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Paper title

The changing role of the European Commission in Policy making towards the Neighbourhood

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Introduction

Within the intergovernmentally organised Common Foreign and Security Policy (CFSP) the role of the Commission is often perceived as marginal. It is formally associated but has de facto no competences. Nevertheless it would be misleading to conclude that the Commission is not involved in EU foreign policy making at all, as CFSP is just one part of the “system of external relations” (Hill 1993: 322) that is further made up of the external relations of the European Community (EC) and the sum of the foreign policies of the member states.

While the external (primarily economic) relations of the EC are traditionally the core of European supranational foreign policy making, I want to show within this paper that the more current policies of the “Euro-Mediterranean Partnership” (EMP) and the recently established “European Neighbourhood Policy” (ENP) provide interesting new roles for the Commission’s civil servants, that - as I argue - go far beyond the usual administrative role of institutions to facilitate intergovernmental decision-making and can not be explained accordingly by opposing intergovernmental and supranational approaches. Although within these policy areas the formal decision-making power is still with the member states, the Commission can highly influence the process of policy making and policy specification.

The leading empirical research questions of this paper are how the role of the Commission in foreign policy making has changed during the last years and what tasks the Commission performs formally and informally within the EMP as well as within the ENP. Furthermore, I want to examine how the Commission perceives its role within these policies, and how the other involved actors assess the involvement of the Commission.¹ These empirical results are the starting point for some critical reflections about theoretical approaches that could be appropriate to analyse EU policy making towards the neighbourhood and the institutional developments in this area during the last 15 years.

1. The changing nature of European Foreign Policy

For decades, foreign policy as the most salient issue of national sovereignty has been the most prominent argument against the incorporation of foreign policy issues at European level. In the 1950s there have been several attempts like the European Defence Community to coordinate the foreign policies of the member states more closely, but until the Treaty of Maastricht innovations were primarily meant to improve the cooperation and coordination of national foreign policies of the member states. The Single European Act incorporated the 1970 informally introduced European Political Cooperation (EPC) within the EEC-framework, but policies and institutions were still clearly separated (Hix 1999: 341-342). In contrast to these coordination efforts, the Rome Treaty for the first time also covered important external economic policies that were incorporated in the supranational framework of the EC (Piening 1997: 169-191; Smith, K. 2003: 34). Hence, there was a clear separation between economic external policies and political external issues. The former were pursued at supranational EC-level, while the latter were coordinated and discussed in the intergovernmental framework of EPC.

¹ This paper and the question of „how“ the role of the Commission has changed is a starting argument of my PhD project where I aim to examine the mechanisms of changing processes and *why* they have taken place.

The collapse of the Soviet empire, the end of the Cold war, the Gulf crisis and the civil war in Yugoslavia among other profound changes in the international arena during the 1990s on the one hand, and internal attempts to establish also a “political Union” on the other hand restarted the discussion about how EC member states could most effectively cooperate in foreign policy issues. Some member states strongly criticised the inadequacy of the EPC and asked for a “*communitarisation of foreign policy*” (Piening 1997: 38) at European level, while other members strictly refused to integrate foreign policy issues into the EC-framework. At last, the compromise between these two different positions was the Treaty of Maastricht, where the EPC was incorporated as the Common Foreign and Security Policy (CFSP) within the institutional framework of the EU but remained intergovernmental in the second pillar. Through this pillarisation the separation between external economic policies and external political policies got institutionalised and even more complex.

Since the treaty of Maastricht two different developments can be observed: the CFSP as well as the EC external policies increased remarkably. During the last 15 years the CFSP evolved considerably in terms of institutional organisation as well as in terms of policy output. Officials of the member states got used to the different CFSP working groups, the Political and Security Committee quickly found its new role within the policy cycle, and more generally, the member states learnt how to work within the CFSP framework. The treaty revision of Amsterdam also created new institutions within the second pillar. The Secretary-General of the Council takes over the post of the High representative for the CFSP (HR) who assists the Council in the formulation, preparation and implementation of CFSP-related decisions. Furthermore, the Presidency can request the HR to represent the Council in political dialogues with third parties. In close cooperation with the HR, the also newly established policy planning and early warning unit within the General Secretariat of the Council is meant to assist the member states by monitoring potential political crisis situations, analysing international development, assessing future areas of action, or even producing policy option papers for the Council.

But the CFSP pillar also increased in terms of policy output. As table 1 shows, the quantity of CFSP instruments (common positions and common actions) increased remarkably (see also Smith, M. E. 2004: 51). Since 1999², furthermore, a “European Security and Defence Policy” has been developed within the CFSP framework, and in 2003 the European Union conducted its first military and police missions.

In regard of this strong development of the CFSP pillar some scholars argued that the intergovernmental character of foreign policy at European level has got institutionalised since the treaty of Maastricht. Hence, they also assume that if anything like a European Foreign Policy (EFP) ever evolves than within the CFSP. In their view the member states and their representations in Brussels are the decisive actors in EU foreign policy making, supported by the CFSP institutions to overcome cooperation problems. Hence, they define EFP primarily through CFSP as the direct continuation of the EPC, i.e. the coordination of national foreign policies.

² The British-French declaration of Saint Malo is perceived as the founding occasion of the ESDP. There, the UK government for the first time declared not to block a military and security cooperation at European level anymore.

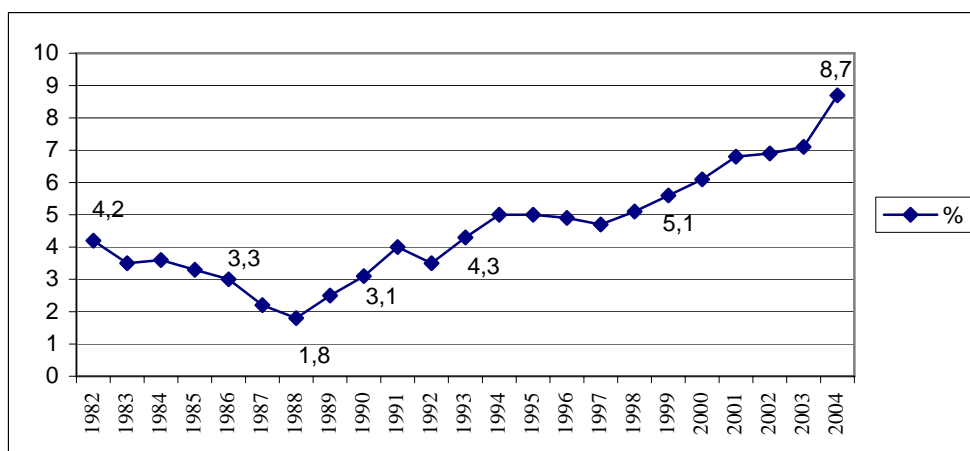
Table 1 & Figure 1: Number of common actions and positions of the Council of the European Union

1970-74*	1975-79*	1980-84*	1985-89*	1990-95*	1996	1997	1998	1999	2000	2001	2002	2003	2004
8	7	24	26	94	25	30	40	59	45	50	48	88	42

* Data from Smith, M. E. 2004: 51; other data own calculation based on Document sections of European Foreign Affairs Review (1997; 1998a; 1998b; 2000; 2001; 2002; 2003; 2004; 2005)
 ** As the data for years 1970 till 1995 is only available in 5-years-terms the graph for these respective years shows the mean.

