structured interviews with national MPs across a variety of member states.

While the claim above certainly has its merits, the picture is actually more complex than that. Indeed, EOMs run by the OSCE receive far greater attention on behalf of national MPs than those run by the EU. While it is beyond the scope of this paper to explain the reasons for such a finding, some hypotheses could be made to account for this. These would have to do with the geographic location of the country in question, with the fact that OSCE/ODIHR EOMs are essentially run on an intergovernmental basis,⁵⁸ and with the significance of the bilateral channels already in place between specific OSCE countries before a tentative OSCE/ODIHR EOM.⁵⁹ Finally, while national agencies can employ only limited *ex post* control mechanisms, national parliaments have no *ex post* controls at their disposal. This is the case for two reasons. On the one hand, national MPs repeatedly and candidly point out that they “would have no idea how to do so or which channels to use for this purpose.”⁶⁰ As the “early warning system” enshrined in the Lisbon Treaty allows for the bi-annual meetings of the Conference of Parliamentary Committees for Union Affairs (COSAC) to focus primarily on issues pertaining to Justice and Home Affairs (JHA) rather than foreign

⁵⁸ Unlike in the case of EU EOMs financed through the EIDHR, member states can decide whether and to what extent to contribute to individual OSCE/ODIHR EOMs.

⁵⁹ In this respect, notice for instance the far greater number of both STOs and LTOs regularly deployed for OSCE EOMs by EU member states compared to the numbers deployed for EU EOMs as well as the bilateral funding dedicated by EU member states to the EOMs run by the two organizations.

⁶⁰ Author’s own semi-structured interviews with national MPs.

affairs, they might be right feeling at a loss.⁶¹ On the other hand, national MPs effectively rely upon the European Parliament to brief them on the activities of the EEAS and FPI5. This is a peculiar state of affairs, with the collective principal—constituted by national parliaments—delegating supervision of two European supranational agents (the EEAS and FPI5) to another supranational agent (the EP).⁶²

Strengthening the international community: how to engage with Europe’s EOMs

When wishing to engage with EU EOMs, the international community has a number of tools at its disposal. Importantly and unlike in most EU foreign policy domains, these efforts should focus on addressing European supranational institutions (the EEAS and, to a more limited extent, FPI5 within the European Commission and the EP) rather than individual European governments. Aside from working directly with its supranational institutions, Europe’s international partners might also consider selectively involving practitioners, academics, researchers, and international NGOs. Crucially, aside from some notable exceptions, as previously highlighted, European national governments

⁶¹ The famous “yellow card” and “orange card” mechanisms whereby at least a third or half of the member states’ legislative bodies respectively might call for a review of draft legislation deemed to have violated the subsidiarity principle is limited in scope to legislative proposals and does not cover the EU institutions’ *modus operandi*.

⁶² Supervision that the EP itself struggles to enforce. As a former Deputy HoM succinctly put it capturing the views of a number of other stakeholders that have been interviewed, “the EP delegation comes for E-Day for political visibility: the understanding is that they must endorse the EU EOM’s statement. Period”.

are not taken seriously as effective partners in the field of EU EOMs.

In the supranational domain, Europe's international partners could engage the EEAS at the political level in a variety of ways. A first possibility would see the non-European party in question approaching the member of the cabinet of the HR/VP responsible for EU EOMs and relations with the EP. Doing so would ensure that the views of the party in question could be adequately relayed to the HR/VP. A second and more strategic approach would instead see the direct involvement of the Head of Division of the Democracy and Electoral Observation Unit within the EEAS. This is the pivotal actor that can nudge in different directions policymaking on EU EOMs: developing a meaningful relationship with this individual would be a long-term strategic investment. Finally and on a more geographical basis, counterparts in the United States and elsewhere might consider approaching the country and regional desks within the EEAS. These are the officials that initiate the conversation within the EEAS on whether or not to deploy an EU EOM: while one should not overestimate their impact on policymaking, a regular dialogue with these desks would provide third parties with sympathetic ears in the early stages of policymaking.

On a more technical level, keeping several issues in mind could assist in developing a relationship with FPI5 within the European Commission. Firstly, the Head of the Election Observation and European Union Visitors Programme is always to be a first port of call: his unit is the one effectively controlling the budget for all EU EOMs. Secondly, FPI5's

influence on policymaking is far greater once an EU EOM has been deployed rather than in the process leading to the decision on whether or not to deploy. This state of affairs mirrors FPI5's technical mandate and key role in operationalizing missions in the field. Finally, FPI5 is the body to address when thinking about logistics and security-related issues: in a constant dialogue with the EEAS, FPI5 has the last say in both respects.

