28 Countries, One Voice Abroad? The crucial role of the EU 'Embassies' in bilateral Diplomacy (Case Study: EU China Delegation)

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Abstract

More than five years after its creation on 1 January 2011, the evaluations of the European External Action Service (EEAS), in giving the European Union 'one voice' are still rather pessimistic (see e.g. Smith, Keukeleire and Vanhoonacker 2015). Considering the uncertainties about the division of labour and responsibilities and continuing problems with leadership and vertical coherence some of the criticism is justified. Therefore the Council conclusions of 17 December 2013 invited the next High Representative to assess progress achieved in the context of the EEAS Review and to present by the end of 2015 an evaluation of the organisation and functioning of the EEAS, accompanied, if necessary, by appropriate proposals, including for a revision of Council Decision 2010/427/EU[1], in accordance with Article 27(3) TEU. High Representative/Vice-President (HR/VP) Federica Mogherini (2014 - 2019), successor of Lady Chatherine Ashton, a British national, responded by pointing out that "increasingly EU Delegations (...) reinforce the coherence, visibility and effectiveness of the EU"[2].

Just like any other foreign or diplomatic service, the EEAS consists of a central office in the 'capital city' Brussels and a network of diplomatic antennas, called 'European Union Delegations' (EUDs), that are located in capital cities of 139 non-EU countries all over the world. Most research on the EEAS has focused on the leadership structures in Brussels. Meanwhile, the EU's diplomatic system of European Union Delegations (EUDs) has so far received surprisingly little attention. First analyses draw a positive picture: Wouters and Van Vooren call the EUDs "the most conspicuous success of the new set-up" (2013, 4. July, 20). Rosa Balfour agrees by claiming that the "Delegations are saving EU foreign policy" (Balfour 2013a). Nonetheless, one should be cautious. As Hayes points out, despite their decisive role in installing coherence, effectiveness and continuity in EU external relations, scholarly analyses and explanations for the apparent success of the EUDs are still rare (Hayes 2013, 27-39). Austerman (2014, 7) points out that the fine-tuning of activities between EUDs and Member State Embassies can be quite delicate and that, in general, centralization of European diplomacy differs from on third country to another.

This paper attempts to contribute to filling this research gap. Based on a Principal-Agent approach, my central message is that the EU Delegations have contributed to strengthen the

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[1] Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service, OJ L 201, 3.8.2010.

[2] Implementing the EEAS Review: Progress Report of the High Representative/Vice President to the Council, HR(2015) 170, p. 5.

EU's voice in global politics. There are three main reasons for this: first, the historical development of the EU Delegations; second, the institutional make-up of the post-Lisbon EU Delegations in relation to their headquarters; and third, the pressure of external actors on the EU to integrate its diplomatic system.

This central message will be unpacked as follows: after setting the theoretical framework, I first give a short historical background of the dynamics of the EU Delegations network. I will then turn to the mandate and the current role of the EUDs. The pivotal role in external representation of the Union by EU Delegations finds its basis in Art 221(1) TFEU, which was newly inserted into the Lisbon Treaty. The purpose of this Treaty provision is to strengthen the potential to speak with one external voice on behalf of a single legal entity (Blockmans and Hillion 2013, 56). Duke highlights that the European Union Delegations are still in a learning process regarding their exact role but are becoming increasingly important in the eyes of third countries and other EU partners. Given their practical role they can already be considered in many ways to be prototype EU "embassies" (Duke 2012, 45-68).

Finally, I will substantiate my central claim with a closer investigation of the EU Delegation to China. Since the EU is regularly criticised for not speaking with one voice towards Beijing, China is a strong case to test the effectiveness of the EUDs. In contrast to the critical voices, I find that the EUD in Beijing is quite apt to help strengthening a one-voice policy towards China. In addition to the historical development, and the institutional make-up, the case of China also reveals the influence of external actors on the EU to integrate its diplomatic system. Such impact is commonly known under the notion of 'externalization' (Schmitter 1969, Haas and Rowe 1973). This concept helps explain the impact of outside stimuli on the development of EUDs as emerging political actors within the EEAS institutional framework.

2. Theoretical Framework

'Delegation' is a phenomenon that is no longer exclusively common in Economics and Management studies but increasingly in International Relations. In the course of globalisation which leads to an extreme complexity of issues and politics that are difficult to handle by nation-states alone, states increasingly decide to delegate certain tasks to agents such as international organisations. Needless to say, the nation-states as the principals expect such agents to execute the tasks delegated in their (the principals') best interests. Finding covering laws under which circumstances agents would act in their principals' best interests and under what conditions they are rather able to put their own preferences into practice is what scholars who are working on and with PA theory seek to find out (see for example Pollack 1997, 2000, 2007; Blom-Hansen 2005).