In contrast to this intergovernmental CFSP development, an increasing involvement of supranational actors can also be observed in regular policy making towards third countries. Policies like the TACIS-programme towards Eastern Europe and Central Asia, the MEDA-Programme towards the Euro-Mediterranean partner countries, the European Neighbourhood Policy (ENP) or development policies have been increasingly pursued within the first EC-pillar during the last ten to twenty years (Hix 1999: 345-346; Smith, M. 2006: 313). Although the treaties have formally only been changed marginally, it is primarily informal day-to-day policy formulation and implementation where actors like the Commission or the European Parliament are involved (Nutall 1997, cited by Hix 1999: 354). Hence, a good illustration of the increasing importance of external policies is the share of “external action” in EC expenditure. As the graph in figure 2 shows the EC expenditure on “external action³” has increased steadily during the last 20 years.

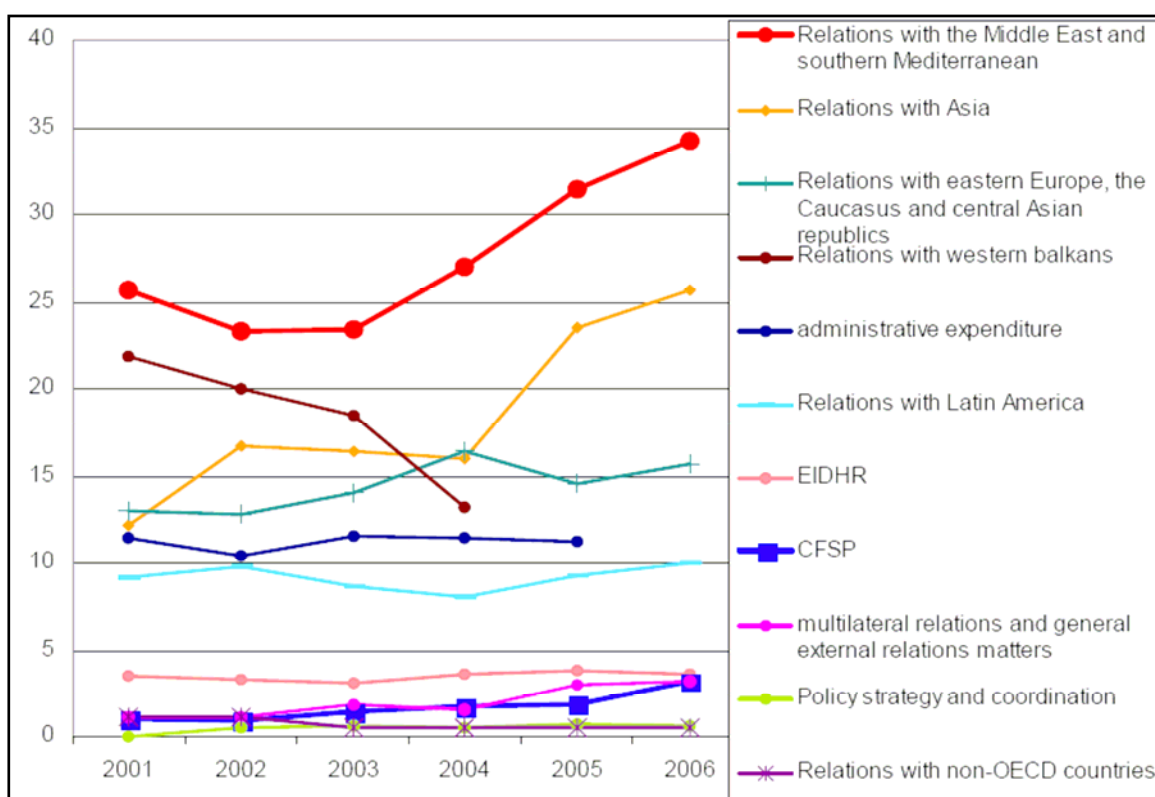
Figure 2: EC expenditure for „external action“ in % of general budget, 1982 – 2004
 (Data from European Communities 2005: 148-149, own graph)



³ These numbers include all Community expenditure in favour of third countries, except for enlargement-related expenditure on candidate countries and expenditure under the European Development Fund (COM 2002: 238). Hence it covers the small CFSP financial means and the external Community expenditures.

Scholars supporting the idea of the intergovernmental institutionalisation of EFP could now argue that this increase of proportional EC-expenditure for the subheading “external actions” is misleading, because the CFSP is also financed through the EC budget, except for military missions which are covered by national contributions of the member states. Therefore figure 3 shows the proportional expenditure of various subheadings within the heading “external actions”, and although the CFSP financial means increased slightly they cannot be perceived as the main cause for an overall increase of “external action”-expenditure. In 2001 only 1% of the total EC budget for external actions was spent on CFSP what increased marginally in 2003 (1,4%), 2004 (1,8%), 2005 (1,9%) to 3,2% in 2006⁴. The figure also shows that the emphasis of EC expenditure lies within the European neighbourhood, i.e. the relations with the Middle East and Southern Mediterranean and with Eastern Europe, the Caucasus and the Central Asian republics.

Figure 3: Proportional EC expenditure for “external actions” in subheadings, 2001- 2006 (data see Annex)



Hence, in practice we find evidence for both developments: CFSP as well as EC external policies grew remarkably in terms of contents but also in terms of their institutional organisation. So who is right now? Do intergovernmentalists have a point in insisting to define EFP through the second CFSP pillar? Or is it the supranationalists that perceive the European institutions as crucial actors who are better able to explain what is going on in Foreign policy making at European level?

⁴ The data for 2006 are preliminary results published by the European Commission which uses other definitions of the headings. Hence the proportional data for 2006 might still fluctuate to other yet not published financial reports (see also remarks in Annex).

