"RE-ARRANGING EU'S EXTERNAL ACTION COMPETENCES AFTER THE TREATY OF LISBON: THE CASE OF CRISIS RESPONSE"

By

Mariya Lazarova

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Abstract

This thesis employs the concepts of 'coordinative discourse' and 'communicative discourse' from the fourth kind of new institutionalisms - Discursive Institutionalism and applies them to the idea of 'comprehensive approach' being promoted at the EU level. The work focuses on the sphere of crisis response and seeks to explore whether the 'comprehensive approach' as a discourse is strong enough to have causal influence on the way two offices responsible for crisis response coordinate their actions.

This done by interviewing officials from the European External Action Service and from the European Commssion; by analysng the discourse they use to describe their experiences of working with the other body; and finally by looking at the two institutions' press releases on three case studies, in which both of them was involved in a significant manner. What is under scrutiny in the last is whether the concept of a 'comprehensive approach' manages to bind together EU's humanitarian aid which is under the authority of the Commission and the other instruments which are controlled by the EEAS in a common discourse when it comes to communicating EU's achievements in third countries, despite institutional quarrels between the two.

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Introduction

In the latest Treaty of the European Union – the Treaty of Lisbon – the principles, aims and objectives of the EU's external action are set out. These include promoting peace, EU's values and the well-being of European people[1], as well as preserving peace, preventing conflicts and strengthening international security.[2] According to the Treaty, in order to enable itself to achieve these objectives, the EU has to ensure consistency between the different aspects of its external action as well as between these and its internal policies which have external dimension. This is often referred to as the 'comprehensive approach'. The Lisbon Treaty also created a new institutional context with the creation of the post of a High Representative for Foreign Affairs and Security Policy who is also a Vice-President of the European Commission (HR/VP) to be supported by a newly established European External Action Service (EEAS). These innovations were introduced with the aim to make the Union's external action more consistent, effective and strategic, because it is a vital interest of the EU to try to prevent, respond to, and address security threats occurring outside its borders (as already documented in the European Security Strategy and the Internal Security Strategy). The European Union is the largest trading bloc in the world and is, collectively with its member states (MS), the biggest donor of development assistance and humanitarian aid.

We live in a world which is facing complex international challenges: ranging from climate change and natural disasters through migration and energy security to terrorism and regional (both ethnic and political) conflicts. The EU has committed itself to become a truly international actor and as such it has a variety of instruments and tools it can use to respond to such crises – diplomatic,

[1] Article 3.1
[2] Article 21.2(c)

political, security, economic, trade, development and humanitarian – which it should be able to pull together to try to deal with some of these challenges. This integrated strategy for EU's external action is known as the 'comprehensive approach' which Catherine Ashton has made an integral part of her and the Service's dealings with international issues.

Increased 'responsiveness' and ensuring a coherent and effective response to crises is an essential part of EU's ambitions for a 'comprehensive approach' to foreign affairs aimed at incorporating the whole range of tools and instruments at EU's disposal when dealing with the whole crisis cycle. Crisis response is one phase in this entire cycle, but is the one that requires the fastest mobilization of EU resources and adequate EU action; ad-hoc decision-making and thus coordination practices in this field are of paramount importance. Swift action when responding to man-made or natural disasters can save millions of lives and also increase EU's legitimacy as an international humanitarian actor well-equipped to respond to opportunities and challenges beyond its borders.

When a natural or a man-made emergency erupts, the EU's capacity to respond to the needs and challenges that arise in such a crisis depends on the Union's ability to coordinate and take decisions and actions immediately. Unlike other foreign policy areas where the operational time is the diplomatic time, in crisis response immediate attention and acting in real time is what defines the effectiveness of EU's action. Nevertheless, the decisions taken in this ad hoc manner in the sphere of crisis response are complementary to other measures taken at the EU level and part of the 'comprehensive approach' in which crisis response is just one stage (it also includes conflict prevention and management, peace-building and keeping, other CSDP missions and development programmes). Thus, prior coordination about how the different offices will act in such emergency situations is of paramount importance in order to ensure the overall consistency of EU's external action. The problem is that it is not possible to deal with the system while work in an emergency situation is required – coordination practices have

to be established beforehand and only employed when emergencies occur. Although it is true that natural and man-made disasters are difficult to be foreseen, it is also true that preparing for them is a constant working process that requires high levels of coordination capabilities both vertically (EU and MS) and horizontally (among EU institutions). This is why the focus on coordination practices when it comes to responding to crises is both timely and needed.

The EU has engaged with a number of crises during the past two years - Syria, Sahel, Central African Republic (CAR), Somalia, Haiti, Philippines. One of the responsibilities the EU has undertaken is to respond to them with generous and sustained support for the victims in a timely manner. Over time, this has become one of its important goals in terms of foreign policy. However, in order to do this the Union actually has two structures: At the European Commission, there is a DG ECHO – Humanitarian Aid and Civil Protection, supporting the work of and politically represented by a Commissioner for International Cooperation, Humanitarian Aid and Crisis Response. At the same time, under the newly-established European External Action Service there is a Department for Crisis Response and Operational Coordination (CROC). Ensuring swift response is the main reason for the establishment of the two offices. In order to make the best use of EU's tools for crisis response, a very close coordination is required between the two bodies. If this is the case is tested by employing a theory of Discursive Institutionalism. If confusion, delay and ineffective response become defining features of EU's Crisis Response, the EU will not be able to respond to the goals it has set for itself – showing solidarity by saving people from suffering and death and increasing its own legitimacy through greater (and better) presence in the parts of the world that are undergoing crises.

Although a key priority that both the EEAS and the Commission emphasize is the effective coordination in order to ensure that responses to emergencies are both timely and adequate, there is a discrepancy which deserves further investigation because, as outlined above, swift action is of

paramount importance when responding to crises, not only to alleviate human suffering, but also to avoid or prevent further escalation or even death and instead strive to promote dialogue, reconciliation and reconstruction. Also, it is in the interest of Europe to develop and operate in a more secure international environment.

When it was created back in 1992 "ECHO" was standing for a European Community Humanitarian Aid Office, but in 2004 was 'upgraded' to a Directorate General. The purposes of DG ECHO as stated in the GSC's Report and revisited Manual on EU emergency and crisis coordination is "to provide non- discriminatory, apolitical humanitarian emergency assistance in third countries, directly to the beneficiaries, through partners, according to ongoing assessment of needs and in full co-ordination with other humanitarian donors/actors in the field".[3] So far, DG ECHO has been meeting its mandate[4] well and has built up a solid reputation as a responsive and accountable partner (to NGOs, the UN and the Red Cross) in providing humanitarian aid (which was kept purposefully outside the EEAS and is still strictly under the jurisdiction of the EC). It has also grown – together with the MS – into the biggest international donor of humanitarian assistance, while being transparent about its spending at all times. The DG is often cited as a model of efficiency within the bureaucratic structures of the European Commission given its swift and simplified funding procedures allowing for a timely response in crisis situations. Because of the complexity of current crises and the limited operational capacities of humanitarian organizations, there are an increasing number of non-humanitarian actors needed for the delivery of EU emergency relief to affected countries. Although a positive development since it improves the reach for humanitarian assistance, this multiplication challenges "the governance of EU humanitarian action in terms of coherence and coordination at the

[3] "Report and revisited Manual on EU emergency and crisis coordination", GSC, 2007, p.47
[4] "To provide […] assistance and relief and protection for people in third countries […] victims of natural or man-made disasters" – Lisbon Treaty, Article 214

operational and institutional levels"[5] – particularly to the coordination and complementarity between the different services and actors involved.

This topic is worth researching firstly because it is a problem which, if unaddressed, might have consequences for EU's legitimacy as a global actor, and secondly because this particular aspect has not been addressed in the literature, although some scholars have come closr when accounting for the separation of powers between the EEAS and the Commission. The scholarly work on the EEAS has primarily focused on Service's place within the EU's institutional set-up and on the separation of competences between it and the member states, on the one hand, and the Commission (the whole body), on the other. The particular problem of overlapping competences between Commission's DG ECHO and EEAS's CROC Department, which potentially slows down the process of dealing with a crisis, has not received scholarly attention to date. On the one hand, this might be the case because the structure and functioning of the EEAS are still new and under development, but on the other, there is an increased need to understand how the EU is acting in the wider world, especially in times when it is in search of its own legitimacy. Since there are no serious studies comparing the above-mentioned two Departments, the present research seeks to respond to and to address this lack of scholarly attention as well as to provide a link between a real life concern and academic debate. As this is a relatively new institution and assessments are still partial and non-conclusive, I believe the work will be able to contribute not only to the specific debate on inter-institutional relations at the EU level, but also to the broader one about EU's external role.

The aim of this work is to explore how has the re-shuffling of EU's external action competences after the Treaty of Lisbon affected the comprehensive EU approach when it comes to crisis response. Chapter 1 is a presentation of the methodological approaches used in this thesis, which

[5] VOICE Briefing, 2006

include discourse analysis of interviews conducted with EEAS' and Commission's officials and a broader analysis of press releases covering three specific crises. Further, the controversies surrounding the process of establishing the EEAS (Chapter 2) as well as the complexities about EEAS' and Commission's respective roles in EU's external representation (Chapter 3) are explored. It will also be demonstrated throughout these sections that Crisis Response as a case study of this re-arranged competences gas not received dude attention to date. Chapter 4 analyzes the results and seeks to account for the strength of the comprehensive approach in the coordinative and communicative discourses on the EU level surrounding the issue of crisis response. The last section summarizes the findings, concluded, and positions this work within the broader debate on EU's external representation.

Chapter 1: Methodological and Theoretical Underpinnings

1.1. Methodology

The information necessary for this research project is almost exclusively qualitative – rather than producing statistics of how the EU has responded to various crises around the world, this thesis is concerned with how coordination works on the EU level when it comes to crisis response. As my research is concerned with interpreting how the coordination practices between the two bodies contribute to the execution of their respective tasks, it rejects the adequacy of the natural science model and accepts the interpretivist approach as its starting point. The methods of data collection used in this research project are semi-structured interviews and textual analysis of documents concentrated around three case studies. This thesis is explicitly concerned with the causal mechanism between the coordination practices between the two bodies and the EU's action in crisis response, it is qualitative research that is the right method for examining this causality.

In order to answer the research question, semi-structured interviews with officials from the two bodies have been conducted Discourse analysis on the interviews is then made with the aim to delve deeper into their discourse to understand how they perceive of the importance of their own work and that of the other body; and also of the cooperation mechanisms between the two. The successful completion of the project involves insiders' points of view as perceptions are to be evaluated in the project. It is important to note that the aim of this study is not to generalize results, but rather to understand deeper the experiences of the participants from their perspective and thus to achieve maximum explanatory potential. The end result from the research will be to present how the work of the Crisis Response Departments of the two institutions is framed and articulated within different levels of action.