In the discipline of IR, the European Union is an interesting case study for PA theory. After all, considerable tasks and competences have been delegated to the EU by its member states in the course of the past decades. This is why the PA approach has experienced a rapid ascent in the study of EU institutions, for example the European Commission (Pollack 2000), the EU Council Presidency (Tallberg, 2003), the European Parliament (Hix et al 2007), and recently the EEAS (Furness 2013). When it comes to the example of the EEAS as and

external diplomatic service, there are methodological concerns with regard to the specification of multiple PA relationships due to the fact that most of PA-based EU studies are only concerned with the autonomy of the EU Institutions vis-à-vis the MS.

Applying the PA approach to the topic of this chapter, the European Union Delegations (EUDs), illustrates the advantages of this approach as a heuristic device. It offers a theoretical framework for interpreting the concept of delegating external tasks to EUDs. As their name already implies, authority is meant to be 'delegated' from the principals to the EUDs. Yet, the notion of 'delegation' in this case accommodates much of the institutional complexity the EEAS with its EUD network. There are methodological concerns which are linked directly to the complex structure and the amount of tasks of the EEAS set out in the Decision to establish the EEAS: first, the EEAS is supposed to 'support the HR in fulfilling her/his mandate' (Art 2(1) EEAS Decision); second, it must 'assist the President of the European Council, the President of the Commission, and the Commission (Art 2(2) EEAS Decision); third, it has to 'support, and work in cooperation with, the diplomatic services of the member states [...] in order to ensure consistency between the different areas of the Union's external action and between those areas and its other policies' (Art 3(1) EEAS Decision; also Art 21(3) TEU).

This is not only stipulated in the Treaty but also reflected in the human resources of the EEAS which have been merged from departments of three different institutions: the Commission, the Council, and the national diplomatic services, too. By extension, this gives the EU Delegations a special role in the EU's institutional architecture: they are sub-agents of the EEAS-headquarters as well as of the Commission.[3] At the same time they directly provide services to the member states, too.

This sub-agency of the EUDs hence results in a hyper-complex PA interconnection. When it comes to the degree of autonomy of agents in relation to their principals, collective agents like the EUDs are quite comfortably positioned: Furness has shown that the autonomy of a sub-agent is greater when there are several principals (Furness 2013). Moreover, taking into account the so-called centre-periphery model, the sheer geographical distance between the sub-agents and the principals may significantly enhance the sub-agents' autonomy (Furness 13).

In this regard, third countries should not be neglected. Countries that are not part of the EU may foster or weaken the European integration process. The role of the United States in helping set up the European integration process in the first place is the prime example (Dedman 2009, 54). Vice-versa, the UK has sought to slow down the integration process when it was not yet a member. Theoretically, such influence of actors that are outside of the European integration process has been conceptualised by Philippe Schmitter as 'externalization' (Schmitter 1969, 165). Applied to the EUDs, and as we will see in this chapter, third countries may foster or limit the autonomy of the EUDs vis-à-vis their various principals, such as by turning towards them rather than the MS' embassies or by treating them as proper diplomatic missions.

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[3] In addition, according to Art 3(4) EEAS Decision, the EEAS must 'extend appropriate support and cooperation to the other bodies of the Union, in particular to the European Parliament'.

The challenge is therefore to make the EUDs remain loyal towards the member states as principals as well as to the EEAS Headquarters and the Commission who are themselves agents to the member states—and this endeavour is all the more challenging given the geographical distance of EUDs from Brussels and the MS' capital cities as well as the potential impact of third countries.

Theoretically, Blom-Hansen (2005, 629) focuses on four possible control mechanisms to influence agents' behaviour which fit to the analysis of the EUDs: first, the agents have to be selected carefully; second, the principals can set up contracts and agreements; third, the principals can monitor agent performance; and fourth, the principals can apply sanctions. To ensure that agents comply with the "framework agreement" the principals may set up an oversight mechanism. In the following section, we will examine how the EU Delegations have managed to increase their autonomy and hence their influence over time—and how the member states and other principals have sought to keep them in check.