I argue that both theoretical approaches are not adequate to explain the development in foreign policy making at European level during the last 15 years, because they might be good approaches to explain changes within their respective pillars, but they are not appropriate for processes between or beyond the pillars.

Both above described approaches may have a point, i.e. that the policy output of the EC external relations as well as of the CFSP increased at the same time. But I perceive it as indispensable not only to observe an increase in policy quantity but also to more carefully examine the interactions between the actors, because we must not automatically assume that these processes have remained the same since 1993. Hence, the core question is not if the first or the second pillar is more active in foreign policy making, or - speaking in theoretical terms - if foreign policy making at European level is primarily intergovernmental or supranational.

The core aim of this paper is to desist from this rigid pillar-separation and to look more critically, if and how during the last 15 years the interaction between the actors and the policy process changed, and what roles different actors performed at different points in time.

Within this paper, the changing role of the Commission in the EMP/ENP will be used as an illustrative example to get a first idea if there was a change, and what the role and tasks of the Commission are today. Furthermore, the perception of other actors about the Commission's role will be incorporated in the reflections.

2. New roles for the Commission within the ENP

Within the framework of the Euro-Mediterranean Partnership (EMP), the European Council gives the strategic direction that is expressed in the Common Strategy. Each Presidency of the Council should present its priorities for the implementation of the Common Strategy on the Mediterranean (CSM) in its working program (see Art. 33 CSM, European Council 2000), and the Council is responsible for the actual implementation by adopting Common Positions and Common Actions.

Within the Commission, the DG External Relations (Relex) manages the EMP (unit F), and its main responsibility is the programming as well as drafting and adopting of country and regional strategy papers, national and regional indicative programs and annual financing. The Council monitors the work of the Commission through its own "management committee". For ensuring coherence of all EU policies both the Commission and the Council are responsible (Philippart 2003: 203-204; Salama 2002: 4, 9; Smith, H. 2002: 160).

The working procedures of the ENP were set up in the "European Neighbourhood Policy strategy paper" by the Commission (COM 2004). It was decided that the Commission would draft country reports for the third countries where it will provide information about the political and economic situation of the country and possible needed reforms. Based on the results of these reports ENP action plans were drafted by the Commission, then discussed with the member states and finally negotiated with the third countries. The action plans are very concrete and technical, and identify the priorities of reform with each partner for the next three to five years. The Commission is responsible for the implementation of these action plans and the monitoring of progress. In December 2006 the Commission published its first periodic progress reports.

However, in terms of content, the formal competences of the European actors differ in regard to the policy area. In trade and aid aspects, the Commission has the sole competence. In security and political aspects, the Council together with the High Representative is the most important actor

on EU level. Although the Commission is associated within these policy areas, it is said that it keeps a low profile (Philippart 2003: 203-204; Smith, H. 2002: 162).

When we look at the formal treaty provisions only, the role of the Commission in foreign policy making did not change considerably during the last two decades, and also within the CSM⁵ the role of the Commission seems formally marginal. But this is misleading, and several scholars already emphasized that the impact of the Commission on foreign policy evolved considerably during the last years (White 1999: 45; Allen 1998: 48), and it is now perceived by many authors as

“the most important actor in Union policy towards the Mediterranean - taking responsibility for implementing the Euro-Mediterranean partnership” (Smith, H. 2002: 160).

Christiansen (2001: 762) emphasised in his study on inter- and intra-institutional relations in the EU “that deficits of the formal structures and the treaty provisions are compensated by informal arrangements” and therefore also concluded that the formal treaty provisions do not tell the whole story about tasks and competences of European actors.

Hence, to be able to assess these informal arrangements and the actual role of the Commission in day-to-day policy making towards the neighbourhood expert interviews were conducted with officials of the Directorate General for External Relations (RELEX), of the Directorate General AIDCO (EuropeAid), of the Council Secretariat, with representatives of the Presidency as well as several other officials of the permanent representations of the member states (members of the respective Council working groups). Within the following pages, some of these empirical results will be presented, although I will - due to restriction of space - primarily focus on the status quo of the role of the Commission. I will use Christopher Hill’s categorization of vital functions of national foreign bureaucracies (routine information gathering, assistance in formulating policies, and memory) (Hill 2003: 76-78) to structure the empirical results.

2.1. Routine information gathering

One vital function of foreign policy bureaucracies is to collect and provide information. This also applies to the Commission within the ENP. Civil servants of DG Relex as well as their counterparts in the Council Secretariat and the member states agree that on European level this task can only be sufficiently performed by the Commission. The EC delegations are a very important source of information about the on-site situation in a country, and the desk officers in Brussels are in daily contact with these colleagues (I-8: Comm)⁶. This information helps the desk officers in Relex (unit E for the Southern Caucasus and unit F for the Mediterranean) to monitor the implementation of the association agreements and the ENP action plans in a very detailed way (I-10: Comm). Apart from this country-specified knowledge that the Commission gets from its delegations there are today also sectoral units (sectoral coordination of ENP, unit Relex/D2) which provide the desk officers with mostly technical expertise in specific areas (I-7: Comm).

The member states, generally, view the role of the Commission in gathering information very positively and acknowledge that it fulfils a very important task:

⁵ The only reference to the Commission is Art. 34 CSM: “The Commission shall contribute to the above within its competences”.

⁶ References to interviews include the interview-number and an abbreviated designation of the institutional affiliation of the interview-partner, i.e. Comm for Commission, CS for Council Secretariat and PR for Permanent Representation; A longer version of the interview details is incorporated in the reference list.

"I think it is quite useful because it goes back to what I said: you need some technical experience and time to devote to sit down and really know the country inside out. And know the technical issues. If you think at Rabat where the Commission delegation is - they have a real strong presence and they have technical experts who can look at things, at issues that we would traditionally not look at in great depth, and they make recommendations on that. And I think that is an extremely useful starting point because you need that. You need to know where you are before you start your judgments. And you need that detailed technical stuff that the Commission provides."(I-21: PR UK)

Nevertheless, the member states become sometimes also quite jealous of the advantages of the Commission (I-13: CS), especially when they get the feeling that the Commission plays on its advantage of information.