1.1.1. Interviews

In-depth interviewing is one of the major approaches in collecting data for qualitative research as it is a fruitful method for better understanding of the participants' experiences. The individual in-depth interviews I conducted allowed me to trace a detailed causal explanation and to explore the individuals' own meaning and values on their own terms. A major added-value of the conducted semi-structured interviews is that I did not ask standard questions with a closed range of possible answers and this allowed me to capture important dimensions of these answers which I could not have predicted. I was thus able to limit subjectivity which is often apparent in the quantitative research methods. They also allowed me to track developments over time and thus to be able to account for the rhetoric embedded into the two separate bodies. As pre-set questions with closed responses are limited in the detail about meanings and reasons for action they can capture, open-ended questions in more discussion-like semi-structured interviews gave me the opportunity to account for those. As social and political life often involves a dense mix of meanings, processes, cause and effect with many different and interacting dimensions, uncertainties or ambiguities, these are very difficult to capture using the instruments of quantitative analysis. When considering the possible interviewees I made a purposive sample in order to account for inclusiveness and proportionally represented officials from the two institutions; and also to ensure that variability will be represented in the collective data.[6]

[6] Maykut and Morehouse, 1994:45

1.1.2. Discourse Analysis

Increasingly the study of discourse has become very important to social scientists and to social science research. Discourse analysis (DA) encompasses a wide range of different theories, methods and analyses. However, generally, DA is often explained as the analysis of talk and text. In other words, DA is a set of methods and theories which investigates language as it is used and how it influences and relates to socio-political contexts.

Discourse analysis is an interpretative and constructivist form of analysis, according to which particular beliefs, values and ideologies drive people's actions. The meanings that people attribute to these actions are socially and discursively constructed[7]. Discourse analysis focuses on the use of language, on meanings and interpretation of them, looks for implied things and underlying themes, takes into account the broader context in which language is used. It is this language (discourse) that shapes our perception and interpretation of reality, as there is no such thing as an objective one. This is the epistemological underpinning of the approach – meaning is fluid and constructs reality, which we can try to re-construct using interpretive methods[8]. Discourse analysis is concerned with how different versions of the world, society and events both produce discourse and are being reproduced in it. It is this exploration of language in context which makes discourse analysis suitable for my focus of inquiry – it aims at revealing "how discursive practices construct meanings through the production, dissemination, and consumption of various forms of texts"[9], which may include interviews and official documents.

Discourse analysis was chosen for a method in this thesis as certain things like points of view or attitudes only become real through language. As the inquiry of this paper is concerned exactly with

[7] Halperin and Heath, 2012:310
[8] Halperin and Heath, 2012:332
[9] Halperin and Heath, 2012, p.311

certain viewpoints and perceptions about the work of two different offices they could only be revealed by analysing the discourse that shapes them. This implies the social constructionist ontology underlying the discourse analysis approach – the way we speak about something contributes to its very construction[10]. The power of influential discourses (as it is the case with the 'comprehensive approach' discourse) is in their ability to fix meanings and naturalize them thus making them the only ones plausible to people[11].

It is the interpretivist sociological tradition that is employed here in the sense that the researcher is indwelling and is a part of the investigation, he is the determinant to the sense that is made and it is on his interpretations that the conclusions rest. What makes the study valuable is not the provision of generalized results, but rather a deeper understanding of the issue in its specific context. By focusing on the situated use of language, on the particular in depth, and on the wider contexts in which language appears, discourse analysis seeks to shed light on the reasons why a certain type of language is used. It is important to note that qualitative (interpretive) research never assumes an unchanging social world that is enough to be analysed once and thus understood for good, but one that is constantly being constructed. Consequently, my analysis is not aimed at providing a single account of what is out there, but rather one reading of where a problem can lie. The conclusions reached after the analysis of qualitative data are never once and for all and are open to further discussion or dispute. What makes such an analysis valid is that its results should demonstrate "a plausible case that patterns in the meaning of texts are constitutive of reality in some way" (Halperin and Heath, 2012, p.332) and be worth taking into account for any future considerations of the problem.

[10] Paltridge, 2012:1
[11] Halperin and Heath, 2012:316; see also Foucault 1972

1.1.3. Case studies

Harley (2004:323) defines case study research as a detailed investigation of a phenomenon in its real-life context with the aim "to provide an analysis of the context and processes which illuminate the theoretical issues being studied". Thus, case studies can function as a tool to generalize hypotheses or build a theory (the latter is the case in this research project). A case study can thus be better described as a research strategy, a choice to study a particular case, and not as a method per se.

One point of criticism pointed at case studies as a research method is that they provide no solid basis for scientific generalization. Yin[12] replies to these critics by claiming that "case studies are generalizable to theoretical propositions and not to populations or universes"; and they do not represent a sample but rather are used for the purpose of analytical generalization. As "data analysis means a search for patterns in the data"[13], once a pattern has been identified, it is interpreted in relation to a particular social theory (or the setting in which it has occurred). The ultimate goal of using case studies is "to uncover patterns, determine meanings, construct conclusions"[14], as they are selected to be representative of a certain phenomenon.

Three case studies were chosen to be analyzed in an attempt to account for the strength of the concept of the comprehensive approach as a communicative discourse when reporting on them. Those are derived from the European Foreign Policy Scorecards 2013 and 2014 (systematic yearly assessments of EU's performance in dealing with the rest of the world in 2012 and 2013, respectively). The cases are specifically selected to be representative of crises which required the intervention of

[12] Yin, 2003:10
[13] Neuman, 1997:426
[14] Patton and Appelbaum, 2003:67

both humanitarian and non-humanitarian EU actors (both of which had sufficiently significant engagements with the situation) – and these are Central African Republic, Sahel and Somalia[15].

The combination of those three methods and approaches – interviews, discourse analysis and case studies – is most suitable for answering my question as they provide my research with a different peace of reality – in this case the coordinative and communicative ones; with different kinds of generalization; different objects and logics of explanation

1.2. Theory: Discursive Institutionalism

The newest of the 'new institutionalisms' – Discursive Institutionalism (DI) – is distinct form the older three static and equilibrium-oriented ones (Rational Choice, Historical and Sociological) as it provides a more dynamic account to institutional change, in which ideas and discourse can overcome obstacles taken as given and unchangeable in the other neo-institutionalisms. DI turns to and offers an insight into the role of ideas and discourse, takes them seriously, postulates that they are set in an institutional context and operates according to a logic of communication[16]. Vivien Schmidt is the first one to use the term 'discursive institutionalism' to refer to a fourth kind of a neo-institutionalism[17]. She defines ideas as "the substantive content of discourse"[18] and discourse as "the interactive process of conveying ideas"[19]. Further, discourse can come in two forms – coordinative (among policy actors) and communicative (between political actors and the public). It is this tenet of DI that makes this approach the most suitable for applying it to the present research. The comprehensive approach here is seen as a frame of reference which enables "policy actors to (re)construct visions of the world that

[15] See Annex 2.
[16] Schmidt, 2010b
[17] See Schmidt 2010
[18] Schmidt, 2008:303
[19] Ibid.

allow them to (re)situate themselves in the world"[20]; and its power as a coordinative and a communicative discourse will be tested.

This section outlines briefly why I have resorted to Discursive Institutionalism and not to any of the older 'new institutionalisms' – Rational choice Institutionalism (RI), Historical Institutionalism (HI) and Sociological Institutionalism (SI). RI has developed through an interest-based logic of calculation, in which preferences remain fixed and objective interests can be separated from subjective ideas for analytical purposes. In the case of this thesis, RI would argue that the member states and the EU institutions are in a principal-agent power relationship, and by establishing the EEAS and attempting to bring into it as many competences as possible, member states managed to remain in control and limit the powers of the European Commission. Further, EU institutions are expected to behave defensively in the newly-created situation because they try to find margins of initiative to keep or develop their autonomy. However, by downplaying or simply ignoring the role of ideas and agency within this institutions, RI overlooks the fact that in the EEAS-EC debates the Service resembles more an institution itself with dominant agents promoting particular discourse, rather than a simple collection of member states.

HI follows a logic of path dependency, which stipulates that what is possible to happen is history-based and dictated by actions taken before. According to HI, the process of emergence of institutions is also path dependent and follows long-ago established patterns. This theory advocates the view that history is not simply a chain of independent events but rather it follows what has been done or said before. Although HI has its strengths in explaining persistence, it has difficulties

[20] Schmidt, 2008:306; see also Jobert 1989 and Muller 1995

explaining change[21] which is the problem that this thesis is concerned with; and it is DI which deals with how ideas and discourse can be employed when explaining the dynamics of change.

SI follows a norm-based logic of appropriateness and comes closest to my aims as it is concerned not only with states but also with organizations and also deals with legitimacy aspects. Furthermore, it accounts for the imperfection of organizational design, deals with the question of duplicating structures and also with which issues prevail when an organization is being designed. Both SI and DI are constructivist as they see interests and identity as socially-constructed and endogenous but the difference is that SI treats ideas as static structures (Katzenstein), whereas for DI ideas are dynamic constructs. Since I am concerned with the recently emerged idea and discourse of the 'comprehensive approach', it is impossible to account for it using a theory that perceives of ideas and norms as fixed. These are among the reasons why I have turned to discursive institutionalism.

The key problem of all three is that institutions are external to the actors and they subordinate action (agency) to rules (structure), whereas DI treats institutions at the same time as given (context within which agents think, talk and act) and as contingent (the results of those thoughts, words and actions) and perceives of institutions as internal to the actors i.e. they are simultaneously structures that constrain actors and constructs created and altered by those actors[22]. In Wendt's (1987) words structures and agents are 'mutually constitutive' and structures inherently have a "discursive dimension in the sense that they are inseparable from the reasons and self-understandings that agents bring to their actions"[23]. According to Vivien Schmidt (2008), by taking ideas and discourse seriously the discursive insitutionalists have challenged the basic tenets of the older new institutionalisms both ontologically (what are institutions, how are they created, maintained or changed) and

[21] Schmidt, 2010a
[22] Schmidt, 2008:314
[23] Wendt 1987:359-360 cited in Schmidt 2008:315

epistemologically (what we can know about them, what ideas and norms maintain or change them). As Schmidt herself notices, and many political scientists would agree with her, "the turn to ideas has been a useful corrective to the limitations of the new institutionalist approaches and a tacit acknowledgements of their difficulties in explaining change"[24].

Discursive institutionalists differ between themselves when it comes to what problems they seek to resolve[25], thus making the framework broad enough to fit different questions concerned with the role of ideas and discourse in an institutional context. Vivian Schmidt's approach is concerned with what makes certain ideas and discourses successful i.e. having transformative power and consequently causal influence. It is argued in this thesis that the possible dominance of the 'comprehensive approach' discourse has the potential to exert causal influence on the relations between the two bodies under discussion if further strengthened.

Although some authors who have focused on ideas as the content of discourse used similar terms – for example, 'ideational institutionalism' (Hay 2001), 'constructivist institutionalism' (Hay 2006), or 'strategic constructivism' (Jabko 2006), they have not touched upon the interactive processes by which ideas are conveyed i.e. communicative discourse. As DI has its roots in Constructivism, according to it, agents have a role in institutional change (in contrast to the path dependency of HI), interests are subjective ideas, but still real (as opposed to the view of RI that they are objective and material), and norms are dynamic and intersubjective constructs[26] (and not static as in SI). DI is a more agent-oriented approach and is thus not only concerned with structure but also with agency, which is one of the major reasons it is the most suitable institutionalism for my area of interest (as it will be demonstrated agency in both structures has a role to play). Moreover, DI puts an emphasis on

[24] Schmidt, 2008, p.304
[25] Schmidt, 2008, p.304
[26] Ibid.

interpreting the text in context – discourse is not only ideas or text (i.e. what is said), but also context (where, when, how, and why something is said).

Vivien Schmidt differentiates between cognitive (causal) and normative ideas. Cognitive ideas "provide the recipes, guidelines, and maps for political action and serve to justify policies and programs by speaking to their interest-based logic and necessity"[27], while normative ones "attach values to political action and serve to legitimate the policies in a program through reference to their appropriateness"[28]. The success of a discourse is not only dependent on presenting cognitive ideas which provide robust solutions, but also on complementary normative ideas which guarantee that that those solutions are also in line with underlying and well-established values for the certain community.