3. Historical Background of the Delegations

Today, the Delegations are supposed to be the eyes, ears and mouthpiece of the EU and its member states towards the authorities and the population in their host countries. Although they are not a new invention, this has not always been the case. Over the last decades, the Delegations have increased their field of competence from being mere information offices in the 1950s to prototype 'European embassies' after Lisbon. This section uncovers this increase in delegating authority from principals to agents accompanied by a growing autonomy of Delegations.

Before the Lisbon-era, only the European Commission maintained representative offices in capital cities spread around the world, the so-called 'European Commission Delegations' (ECDs). Functionally, the ECDs served the European Community/Union as a whole even before the Lisbon-era. Nonetheless, they could not formally be considered representations of either the Community or the Union. Tying up to Blom-Hansen, one reason for this autonomy of the agent may have been the lack of a formal agreement/contract up until the 1980s (2005, 629; cf. Austermann 2013, 76). In any event, officially, the responsibility to represent the Union as a whole was assumed by the embassy of the EU member state holding the rotating Council Presidency. When the EU member state in charge of the Presidency was not represented in a particular third country, the member state holding the previous or following Council Presidency took up the task (Commelli and Matarazzo 2011, 3).

In organisational terms, external diplomatic representation was by no means the original idea of the Commission Delegations. Just as the European integration project evolved over time, both in terms of 'deepening and widening', the Delegations' role and tasks evolved accordingly, that is in an incremental way. Apart from informing key allies, such as the US or the UK about the European integration project, the original idea of a network of physical representations was linked to the decolonisation period, when Commission Delegations started to proliferate in the 1960s and 1970s mainly in former French and British colonies. The main task of these Delegations was to implement EC development aid. In the 1960s, ten

out of twelve Delegation offices were located on the African continent. Due to the Delegations' long-term presence in less developed third countries, they have developed a local expertise upon which national embassies rely—keeping in mid the thin presence of national embassies in third world countries in general (Austermann 2014, 182).

Given the on-going economic integration process, Commission Delegations were also opened in the capital cities of the EU's key trading partners, such as Japan and later in China. With the accession of Portugal and Spain the network was expanded to Latin American and Mediterranean states. Almost going hand in hand with the Iberian enlargement of 1986, the member states started to rely on the Delegation's expertise in EC policy, especially in trade disputes (Moran and Ponz Canto 2004, 24; 47). While the Delegations' work was generally appreciated, the local national embassies also regularly performed the function of monitoring bodies. If they felt that the Delegations' Heads or other officials overstepped their mandate, such as by entering policy domains where the EU had not (yet) acquired official competence, they would set up a 'diplomatic fire-alarm' and remind the Delegations discretely but clearly to stay in their terrain (Duchâteau 2004, 11). However, such monitoring was still limited. After all, the Delegations did not have a legal base up until the mid-1980s. Applying proper sanctions to keep the agent in check was hence not an option.

Thus, despite the exponential increase of the number of Delegation offices in the 1960s and 1970s, it was only with the Single European Act of 1987 that the Delegations were for the first time included in the framework of the treaties and called for cooperation among the MS' embassies and the Commission Delegations (Art. 30.9):

> 'The High Contracting Parties and the Commission, through mutual assistance and information, shall intensify co-operation between their representations accredited to third countries and international organizations' (SEA Art. 30).

However, until the Maastricht Treaty (1993), in which the Commission's Delegations were addressed under Title V in the framework of the newly established Common Foreign and Security Policy (CFSP), one can hardly speak of 'diplomatic representations'. It was only with 'Maastricht' that the first far-reaching reform of the External Service, namely the creation of a Unified External Service (UES), was launched. Compared to its predecessor, the SEA, the Maastricht Treaty framed the creation of a nascent diplomatic service:

> 'The diplomatic and consular missions of the member states and the Commission Delegations in third countries and international conferences, and their representations to international organizations, shall co-operate in ensuring that the common positions and common measures adopted by the Council are complied with and implemented. They shall step up co-operation by exchanging information, carrying out joint assessments and contributing to the implementation of the provisions referred to in Article 8c of the Treaty establishing the European Community' (TEU title VJ.6).

In comparison to the SEA, the TEU also upgraded and consolidated the Council Secretariat's role in the European Political Cooperation (EPC; now CFSP); it extended the EPC to security and defence issues and established a third pillar. The Treaty of Amsterdam did not amend the Maastricht text, but strengthened CFSP by creating the post of the HR and establishing the ESDP (Spence 2006, 406 f). This further involvement of the EU in classical 'high politics' in turn meant that the sub-agents, the Delegations, were also increasingly involved in foreign policy, diplomacy, and even defence matters. Although the European Parliament's

involvement in foreign policy was still minimal, it played a decisive role in monitoring the financial appropriations, also for the Delegations. Seeking to strengthen the Union's role in the world, the EP's actions further prompted the professionalisation of the service in terms of staff regulation (Spence 2006, 408).

