

**ЄВРОПЕЙСЬКА СЛУЖБА
ЗОВНІШНЬОЇ ДІЯЛЬНОСТІ (ЄСЗД)
ЯК ІНСТРУМЕНТ ПОСИЛЕННЯ
МІЖНАРОДНОГО ВПЛИВУ
ЄС: СТАН ТА ПЕРЕДУМОВИ ДЛЯ ЗМІН**

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Виокремлено ключові принципи зовнішньополітичної та дипломатичної діяльності Європейського Союзу, а також основні органи, що відповідають за її реалізацію. Розглянуто Європейську Службу зовнішньої діяльності як “дипломатичну агенцію” Союзу і встановлено спільні та відмінні риси інституційного механізму дипломатії національних держав і ЄС. Робота виконана із застосуванням таких наукових методів, як-от: порівняння, аналізу документів, структурно-функціонального, а також неінституційного підходу.

Актуальність теми зумовлена внутрішніми процесами, які зараз відбуваються в Українській дипломатичній службі, зокрема, її реформацією відповідно до кращих зразків світового досвіду. З огляду на те вивчення досвіду Європейської практики, виявлення її позитивних і негативних особливостей матиме безумовну користь у реалізації процесу реформації Української дипломатичної служби. Водночас з’ясування особливостей організації зовнішньополітичної діяльності ЄС можна розглядати як інструмент оптимізації співпраці між ЄС і Україною.

Загалом організаційна структура Європейської Служби зовнішньої діяльності потребує вдосконалення. Їй як єдиному органу регулювання зовнішніх відносин бракує ресурсів для ефективної політичної координації зовнішньополітичної діяльності ЄС. Зрештою, єдиного бачення Європейської Служби зовнішньої діяльності як суб’єкта, який відіграє ключову роль у зовнішній політиці та дипломатії ЄС, ще не сформовано. Процес її формування, перш за все, залежатиме від прагнень національних держав зміцнювати позицію ЄС на світовій арені, а також від здатності Європейської Служби зовнішньої діяльності сприяти реалізації цих намірів, одночасно виконуючи свої функції з максимальною користю для національних інтересів окремих держав. Розроблення пропозицій щодо вдосконалення організаційної структури Служби може бути предметом подальшого наукового дослідження.

Ключові слова: інститут, зовнішні зносини, спільна зовнішня і безпекова політика, Європейська служба зовнішньої діяльності.

**EUROPEAN EXTERNAL ACTION SERVICE (EEAS)
AS AN INSTRUMENT FOR INTENSIFICATION
OF EU INTERNATIONAL INFLUENCE: THE STATE
AND PROPOSALS FOR CHANGES**

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The key principles of the foreign policy and diplomatic activity of the European Union, as well as the main bodies that are responsible for its implementation, have been outlined. The analysis of the European External Action Service as the “diplomatic agency” of the Union and the common and distinctive features of the institutional mechanism of diplomacy of national states and EU has also been made. There were used such scientific methods as: comparison, document analysis, structural and functional methods, as well as neo-institutional approach.

The topicality of the theme is determined by the internal processes that take place nowadays in the Ukrainian diplomatic service, in particular, its reformation taking into account the best world experience. Therefore, the studying of European practice, the identification of its positive and negative features will be useful for the reformation process of the Ukrainian diplomatic service. Also, finding out of the peculiarities of the organization of the EU foreign policy activities will provide an opportunity to intensify and improve the effectiveness of cooperation between the EU and Ukraine.

In general, the EEAS organizational structure needs to be improved and advanced, because it is the only suitable body for the current regulation of external relations, while it lacks resources for effective political coordination of a strategic nature. The development of proposals for improvement of the organizational structure of the Service can be the subject of further scientific research. After all, the only coherent vision of the EEAS as an entity that plays a key role in the EU's foreign policy and diplomacy has not been formed yet. First of all, the process of its formation depends on the aspirations of national states to strengthen the position of the EU on the global arena, as well as the ability of the EEAS to contribute to the implementation of these desires, while performing its functions with maximum benefit to the national interests of individual states.

Keywords: institution, foreign affairs, Common Foreign and Security Policy, European External Action Service.