Finally, the European Parliament deserves special mention in light of the work currently carried out by its Democracy Support and Election Coordination Group (DEG).⁶³ Through its newly developed Comprehensive Democracy Support Approach (CDSA), the EP is actively expanding its role beyond narrow election observation to a broader and more holistic understanding of democracy support.⁶⁴ This approach foresees the targeting of EP democracy support activities (both short and long-term) to a maximum of ten countries,⁶⁵ the appointment of a "long-term lead MEP" for each target country, the reinforcement of EP democracy activities, and the enhanced coordination of both intra-EP and inter-institutional activities to the benefit of the CDSA. Because of its efforts, the EP could be approached through three complementary

⁶³ Re-convened in the present legislative term following its establishment in May 2012.

⁶⁴ A first EP internal review carried out in November 2015 (i.e. just over one year after the launch of CDSA in October 2014) and obtained by the author already identified a number of recommendations to expand CDSA's activities to build upon the very positive feedback given by the EP's international partners following CDSA's first year of operations.

⁶⁵ Currently: Moldova, Morocco, Myanmar, Tanzania, Tunisia and Ukraine (as well as the Western Balkans).

channels: the forum provided by the Transatlantic Legislators' Dialogue (TLD) through both its bi-annual meetings and Transatlantic Dialogues,⁶⁶ the Democracy and Elections Action Unit within Directorate D (Directorate for Democracy Support) of the Directorate General for External Policies of the European Parliament, and finally, the European Parliament Liaison Office (EPLO) with the U.S. Congress in Washington.⁶⁷ Within this context, the skill of each “long-term lead MEP” in leveraging the influence of its party within the EP is likely to become increasingly important in the years to come.

Two key trends can be observed regarding the opportunities that practitioners have to engage with the collective principal and the collective agent. Within the realm of the collective principal, national specialized agencies (rather than national foreign ministries or national parliamentary committees) are the actors that, if at all, seek the input of practitioners. While this could theoretically allow national agencies to exercise some control over European supranational actors by having practitioners supporting and validating the agencies' individual agendas, few benefits can be expected in this respect. This is the case because of the technical nature of the work carried out by national agencies. Indeed, while these might be greater depositories of know-how on EU EOMs than national foreign ministries, the ministries still hold the monopoly of the political relationship with the EEAS and FPI5. While Europe's international partners

⁶⁶ The TLD was established in 1999 to give further substance at the transatlantic legislative level to the views expressed by the 1990 Transatlantic Declaration and the 1995 New Transatlantic Agenda (NTA).

⁶⁷ The only EPLO outside the European Union.

might wish to engage with national agencies as a means to acquire substantial know-how pertaining to the technical aspects of EU EOMs, such an involvement would be of limited use if aimed at fostering political dialogue. On the other hand, the EEAS and FPI5 tend to enjoy a closer relationship to practitioners than the one enjoyed by these with national governments. This is the case fundamentally because of historical and personal reasons. Crucially, a significant number of officials within the EEAS and FPI5 dealing EU EOMs are former practitioners themselves. Having started their careers as STOs, LTOs, and Core Team decades ago—and having often worked in ODIHR/OSCE EOMs since the 1990s—these officials have a wealth of personal contacts with practitioners still active in the field. Because of such historical, personal, and informal ties, the EEAS and FPI5 are far more likely than any other stakeholders to engage with and seek the support of practitioners. Those experts from both in and outside Europe eager to engage with EU EOMs are therefore far more likely to find an informal but receptive ear within the EEAS and FPI5 than within national governments.

Regarding scholars and academics, the extent to which European and foreign researchers can influence policymaking varies significantly depending on which stakeholder they engage. Indeed, when it comes to the role played by academics in informing the activities of relevant stakeholders, the country desks within the EEAS are the key actors to talk to. That is because country desks are not only repositories of geographic expertise, but also because the nature of their role consistently pushes them to seek the input of the

epistemic community. This is compounded by the fact that, unlike its national counterparts, the EEAS often cannot rely on the sensitive information acquired by national intelligence services. While they might occasionally do the same, national country desks repeatedly admit to limited efforts in engaging with practitioners. It is therefore no accident that stakeholders at the national level recognize that “the EEAS desks talk regularly to the epistemic community. They do that more than us. And they can talk to them knowing which questions to ask when thinking about planned or on-going EU EOMs.”⁶⁸ Should academics and researchers from both inside and outside Europe wish to influence policymaking in the early stages of the debate on whether and where to deploy an EU EOM, country desks as well as regional EOMs desks within the EEAS should be their first port of call.