This increasing professionalisation and contractualisation of the relations between the ECDs and Brussels/the MS was however not necessarily advantageous. The previous informality and lack of a blueprint meant that there was never a stable flow of instructions from Brussels to the ECDs as it is the case for member state capitals and embassies. As a result, the Delegations were able to act rapidly and efficiently. Brussels decision-makers were aware of this trade-off of professionalisation and autonomy and sought to reverse this development. When the following Commission Colleges, those of Jacques Santer (1995-99) and Romano Prodi (1999-2004), took office they were eager to reform the Commission Delegations' institutional set-up before the two waves of enlargement in 2004 and 2007. In the early 2000s the Prodi Commission decided to create the new DG EuropeAid and to progressively transfer staff and financial resources from the Brussels headquarters to Delegations in order to improve the quality and delivery of external aid and technical assistance. This far-reaching adjustment of responsibilities between headquarters and Delegations was known as 'deconcentration' (Hocking and Spence 2005, 9; Lloveras Soler 2011, 15).[4] The new policies had a profound effect on agents' autonomy and empowerment EUDs leadership.

But not only Brussels was decisive in strengthening the role of the Delegations. Revealing the aforementioned impact of third countries, the EU officials were treated similarly to regular diplomats already at an early stage. Thus, as early as the 1970s the Heads of the Delegation received the Ambassador title as well as diplomatic immunities that are in line with the 1961 Vienna Convention of on Diplomatic Relations. At the end of the 1980s most Delegations were classified as full diplomatic missions by their host states, and the Delegations' leading EU officials "being accredited at Head of State level" (Moran and Ponz Canto 2004, 36). A qualitative and quantitative contribution of the Delegations to strengthen the EU's voice in global politics was made in the 1990s. After the fall of the Iron Curtain, Heads of Delegations (HoDs) took on the role of enlargement negotiators in Central and Eastern countries requesting EU membership (Hocking and Spence 2005; Spence 2006).

Yet, taking a European perspective, the continuous reform that the Delegations had experienced before 'Lisbon' had been dominated primarily by a managerial aspects rather than creating a diplomatic or political culture (Carta 2011, 58-72). As a matter of fact, and even up until today, member state diplomats tend to react sensitively if EUD officials are put on the same diplomatic level—and successfully so; even after Lisbon, Heads of Delegations are careful to use the Ambassador-title when meeting their national counterparts (Austermann 2014).

Nonetheless, the further 'diplomatisation' (and arguably the autonomy) of the Delegations was on the agenda. In the beginning of the new millennium, the Convention on the Future of Europe was supposed to establish a Constitution for the EU project. Here, the question of

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[4] See 'The Development of the 'External Service' (COM(2001)381 of 3 July 2001).

more coherence in EU external relations was put high up on the agenda. The idea of an External Action Service (EAS) then first appeared in the Constitutional Treaty (Article III-296). After time-consuming negotiations and three referenda rejections of the Constitutional Treaty, the 'European External Action Service' was finally moved into Title V of the Lisbon Treaty.

Originally in Art 27(3) TEU, which is the only provision in the TEU and TFEU that deals with the EEAS, there was no clear position on whether or how the Delegations should form part of it. Yet, the assumption by the EU of legal personality (Art 32 TEU) implied that the EUDs, unlike the Commission Delegations, should be more political, coherent and consistent since the full range of EU competences in external relations can be represented by them (Duke 2008). The question of how the MS should be linked to the EUDs in terms of preparation and most of all recruitment remained open until the Council Decision 2010/42/EU establishing the organisation and functioning of the EEAS was adopted. Recruitment however was highly important also from a theoretical perspective: going back to Blom-Hansen's four ways of how principals can control agents, 'feeding' the new EUDs with human resources from the national foreign services implies a careful selection of agents. In a way, member states can hence directly monitor the EUDs from within.

Despite long and cumbersome negotiations, EU decision-makers at both national and supranational level have come up with detailed stipulations concerning the institutional set-up of the EEAS in general and the Delegations in particular. The following section will analyse these in more depth.