The European Union is one of the key actors in the international arena, the development of which depends on both internal unity between the Member States and cooperation with non-member countries. Therefore, the establishment of the effective activities in the field of diplomacy is one of the priority directions of the Union's activities. Because of the long-term process of integration, which is still not completed, and a large number of EU members, the distribution of foreign policy and, therefore, diplomatic powers between the institutions of the Union remains complex and inconsistent, which often causes misunderstandings and has negative effect on the internal unity and consistency of the EU foreign policy.

It is worth to note, that in general the institutional organization of the EU, especially in the field of external relations, is of a great scientific interest. Thus, the main characteristics of the most significant institutions of the European Union were investigated by I. Yakovuk [Яковчук 2014], O. Davydenko [Давиденко 2013,

Давиденко, Фалаєва 2012], Y. Volosko [Волоско 2011], O. Pistrakevych [Пістаркевич 2016], O. Pankevych [Панкевич, Кілик 2007], G. Varkhov [Ярков 2013], L. Falalayev [Фалалаєва 2016], I. Nechaiuk [Нечаюк 2012], K. Berezhna [Бережна 2015] et al. The peculiarities of the implementation of an EU common foreign policy its institutional provision were studied by V. Ruda [Руда 2009], A. Sheludchenko [Шелудченкова 2011], V. Shatun [Шатун 2014], O. Gladenko [Гладенко 2008], O. Riaboshtan [Рябоштан], M. Saracats [Саракуца 2012], M. Gnatyuk [Гнатюк 2013], T. Grachevskaya [Грачевська 2014], N. Mirna [Мирна] and others. The scientific works of N. Ilyin [Ильин 2008], T. Zonova [Зонова 2003] and M. Strezhneva [Стрежнева, Руденкова 2016] are of a great importance for disclosure of the subject. However, the activities of the European External Action Service, its functions in the institutional provision of the EU diplomatic sphere, the preconditions and prospects for its development are still not studied sufficiently. That's why this is the aim of our work.

The topicality of the theme is determined by the internal processes that take place nowadays in the Ukrainian diplomatic service, in particular, its reformation taking into account the best world experience. Therefore, the studying of European practice, the identification of its positive and negative features will be useful for the reformation process of the Ukrainian diplomatic service. Also, finding out of the peculiarities of the organization of the EU foreign policy activities will provide an opportunity to intensify and improve the effectiveness of cooperation between the EU and Ukraine.

The culmination stage in the process of forming a united Europe was the signing of the Maastricht Treaty (February 7, 1992), in which the creation of the European Union was proclaimed. At the heart of the Treaty was such way of the EU development, which in the future would provide him the role of an effective diplomatic actor. This function should be implemented by political institutes of the European diplomacy such as the European Council, the EU Council, the European Parliament, the European Commission and the European External Action Service [Договір про Європейський Союз]. The EU diplomatic tools are quite traditional: the visits at the high and the highest level, diplomatic demarches, declarations, participation in negotiations and international conferences, assignment of the observers.

The creation of the Common Foreign and Security Policy (CFSP) was an important step for the development of the EU diplomatic activity [Руда 2009: 153-154]. It was envisaged that the Member States should implement a common foreign policy based on mutual political solidarity and seek common solutions, which are aimed at strengthening cooperation between them and meet the key interests of the Union. The further deepening of the cooperation between the Member States took place through the signing of the Amsterdam, Nice, and Lisbon treaties. The EU Treaty also identifies a mechanism for the implementation of the Common Foreign and Security Policy (CFSP) by the distinguishing of the main functions and powers of the EU institutions that take part in this policy. Thus, the European Council establishes the strategic interests of the Union, sets goals and defines common benchmarks for the EU foreign policy. The Council of the EU makes the decisions which are necessary for the implementation of the common foreign policy according to the strategic directions presented by the European Council. The heading state of the EU Council during the certain period is responsible for the general representation of the Union in the international arena. The Treaty also enshrines the "trio" principle, according to which the state, which is heading in the EU and is responsible for its representation on the

international arena, holds consultative discussions with the predecessor and successor state in the leadership. This principle to avoid a one-sided approach in a decision making process in favor of the presiding state [Давиденко 2013: 412–413].