Finally, when it comes to the interest that both European and foreign NGOs might have in engaging with EU EOMs, the evidence suggests that the EEAS and FPI5 (rather than national stakeholders) are the key actors to approach. There are two main reasons for the relatively close relationship between these two supranational actors and both national and transnational NGOs. Unlike any other stakeholder, FPI5 constantly engages with NGOs for logistical purposes. As the body tasked with the actual implementation of EU EOMs, FPI5 entertains long-standing cooperation agreements with TRANSTEC, GIZ, IOM, and INDRA.⁶⁹ Crucially, this relationship revolves around three key

⁶⁸ Author’s own semi-structured interviews with officials from EU national governments.

⁶⁹ As of the end of 2014, UNOPS had ceased to be a regular partner of FPI5.

areas: the selection of competitive offers chosen on technical merit for the provision of (mainly) logistical services, the provision of a variety of support services during the deployment of an EOM itself, and the employment of both *ex ante* and *ex post* control mechanisms on behalf of FPI5 to ascertain the performance of the NGO in question. On the other hand, training activities also provide a channel for cooperation between FPI5 and NGOs. Indeed, because capacity building is often outsourced to NGOs, FPI5 is responsible for providing financial support to these. The situation also involves the EEAS in an informal dialogue aimed at providing input on the evolving methodology and the specific needs that need to be addressed by the training activities to be organized.⁷⁰

A transatlantic bridge with a truly European shore

This paper highlighted the control mechanisms of EU EOMs and the relationships between national and supranational actors. Crucially, unlike the vast majority of EU’s foreign policies, EU EOMs are overwhelmingly conceptualized and operationalized by European supranational actors. This is bound to be the case within a context whereby both *ex ante* and *ex post* control mechanisms available to principals reveal themselves to be ineffective. While member states nominally still constitute the collective principal vis-à-vis the collective agent made

⁷⁰ A case in point is Election Observation and Democratic Support (EODS): while having nothing to do with member states, EODS regularly engages with FPI5 to obtain financial support and with the EEAS to discuss methodological issues.

up by supranational institutions, in this policy area, the latter lead the former.

As Europe's partners across the Atlantic and beyond seek to build bridges with Brussels, they are for once likely to engage with a single and coherent actor as opposed to a plethora of bickering national governments.

Indeed, when engaging with European EOMs, the international community (national governments as well as practitioners, researchers and NGOs) should make no mistake: national governments do not control the policymaking process. Supranational institutions do.

Bibliographic references

Axelrod, Robert (1984) *The Evolution of Cooperation*, New York: Basic Books.

Dogan, Rhys (2000) 'A cross-sectoral view of comitology: incidence, issues and implications', in Thomas Christiansen and Emil Kirchner (eds.), *Committee Governance in the European Union*, Manchester: Manchester University Press.

Dehousse, Renaud (2003) 'Comitology: who watches the watchmen?', *Journal of European Public Policy*, 10 (5): 798-813.

Dehousse, Renaud and Thompson, Andrew (2013) 'The Commission in the EU Institutional System: a Citadel Under Siege' in Kassim, Hussein et al. (2013) in *The European Commission of the Twenty-First Century*, Oxford: Oxford University Press.

Dehousse, Renaud (2013) "The Politics of Delegation in the European Union", *Les Cahiers européens de Sciences Po*, n. 4.

Egan, Michelle (1998) 'Regulatory strategies, delegation and European market integration', *Journal of European Public Policy* 5(3): 485 - 506.

Epstein, David and O'Halloran, Sharyn (1999) *Delegating Powers: A Transaction Cost Politics Approach To Policy Making Under Separate Powers*, Cambridge: Cambridge University Press.

European Commission (2006a) "Regulation (EC) No 1889 / 2006 of the European Parliament and of the Council of 20 December 2006 on Establishing a Financing Instrument for the Promotion of Democracy and Human Rights Worldwide", Brussels: Official Journal of the European Union.

European Commission (2006b) "Thematic Programme for the Promotion of Democracy and Human Rights Worldwide Under the Future Financial Perspectives 2007-2013", Brussels: European Commission.

European Commission (2007) "Furthering Human Rights and Democracy Across the Globe", Luxembourg: Office for Official Publications of the European Communities.

European Commission (2010a) "Draft Commission Decision on the Annual Action Programme 2011 for the European Instrument for the Promotion of Democracy and Human Rights Worldwide (EIDHR)", Brussels: European Commission.

European Commission (2010b) "European Instrument for Democracy and Human Rights (EIDHR) 2011-2013", Brussels: European Commission.

European Council (2004a) "Council Regulation (EC) No 2240 / 2004 of the European Parliament and of the Council of 15 December 2004 amending Council Regulation (EC) No 975/1999. Brussels: Official Journal of the European Union.

European Council (2004b) "Council Regulation (EC) No 2242/2004 of 22 December 2004 amending Regulation (EC) No 976/1999. Brussels: Official Journal of the European Union.