In compound polities, such as the EU, "where governing activity tends to be dispersed among multiple authorities" [29], coordinative discourse is much more elaborate and strong that the communicative discourse that is presented to the public, because "it is difficult to communicate in anything more than vague terms to the public the results of the negotiations among the many policy actors involved without jeopardizing any of the compromises they make in private"[30]. Schmidt even argues that the EU has the weakest of communicative discourses. This is tested in Chapter 4.

[27] Schmidt, 2008, p.306; see also Jobert 1989; Hall 1993; Schmidt 2002a:Ch.5
[28] Schmidt, 2008, p.307; see also March and Olsen 1989
[29] Schmidt, 2008, p.313
[30] Schmidt, 2008:313

Chapter 2: The Birth of a New Body

This chapter outlines the difficulties and contentious issues that became apparent during the establishment of the European External Action Service. It further elaborates on the re-shuffling of the external action competences of the EU between the new Service and the European Commission which are at the core of problem tackled in this work – the separation of the Union's humanitarian aid and the impact of this on the comprehensive approach that the EU is promoting. Relevant literature is also incorporated in this section in order to demonstrate that this particular aspect has not received scholarly attention to date, even though some aspects have been partially addressed.

The Lisbon Treaty brought institutional changes in the EU's external relations. One of the most important of them is that it envisaged the creation of a brand new EU diplomatic service (and it did this in a rather short and open-minded manner[31]), which was supposed to assist the newly-created post of a High Representative for Foreign Affairs and Security Policy and a Vice President of the European Commission (HR/VP)[32]. The foreign policy chief employs the functions which pre-Lisbon belonged to the Commissioner for External Relations, to the High Representative for CFSP and to the rotating Presidency. Additionally to her post as a Vice President of the Commission, the HR presides over the Council for Foreign Affairs and takes part in the work of the European Council. The EEAS is responsible for providing support to the HR/VP in her work at all those institutional places that concerns "the strategic overview and coordination necessary to ensure the coherence of the European Union's external action as a whole"[33]. The main motivation behind the creation of this triple-hatted post was to ensure consistency between the different aspects of Union's external action and between these and other Community's policies. Her main task is to pursue the principles of

[31] Article 27(3) TEU
[32] Article 24(3) TEU
[33] European Council, Conclusions, 16 September 2010, EUCO 21/1/10, 2

coherence and effectiveness in a politically-sensitive domain. The creation of the HR/VP and the EEAS is one element of EU's response to the biggest challenges it is faced with in the 21st century – defining its international role. Unfortunately, Article 27(3) TEU is an extremely imprecise and vague short paragraph which gives a brief indication of the procedure and organizations aspects of creating the EEAS and postulates that the Service should assist the HR/VP in fulfilling her mandate. To sum up, a Service was envisaged in order to provide support to the HR/VP in all the aspects of what seems like a mission impossible.

The EEAS was created on 26 July 2010 following a Council Decision [34] outlining its organizational and functional aspects but leaving a lot of legal and political uncertainties open to interpretation. The time between the entering into force of the Lisbon Treaty and the adoption of the Decision was characterized by heated debates and negotiations within and between European institutions concerned with the institutional location, competences and composition of the new body[35]. The European Parliament was opposing, inter alia, the "artificial separation of part of the development competences between [EEAS] services and Commission services"[36] and was insisting that political accountability of the new Service be ensured and thus demanded Parliament's inclusion in the formal debates. Following EP's rejection of the first proposal of the HR, the General Affairs Council [37] provided the basis for consulting the EP by establishing the "quadrilogue" [38]. This quadrilogue resulted, in short, in a compromised contract with a lot of political concessions as all stakeholders sought to ensure their own prerogatives or those of their institutions, which might have been to the detriment of the overall effectiveness and efficiency of the new Service. To be fair to the

[34] Council Decision of 26 July 2010 establishing the organization and functioning of the EEAS (2010/427/EU)
[35] Van Vooren 2011; Missiroli 2010; Furness 2010
[36] Joint EP Press Statement, 25 March 2010
[37] GAC Meeting Press Release, 26.04.2010
[38] A group, chaired by the HR and composed of the Spanish Presidency, the Commission and an informal delegation from the EP (representatives from the EPP, S&D and ALDE)

functioning of the EU, turf wars are not specific to the Union's setting. As David Hunnay[39] outlines "turf fighting is endemic in any large organization, governmental or otherwise. It absorbs huge amounts of bureaucratic time and energy, and diverts attention away from coherent policy formulation and execution"[40]. Nevertheless, he observes that the formulation and implementation EU's external policies is the sector that turf fighting has been the most damaging, as it comes in different shapes and sizes and across various levels. Following the debates on the place of the EEAS within the institutional architecture of the EU[41], it was decided again by a compromise that the EEAS will be an inter-institutional Service (not an institution in its own right) albeit with some institutional independence (over its own budget and staff). It is also supposed to be a body 'sui generis', functionally autonomous from the Council Secretariat and the Commission[42].

The EEAS is supposed to support HR's activities for the Foreign Affairs Council, for the Commission, and for coordinating other aspects of EU's external action "without prejudice to the normal tasks of the services of the Commission" (Council Decision establishing EEAS)[43]. As demonstrated above, such delineation of action and separation of competences is not possible in reality. Furthermore, "the creation of a hybrid sui generis diplomatic service, administratively separate from both the European Commission and the Council, yet based largely on the Commission's employment conditions, staff regulations and esprit de corps, was an uneasy compromise"[44], which fundamentally undermines a coherent approach to pressing global challenges. Geoffrey Edwards (2013) also points to the "disjuncture between the formal calls for greater coherence and consequence

[39] Former British Ambassador to the UN and before that to the EU
[40] Hannay, 2010 "Benchmarking the EU's new diplomatic service"
[41] EP and Commission wanted the EEAS closely connected to the Commission, while the Council and the MS defending the intergovernmental nature of the CFSP wanted the EEAS closer to the Council's Secretariat
[42] Presidency Report *On the External Action Service,* 23.10.2009
[43] Erlekens and Blockmans, 2012
[44] Spence, 2012:133

in the EU's foreign policies, the problem of creating an effective policy vehicle and the practices that undermine both its efforts and its legitimacy"[45].

In recent years, some research has been conducted relating to the functioning and effectiveness of the EEAS. However, most of it focuses on the separation of powers between the EEAS and the MS and on the difficult balance between the intergovernmental and the Community method when it comes to the EEAS's administering of the CFSP. Some studies also address the level of autonomy of EEAS and to what extent the activities of the HR/VP are embedded in the Commission and the (European) Council. Erlekens and Blockmans, for example, emphasize that the HR/VP position is one "of bureaucratic dependency on the College and its President"[46]. They further argue that although the HR is the Vice-President of the Commission charged with the external relations falling under its competence, the HR/VP responsibilities were diminished several consecutive times by Barroso; and, in contrast with relevant Treaty provisions, the coordinating powers of the HR/VP over other Commissioners have not really been exercised (for example, she did not make use of summoning the RELEX Group of Commissioners often enough so that consistency can be ensured) and within the Commission it is the President who holds the reins and control over external matters[47]. Spence (2012) also argues that historically the Commission has been the major actor in both EU's external relations and, to a lesser extent, in its CFSP. He further notes that the EEAS today "has no single agreed institutional memory, and its policy-making is subject to the political agreement or legal competence of others" [48], resulting from absence of clear agreement on competences which further complicates EU's external action. The position of the HR/VP is controversial because, inter alia, her primary loyalty has to be to the Council (last sentence, Art. 18(4)

[45] Edwards, 2013:276
[46] Erlekens and Blockmans, 2012:259
[47] Erkelens and Blockmans, 2012
[48] Spence, 2012:116

TEU) but in reality she is in a position of 'bureaucratic dependency' on the College and its President[49]. Thus, it is even harder to say in which direction the institutional balance has shifted.

The EEAS was established because the MS "wanted to pool resources, consolidate the EU's existing external policy responsibilities and improve efficiency, but were wary of further empowering the Commission to act in the external policy domain"[50]. This led to the creation of a new bureaucratic actor over which MS, EC and EP tried to establish control and the division of labour between all those stakeholders was not always clear. Thus, there is a "system of delegation" [51] that is incorporated in the set-up of the EEAS. According to Van Vooren (2011) the EEAS reflects what he terms 'the decades-old tension of EU external relations' – i.e. the tension between competence delimitation (both horizontally among EU institutions and vertically between the EU and the MS) and the need for a common and coherent Union's position and action in the world.

The incoherence of EU's external relations was becoming increasingly evident and this spurred the creation of the EEAS. Prior to it, on the institutional level external policies were split between the Community ones (such as trade, development, neighbourhood, humanitarian aid which are under the authority of the Commission) and the intergovernmental CFSP/ESDP. These two types of EU's external action were developed independently (both policy- and research-wise) contributing to weak coherence and coordination culture and consequently the rationale for the creation of a new external Service was to bridge all those aspects. With the aim to enhance coherence between institutional actors at the EU level in the area of external action, the Treaty of Lisbon fundamentally altered the architecture and procedural framework within which they operate. The problem was (and as demonstrated here, still is) that all the changes were introduced without being complemented with

[49] Erkelens and Blockmans, 2012
[50] Furness, 2013:123
[51] Furness, 2013:109

clearly distributed competences and outlined decision-making procedures. In the sense that CFSP/CSDP remain intergovernmental and separate from the "Community" external policies the Treaty of Lisbon has not ended the EU's pillar structure. The discrepancy is that while the HR and the EEAS are primarily tasked with ensuring coherence and ability of the EU to speak with one voice to the rest of the world, they do not have authority over all of the aspects of EU's external action.

As Edwards (2013) notes, "having a comprehensive range of policy instruments that could be used to prevent crisis descending into conflict, or respond to a humanitarian disaster, is potentially invaluable – if used in timely fashion", but the question of how this timely action is achieved when the policy instruments are located within different jurisdictions remains unaddressed. Furthermore, there are examples when the EU was providing emergency relief and assisting with the repatriation of EU citizens and other refugees without interpreting the Petersberg tasks in any consistent way so that those activities can serve the objectives of the CFSP. What is vital for effectiveness on the global stage is coordinating policy instruments and the capacity to employ them in due time – this is why the focus of this thesis is on the division of tools necessary for responding to crises and what implications this has for the comprehensive approach that the EU is trying to promote.

Still, humanitarian aid should not become instrumentalised for political purposes, even it is an important part in an emergency, and it cannot be considered a crisis management tool and be subverted to the political logic of crisis management[52]. If military assets are needed for the delivery of humanitarian aid, they "should be called upon when there is a need that cannot reasonably be covered by civilian means and where the military have a particular advantage"[53] as stated by Louis Michel, the former Commissioner for Development and Humanitarian Aid. In cases in which there is a need to use military assets for a humanitarian response, it is imperative that the Guidelines on the use of

[52] Chaillot Paper n° 90, June 2006, page 106
[53] Michel, 2006, speech

Military and Civil Defence Assets in Disaster Relief (known as MCDA or the Oslo Guidelines) are fully respected. [54]

According to a paper published by the European Policy Centre, the aim of creating the EEAS is to provide added-value, which will be measured by its ability to connect and incorporate the wide-ranging and diverse EU's external competences into coherent strategies and approaches – i.e. "the ability to develop policies that link security with economics, internal affairs with external policies, and values and principles with interests"[55]. However, as of now, the Service is simply not given all the resources and tools needed to achieve such coherence by itself – it should rather be expected to play a coordinating role (one that it is better suited to fulfil). For the effective use of the new Service institutional coordination is essential as a lot of diplomatic tools needed for the fulfillment of both HR/VP and EEAS' mandates are not fully under their authority – the Commission still manages most of the resources for external relations and MS control a lot of security-related tools. Although its autonomy in decision-making is limited, EEAS's coordinative role is not and this can be improved by systematically employing the comprehensive approach.