It should be noted that during the formation of the draft project of the Constitution of Europe (2002–2003), the State Secretary of the German Ministry of Foreign Affairs, Günter Pleuger, proposed to establish a separate body, which task would be to coordinate the activities of the European Union in the international arena and, as a consequence, to intensify integration processes and increase the influence of the European community. The implementation of this idea was delayed by blocking of Constitution ratification process [Ціватий, Шаповалова 2013a: 43].

However, in the Lisbon Treaty, this provision became significant again. For example, in Article 27 [The Treaty of Lisbon] was established the creation of a European External Action Service (EEAS), the main tasks of which were to assist the High Representative in the performance of his duties, and coordination of cooperation with the diplomatic departments of the EU Member States. In fact, the Treaty did not contain any specific information about the list of authorities and organizational principles of the Service, but only declared the expediency of its establishment.

The first steps in the implementation of these tasks were made on March 25, 2010, when the High Representative for the CFSP proposed to the European Commission to establish a separate Service. Also, the High Representative detailed its organizational structure, the procedure for electing of the staff, and pointed out the ways its integration into the activities of other EU institutions and the Member States. This issue became the subject of many discussions and consultations, but the importance of the creation of a new institute of this kind was obvious: "The service will help to strengthen the EU position on the global arena, expand its sphere of influence and provide an opportunity to promote its interests and values more effectively" [Creation of the EEAS]. The key participants of the discussion were Sweden and Spain (heading states in 2009–2010), France, Great Britain and Germany (as the most influential member states), the European Commission (headed by José Manuel Barroso), and the High Representative for the CFSP (during the 2009-2014 this position was occupied by the British Baroness Catherine Ashton). Britain, Germany, and France considered the creation of the EEAS as a mean of strengthening of the EU's diplomatic influence. They believed that it could become a real threat to the national diplomatic services, and therefore, wanted the authority of the Service to be

limited by the EU Council. José Manuel Barroso (the President of the European Commission at that time) tried to consolidate the maximum impact of the European Commission on the functioning of the EEAS [Давиденко 2013: 414]. As a result, on July 26, 2010, the Council of the EU, taking into account the amendments of the European Parliament, made a decision to create the EEAS. The decision came into force officially on January 1, 2011.

It should be emphasized that the proposed solution had a number of imperfections. It fixed the legal basis of the Service, its organizational structure and a list of basic functions. However, there were no guidelines for the implementation of these provisions in practice, so many issues of procedural and empirical content had to be solved during the activities of the Service. This inconsistency is to some extent typical of European institutions, as the European integration process itself is in need of innovations and new solutions to meet current needs.

However, on the other hand, the uncertainty regarding certain issues in the common foreign and security policy or the ambiguity in the interpretation of its provisions indicates a lack of mutual understanding between the Member States. As a consequence, the resolution of the problem issues is often delayed for an indefinite period until any party has expressed an initiative to find a compromise. But still, taking into account the complexity of the process of harmonizing of the EU institutions foreign policy functions within the authority of one body, the emergence of such inconsistencies and contradictions is inevitable [Ціватий, Шаповалова 2013а: 44].

One of the most controversial issues regarding the establishment of a new body was the redistribution of powers between EU institutions. None of the existing institutions was interested in providing the independence and wide range of powers for the newly established body. The result of the discussions on the division of powers was the approval of a separate foreign policy role of the European Commission, according to which the EEAS should provide assistance to the High Representative in the implementation of his foreign policy responsibilities, without interfering into other Commission services [Ціватий, Шаповалова 2013b]. In addition to the Commission, the EEAS is also dependent on the European Parliament. The EEAS undertakes to give it a free access to the official information, as well as to take into account its positions on foreign policy issues. Interestingly, that the EEAS is not subject to either the General Secretariat of the EU Council or the European Commission since it has the status of a separate apparatus in the sphere of responsibility of the High Representative [Саракуца 2012: 283-284].

The functions of the Service are closely connected with the mandate of the High Representative. But there are no clear, legally-established powers of the EEAS. Only after analyzing the main documents, we can distinguish two of its specific functions – coordination and initiative. The primary purpose of the EEAS is the implementation of foreign policy objectives and objectives that are pre-determined and agreed upon by the EU Member States. Therefore, the EEAS initiative function is rather narrow, since it can only make a proposal within the mandate of the EU Council.