4. Post-Lisbon Institutional Make-Up of the Delegations

At the dawn of the Lisbon Treaty, the EU has operated about 140 EUDs and offices representing the Union in 163 third countries and to all important international institutions (EEAS Review 2013, 3). Only France, Germany, Italy and the UK, amongst the MS, can boast having more external representations (Austermann 2012). Officially, on 1 January 2010 all these former European Commission Delegations were renamed EU Delegations and were gradually upgraded. To classify EUDs, the EEAS combines geographical, strategic and functional criteria. In this context the EEAS distinguishes between the following five global regions: 1. Asia and the Pacific, 2. Africa, 3. Europe and Central Asia, 4. North Africa, Middle East, Arabian Peninsula, Iran, Iraq and 5. Americas.

According to Art 5(1) of Council Decision 2010/427/EU, the High Representative/Vice President of the European Commission (HR/VP) is responsible for opening and closing Delegations in agreement with the Council and the Commission, and—in practice—also with the European Parliament. The previous relative autonomy of the Commission to open and close Delegations where it seems necessary is hence clearly limited (Austermann 2014). Nonetheless, since the creation of the EEAS, new Delegations have been established, notably in South Sudan, Libya, the Republic of the Union of Myanmar (Burma) and following a decision by the HR/VP, Catherine Ashton (at the time), the EU opened a Delegation to the United Arab Emirates in 2013. The establishment of an EU Delegation in Abu Dhabi is a

testimony of the EU's commitment to strengthen its bilateral cooperation with the UAE. Another Delegation is supposed to open in Iran if the political conditions are right. In 2015 EU Member States have also agreed to the creation of a number of specific posts in key delegations for security/counter-terrorism specialists and more recently additional staff to deal with migration issues (in both cases on the basis of seconded national experts).[5]

Delegations have been closed in Suriname (now accredited to the EU Delegation in Guyana) and New Caledonia (now a Commission office) and Vanuatu as the result of a redeployment of resources (EEAS Review 2013, 11). Such redeployment was also triggered by the 'fire alarm' approach by the European Parliament. The EP has not only flexed its budgetary muscles towards the EEAS in general but more specifically when it comes to the Delegations (Euractiv 2010; Wisniewski 2013). To give an example, MEPs raised critical questions about the existence and the staffing of Delegations in remote places such as Fiji and the non-existence of Delegations in strategically important locations (see e.g. Martin 2011).

Apart from changes in the procedure of opening and closing Delegations Lisbon more importantly substantively upgraded the Delegations' role. They now have an official mandate to represent the EU as a whole. Thus, they do no longer speak on behalf of only the Commission. At least theoretically, the EUDs now offer a single point of contact of the EU for third countries, and the necessary coherence across all EU policies in bilateral and multilateral settings. This increased political role post-Lisbon enables them to represent EU statements and demarches and to permanently chair EU internal coordination meetings in 'close cooperation' with the MS' national embassies on the ground in third countries (Art 5 (9) EEAS Decision).

Thus, the EU Delegations are now entrusted with the permanent Union Presidency in third country capitals. In order to implement the newly delegated tasks, the EUDs have established and developed political sections. This also increases their diplomatic professionalism (Helwig, Ivan and Kostanyan 2013). Yet, Wouters et al. (2013, 65 f) emphasise that only around 30 EUDs have a Deputy Head of Delegation and that political sections of most EUDs are negligible due to the shortage and lacking of diplomatic expertise of Commission staff working on political issues. This seems quite natural taking into account the unwillingness of the MS to tackle this problem by allocating further resources and giving up parts of nation-state sovereignty in foreign policy matters. Still, the Heads of Delegations cannot speak on behalf of the EU unless all member state' Ambassadors have given their approval. This is in accordance with the unanimity rule in CFSP decision-making which has not been changed by the Lisbon Treaty. Moreover, any political statements they make first need clearance from headquarters in Brussels (Furness 2013).

Another limitation to the EUDs' leeway of action is that under the current rules only the Commission can implement the EU's operational budget (such as development aid). EEAS Heads of Delegations worldwide are exceptionally allowed to manage operational expenditure on behalf of the EC. In terms of PA approach, sub-agents (EUDs) are thus subjects to two sets of instructions, those from the EEAS and those from the Commission. As

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[5] Implementing the EEAS Review: Progress Report of the High Representative/Vice President to the Council, HR(2015) 170, p. 6.

a matter of fact, most coordination problems stem from a lack of cooperation between the Commission and the EEAS Headquarters in Brussels. The Commission's former and factual leading role in external relations is predominant and Brussels-centred whilst the interests of the MS are more heterogeneous and decentralised. It can hence still exert considerable control over the EUDs despite the fact that it is no longer the official sole principal.