The difficult international circumstances at the time of creating the EEAS crucially defined its operation capabilities – for example, it had to react to the North African revolution while still at establishment mode. Further, with the deepening of the economic crises foreign policy became sidelined (both in terms of discussion and of available resources) by EU's leaders who were focused on saving the single currency. All these major international events happened at a time when the top priority for the HR was to set-up the organizational structure of the EEAS and to build its administrative resources and capacity[56]. These circumstances and the time it took to create the Service

[54] VOICE Briefing, 2006
[55] Balfour, Bailes and Kenna, 2012:2
[56] Vanhoonacker and Pomorska, 2013; see also David O'Sullivan, 2012

from scratch framed the birth of and the initial criticism towards the EEAS that it has not lived up to popular expectations.

Things need improvement not least because at stake is EU's international image and outside judgment will not be late. As Elmar Brok, former EP Rapporteur on the EEAS, admits the length of the decision-making process is one of the major weaknesses of EU's external policy[57]. The effectiveness of the coordinating role of the new HR, who is to be appointed later this year, will prove crucial. This thesis is concerned with identifying a problem which future leaders have to address as this issue will inevitably be defining for the relations of the up-coming new Commission and HR, and those depend on how the future HR is to fulfills her role and how she uses the Service, as it is in itself not a decision-making body.

[57] Brok, 2010, "It's the EU governments who'll make or break its diplomatic service"

Chapter 3: The Fragile Balance of External Action Competences between the EEAS and the Commission

The future organization and division of powers between the Commission and the EEAS was left largely unanswered by the Treaty of Lisbon, with a very small number of concrete guidelines. In what form the EEAS should work for the HR was not specified in detail. All what is said about the relationship between the EEAS and the EC on the one hand, and between the EEAS and the GSC is contained in Article 2(1) of the Council Decision which states that the Service has to assist the HR/VP in fulfilling her mandate "without prejudice to the normal tasks" of the Commission and the Secretariat. The problem is that the Treaty confused actors about the 'normality' of their tasks in EU's external relations and these were not outlined in what some have termed "Kompetenzkatalog". The only statement that goes deeper in the issue is Article 3(2) of the Council Decision which 'obliges' both the EEAS and the EC to "consult each other on all matters relating to the external action of the Union in the exercise of their respective functions, except on matter covered by the CSDP". Consequently, it should not come as a surprise that this vagueness provoked institutional tensions about who does what. The real problem is if, legally, the HR speaks on CFSP matters and Commissioners speak in non-CFSP matters how can the consistency of the comprehensive approach be ensured, given that all areas (including Union's internal policies) are nowadays intertwined and affect EU's relations with third parties.

The Decision left key details about interaction between the EEAS, the MS, the Commission and the EP to be resolved by a process of 'learning by doing' – thus, when the EEAS became operational in the beginning of 2011 its position "in the pluralistic EU external policymaking system" was still not clear, "nor was it clear that turf battles between the EEAS and the Commission had not

resulted in design flaws that threatened to undermine the Service's effectiveness"[58]. Since inter-institutional relations would be of decisive importance in the new foreign policy set-up, there is a need for clearly-defined procedures for working relations and effective cooperation.

Helwig (2013) suggests that the EEAS should seek co-leadership with the Commission and the MS if it is to live up to expectations. But the relationship between the EEAS and the Commission services/Council's General Secretariat is "inherently asymmetrical with the EEAS performing the role of an assistant to multiple political masters and their services"[59], and Blockmans and Laatsit argue that this has led to all parties being dissatisfied. Furthermore, as rightly emphasized by Avery (2013), "there is a grave risk of friction and rivalry between EEAS and the services of the Commission"[60]. Although it is widely believed that this phase is already in the past, this thesis argues that there are still cases of contention in the EEAS-EC relationship. Whereas whether the EEAS has managed to reduce the gap between the two and to contribute to the reconciliation of various policies and strategies is a debate both still open to discussion and a major one, this work will not focus on it at length due to space restrictions.

Article 4 TFEU states that "in the areas of development cooperation and humanitarian aid, the Union shall have the competence to carry out activities and conduct a common policy", thus leaving them under the authority of the European Commission. In a press release in which he was unveiling his new team in 2009 Barroso 'instructed' the Commissioners for International Cooperation, Humanitarian Aid and Crisis Response; for Development; and for Enlargement and Neighbourhood Policy to function "in close cooperation with the High Representative/Vice-President in accordance with the treaties"[61]. Despite this instruction to cooperate, as noted by Furness 2013, the reality is that

[58] Furness, 2013:111
[59] Blockmans & Laatsit, 2011:146
[60] Avery, 2011 cited in Blockmans & Laatsit 2011:146
[61] Press Release IP/09/1837, 27 November 2009

"key policy areas including trade, humanitarian affairs, enlargement, climate action, energy and fisheries remained firmly under Commission control, and the College of Commissioners continued to have responsibility for coherence across all common EU policies with external dimensions" (p.112). The problem arises when such policies contribute to the overall direction and performance of the CFSP and are yet not under the jurisdiction of the body responsible for coordinating it. The creation of the EEAS is seen an as unique opportunity for ensuring consistency of EU's tools available for external action. As this is not currently the case, with competences about important areas – such as crisis response – shared with the Commission, it is worth researching whether this is obstructing coherent discourse about EU's external action. The topic of inter-service harmony is of policy-making importance because it has implications for the future direction of the EU as a global actor.

In order to guard against EEAS' autonomy the Commission and the MS have taken steps to retain important role (which overlap with the Service's mandates) for themselves. An example of this is the Commission-drafted inter-service agreement of January 2012 which expresses the reluctance of the three Commissioners to give up control over their respective policy areas. Moreover, Commission President used some bureaucratic maneuvers to move DGs further away from the EEAS by transferring tasks from DG RELEX to either new (climate change, enlargement) or other (energy) directorates, in order not to allow them to be transferred together with DG RELEX under the EEAS.

The European Council guidelines demonstrated the hybrid approach towards the division of competences between the EEAS and the EC. The Service is simultaneously separated and bound to the Council and the Commission. This state of affairs – the institutional uncertainty about the position of the EEAS, together with the EC jealously protecting many of its competences – is the new environment in which the EU has to define and execute its external relations policies; however, the question of 'normality' of tasks is still open to debate and is what this thesis is concerned with.

The Council Decision that established the EEAS obliged the HR/VP to produce a review of the Service in the middle of 2013 (two years after it was set up). In her fulfilment of the task, Baroness Ashton provided a broad range of suggestions and recommendations about the Service's organization and functioning. Many of the proposals attempt to strengthen HR/VP's coordinating role and capacity over EU's external policies and to clarify the still thorny division of tasks between the EEAS and the Commission. The Review implies that Lady Ashton has to date been focusing on fulfilling her role of a High Representative and that there is needed a greater emphasis on her role as Commission's Vice President. There is a lack, however, of specific recommendations of how this should happen. This call for enhancement of her VP's role might not be as easy to take place as the Review seems to suggest. As she herself notes, "different ideas on how the service should work and what impact it would have on existing institutions led to difficult decisions and sometimes lost opportunities"[62].

In Ashton's 2013 EEAS Review, it is recommended that in the field of development the EEAS should increase its capacity and authority over aid and other development issues. But, if authority for allocation of aid is given to the EEAS, this is likely to intensify negative responses from the EC and to again fuel 'turf wars' between the Commissioners responsible for different types of aid (who fear that the allocation of aid would become politicized[63] and strictly oppose the view that development aid should support political goals) and the HR/VP. As exemplified by Furness (2013), the EC and the MS 'guard against' the autonomy of the Service and seek to retain important roles for themselves, which often overlap with the mandate given to the EEAS. Consequently, an immediate autonomy of the Service is rather limited (especially in the development field), especially given that the Commissioner for development Piebalgs and his people "take a "Biblical" view that aid money should only help the poor"[64]. Furness also notes, however, that Service's autonomy will vary across policy

[62] Catherine Ashton, EEAS Review 2013
[63] Zwolski, 2012
[64] Rettman, Andrew, 2012, "Commission still pulls the strings on EU foreign policy", EUobserver, 6 February 2012

areas. Again, no reference to humanitarian aid is made which is surprising given that its allocation (if shared with the EEAS) is no less controversial than that of development aid. In addition, the connection between security and development is elaborated in the Joint Communication on the EU's comprehensive approach, but no due attention is paid to humanitarian aid.

The problem of coherence between policies at the EU level is further exacerbated by the fact that in recent years the range of policies with an external impact has substantially broadened. No longer can issues of trade and economics, climate change, terrorism, cyber attacks, organized crime be dealt in isolation from the international fora and without producing implications for other players. For example, the contradiction between Union's trade policy on agriculture and its international development objectives is an explicit and old one; as well as between its human rights values and its energy policy towards Russia. The tension between these policies is not likely to diminish anytime soon, but the Union needs to strive towards a greater degree of policy coherence in areas in which this is achievable. The fully integrated external policies developed through the Community method have to correspond now with the still intergovernmental ones of security and defence - thus the EU is an entity which will inevitably face difficulties when aiming at coherence. The post of the HR/VP was exactly created to address this issue by giving it the power to utilize both community and intergovernmental methods. The reality is that a comprehensive response is needed to a variety of security issues. In order for such to exist, a linkage between trade, development, diplomatic, crisis management and humanitarian aspects of security is needed.

According to a Report by the HR at the end of 2011 evaluating the first year of the EEAS, the establishment of the Service is considered an opportunity to go beyond "internal debates pertaining to institutional and constitutional reform" and instead to focus on "delivering new substance to the EU's external action". Again, the EU is enthusiastic and there is no lack of ambition but in reality, as

this work suggests, internal disagreements still remain when it comes to the external image of the EU policy discussed here. The fact that these have eased since the first year of the existence of the EEAS, does not imply that arrangements about crisis response are satisfactory to the two stakeholders in this dispute. In the new institutional set-up of the EU's internal structures dividing lines remain in place. The Commission and the EEAS co-exist each with their own responsibilities in the realm of international relations[65]. The "Working Arrangements" between the Commission Services and the EEAS from January 2012 reveal the coordinative challenges of the existence of two separate actors with both significant and separate functions "in the single diplomatic task of external representation at the highest political levels".

According to the Working Arrangements between the Commission and the EEAS, the financial responsibility for EU's financial assistance is strictly given to the Commission and the "implementation of operational expenditure can only be performed by the Commission" (3.15). The Arrangements for cooperation on crises outside the EU stipulate that "Commission services and the EEAS will continue to cooperate and exchange information in response to major disasters, crises or conflicts occurring outside the EU, fully respecting their respective competences and internal organization"[66]. Further, the Lisbon Treaty establishes a clear obligation ("shall") regarding horizontal coherence[67] . While the Arrangements are a form of soft law and do not have legal effect (since they are not agreements), Simon Duke argues that they are "important for defining the 'new normal' and inter-institutional coherence"[68]. The rest of this work explores how are those (or other) 'working arrangements' implemented in the coordination practices between the two bodies.