"Vis-à-vis the working groups they explain certain positions on a punctual basis but not regularly, and concerning information it depends – when they only need majority vote they often wait quite long and give the proposals to the member states just some days before the decision – so that they do not have time to look at the proposals in exact details and find points they would disagree with. For us it is not possible to look at every point in detail, especially when there should be a joint paper afterwards. It is a game."(I-17: PR France)

Officials of other member states also highlight this problem, although they emphasize that this can not be generalized to the Commission per se, as the delivery of information depends very much on the personal attitude of the civil servant whom they are working with (I-18: PR Germany). A very negative experience were the negotiations about the European Neighbourhood Policy Instrument, while during other negotiations the Commission quite early informed the member states about what they intended to include into their drafts. Most of the time the sharing of information between the Commission, the Council and the member states is no problem when it comes to negotiations with third countries, as all participating European actors seem to be aware that it is important to have a common standpoint (I-15: CS).

But also the Commission recognizes the importance of having good communication channels with other actors. In its recent Communication "Europe in the World" (COM 2006a: 7-8) the Commission again pointed out that the improvement of exchanging reports and information with the Council and the member states is a very important asset to strengthen the role of the EU as foreign policy actor.

The importance of the EC delegations as a source of information becomes also obvious in the draft for a constitutional treaty. There it was intended to create the post of a EU foreign minister⁷ who will be supported by a "European External Action Service" which is made up of staff from the former EC delegations, from the Council Secretariat and seconded national diplomats⁸. The Council Secretariat as well as the member states hope that through this institutional change they could "*use this huge potential*" more directly (I-15: CS), while the Commission is sceptical to this idea, because they fear to lose an important source of power vis-à-vis the other actors. Even if the constitutional treaty will never come in force, there are already recent discussions taking place, how to reform the institutional set-up and create a European External Action Service without the constitutional treaty (see for example Council 2005).

⁷ Art. I-28 of the Constitutional Treaty

⁸ Art. III-296 of the Constitutional Treaty

2.2. Assistance in formulating policies

Closely linked to provide information and expertise is the task of foreign policy bureaucracies to assist the respective actors in formulating policies. Although in the end other actors might have the sole competence to decide, the foreign ministries draft proposals and point out the most important policies that should be pursued (Hill 2003: 77).

Within the framework of the ENP the Commission fulfils exactly this role. In 2004 and 2005, the Commission prepared the Country reports, which highlighted the most needed reforms in the partner countries and were the starting point for further policy developments⁹. It drafted the more detailed and very technical ENP action plans, which afterwards were discussed with the member states (I-14: CS). The member states, as the deciding authorities, have the difficulty during these negotiations that *first*, it is impossible for them to look at every point and to assess the impact in detail, and that *secondly*, at this point of time the member states can only agree or disagree to the drafts, but they can not give their own input any more (I-17: PR France). Furthermore, the Commission sometimes acts in a very strategic way to achieve acceptance of their proposed policies, especially if only a qualitative majority is needed. Through tactically connecting different issues (for example agriculture and the free movement of workers) it actively "*tries to persuade the member states*" (I-11: Comm). Therefore the member states often have the feeling that the huge power of drafting proposals "*culminates in a rule of the Commission*" (I-16: PR France) in the area of ENP. Not all member states would formulate it in a such rigorous way, but they agree that the power of the Commission increased steadily during the last years (I-18: PR Germany; I-13: CS).

Formally there is a clear division between economic EC competences and political member state ones, but this is not always applicable and efficient, and it sometimes happens that the Commission covers all kind of issues (I-16: PR France). The Council Secretariat as well as the member states often feel that the Commission also wants to cover political aspects (I-15: CS), and carefully control what the Commission is doing in the negotiations with the third countries (I-1: PR Austria).

On the other hand, all involved actors also emphasize that the Commission is doing a very important job that could not be done by the member states or the Council alone.

"We need to break that down and go into real depth, which I think the Commission is in particular extremely good at. For example: what are the benchmarks in sanitary affairs that they [*i.e. the third countries*] need to meet to taxes the EU market? I mean these things are quite technical – or at least it seems so - but they are highly important in terms of trade access which can make a real difference."(I-21: PR UK)

The cooperation between Council Secretariat and Commission improved significantly during the last years, and the Council Secretariat as well as the member states actively ask for the expertise of the Commission in areas where it has no formal competences at all (I-7: Comm; for similar results see also Christiansen 2001: 762-764).

Hill assumed in his analyses of national foreign bureaucracies that in foreign ministries the civil servants are more generalists than specialists and that they therefore have difficulties in dealing

⁹ The countries involved in the ENP are Belarus, Ukraine, Moldova, Georgia, Armenia, Azerbaijan, Syria, Lebanon, Jordan, Israel, Palestinian Authority, Egypt, Libya, Tunisia, Algeria, and Morocco. For all of these countries except for Algeria, Belarus, Libya and Syria country reports as well as ENP action plans have been passed. For more information see http://ec.europa.eu/world/enp/documents_en.htm.

with specialists of other ministries. This does not apply to the European Commission who provides an amount of expertise within the EMP that could never be allocated by the member states. Furthermore, the desk officers can easily access the technical expertise of the sectoral units within DG Relex as also the in-depth country knowledge of the civil servants in the EC-delegations (I-5: Comm).

2.3. Providing continuity and coherence

After the Cold war a differentiation between external and internal policies became increasingly difficult, and today on national level there are several ministries that deal with external policies. It is the task of the foreign ministry to coordinate the actions of all these actors and to ensure that its sum goes beyond simple external relations but that they are goal-orientated and coordinated. Nevertheless, within states this ideal is not the normal case, and inconsistency is often not even perceived as a problem¹⁰.

On European level more coherent action in external relations is already desired since 40 years, and Art. 3 of the treaty of Maastricht incorporates coherence as a fundamental principle (Smith, M. E. 2004: 210; see e.g. Gauttier 2004: 26; Nuttall 2001; De Wilde/Glume 2004: 2; Nugent 2002: 154). There have been several attempts to improve the cooperation of the various actors,¹¹ and formally, the Commission and the Council are responsible to ensure consistency, each within its respective powers. At European level, coherence is still seen as a necessary prerequisite for a better international performance of the EU.¹²

Christiansen (2001) analysed how coherence between the pillars (inter-institutional) but also within the pillars (intra-institutional) changed, and he showed that inter-institutional coordination is increasing, but that coherence within the pillars is decreasing. During the last two decades there were several reorganizations of the institutional setup of the Commission that reflect quite tellingly the old discussion about how to structure foreign policy bureaucracies – along geographical or sectoral units (Hill 2003: 78-81). Today, within the Commission both of these divisions exist, but the respective geographical desk officers are the focal point for coordinating all policies towards their third country, at least of the Commission (I-8: Comm; I-9: Comm; I-10: Comm). The sectoral units within DG Relex provide the desk officers with the technical expertise, support them to formulate policies as well as do officials from other Directorate-Generals like Trade, Agriculture or Humanitarian Aid. The civil servants of the Commission perceive this current institutional formation as very effective (I-19: Comm), and they do not really see any problems of coordination with other DGs anymore. Some member states view the coordination within the Commission not perfect but quite well (I-21: PR UK), while others experience more struggles within the Commission - about contents as well as about influence (I-17: PR France).