Instead, its key function the coordination. Before the establishment of the European External Action Service, the implementation of the coordination function was the prerogative of the diplomatic missions of the state, which at that time headed the EU Council. However, at the current stage, the EEAS is responsible for the formation of a holistic strategic course, playing the coordinating role both at the horizontal (between the integration structures) and at the vertical (between the member states) levels. The task is complicated by the fact that the task of the EEAS is to compile and coordinate the positions of all participants in the European integration process, each of which seeks to preserve and expand its sphere of influence on the international arena.

The European External Action Service is positioning itself as an EU diplomatic service which purpose is to create conditions when “the voice of the European Union and its community will be heard on the world arena” [What we do]. However, the authority of the Service is quite specific. Thus, the Ukrainian researcher V. Tsivatiy believes that the diplomatic nature of the EEAS is not classical, and therefore there are significant differences between EEAS and the traditional diplomatic services of national states. Firstly, the competence of the EEAS extends to functions that are not normally in the responsibility of diplomatic departments. First of all, it is about crisis management and development of civil-military operations. Secondly, Member States deny the possibility of including consular and visa support (which is “classical” for diplomatic missions) in the EEAS's powers, as this may reduce the importance of national diplomatic services in international affairs. Thirdly, the representative function is one of the most important in the spectrum of powers of the Ministries of Foreign Affairs, whereas, in the framework of the EEAS, it is presented in a rather limited form [Ціватий, Шаповалова 2013а: 45].

Regarding the specificity of the structure, it should be noted that the European External Action Service is not a separate EU institution with its own specific powers, nor an agency for carrying out political

tasks, like the European Defense Agency. Therefore, its organizational structure combines the features of different institutional formations. So, like the traditional diplomatic department, the Service includes a central office (located in Brussels) and overseas delegations representing the EU in third countries and within international conferences [Ціватий, Шаповалова 2013b]. The central management is carried out with the help of units, directorates, formed by geographical and functional features. Geographically, we can identify the units that provide the establishment and maintenance of EU relations with the third countries in such areas as [Стрежнева, Руденкова 2016: 34]: Asia and the Pacific Ocean; Central Asia, Africa, and Europe; North and South America; North Africa and the Middle East. By the functional feature, the directorates are divided into [Гнатюк 2016: 48-51]: 1) General Directorate, dealing with multilateral relations and global governance; 2) General Directorate, responsible for administrative, personnel, budget, and informational issues; 3) General Directorate, authorized to deal with crisis management and civilian-military planning (including the Military Staff and the EU Situation Center). There are also units in the Service that deal with the issues of “small policy”: legal support, cooperation between institutions, internal audit, media relations, etc.

The general management of the units is the competence of the Secretary-General of the EEAS, who is appointed by the High Representative (since June 2016, the post occupies Helga Schmid, the German diplomat) [Могеріни назначила...]. The High Representative appoints the Secretary-General for budgetary and administrative matters and he is personally responsible for the management of the EEAS's budget resources. The Directorate for Crisis Management and Civil-Military Planning is directly controlled by the High Representative. We should note that in the EEAS subordination system there is still a lack of clarity and prudence, which is typical for the hierarchical construction of the central apparatuses of diplomatic departments. The system of internal coordination and coordination of issues between subdivisions is rather complex and ambiguous, that causes duplication of certain powers and slows down the decision-making process [Ціватий, Шаповалова 2013b].

The apparatus of the EEAS foreign service, unlike the embassies and missions, which are classical for diplomatic services, is presented in the form of delegations. At the present stage, there are 139 delegations and they play an important role in the representation of the European Union and the citizens of the EU countries on the international arena, as well as the establishment of cooperation with the third countries.

The purpose of the EU delegations is to promote the key values and interests of the Union in the countries where they are represented.

The delegations are responsible for the establishment of the relations between the EU and the host country in the sphere of politics, economy, trade, human rights protection, etc. They analyze the state of development of host countries and support their cooperation with the Union through the provision of grants and the implementation of program projects. The fundamental aspect of the functioning of the delegations is their key role in the field of public diplomacy, the main goal of which is to ensure the transparency of the EU activities by the informing the population of the states about the features and advantages of the Union [What we do].