[65] Articles 17, 18, 27 TEU
[66] Working Arrangements between the Commission and the EEAS, 4
[67] Article 21(3) and 18(4) TEU; Article 7 TFEU
[68] Duke, 2012:53

3.1. DG ECHO's Emergency Response Coordination Centre and EEAS's Crisis Response System

We are currently witnessing more frequent and devastating disasters at a time when financial resources are scarce. Risks are growing and will continue to grow not least because of the changing climate[69]. The Asian tsunami of 2004 demonstrated the shortfalls of EU's crisis response mechanisms – although DG ECHO was the first humanitarian donor to react with activating the Civil Protection Mechanism by (the then) Monitoring and Information Centre (MIC) and despite positive assessments, there was a notable lack of coherence between the different EU instruments[70]. This situation was a trigger for EU-level actors to get creative in the sphere of crisis response with a number of reports and working papers on the improvement of EU action following the multitude-of-actors response to the tsunami. The previous EU architecture of crisis response has been significantly improved with the transformation of the Monitoring and Information Centre (MIC) into the new Emergency Response Coordination Centre (ERCC) as well as with the creation of the EEAS Crisis Response System, comprising a Crisis Platform, a EU Situation Room and a Crisis Management Board. However, important discrepancies and overlap in competences inherited in the old system of division are still in place. Even the Barnier Report[71], as successful as it is, seems to suggest that the EU has to create new structures rather than to consolidate already existent mechanisms in the area of humanitarian action, which can lead to overlapping tasks, lack of coordination and confusion. In order to ensure the existence of coherent policies, the EU has to work towards efficiency, complementarity and coordination and avoid any duplication of structures or mechanisms.

[69] Commissioner Kristalina Georgieva on the Emergence Response Centre
[70] VOICE Briefing, 2006
[71] Barnier, 2006

To counter above-mentioned risks with a joint effort, a European Response Coordination Centre (ERCC) was launched by Commission Georgieva and Commission's President Barroso to strengthen Europe's capacity to protect its citizens and to help the most vulnerable people around the globe, as well as to increase the focus on disaster preparedness. It is a 24/7 service for requesting help when a major disaster occurs both within and outside the EU which means it can deal immediately with new rapidly developing emergencies worldwide. The Center strengthens DG ECHO's role as a global player by allowing it to operate in different time zones better as there are people at the office at any time and it also boosts the DG's capacity to withstand and respond to calamities. When a catastrophe strikes – of paramount importance is how quickly it is acted, what kind of help is needed and who is able to provide it. The establishment of the ERCC is well complemented by a new Civil Protection legislation that allows it to have the financial means, the better possibility to analyze situations and to monitor potential disaster situations. As she herself outlines, one priority of Commissioner Georgieva's mandate is to improve the efficiency and quality of EU's crisis response. [72] Even though the ERCC is very well-equipped, the optimal exchange of information between the different actors will not only come from robust infrastructure but through ensuring cooperative culture among the actors involved.

At the same time, EEAS's Crisis Response System – CRS (overarching the EU Situation Room and the Crisis Platform) is responsible for swift and effective mobilization of actors and instruments across the EU system. The CRS has a broader mandate – in addition to technological incidents, man-made and natural disasters, it deals with political crises and armed conflicts; it also covers the whole crisis cycle – conflict prevention, crisis response, crisis management, stabilisation, reconciliation, reconstruction and development. It was created as a part of the Union's wider attempts to turn the

[72] European Emergency Response: What will improve the new Emergency Response Centre?

comprehensive approach into a comprehensive action. The EEAS' CROC Department has a central role in ensuring timely and effective mobilization of all the resources the EU has at its disposal to deal with the aftermath of natural or man-made disasters. The main and most significant mechanisms of the current response framework are the EU Crisis Platform (facilitating effective coordination of EU's instruments that are relevant for responding to the particular crisis) and the EU Situation Room (permanent stand-by body providing 24/7 around-the-globe monitoring and early-warning services) which is "the first point of contact for all information on crisis situations"[73]. The EEAS' Crisis Platform brings together the Commission, DG ECHO and different responsible parts of the EEAS (civilian, military, geographical, political) in order to make sure that there is a common analysis of what is happening and the capacity to react. The Department aims at turning the EU's 'comprehensive approach' into 'comprehensive action' by effectively coordinating the range of instruments and tools at EU's disposal.

When only humanitarian intervention is needed, DG ECHO is enough with their resources and is the only intervening party. The EEAS starts to play a part in cases in which the comprehensive approach is needed. For example, two of the recent years' major natural disasters – the Haiti earthquake and the tsunami – posed a real challenge to EU's response capabilities. These are complex emergencies that go beyond the need for help that is usually conducted by ECHO. In such cases a Crisis Platform is convened in order to coordinate approached to facing the emergency situation. The tsunami posed a huge problem with assistance, EU citizens were affected, posed a sub-security problem for which a military intervention was needed in order to allow transportation of goods and to fly back EU citizens back to Europe. As Agostino Miozzo emphasizes[74], catastrophes do not respect borders and there are crises all around us. The Directorate Crisis Response is the focal point when it

[73] EEAS web-site
[74] Agostino Miozzo, "Towards a global network of crisis rooms"

comes to managing complex crises and is one answer to the lack of regular structure and working arrangement at the global level. Through the Crisis Platform and the situation awareness it provides, it is the basis for cooperation in crisis management and its main task is to foster unity of actions and comprehensive approach.

The clashing point is that a more comprehensive and coordinated approach to EU crisis response is needed which means that it shall follow and incorporate established by the EEAS CFSP lines and objectives, while humanitarian aid – a major instrument when dealing with responding to crises – should not be regarded as a foreign policy tool and consequently should stay within the responsibilities of the Commission. It appears that there are institutional challenges and inconsistencies in coordination hindering the successful emergence and implementation of a comprehensive action.

Crisis Response measures, as part of the comprehensive approach, should be in accordance with all other CFSP activities – CSDP missions, peace building, conflict prevention, development platforms, etc. This is especially hard in this stage of the crisis cycle, as emergency crises require immediate attention and action, the latter of which critically depends on EU's ability to coordinate its tools and take decisions – ad hoc and in real time. Thus, it appears inconsistent that such a major aspect of crisis response – humanitarian aid – is both controlled and allocated exclusively by the Commission when it serves the above-mentioned goals of CFSP.

Chapter 4: A Comprehensive Approach to Crisis Response?

4.1. The "Comprehensive Approach"

This work takes on a broad understanding of the EU's comprehensive approach, which refers to an integrated EU action in a third country or another region following a set of objectives developed and shared by all relevant EU institutions and actors and thus the approach implements these objectives. There is, however, a narrower understanding of the comprehensive approach which concerns the civil-military synergies, explicitly when it comes to crisis management (this was set out in the Council Conclusions of 2008 and is thus already part of EU policy). Although this thesis deals with the comprehensive approach to crisis response, it acknowledges that the concept is not only limited to this area as it would render the approach too narrow to be useful. Responding to crises is just one phase of EU's external action but also an area which is difficult for the EU to synchronize.

It has been almost two decades since the beginning of EU's more ambitious approach to its external relations and the desire to facilitate a more coherent response to international crises. The long-awaited Joint Communication from the European Commission and the European External Action Service to the European Parliament and the Council on "The EU's comprehensive approach to external conflict and crises" from December 11, 2013 provides, if not all the answers, at least a conceptual clarification shared between the EEAS and the EC on the meaning of the 'comprehensive approach', which can be used as a guideline when framing EU's common crisis responses. Nevertheless, further elaboration on how the cooperation should happen and on the pragmatic divisions of labour need to be encouraged, which is one of the main messages this thesis would like to convey.

The Joint Communication sets out the practical steps the EU needs to undertake in order to implement the comprehensive approach as well as the HR and the Commission's common

understanding of the approach and their full commitment to its joint application in the Union's external policies and actions. This understanding refers to the all stages of an external crisis, including early warning, preparedness and crisis response. The measures that are indicated as having potential to enhance Union's coherence and effectiveness when dealing with external crises include developing a shared analysis, defining a common strategic vision, focusing on prevention, mobilizing the EU's different strengths and capacities, committing to the long term vision for its short-term engagements, linking internal and external policies, making better use of EU delegations, working in partnership with the UN, NATO, IMF, World Bank and other relevant international organizations. There is also an external dimension of the comprehensive approach i.e. coordination with the UN and NATO, for example, which is also needed to enhance common understanding and information-sharing and facilitate coordinated responses (of course, on a more basic level than coordination should happen within the EU). The series of conferences and debates, initiated by the EEAS, on a "global network of crisis rooms"[75] attempt to address this issue.

For a successful response to a crisis, a shared understanding of the situation is required, while in the current system analysis is conducted separately as will be demonstrated in the next sections. The Joint Communication on the comprehensive approach recognizes this flaw and calls for an improvement in the "combined situational awareness and analysis capacity in particular by better linking up dedicated facilities in the various EU institutions and services"[76]. It is interesting that such a statement comes from a document jointly prepared by the EEAS and the EC, when the empirical data for this research – the interviews conducted with officials from both bodies – shows that there is resistance in the Commission for any such endeavor.

[75] "Towards a Global Network of Crisis Rooms", High-level Conference on Managing Complex International Crises, 3-4 December 2013, Brussels
[76] Joint Communication, p.5

As transnational challenges continue to grow in numbers as well as in complexity and as financial resources remain restricted, it seems rational to try to optimally use all relevant instruments in our disposal i.e. adopt a comprehensive approach. Nevertheless, the governing ideas and principles of the comprehensive approach have yet to become the guiding ones across all areas of EU's external action and to be used systematically. The righteousness of such an approach is not to be discussed in this thesis due to space limitations. What is under scrutiny here is whether it manages to bind together EU's humanitarian aid which is under the authority of the Commission and the other instruments which are controlled by the EEAS in a common discourse when it comes to communicating EU's achievements in third countries, despite institutional quarrels between the two.

The problem is that the comprehensive approach attempts to "improve the effectiveness and coherence of policies, using multiple tools to advance a political and/or security objective"[77] and thus seeking to integrate humanitarian aid into this toolbox. This would link humanitarian aid to political aims which is fundamentally incompatible with the Lisbon Treaty (Article 214) which postulates that EU humanitarian aid "shall be conducted in compliance with the principles of international law and with the principles of impartiality, neutrality and non-discrimination". The Joint Communication is seen by some[78] as suspicious and controversial in that it attempts to consolidate the coordinative role of the EEAS in crisis response (including response to humanitarian disasters). MS have kept the humanitarian department of the EC outside the EEAS "to ensure that EU humanitarian aid could continue to be needs-based and delivered according to humanitarian principles, especially in conflict zones and complex emergencies"[79]. Moreover, The European Consensus on Humanitarian Aid states that the Union's humanitarian aid is not a crisis management tool, but has its own objectives of saving

[77] VOICE Resolution, 2013
[78] Woollard
[79] VOICE Resolution, 2013

human lives and alleviating suffering and thus should be decided independently from political or security concerns, solely on the basis of need. However, the reality is that the crises are becoming increasingly more complex and it is difficult for the humanitarian community to operate and to achieve their mission on their own without the complementary military assets.

There are on-going post-Lisbon institutional transformations and changes particularly within and between EU institutions dealing with crisis response, which are potentially far-reaching. A Briefing Paper from the Global Governance Institute argues that there was important progress made at the 'internal level' of EU's comprehensive approach[80]. Substantial institutional innovations (spurred by the uncoordinated and inadequate EU response to the 2010 Haiti earthquake) have been advanced under Ashton as outlined in detail in the previous section.