¹⁰ Sometimes, inconsistent and incoherent policies are also used intentionally to pursue a special goal (Szymanski/Smith 2005). But this is not the 'normal' case.

¹¹ For example, the primary aim of the incorporation of the European Political Cooperation within the institutional framework of the EU through the treaty of Maastricht was to foster coherence (Smith, M. E. 2001: 169). The treaty revision of Amsterdam and the incorporation of the instrument of "Common Strategies" were also intended to improve coherence. Further, the constitutional draft included several attempts for better and more coherent foreign policy making.

¹² See e.g. European Security Strategy (2003) or Commission proposal for European Council (COM 2006a); See also Christiansen (2001: 762).

The coordination of and with other actors varies with the geographical areas. Within the EMP the member states as well as the Council Secretariat perceive the cooperation with the respective desk officers in unit F (Mediterranean) quite difficult. They have the impression that the civil servants do not want to inform them appropriately and that they really have to control what policies this unit negotiates with the third countries. It already happened several times that these officials proposed something to the third countries that went too far for the member states, what in the view of the member states made a very bad and suspect picture towards the third countries (I-18: PR Germany) and harmed the position of the EU as a whole. The member states ascribe these problems not generally to the Commission but specifically to the head of unit F.

Within the policies towards the Southern Caucasus such problems do not occur at all, and the Council, the Commission and the team of the Special representative appreciate their mutual cooperation very positively. Repeatedly the involved actors emphasized that “*they have a very pragmatic share of work and that they work as a team*” (I-19: Comm; I-5: Comm; I-14: CS; I-22: CS). The EU policies towards the Southern Caucasus are more political and orientated towards conflict resolution, and therefore cannot be directly compared to the EU policies towards the Mediterranean. Nevertheless this observation indicates that the personal contacts and the attitude of the individual officials towards cooperation with other institutions play a significant role.¹³

Hill argues that the institutional memory of foreign policy bureaucracies ensures a certain amount of continuity in the external relations of a state. At European level this task was meant to be performed by the Council Secretariat whose primary tasks is to assist the rotating presidency and ensure continuity in the formulated policies of the Council. In the intergovernmental CFSP this is - among other tasks - the responsibility of the High Representative.

The civil servants of the Commission view themselves performing this task in the area of the ENP, as the officials in the Council Secretariat often change and the presidency even rotates every six months (I-8: Comm; I-19: Comm). Contradictorily is the fact that also within the Commission the desk officers rotate every three to five years, but it might be questioned if the “institutional memory” really depends on people and not on institutions. Nevertheless it seems obvious that the day-to-day policy making of the Commission is especially important for slow-moving processes like the EMP. Transformation takes its time, and can not be neatly covered by solely political negotiations (I-7: Comm). Within the EMP the development of networks also on lower levels and with the civil society is very important, but these processes need time (I-11: Comm). On the other hand it is just these slow moving improvements that make the EMP and ENP more successful than other, more interventionist approaches (I-1: PR Austria).

3. Linking these empirical observations to theory

This empirical presentation of the role of the Commission in policy making towards the neighbourhood shows that the Commission fulfils tasks that in the national context are primarily performed by national foreign policy bureaucracies. These results further demonstrate that it is not only the member states that shape foreign policy towards the neighbourhood, but that also the Commission fulfils an extensive and crucial role. But what do these empirical observations imply for a theoretical approach to understand European policy making towards the neighbourhood?

¹³ Christiansen (2001: 761, 764) also highlighted this conclusion several times in his article.

Traditional international relations theories - like (neo)realism as the most prominent example - viewed states as the sole actors at the international arena. Over decades, independent foreign policy making was perceived as the core of national sovereignty (Allen/Wallace 1976: 11). That has only changed, as the end of the Cold War and a bipolar world, the rise of globalisation and complex interconnectedness left their mark also on theorising in international relations. Hence, states are today still perceived as the most prominent but not exclusive actors in international affairs, and there is consensus that international organisations, transnational cooperations or non-governmental organisations also highly influence international policymaking.

Within the European integration literature a similar discussion has been taken place for years about who are the pivotal actors in European Union policy making (see short overview by Diedrichs/Wessels 2006: 209-213). Liberal intergovernmentalists assume that the key actors within the European Union are the member states and that institutional change within the EU/EC is intentionally decided by the member states during Intergovernmental Conferences (IGC) in accordance with their national (primarily economic) interests. Informal institutional change through day-to-day policy making is not relevant, and supranational institutions only play a role in that far as they can support the member states in controlling their domestic affairs (Moravcsik 1993: 507). Neo-functionalist scholars like Haas or Schmitter who perceive the Commission as active and autonomous actor in shaping EU policies argue quite the contrary. In their view, the expertise of the European Commission and its assumed representation of the European interest legitimate possible spill over effects from other policy areas.

But also in European integration research a shift to governance-approaches has taken place that incorporates that the EU has not acquired the institutional requirements and the sovereignty comparable to traditional nation states, but that it is able to perform public policies that are similar to that of a state (Richardson 1996: 3, cited by White 1999: 48). These mostly neo-institutionalist approaches got further elaborated (Pollack 1997, 1998, 2003; Kassim/Menon 2003), highlighted the principal-agent relationship within political systems like the European Union and settled between the two extreme positions of intergovernmentalism and neo-functionalism. Regardless of the different underlying theoretical assumptions of these approaches they all argue that their models are not applicable to foreign policy making, because this policy is the most important issue of national sovereignty and that no member states will ever delegate any power or function to a supranational institution within this policy area – regardless if the state has the possibility to fully control the agent or not. These different theoretical approaches have never extensively been applied to EU foreign policy making (as more recent and interesting exceptions see Krause 2003; Stetter 2004, 2007) because it is argued that foreign policy is different than public policies and that these approaches could not explain anything.

In regard of the empirical results about the role of the Commission in policy making towards the neighbourhood this limitation must be rejected. I absolutely agree that foreign policy is different than public policies but that does not automatically imply that these approaches are not appropriate. Foreign policy is much more executive-orientated than regulatory or redistributive policies (Stetter 2004: 722), what at European level would even point to a pivotal role of the Commission. On the other hand it has of course to be kept in mind, that irrespective of the change in interaction and the involvement of supranational actors, it is still the member states that decide

unanimously or with qualitative majority in the end¹⁴. Nevertheless I assume that with a critical adaptation of these theoretical approaches to the respective differences, the underlying mechanisms and causal relations can also explain certain dynamics in the change of European actors' interaction in policy making towards the neighbourhood.