Franchino, Fabio (2000) 'Control of the Commission's Executive Functions. Uncertainty, Conflict and Decision Rules', *European Union Politics*, Volume 1 (1): 63-92.

Franchino, Fabio (2002) 'Efficiency or credibility? Testing the two logics of delegation to the European Commission', *Journal of European Public Policy*, Vol. 9 (5): 677-694.

Hawkins, Darren et al. (2006) 'Delegation under Anarchy. States, International Organizations, and Principal- Agent Theory', in Darren Hawkins, David A. Lake, Daniel Nielson, and Michael J. Tierney (eds), *Delegation and Agency in International Organizations*, New York: Cambridge University Press: 3-39.

Hooghe, Liesbet (1999) 'Supranational Activists or Intergovernmental Agents? Explaining the Orientations of Senior Commission Officials Toward European Integration', *Comparative Political Studies*, Vol. 32 (4): 435- 463.

Hooghe, Liesbet and Gary Marks (2001) *Multi-level Governance and European integration*, Lanham: Rowman & Littlefield.

Hill, Christopher (1993), 'The Capability-Expectations Gap or Conceptualising Europe's International Role', *Journal of Common Market Studies* 31(3): 315

International monetary Fund (2015) "Report for Selected Countries and Subjects", Available at: <http://www.imf.org/external/index/htm> Last accessed: February 5th, 2016.

Kassim, Hussein and Menon, Anand (2003) 'The principal-agent approach and the study of the EU: promise unfulfilled?', *Journal of European Public Policy*, Vol. 10 (1): 121-139.

Klein, Nadia (2010) *European Agents Out of Control? Delegation and Agency in the Civil-Military Crisis Management of the European Union 1999-2008*, Baden-Baden: Nomos Publishers.

Majone, Giandomenico (2001) 'Two Logics of Delegation. Agency and Fiduciary Relations in EU Governance', *European Union Politics*, Vol. 2 (1): 103-122.

McCubbins, Matthew and Schwartz, Thomas (1984) 'Congressional oversight overlooked: police patrols versus fire alarms', *American Journal of Political Science* 28: 165 - 79.

Pollack, M.A. (1997) 'Delegation, agency and agenda setting in the European Community', *International Organization* 51(1): 99 - 134.

Pollack, Mark (2005) 'Theorizing EU Policy-Making', in Wallace, Helen; Wallace, William and Pollack, Mark (eds.), *Policy-Making in the European Union*: 14 - 47.

Pollack, Mark (2006) 'Principal-Agent Analysis and International Delegation: Red Herrings, Theoretical Clarifications, and Empirical Disputes', Paper presented at the Workshop on Delegating Sovereignty, Duke University, 3-4 March 2006.

Nye, Joseph (1990) *Bound to Lead: The Changing Nature of American Power*, New York: Basic Books.

Ross, Stephen A. (1973) 'The Economic Theory of Agency: The Principal's Problem', *The American Economic Review*, Vol. 63 (2): 134-139.

Van Schendelen, Marie (ed.) (1998) *EU Committees as Influential Policymakers*, Aldershot and Brookfield: Ashgate.

Williamson, O.E. (1985) *Economic Institutions of Capitalism*, New York: Free Press.

Acknowledgements

This paper would have never come to light without the crucial support of a number of people. In particular, I am extremely thankful to officials within the EEAS, the EP, the Commission and the national permanent representations of the member states as well as to individual experts both in Brussels and across Europe. Back in Washington, I very much valued the input provided by a variety of exceptional practitioners in the field. I am also grateful to two anonymous reviewers for their punctual and poignant observations. More generally, I shall also thank my wonderful colleagues at the Brookings Institution for their support and for brainstorming with me over the coffees that I don't drink. Last but certainly not least, I am indebted to Anna Newby for taking the time to deal with my "Englishisms" and for addressing any editorial inconsistencies. Having said that, responsibility for all possible mistakes and omissions in this paper remains my own and sole responsibility.

ABOUT CUSE:

The Center on the United States and Europe (CUSE) is the focal point for the Brookings Institution's research on the future of Europe, its relations with the United States, and the evolving challenges that confront them both. CUSE's team of U.S. and European scholars share deep substantive knowledge as well as extensive experience in government, international institutions, NGOs, and academia. Drawing on their expertise, the Center offers independent research and recommendations for U.S. and European officials and policymakers, and a series of path breaking books and reports. CUSE convenes public forums, conferences, and private meetings with primary stakeholders, including the annual Raymond Aron Lecture, featuring prominent French scholars and statesmen; and the Daimler U.S.-European Forum on Global Issues that brings together top diplomats and security experts.

**The Brookings Institution
Center on the United States and Europe
1775 Massachusetts Avenue, NW
Washington, DC 20036
www.brookings.edu/cuse**