The need for a deeper integration between the different EU information gathering tools has been stressed in a number of occasions (e.g. the Joint Communication, the EEAS' mid-term Review) and it was even recommended to merge those "instruments dealing with the flow of information […] into a single mechanism for situational awareness and crisis information analysis".[81] However, this merging may prove more difficult than generally suggested in those documents not least because of the different, and to some extent incompatible, mandates of the EEAS and DG ECHO. The latter maintains the humanitarian principles of impartiality and neutrality and deals solely with non-military tools such as humanitarian aid, while the former is responsible for the, inter alia, military approaches to crisis response which are inevitably political by nature. The confusion of the two mandates (if they are implemented under the same flag) is consequently real. This blurring of lines (humanitarian action being perceived as a political one) affects how humanitarian staff is perceived of and ultimately their

[80] Tercovich and Koops, 2013
[81] Tercovich and Koops, 2013:3

security - demonstrated by the increasing number of humanitarian workers becoming targets of killing in the host countries[82], where they are perceived of taking sides in the conflict (for example, NGOs in Pakistan and Afghanistan still suffer the consequences). The military support and capacities in humanitarian missions has to be employed solely on humanitarian terms and conditions, otherwise there is a real risk of humanitarian aid becoming a political tool, an instrument for security concerns or a replacement to lacking or weak political solutions to conflict. This risk is exactly what the humanitarian actors fear the most – that the aid will not be used according to the principles enshrined in the International Humanitarian Law (IHL) – neutrality, impartiality and non-discrimination, but will be serving the above-mentioned political purposes.

Similar is the case with the civil protection of EU citizens affected by disasters occurring inside or outside the Union – as of now both DG ECHO and the CROC Department (Consular Crisis Management Division) are tasked with dealing with such cases. Although a part of DG ECHO since 2010, the Civil Protection area and its mechanisms fall outside the scope of this work mainly because it differs from humanitarian aid in two important aspects: civil protection assistance is not provided through humanitarian agencies but through the governments of the 32 MS (28 EU MS + Iceland, Liechtenstein, Norway and Macedonia) participating in the Civil Protection Mechanism thus is not in a position to deliver neutral, impartial and independent relief; and it can serve political purposes and can be used as a supporting tool in CFSP operations. We are interested in the synergies between humanitarian aid and the comprehensive approach mainly because the former is not supposed to follow the political objectives of the latter.

The situation is comparable in the field of early warning. Although advances have been made, respective divisions within the EEAS (EUMS, CROC), the DG ECHO's ERCC, and DG HOME's

[82] VOICE Briefing, 2006, p.28

Early Warning indicators "develop different early warning matrices in parallel"[83]. While different roles, mandates and strategic priorities have to be respected, there is an urgent need for a top-down harmonization and a single strategy for tacking complex crises (starting with a single approach to early warning) because otherwise "this duplication of early warning indicators render an EU-wide approach to early warning impossible"[84], which ultimately hinders the development of a EU comprehensive approach. A basic shared understanding is crucial as from it institution-specific, but nonetheless coordinated, strategic responses and actions can be created.

Despite otherwise suggested in EU official documents, it is argued here that 'integration' ("all relevant institutions are brought together to develop common objectives and strategies and then working jointly towards meeting them")[85] would be very difficult, if not impossible, to achieve mainly due to incompatibility of the humanitarian objectives of DG ECHO and the political ones of the EEAS. Furthermore, it is not desirable either – it is imperative that coordination ("different institutions develop their own objectives and work towards meeting them but coordinate, that is, share information (usually at coordination meetings) about what they are separately doing")[86]; does not lead to integration in policy or practice of EU humanitarian assistance. In addition, it has to be coordination 'with' and not coordination 'by' so as to ensure that there is space for varying objectives (the importance and validity of which should not be undermined by an inclusion in the comprehensive approach). What the two bodies should work towards is a 'coordination' with each developing strategies according to their own objectives and then bringing them together under the umbrella term of the 'comprehensive approach' but nonetheless executing them separately.

[83] Tercovich and Koops, 2013, p.3
[84] Tercovich and Koops, 2013, p.3
[85] EPLO, Woollard
[86] Ibid.

4.2. The Comprehensive Approach to Crisis Response as Coordinative Discourse

In ancient Greece oratory was "the supreme skill, on whose mastery power depended"[87]. The influence and power of the specific language that is used was acknowledged back then. This is why the conducted interviews[88] were systematically analyzed for clues to decision-makers' perceptions and attitudes. The analysis demonstrates the discrepancies between the two bodies (EEAS and DG ECHO) – even though all of the interviewees claimed that there is smooth coordination between their offices, there were diverging views about the comprehensive approach, about how is the communication executed, and also about the need of two structures with similar mandates. The relationship between the used discourse and reality in a particular context is explored by seeking to unravel what particular meaning is communicated by the choice of a particular rhetoric. The data collected by this means does not speak for themselves, they are only interesting and significant to the extent that they provide a meaningful account for what reality the language is helping to construct.

It is the 'policy sphere' that is under investigation in this section as it is in it that policy actors engage in a coordinative discourse about policy construction. Ideally, as this is the sphere in which policy ideas are created, elaborated and justified, policy actors would seek to coordinate agreement among themselves on those policy ideas. The difficulty in accounting for this type of discourse is that, as Schmidt stresses, "coordinative policy idea may remain in closed debates out of the public view […] because the issues are too technical to capture the sustained interest of the public"[89]. Furthermore, "the lack of connection between spheres of discourse is a frequent occurrence in the European Union"[90] as demonstrated below.

[87] Paltridge, 2012, p.6
[88] See Annex 1
[89] Schmidt, 2008, p.311
[90] Schmidt 2006a:Ch.1

4.2.1. Promoting the Comprehensive Approach

In an attempt to categorize themes that emerged from the data, the concept of the 'comprehensive approach' was identified as a discourse that operates implicitly during the interviews with the officials from the EEAS. It was used to achieve particular effects - justification of the comprehensive approach – by convincing the audience that this is the only feasible solution to the increasingly complex crises that we are faced with. Since the EEAS is the major proponent of the comprehensive approach, its employees attempted to justify its necessity by emphasizing that current emergency situations inevitably require comprehensive response. A similar endeavor was not noticeable in the discourse of DG ECHO's officials.

For example, interviewee No. 3 from the EEAS explained at length that the 1990s were characterized with intra-state crises and there was not much the EU can do. Nowadays, however, there are complex inter-state crises, which encompass humanitarian, political, security, development, social and environmental dimensions. With the creation of the EEAS, and subsequently of the Crisis Platform in 2011, these different parts were given the possibility to meet together. The major risk when having two separate structures responsible for crisis response is to dilute the message that is to be delivered to the world; thus, the Crisis Platform was created especially with the view of reducing such a risk. Although not mentioning it explicitly, it can be concluded that the Crisis Platform was envisaged as a tool to promote the comprehensive approach. He (No.3) further emphasized two important shifts in the culture – the security-development nexus and the humanitarian-military synergy.

In addition, the Managing Director of the CROC Department clarified that the earthquake in Haiti – a natural disaster complemented by an internal security problem which complicated the crisis – was the trigger for Catherine Ashton to create the CROC. It was established out of a political need

for a political overview and a diplomatic analysis 'in contrast' to the technical need for DG ECHO, which has a precise but a limited task. He understood the need for a different approach and that things will not work as business as usual because of the increased complexity of the crises, thereby by foregrounding the concept of complex crises and promoting only this type of discourse, justifying the existence of and need of implementing the comprehensive approach (which he defined as "coordination of all the relevant actors working, thinking and planning together").[91] He praised Kristalina Georgieva as "a very strong politician" who understood quickly that a comprehensive 'crisis management' is a risk to her and to her mandate and in order to minimize the risk she created the ERCC (while emphasizing that he also wanted to minimize the risk on his side).

Furthermore, in her speech to the EP, Ashton advocated for a move from the individual/institutional approach to the EU approach; and for complementarity, efficiency, and ensuring good coordination. Numerous times it was emphasized that before the Treaty of Lisbon there were a HR and a Commissioner dealing with external relations, while now there is the HR/VP position that is tasked with coordinating the work of the Commission and has both the intergovernmental and the Community methods at her disposal to do that. All this was done with the view to enhance the comprehensive approach. Moreover, by framing the crises as inter-connected with a significant degree of certainty, they promote the idea of complex crises as granted i.e. the crises that we are facing are definitely of this type (and the only thing we can do is to deal with them with a comprehensive approach).

However, discourses are in constant conflict with other discourses. For example, interviewees No.6 and No.7 emphasized the independence of military action and the entirely separate mandate of the humanitarian action which does not belong 'in there'. The reality that this language of difference

[91] See Hay (2001) and Hay and Rosamond (2002) who explain the ways in which political leaders portrayed the challenges of globalization through a carefully-crafted discourse in order to legitimize neo-liberal reforms.

(independence, separate, not belonging) is helping to construct is fundamentally dissimilar to the one advocated by EEAS' representatives. The binary opposition "us versus them" used here does not imply complementarity, but rather justification that it should continue to be this way.

When asked whether the separation of humanitarian aid hinders the coherence of the comprehensive approach, interviewee No.5 from the Commission emphasized that the Commission employs a "networked approach" towards its crisis centers as the ERCC is not the only such facility within the Commission - DG SANCO also has a crisis center (epidemics, pandemics, etc.), DG HOME (crisis center on terrorist attacks), and DG ENERGY (nuclear threat) as well. By not addressing the question directly, and rather attempting to come up with an alternatively-constructed concept (apparently employed only within the Commission), they clearly demonstrated their unwillingness to be associated with the novel idea of a comprehensive approach in a broader sense. In this case, as in the next two that will be discussed below, it is apparent that institutional context impacts the rhetoric that is employed.

4.2.2. Merging the ERCC and the EU Situation Room

When asked about a possible merging of the two centers into a single structure, the interviewees gave fundamentally different answers, although a pattern was noticeable along the lines from which institution each interviewee was.

The officials from the EEAS expressed the opinion that there would be added-value if some kind of a single structure is established – "since the current set-up is still not fully perfect, re-composition might happen in order to increase the efficiency" (No.1). When asked to elaborate on the 're-composition' issue he said that he sees it as a co-location of the two offices and not merging

them into a single one. The higher-ranking official from the EU Situation Room (No.2) expressed the opinion that there could be a merging of the two centers in one single body. As outlined by the EU Situation Room official (No.1), every political crisis outside the EU belongs to them to monitor, follow and deal with it as their job is political reporting, presentation and focus on political affairs; whereas in the case of natural disasters they only report the major ones (Haiti, Philippines) and do not discuss or engage with them in detail (the SitRoom only cites the numbers, reports in the first days and does not regard action, while DG ECHO produces an extensive report and mobilises EU assets). To illustrate this point he gave the example that the EU Situation Room reports daily on at least 35 (sometimes up to 50) issues, while DG ECHO is concerned with three to five issues and produces factsheets every day. By citing exact numbers he foregrounded their broad mandate and wide range of tasks, while emphasizing the narrow and specific nature of the tasks performed by DG ECHO. Nevertheless, he downplayed the fact that actually there is an overlap since they "only report the major ones" and "do not engage with them in detail" but still spend time on that. The point here is that even though the overlap is partial – there is such, a fact that the interviewee did not want to frame like one. Consequently, he claimed, the tasks are "a little bit separated" and the situation has definitely been improved as there used to be three centers - at DG ECHO, DG RELEX and the Council (the SitCen), and now the number has decreased. His choice of words and informality contributed to an unpersuasive rhetoric which did not express a sufficient degree of certainty so that the listener could be convinced that this is the case. "A little bit separated" mandates do not justify the existence of two such centers.