Therefore I strongly argue for a critically reflected application of theoretical discussions of interstitial institutional change from European public policy (for an actual and good illustration see a special issue of *Western European Politics* 2007: Caporaso 2007; Farrell/Héritier 2007) and of principal-agent approaches also to these more sensitive areas of foreign policy making. Nevertheless, such an analysis would imply some fundamental analytical prerequisites:

First, such a research would ask for a broad and output-orientated definition of European Foreign Policy¹⁵. Is it possible that a political system like the European Union that is more than a traditional international organization but not as much as traditional 'Westphalian' nation state (see among others Peters 1992: 76; Pilegaard 2003: 4; White 1999: 39) has anything like a foreign policy?

There are two contradictory strands in the literature. On the one hand there are scholars who criticize the term "European Foreign Policy" itself, because it "*a contradiction in terms at best and a myth at worst*" (White 1999: 43). Lister (1997: 6-8 cited by White 1999: 48) among others argues that only states can have a foreign policy, but the European Union as a "*unique type of institution*" is not a state and can therefore neither have a foreign policy. Similar is the argumentation of Allen (1998: 44) who assumes that at European level there is nothing similar like a 'government' that formulates the European interests and goals, and therefore it is not accurate to talk about a European foreign policy at all. Absolutely the contrary is the argument of Hazel Smith who assumes that the EU does "*have a foreign policy and that it can be analysed in pretty much the same way as we can analyse that of any nation-state*" (Smith, H. 2002: 1-7 ; see also Smith, H. 1998: 153-154; for a detailed presentation of this discussion see a review article by Carlsnaes 2004).

These two different arguments perfectly demonstrate the shift in theoretical approaches that has taken place during the last years: not the state, its institutional set-up or its government are the important factors but the ability of governance and to produce policy output. Hence political systems like the European Union might as well be analysed like states although they do not have the same institutional requirements.

Other scholars also question the above described traditional state-orientated concept of policymaking that in their view does not seem accurate any more in a time of globalisation and the supposed decline of the nation-state. These developments do not imply, as Hill correctly argues, that foreign policy is not important anymore (Hill 2003: xviii-xix) but that the definition has to get adjusted to the transformed international environment. The international system has changed as

¹⁴ With the treaty revision of Amsterdam member states could also decide with majority when their policies are based on a Common Strategy, like it is the case in the Mediterranean policy since 2000.

¹⁵ For this discussion it is indispensable to clearly differentiate between "foreign policy" and "external relations". External relations are all actions that a state, an organization, an enterprise or a citizen has with the outside world. These actions just exist next to each other and do not follow any superior goal. Foreign policy, on the contrary, implies strategic and intentional action, where priorities are formulated although there might exist different interests (Hill 2003: 4-5; Allen 1998: 44; for a similar definition from a constructivist perspective see Bretherton/Vogler 1999: 38; Carlsnaes 2002: 335).

well as the tasks of the states what leads to a “*changing nature of contemporary foreign policy*”. The traditional concepts and definition of foreign policy do not fit the current circumstances anymore, and hence ask for a redefinition of foreign policy so that it also includes the contemporary changes and also allows for non-state actors. Hill provides a refined definition of foreign policy as following:

“the sum of official external relations conducted by an independent actor (usually a state) in international relations.” (Hill 2003: 3)

Although Hill also assumes that foreign policies are usually pursued by states, this definition does not exclude political systems like the European Union. In regard of foreign policy analysis this implies that the latter per se does not have to be state-centric or only applicable to traditional nation states. Michael E. Smith (2003: 558) proposes to define this new type of foreign policy as ‘post-modern’ to highlight the institutional difference from traditional national foreign policy making. This broad and policy-output orientated definition is fundamental for an analysis of European policy making towards the neighbourhood.

But furthermore it is also crucial that we do not stick to the institutional setting of the EU too closely in analysing how the European Union is pursuing relations with third countries.

“The three-pillar structure of the European Union, placing the common foreign and security policy (CFSP) as well as the police and judicial cooperation in criminal matters (PJCC) in a separate second and third ‘pillar’, apart from three European Communities in the first pillar, is often used as a justification for separate analyses of the three pillars. In the early days after the signing of the Treaty on European Union, the pillar-structure was the form in which the Union was perceived, and subsequently analysed by many authors. [...] At the same time, however, more recent literature points to the fact that the ‘bits and pieces’ which together make up the entity which is referred to as the European Union, are more connected than many observers were willing to admit in the early days, and that the metaphor of the Greek temple may not be the best way of describing what the Union is about.” (Wessel 2000: 1135)

Most scientific research on EFP focused either on the EC external (trade) relations or on the CFSP, and there are only a few more recent exceptions (Winn/Lord 2001; Krause 2003; Stetter 2004, 2007) that overcome this pillar-trap and do not just focus on one pillar but either ask cross-pillar questions or focus on the role of one institution/actor across pillars. Of course it is legitimate to analyse the EC external relations or the CFSP on its own, but scientists must then be aware of the fact that they only analyse a certain part of EFP.

Secondly, such a research would have to primarily look at informal process change, routine decision-making¹⁶ and day-to-day politics, where bureaucratic or executive units have much more influence than in highly politicised questions. In accordance with the developments described above I assume that the involvement and role of different actors at European level changed over time, and that this process cannot be adequately analysed by solely looking at treaty changes, as these processes affected primarily routine policy making and informal arrangements. Foreign Policy Analysis and theoretical approaches as for example bureaucratic politics (Allison 1971; Hilsman 1993; Allison/Zelikow 1999; Allison/Halperin 1972) mostly focus on crisis decision-making,

¹⁶ Regarding the political importance of a decision and the available time a three-fold classification of decisions in foreign policy making is possible: long-term strategy decision-making (“Planungsentscheidungen”), routine decision-making (“Routineentscheidungen”) and crisis decision-making („Krisenentscheidungen“) (Haftendorn 1990: 403-404). Regarding this definition it becomes obvious that bureaucrats have a strong stance especially in routine decision-making.

although these decisions represent just a small part of foreign policy making. These scholars emphasise the importance of bureaucratic units within the decision-making process, and they chose to test their models on least-likely cases by analysing crisis decision-making where this differentiation would predict that bureaucratic units normally do not have much influence (Smith, S. 1994: 112; for similar conclusions see Spanier 1975: 410 cited by Rosati 1981: 249). Of course such a design might impressively demonstrate that bureaucratic units are important for foreign policy making, but nevertheless this focus does not tell the whole story. By contrast, I fully agree to Peters (1992: 121) that “*much of what happens depends on less glamorous bureaucratic interaction and bargaining*”, and Christopher Hill (2003: 57) even argues that routine decision-making is even more important in foreign policy making than high salient crisis discussions, because within the former the substance of foreign policy is pursued (for similar conclusions see Smith, S. 1994: 112; Spanier 1975: 410 cited by Rosati 1981: 249).