The EU delegations function in close connection with the diplomatic and consular missions of the member states. In carrying out their daily work, delegations emphasize their added value and efforts for national diplomatic departments. At the same time, the EU delegations are becoming the important diplomatic actors, that can sometimes even overshadow national embassies in the implementation of their powers.

The inconsistency in the functioning of the EEAS's central apparatus also affected negatively the activities of foreign delegations. Because of the complexity of the adoption process, the central office produces an order for further activities very slowly, therefore, quite often, heads of delegations are forced to take the initiative and solve urgent issues independently, presenting their own point of view as a general position of the EU. This not only leads to a number of misunderstandings in particular situations but also reduces the level of consistency and integrity in the development of the EU foreign policy strategy as a whole [Ціватий, Шаповалова 2013b].

The staff of the EEAS also has a number of peculiarities. First of all, in accordance with the Lisbon Treaty, the Service must include representatives of the relevant departments of the General Secretariat of the Council and of the Commission, as well as officials delegated from the national diplomatic authorities of the Member States [The Treaty of Lisbon]. Personnel who worked in the relevant units of these institutes were automatically enrolled in the EEAS state, and national diplomatic representatives have been involved additionally. De-jure there are no specific national quotas for representation in the EEAS, but the Service always tries to ensure equality in the national and gender representation within its own apparatus. It should be noted that the members of the EEAS staff do not rank as diplomats and do not have diplomatic passports (only passes).re

At the beginning of the functioning of the Service, many diplomats from national states have expressed a desire to work in it. First of all, it gave them the opportunity to provide direct national control over the activities of the Service. Secondly, the broad representation in the EEAS created favorable circumstances for the states to declare their foreign policy priorities and influence the formation of the directions of the Service in such a way as to maximize the satisfaction of their national interest. Member States have perceived cooperation with the Service as being able to supplement and expand their national diplomatic tools and facilitate the realization of their foreign policy interests.

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The positions of the Member States on the establishment of relations with the EEAS are quite different, depending on their impact on the international arena and within the EU. Thus, influential states usually try to maintain their key positions in those areas where they have historically or politically consolidated their strong credibility. At the same time, influential states tend to delegate to the supranational level those issues, for resolving of which they have no own resources or when communitarian policies are more effective than national ones. In view of this, de jure declaring its desire to strengthen the positions of the EEAS, in fact, the state does not want to achieve this by the weakening of their influence [Стрежнева & Руденкова 2016: 79]. Instead, medium and small states show the desire to engage the supranational component for the promotion their own interests. However, taking into account that their level of influence is much lower comparing with leading states, they group together for the collective promotion of their priorities. On the other hand, such states adapt much more quickly to the EEAS policy, as they have no significant fears about limiting of their influence.

The organizational inconsistencies and the lack of funding costs for EEAS at some period led to staff leakage and the emergence of sharp discussions about the crisis of this institution. Moreover, the issue of qualified specialists' training for work in the EEAS and their subsequent career growth remains open. In general, the EEAS organizational structure needs to be improved and advanced, because it is the only suitable body for the current regulation of external relations, while it lacks resources for effective political coordination of a strategic nature. The development of proposals for improvement of the organizational structure of the Service can be the subject of further scientific research.

After all, the only coherent vision of the EEAS as an entity that plays a key role in the EU's foreign policy and diplomacy is still not formed. First of all, the process of its formation depends on the aspirations of national states to strengthen the position of the EU on the global arena, as well as the ability of the EEAS to contribute to the implementation of these desires, while performing its functions with maximum benefit to the national interests of individual states.

After all the EEAS succeeded in the strengthening of its position in the architecture of the EU's foreign policy. Taking into account the peculiarities and the tendencies of its functioning, the Service is not yet able to replace the national diplomatic agencies. Instead, its key prerogative is the search for balance and consensus between the Member States, while not limiting the strategic political interests of influential major powers and turning into a so-called "annex" to their foreign policy. But there is no doubt that the creation of the EEAS formed the basis for the formation of a new model of integrated diplomacy aimed at combining the positions of foreign policy actors within a single integrated policy strategy, which helps to overcome the growing tendency to fragmentation of foreign policy not only within the Union but international community at all.

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