In slight contrast, the high-ranking official from the Crisis Response Planning and Operations Division was "very in favour of one single body" as it will provide the response with more capacity, more resources and make it far more cost-effective. However, he stressed, it was not in the interest of the EEAS to replace what DG ECHO is doing (No.3). As he was involved in the Michel Barnier's

Report project on the EU's response to major cross-border emergencies, he highlighted two important things in the Report – its advocacy of a single operational center to support all policies; and its suggestion to put together humanitarian aid and civil protection under one authority when those two are employed externally which became a reality (now, according to ECHO, for them is better than when they were separated). By creating a category of two things that were proposed together and emphasizing that one of them proved successful in improving EU's disaster response capacity when implemented, the interviewee's discourse implied that there will be added-value of we consider the implementation of the other one as well, which supported his view of the merging of the two centers even without directly referring to the issue at stake.

Michel Barnier highlights one of the innovations contained in the Constitutional Treaty – "EU action on humanitarian aid in the context of the principles and objectives of the EU's external action" (Article III-321)[92] as one solution which "one way or another, sooner or later" we will need. His Report emphasizes the 'need for Europe' and the view that quickly and individually organized responses cannot match the potential of s single, targeted, planned, European one. Barnier argues that "multiplying responses results in a lack of coordination that diminishes the EU's impact and visibility on the ground"[93].

As for the Managing Director of the CROC, he said that he had proposed to bring together the two centers, but his colleagues from the Commission refused; and that he or his Department was never consulted about how the new center should be constructed. He further emphasized that having two similar structures is a duplication of resources (not tasks, as he said earlier) and that the ERCC spent a lot of money, which was after all taxpayers' money (No.4). He also suggested that people from DG ECHO should be more open to optimization and rationalization (not least due to the financial

[92] Barnier Report, 2006, p.9
[93] Barnier, 2006:7

crisis and the scarcity of resources). He referred to the ERCC as being the 'hardware' (having huge space, new technology) and of his Department as the 'software' (possessing the expertise and the right staff), thus seeing added-value of moving them together into one single body (which would not be SitCen+ERCC, but "EU"). By employing a discourse of difference (the two were speaking 'different languages', operating in 'different environments' and playing a 'different game'), he further emphasized the difficulties of functioning according to the current set-up.

By constructing binary opposites (us vs. them), the Managing Director emphasized the complementary nature of the two centers thus justifying their merging into a single EU body. He further foregrounded that he had already made an attempt to reconcile them but was met with opposition from the Commission (using 'refused' denotes a final and non-negotiable 'no', of which we do not know if that is the case). Deploying a strong language gives the impression of seriousness and certainty about his own actions. Moreover, by using the particular discourse of financial difficulties he made the spending of 'a lot of money' on a new center an inappropriate action and emphasized the fact that he was 'never consulted', which could have potentially saved money and resources in times of scarcity, thus calling on DG ECHO to be more optimal and rational (a suggestion that again refers to the binary opposition – we are such, not it is your time to be as well). Likewise, by referring to 'taxpayers' he sought to bring the problem down-to-earth and closer to every EU citizen, which may make the person feel that the existence of the two centers creates an unnecessary burden on their own budget and is consequently harmful to them. This was supported by interviewee No.3 stating that a single body would be better in terms of resources and cost-effectiveness – emphasizing a closely-related problem to almost every citizen: the scarcity of money and resources. The Managing Director (No.4) also challenged the wide-spread belief that DG ECHO is independent in allocating its money and claimed that this is political (and not private) money and that at the end the DG is not the Red Cross, for example. The EU is a political structure and DG ECHO is one of its instruments and

ultimately money is given thanks to a political decision, he said (again bringing the issue of finances closer to the average person). In advocating the merging of the two centers, it was also presented as a problem by interviewee No.3 that funding is not put under the same institution.

The answers on the same question by the officials of Commission's DG ECHO were essentially different. For example, the official from the ERCC (No.5) said that there would be no added-value of relocating the two offices since the tasks they conduct are "well established and separated". He gave the example with the services operating on the national level and that it is even unthinkable to put the police, the ambulance services, the army and the intelligence services together. Moreover, interviewees No.6 and No.7 emphasized that the two centers are operating in different environment and illustrated their point adding that, for example, the EEAS is using restricted documents and thus it is not feasible to put everything under such strict conditions given the needs of humanitarian aid to be open and transparent and the ability to bring in non-EU actors.

Again, bringing the issue to a more common understanding with which everyone can associate themselves emphasizes the inappropriateness of such an enterprise. In addition, both of the interviews from the Coordination and Inter-Institutional Relations division at DG ECHO (No.6 and No.7) claimed that the whole system will lose if there is an attempt to make changes in the current set-up, as there "isn't anything to slow down" in the organization of crisis response as it is now. They also expressed the view that the "institutional structure is clear" (likewise interviewee No.5 who declared that the tasks are "well established and separated") – a very strong argument, if not untrue, as demonstrated throughout this work. However, as discourse analysis does not seek to establish 'a' truth, but rather looks for the effects that are made by a particular usage of words, this statement, as well as the "isn't anything to slow down" one, express a significant level of certainty which would have a convincing effect on a not deeply-engaged with the topic listener.

4.2.3. Coordination Practices

The third noticeable discrepancy between the officials from the two institutions was in their answers to the question how do they see the coordination practices between each other. The people from the EEAS perceived of this communication as happening informally, whereas DG officials cited different established rules and arrangements as dictating the way they would communicate with their colleagues.

For example, interviewee No.1, from EEAS' Situation Room, said that coordination between the two centers works very well, and happens mostly on a personal level – he calls people in ECHO whom he knew from his previous positions in the Commission[94] and communication was easier with the offices where there were people who used to be there before and they knew each other. When asked about the coordination practices, interviewee No.3 stated that exchange of information happens at all levels – Crisis Platform, Delegations, informal discussions; and that they are "extremely well working" with ECHO as the DG's officials are already on the ground when the EEAS goes and they are very responsive and ensuring good coordination. As for discussions on how the system is working he said that often it happens informally, on a personal level. All of the EEAS' officials put informal relations at the foreground and did not frame their communication practices using any official rhetoric. The choice of their discourse and the use of particular words ("informal", "personal level", "former colleagues") helped to communicate a particular meaning i.e. that coordination happens smoothly and without much effort.

In sharp contrast, officials from DG ECHO continuously resorted to information that is officially available and were not willing to go outside established discourse. When asked about the coordination practices, interviewee No.5 from DG ECHO's Emergency Response division said that

[94] Interviewee No. 1 came to the EEAS as part of the bloc transfer from the Commission.

there is a Memorandum of Understanding procedure in place and that amendment of the formal basis (the Working Arrangements) is needed as well as conclusion of a MoU. According to him, the Working Arrangements are 'generic' and it is favourable to have them more structured and detailed. About the cooperation itself – he referred to it as 'good' up to now but that there is a need to keep on working together and that established rules about the implementation of the Arrangements are needed. To the same question interviewee No.6 and No.7 responded that formalization of ECHO-EEAS relations is on-going and strongly advocated for a need of such an enterprise. They said there are "outstanding issues" and thus institutional arrangements and a MoU are needed so that the two offices can work together. They also brought the matter of agency by outlining that there is a new HR coming and things might become clearer afterwards. These officials put at the forefront the formal arrangements and advocated for their implementation and elaboration so that formal relations can be framed.

Once again, interviewee No.5 advocated that the approach the Commission has taken – the networked approach linking all crisis centers – is the right one; and that there are Memorandums of Understanding (MoU) with each of them. He also emphasized that since the ERCC is a 'coordination hub' it employs its networked approach also towards the Council and the EEAS. For example, if political issues are at stake –it will be transferred to the EEAS; if there is a disaster outbreak - DG SANCO will be responsible for the coordinated response and for bringing together officials from other services. By employing this high level of formality in his discourse he constructed a particular reality that this is the environment in which they operate.

4.2.4. Conclusion

Although all of the interviewees claimed that coordination is going very 'smoothly', the impression is that they described fundamentally different realities when elaborating on how this is

happening. Even though usually both type of relations – formal and informal – are at play, the very differing (even contradictory) responses that were collected demonstrate that the 'coordinative discourse' between the two Crisis Response centers is not strong enough so as to foster an overarching 'comprehensive approach' discourse. This can only become true if they first internally agree on how they see their synergies when responding to crises. Whether this affects negatively the 'communicative discourse' to the public is analyzed in the next section.

Despite the highlighted need by the Joint Communication for all those responsible for crisis response to "strengthen early, pro-active, transparent and regular information-sharing, coordination and team-work"[95], the analysis of the interviews demonstrates that this is still not the case. Furthermore, there is not a sign of a common methodology that is systematically implemented by both sides so that smoother cooperation can be fostered. The Joint Communication continues, "further strengthen operational coordination among the various emergency response functions of the EU, using their complementary expertise. To this end, a Memorandum of Understanding between the EEAS and the Commission services is being prepared"[96]. Nevertheless, Commission officials referred to this MoU, while EEAS officials did not implying that DG ECHO is more concerned with the existence of a clear outline of the respective tasks.

The results demonstrate that there is no shared understanding between the two structures about how the various EU instruments can and should work together coherently, which is at the core of the comprehensive approach. Agreement about this is necessary and imperative for the whole idea to work. So far, the EEAS has shown its willingness and ability to think, plan and act strategically as

[95] Joint Communication, p.5
[96] Joint Communication, p.7

much as it is allowed to, but this is diluted by the unclear delineation of competences and responsibilities.

4.3. The Comprehensive Approach to Crisis Response as Communicative Discourse

Following the analysis of the interviews, the press releases of the two bodies (DG ECHO and the EEAS) about the three crises (in Central African Republic, Sahel and Somalia) during 2012 and 2013 were analyzed with the aim to look for a common thread and whether they tried to incorporate it in some kind of a common discourse. In a search of tendencies which demonstrate the synergies between CSDP/EEAS political objectives and the a-political nature of humanitarian aid, it became evident that there is almost no reference about the work of the other party and even about the multi-dimensional character of the three crises (there are no more than five joint statements between Commissioner Georgieva and the HR/VP Ashton during those two years).

This holds more truth in the case of EC's press releases which give account only for their actions without whatsoever referring to a comprehensive approach or a need to coordinate humanitarian aid with other EU external policies. Although EEAS' communications attempt to promote a comprehensive approach, it is about the need of joint civilian-military actions, and not about the complementary effect that humanitarian aid can have to these. While it is more understandable on the side of EC's being very protective of the humanitarian principles and their complete separation of wider political objectives, for the EEAS – 'the' promoter of the comprehensive approach – it comes as a surprise that it does not seek to account for every aspect of a given situation.

Communicative discourse is the discourse through which political actors engage with the public in order to persuade it about the necessity and appropriateness of certain policies. Its aim is to present and legitimize political ideas to the general public. However, the comprehensive approach as

a communicative discourse does not yet have what Schmidt terms "causal influence", as discourses that have it "not just […] express one set of actor's strategic interests or normative values but also […] persuade others of the necessity and/or appropriateness of a given course of action"[97]. As expected, the communicative discourse of the EU is weak not least because of the many stakeholders and actors involved (also in the coordinative discourse), it has to be very carefully considered what will be included so that all of the diverse interests are respected, which ultimately leads either to deluding the message or to a one-sided account with different aspects accounted for separately (which is the case here).