Third and closely linked to both limitations above, such a research must not emphasise the definition of general common goals in policy making towards the neighbourhood but the implementation of these broadly defined goals (like creating stability and security in the near abroad) through several instruments and the interaction of the different actors to specify these generally agreed goals. Hence, the specification and implementation of the policy making process are the crucial stages to examine the roles of the different actors.

Forth, I suggest that for an analysis of European policy making towards the neighbourhood it is necessary to move¹⁷ from a coherent policy approach to an integrated policy approach that represent two distinct processes of policy formation (see figure 4).

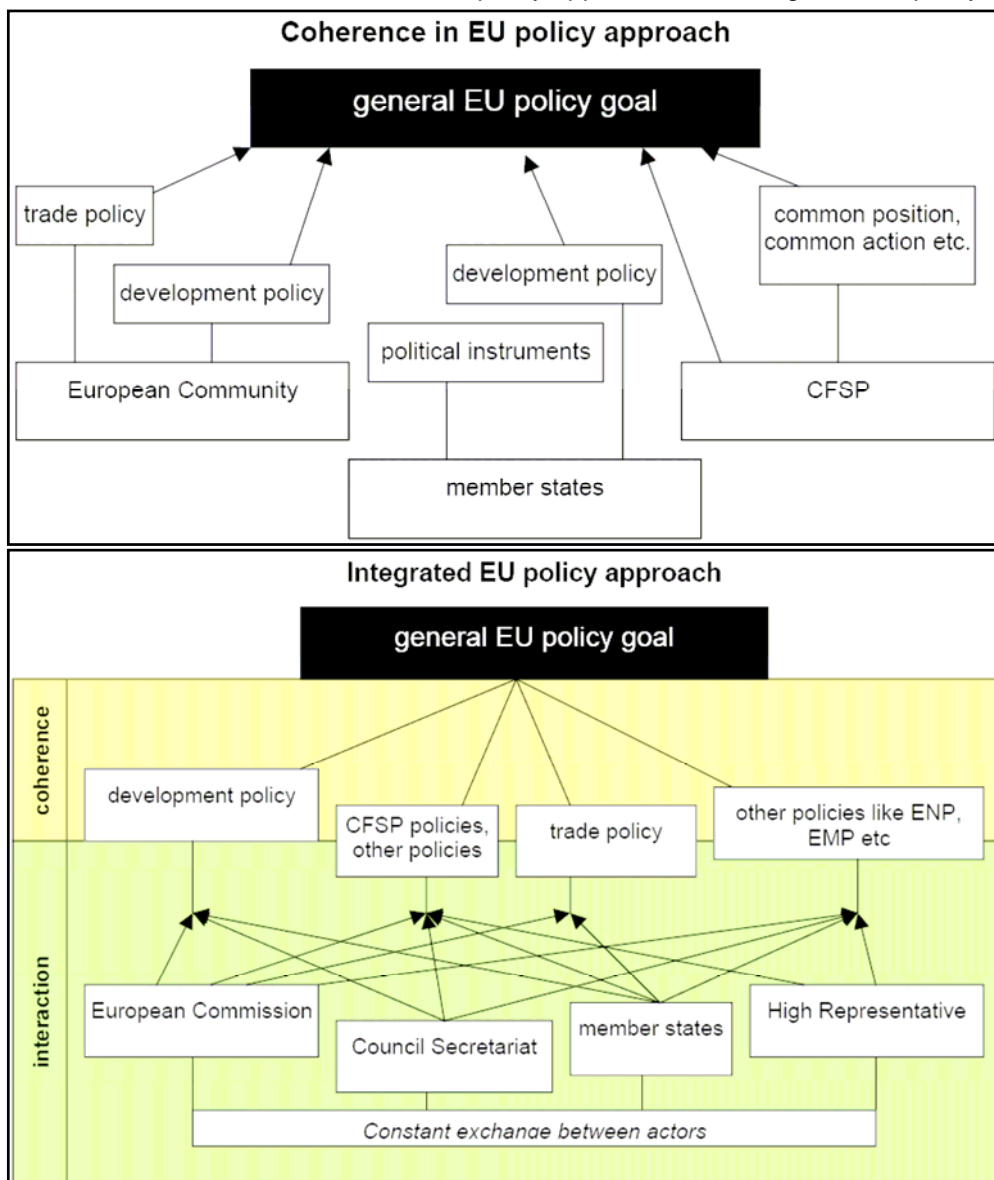
In a *coherent framework* the different actors pursue their own policies that should not contradict the generally agreed goal and the policies of other actors. A certain level of communication between these actors is necessary, so that they know what the other policies look alike, but they do not need to interact to formulate their own policy at all. This form of interaction also does not necessarily ask for a cross-pillar interaction as every actor can formulate and implement policies on their own, i.e. the EC pursues its supranational policies and the CFSP formulates its intergovernmental positions, actions and so on, but the actors of the different pillars do not need to interact as long as their policies do not show a strong contradiction to the general policy goal.

Within an *integrated policy approach* actors also pursue this form of policies (what is because of complexity reasons not shown in figure 4), but in addition they also have to work together to formulate and specify a certain policy output. They do not have to cooperate in the sense that they are responsible and have competences for the same tasks. But within the process of policy formulation and implementation a good interaction is needed to lead to a satisfying policy output.

¹⁷ Coherence in the external affairs of the European Union may be achieved at different levels and either in terms of policies or in terms of politics. Vertical coherence occurs between the foreign policies of the member states as well as between foreign policies of the member states and the external actions of the European Union. Horizontal coherence, on the other hand, applies to the dimension of policies and asks for coherent actions in different EU policy areas. Thirdly, on an institutional level coherence shall occur between the different pillars (EC and CFSP) of European Foreign Policy making.¹⁷ Nuttall argues that this differentiation becomes crucial when trying to improve coherence. Institutional coherence can be solved more easily because “only” the structure of the system has to be adapted, whereas improvement of horizontal coherence, i.e. coherence between different policies, requires a more fundamental change and an „*uncomfortable debate about the nature of foreign policy and the quality of the EU as an international actor*“ (Nuttall 2001: 3-6, 10, for similar conclusion see Gauttier 2004: 23).

During the different stages of the policy process the various actors perform certain tasks to a more or less stronger degree, and just a smooth mesh of the various actions leads to a policy output. These interactions can occur simultaneously, but it might also happen that one actor leads during a certain period of time, while the other one just supports and gives its input, and that at another time the roles switch. To give an illustrative example for the second situation from conflict management in third countries: During a military mission and a latent conflict situation in the country it is the Council, the member states and the auxiliary (military-related) bodies in the Council Secretariat that lead the policy. The Commission might at this point in time be already involved to a certain extent and might formulate its suggestions. When the mission is successful and the violent conflict flattens, the interaction between the involved institutions changes, as the Commission has strong competences and assets in civil post-conflict management. The member states and the Council bodies will still be involved, but they do not lead anymore.

Figure 4: Differentiation between „Coherence in EU policy approach“ and „Integrated EU policy approach“



Comment to this illustration: this is a first attempt to illustrate the difference between coherence and an integrated approach – the shown policy areas and actors are used as examples and not all-inclusive, as well as the size of the boxes or their positioning does not have any deeper meaning or implication!

Supporters of supranational EC-policy making might now argue that this new form of integrated policy making is similar to the 'traditional' supranational (i.e. first pillar) policy process, and to a certain extent it might look that way. But although the changes of the interactions seem to lead in the direction of supranational EC policy making, foreign policy is different from public policy making. Hence, I would be quite careful to call this development as anything like 'supranationalisation', also because I do not see any additional benefit why we should fall back into this 'traditional' categorisation again.

I suggest that a critical adaptation of public policy approaches like principal-agent theories or interstitial institutional change could reveal interesting new dimensions of European policy making towards the neighbourhood. But the use of these approaches for analyses is nevertheless different than to argue that EU foreign policy making is the same like public policy making.

Concluding remarks

The main aim of this paper was to show empirically how the role of the Commission in foreign policy making towards the neighbourhood has changed during the last year, and to use these empirical observations as a starting point for reflections about possible appropriate theoretical approaches to analyse this form of policy making at European level.

Based on a broad definition of European foreign policy I argue for moving from the traditional EFP research that is focusing on the different pillars separately to a more output-orientated approach that is not restricted by the supranational-intergovernmental divide. A critical and careful adaptation of theoretical approaches from the public policy literature (principal-agent models or research about interstitial institutional change) could reveal interesting new dimensions and mechanisms of interactions of European actors in policy making towards the neighbourhood.

Further research, of course, would be needed about several linked issues. *First*, it would be necessary to examine if the here assumed changes only take place within the framework of the European Neighbourhood Policy, i.e. if it is an exception, or if similar developments of changing interactions between the European actors could also be observed in other foreign policy areas or in EU relations with other regions or countries. *Secondly*, of course, it would be necessary to examine why this change has taken place, although it was always supposed in theories that foreign policy is such a sensitive area for national sovereignty that no country would ever delegate tasks to other institutions. What reasons did the member states have to allow for an involvement of other (supranational) actors? *Finally*, further research would be needed about the relationship between the form of the policy making process and the content of the policy outcome. Does the policy change in content because more or other actors are involved in the policy process? If yes, what does this imply for our definition of a "European Foreign Policy"?

Abbreviations

CFSP	Common Foreign and Security Policy
Comm	Commission of the European Communities
CS	Council Secretariat
CSM	Common Strategy on the Mediterranean Region
DG	Directorate General
DG Relex	Directorate General for the External Relations
EC	European Community
EFP	European Foreign Policy
EMP	Euro-Mediterranean Partnership
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood Policy Instrument
EPC	European Political Cooperation
EP	European Parliament
EU	European Union
HR	High Representative for the CFSP
i.e.	that is (id est)
IGC	Intergovernmental Conference
PR	Permanent Representation
TEU	Treaty of Maastricht

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Annex

Budget for external relations in subheadings, 2001- 2006 in million Euro and % of total (Data to figure 3)

	2001		2002		2003		2004		2005 ²		2006 ²	
		%		%		%		%		%		%
Relations with the Middle East and southern Mediterranean	815,2	25,7	754,0	23,3	768,0	23,5	953,0	27,0	1.050,0	31,5	1.083,4	34,2
Relations with Asia	387,4	12,2	541,0	16,7	538,0	16,4	562,0	15,9	782,0	23,5	813,9	25,7
Relations with eastern Europe, the Caucasus and Central Asian Republics	411,6	13,0	413,0	12,8	459,0	14,0	579,0	16,4	485,0	14,5	495,2	15,6
Relations with western balkans ¹	694,1	21,8	645,0	20,0	604,0	18,4	467,0	13,2				
administrative expenditure	363,8	11,4	336,0	10,4	377,0	11,5	404,0	11,5	374,0	11,2		
Relations with Latin America	290,6	9,1	317,0	9,8	282,0	8,6	284,0	8,1	311,0	9,3	318,1	10,0
EIDHR	110,3	3,5	108,0	3,3	102,0	3,1	126,0	3,6	128,0	3,8	113,9	3,6
CFSP	32,7	1,0	30,0	0,9	47,0	1,4	63,0	1,8	63,0	1,9	102,4	3,2
multilateral relations and general external relations matters	37,2	1,2	36,0	1,1	61,0	1,9	53,0	1,5	99,0	3,0	102,1	3,2
Policy strategy and coordination			17,0	0,5	19,0	0,6	18,0	0,5	25,0	0,7	21,0	0,7
Relations with non-OECD countries	35,1	1,1	36,0	1,1	18,0	0,5	17,0	0,5	17,0	0,5	16,3	0,5
	3.178,0		3.233,0		3.275,0		3.526,0		3.334,0		3.167,3	

¹ In 2005 the budget for the relations with western Balkans was moved to the subheading of enlargement

² These data are from the financial reports of the European Communities that are published the consecutive year and give the effectively amount of money provided. The numbers fluctuate compared to the "General budget of the EU for the financial year 2006" published by the Commission in the same year (COM 2006b) which gives following data in million Euro: multilateral relations (97,3), EIDHR (111,63), Asia (649), Policy strategy (20,6)

Data from: European Union Financial Reports 2001-2005 (European Communities 2002, 2003, 2004, 2005, 2006);