[97] Schmidt, 2008:312

Conclusion

The trend in the future seems to go towards an even greater number of emergency situations in which there is a need for international assistance, mainly attributable to climate change. As the EU is respected as a global humanitarian actor, continuing to be such can contribute to its role as an international player. Other global factors – such as terrorism and organized crime – have put security as the major priority of EU's external action. In such contexts, there might be a need for the EU to take political decisions which directly or in-directly affect an already evolving humanitarian situation (for example, after the 2006 elections Hamas came into power, the EU decided to halt direct aid to the Palestinian Authority[98]).

In emergencies, swift provision of humanitarian assistance and the effectiveness and efficiency of response are crucial in order to save lives and alleviate the suffering of the people. To achieve that, the different mechanisms involved in the international response have to have clearly established coordination practices, mandates and responsibilities.

The debate about the better functioning and comprehensiveness of EU's external action is both necessary and overdue. Eventually, the issue of who and what the EU wishes to be on the international scene is tied up with questions whether it can be first and foremost a coherent actor. The EEAS provides a good framework to the Union to work towards a united stance, but the legal and institutional novelties that came with it did not make it easier is some policy areas. The current institutional set-up in the sphere of crisis response is far from perfect and the EU will clearly gain in international legitimacy and in establishing its role in the wider world if it engages in better concerted actions.

[98] VOICE Briefing, 2006, p.33

As demonstrated in the empirical contribution of this work, there are existing problems and diverging views about how coordination happens in a case of emergency and about the need of two structures with partially overlapping competences. Nevertheless, the system does not necessarily require fundamental changes, mainly because of the irreconcilable nature of the humanitarian and the political objectives and mandates involved.

The relationship between the EU's external action comprehensive policy orchestrated by the EEAS and humanitarian assistance under the authority of Commission's DG ECHO is very sensitive as the focus of the two bodies is on different objectives and various ambitions and visions may clash. These inter-institutional tensions threaten to undermine the 'comprehensive action' the EU is aiming at.

However, the concept of the comprehensive approach (the joint-up deployment and the strategic and coherent use of EU instruments and resources when dealing with external crises) if better employed as a coordinative and communicative discourse has the potential to mitigate the problem, to socialize the various stakeholders and to incentivize them to work more closely together, given that it does not put at risk the principles of impartiality and independence which are at the heart of humanitarian work. If the EEAS makes states this explicitly, opposition to the current development of the comprehensive approach would be mitigates as is mainly stems from a fear of subversion of principles. If followed as dominant discourse, it has the potential to have a positive causal influence on the way coordination and communication is executed in the sphere of EU crisis response.

The Treaty of Lisbon re-affirmed EU's aspiration to apply a comprehensive approach to its external action by creating relevant structures to strengthen its potential and capacities. The December 2013 European Council gave the EU's comprehensive approach a decisive push, with the CFSP being a prominent agenda item for the first time in five years. Plus, in the new Multiannual Financial

Framework (MFF) for the period 2014-2020 (as agreed in June 2013), funds for the "Global Europe" section rose by 3.3% to 58.7 bn EUR[99], which means that EU's external action will be better resourced in the next period. This provides it with opportunities to engage more and better in a comprehensive action in the future.

[99] Wittkowsky and Pietz, 2013:1

Annex 1: List of Interviews

Interview No.1 conducted on 28 April 2014 with an official from the EU Situation Room, European External Action Service, Brussels

Interview No.2 conducted on 28 April 2014 with an official from the EU Situation Room, European External Action Service, Brussels

Interview No.3 conducted on 29 April 2014 with a high-ranking official from the Crisis Response Planning and Operations Division within the Crisis Response and Operational Coordination Department, European External Action Service, Brussels

Interview No.4 conducted on 29 April 2014 with the Managing Director of the Crisis Response and Operational Coordination Department, European External Action Service, Brussels

Interview No.5 conducted on 30 April 2014 with an official from the Emergency Response Division within DG Humanitarian Aid and Civil Protection, European Commission, Brussels

Interview No.6 conducted on 30 April 2014 with an official from the Coordination and Inter-Institutional Division within DG Humanitarian Aid and Civil Protection, European Commission, Brussels

Interview No.7 conducted on 30 April 2014 with an official from the Coordination and Inter-Institutional Division within DG Humanitarian Aid and Civil Protection, European Commission, Brussels

Annex 2: Selection of case studies

Central African Republic:

At the beginning of 2013, multiple and diverse crises had the potential to engulf the Central African Republic and the region- "aggressive militia groups were active in the Eastern DRC, Sudan and South Sudan remained on the brink of war, and the primarily Muslim Seleka rebel group threatened to overthrow the government in the CAR"[100], but CAR appeared to be the most disturbing crisis of them after the deterioration of the humanitarian situation in late 2013 (regime change in March followed by instability and disorder, abuses, arbitrary treatment, increasingly a basis for ethno-religious conflict, inter-communal violence, human rights violations). By the end of 2013, the European Commission was the largest donor of assistance to the CAR providing 51 million EUR of protection, health care, food assistance and nutrition, clean water, sanitation and logistics. Altogether, there are 2.5 million people (more than half of the 4.6 million population) in need of assistance and 550 000 who are internally displaced.[101] Further, loss of livelihoods and destruction of property have made an already fragile population (180/187 HDI) more vulnerable. Agency is imperative here as it took EUI humanitarian officials to argue for military action. At the beginning of 2013 the EC set aside 660 MLN EUR for humanitarian aid, but this was raised to just over 825 MLN in June and 1.145 BLN in August – "this remains an area in which there is a strong EU identity, and the commissioner in charge of humanitarian aid, Kristalina Georgieva, has boldly pushed the boundaries of her mandate (this is why DI is relevant as it also accounts for agency, which the other approached do not) – for example taking an activist approach in response to the CAR crisis" (European Foreign Policy Scorecard 2014, p. 107). Although France intervened in December (backed by an AU force and considerable EU funding), violence continued to increase. On April 1, a EU military operation (EUFOR RCA) was launched to contribute to a safe and secure environment by providing a temporary support for a maximum of six months with a view of handling over to African partners.

[100] European Foreign Policy Scorecard 2014, p.111
[101] ECHO Factsheet, Central African Republic

Sahel:

In late 2011, it became clear that drought in the Sahel region (Burkina Faso, Chad, Mali, Mauritania and Niger) threatens to create extensive food shortages, potentially affecting nearly 20 million people (the fourth successive food and nutrition crisis after the ones in 2005, 2008 and 2010). Overall, EU's response was significant and has an important role in avoiding mass fatalities. In March 2012, the humanitarian crisis was exacerbated by the implosion in Mali, potentially spilling over to other countries in the region. Fortunately, a major disaster was averted by a concerted humanitarian response (ECHO reacted swiftly in late 2011 with initial aid and contributing partly to the prompt action). However, the situation in Mali worsened in 2012 - "fighters retreating from Libya after the 2011 civil war have helped destabilize the already weak countries of the Sahel (Mali, Mauritania and Niger)" and "Islamist rebels seized the north of the country and military officers mounted a coup in the south, initiating a year of deep political confusion"[102]. Despite differences about how much force should be involved, in 2012 the EEAS made the Sahel a priority and developed a comprehensive strategy for the region. In July a CSDP civilian mission was launched to support the Nigerian authorities in fighting terrorism and strengthening the rule of law (capacity-building operation EUCAP SAHEL Niger training security personnel in Niger), but generally it took too long given the urgency of the situation in Mali and the overall international response was slow. In January 2013, France intervened in Mali in order to halt Islamist forces advancing on the capital, in February a EU military training mission (EUTM) was launched to help rebuilding the armed forces and to meet their operational needs, and in July an UN peace operation (MINUSMA) replaced the African force. A civilian CSDP mission – EUCAP Sahel Mali – was established in April 2014, providing support to the state, advice and training. There are significant food and nutrition needs, especially in the North of Mali, which predate the events of January 2013, but remain acute today.

There is an increasing discrepancy between the aid that is coming by MS and that is given by ECHO – for example, in 2012 over 700 million EUR was spent on the Sahel, nearly 300 million of which came from the European Commission. This is illustrative of the growing power and responsibility of the EC in humanitarian affairs. As of February 2014, ECHO has responded with 507.4 million EUR to the food and nutrition crisis in the Sahel, where 1 in 8 inhabitants suffers from food insecurity[103]. Humanitarian aid effort managed to mitigate the impact of the food crisis (but still, 2.5 million people are in need of urgent food assistance). What is more, people are faced with a threefold crisis – no access to food, erosion of resistance, and consequences from the Mali and Northern Nigeria conflicts. To partially address the first two, a global alliance to strengthen resilience to future crises (AGIR) was created, in which the Commission was instrumental. The Alliance aims at addressing the root causes of the chronic food insecurity in the Sahel and to reach a 'zero hunger' goal within twenty years.

[102] European Foreign Policy Scorecard 2013
[103] ECHO Factsheet, Sahel: Food and Nutrition Crisis

Somalia:

During the course of 2012 and 2013, there was an evident progress made in the case of Somalia. The European Commission allocated 60.8 million EUR in 2012, and 53.1 million in 2013 used to ensure protection, food security, shelter, health, nutrition, clean water. In 2012, major progress both political and in anti-piracy operations was made by the EU-backed African forces in stabilizing the country as well as by the AU, EU and UN. But this progress nevertheless remains fragile and reversible. A European Strategy towards Somalia was coordinated by the EEAS and ultimately a new strategic framework for the Horn of Africa was adopted by the European Council in November 2011 to guide the EU's multisectoral approach to the region (humanitarian aid is not listed among those engagements)[104]. An African Mission in Somalia (AMISOM) was launched and its 2012 budget was considerably supported by the EU's African Peace Facility (APF) which uses development funds. The European Union ran a building of armed forces training mission initially for two years (set to expire at the end of 2012), but the European Council decided to extend it for further two years (aimed to replace direct training with strategic guidance)[105]. In parallel to NATO and other operations, the EU also maintains an anti-piracy mission off the coast of Somalia which also proved increasingly successful (less than 100 pirate attacks in 2012, half of the figure for 2011). In addition, in July 2012 the European Council agreed on a new mission (Nestor) set to support states in the region in building up their own maritime security capabilities.

During 2013, the EU has succeeded considerably in supporting stability in and fighting piracy off the coast of Somalia; however, Islamist threats and disorder persist. The EU has supported both the AU's military efforts (by funding the force through the APF, conducting anti-piracy patrols and training the Somali army) and the UN's political work and the beginning of the year there were hopes that the country will be able to finally break out of this long period of instability, but the situation remained unstable and it became clear that stabilizing Somalia will be tougher than initially thought. The newly-launched third mission by the EU (EUCAP Nestor – aimed to build up East African maritime capabilities able to address piracy) only started to make progress towards the end of the year. The naval actions of the EU NAVFOR mission off the Somali coast proved effective (demonstrated by the number of pirate incidents in the first 11 months of 2013 – 11, the lowest figure since 2006). In September 2013 a "New Deal for Somalia" conference was held where broader objectives and a strategic framework were agreed. As of February 2014, there are 2.9 million people in need of assistance, 857 000 of them are in a crisis or emergency situation and cannot meet their food needs[106] and 1.1 million are internally displaced and particularly vulnerable; further one million are refugees in neighbouring countries. The food security situation slightly improved compared to September 2013, but a substantial part of the population remains at risk of sliding back into a state of emergency. The current humanitarian situation resembles the one prior to the 2011 famine that struck the country.

[104] EEAS Factsheet, "The EU fight against piracy in the Horn of Africa"
[105] Council of the European Union, "EUTM Somalia extended and refocused", 22 January 2013
[106] ECHO Factsheet, Somalia

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