To avoid PA conflicts, the Council Decision 2010/427/EU provides in its preamble for 'detailed arrangements' between the Commission and the EEAS. These arrangements[6] further oblige the Commission to send the Head of Delegation and the EEAS a simultaneous copy of its instructions to the EUDs (Wouters et al 2013, 66). Referring back to the PA approach, the newly acquired competences hence go hand in hand with very detailed contractual agreements and monitoring of the EUDs' performance towards the EEAS headquarters, towards the Commission, and towards the member states' foreign services. Nonetheless, given the multiple principals, the EUD staff is likely to increase autonomy by exploiting differences among its principals (Furness, 109). Due to the fact that principals cannot always control the action of agents they have indeed some independence to pursue their own objectives in policy negotiations (European diplomats 2010). Arguing in accordance with Pollack (1997) and Furness (2013, 105) the possibility of 'agency slippage' contributes to tensions in the PA relationship. Since there is not yet an established system of political reporting to EEAS Headquarters and Commission DGs individual Heads of Delegation define working methods and information flow. In this context, the sub-agents might undertake own political initiatives, based on the assumption that they know the situation 'on the ground' best (Wouters et al 2013, 69 f).

As mentioned in the theory-section, principals can exert control over agents by carefully selecting them (Blom-Hansen 2005, 629). As the new 'EU Ambassadors', the Heads of EU Delegations are certainly a key target of such a selection. HoDs are officially appointed by the HR/VP. As we know by now, since Lisbon, also national diplomats may apply for positions in the EEAS. It turns out that the member states were very eager to 'secure' HoD positions in strategically important locations by motivating 'their' diplomats to apply which allows them to monitor the EUDs and realise the MS' interests from the inside (Austermann 2014).

But not only the HoD positions are a means to select agents. Regular post-Lisbon Delegation staff has remarkable competences as well. They prepare political reports about the host countries, approve projects and programmes, monitor their feasibility and offer technical assistance if necessary. As a result, the MS were also eager to encourage their diplomats for positions other than HoD or Vice-HoD. Yet, the relation of sub-agents, agent and principals depends mostly on the managerial quality of Heads of Delegations and the composition of EUD staff in general: by November 2012, 39.5 per cent of EUDs staff at AD level came from national diplomatic services, whereas the large majority of the remaining posts were filled by permanent officials of the Commission (Wouters et al 2013, 64).

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[6] See Working Arrangements between Commission Services and the European External Action Service (EEAS) in relation to external relations issues, SEC(2012)48, 13 January 2012.

To make things even more complex, it should be noted that the MS are by no means a homogenous collective principal. In fact, smaller MS see a bigger merit in the EUDs' engagement while bigger nations still tend to see them as a rival. The main reason is their lack of resources. If they have an embassy in a third country, it is usually small; in the majority of third countries, they are however not represented at all. It can hence be said that the EUDs' autonomy towards smaller MS is bigger than towards large MS. It could however be argued that the severe financial crisis has been already accelerating the 'Europeanisation' of the MS' external relations, and hence the autonomy of EUDs also towards larger MS. After all, financial cuts forced them to shrink or even to close embassies. Spain for instance have closed its embassies in Yemen and Zimbabwe. In many cases, such as Bulgaria, the Czech Republic, Denmark, Greece, Italy, Latvia and Slovakia the number of national diplomatic missions has significantly decreased (Molina and Sorroza 2012). Yet, Raik and Rantanen (2013) revealed a trend to more interest in burden-sharing between EUDs and member states' national diplomacies on three levels: a) the placement of national so-called "laptop diplomats" in EUDs premises (e.g. Finland located a Finnish diplomat in the EUD in Bogota), b) the reporting by EUDs especially concerning smaller MS, and c) the supporting role in crisis coordination (e.g. conflict in Syria). According to Wouters et al. (2013, 71) a final goal may be the physical co-location of national embassies with EUDs. Such co-location already exists Ethiopia (Embassy of Luxembourg) and in Yemen (Spanish Embassy).

Hence, there is an interest in pooling resources on both sides, the MS on the one hand and the EEAS on the other. Succeeding in speaking with one voice will largely depend on the EUDs' capacity to build up an efficient and distinctive 'corporate culture' and "to develop joint political reporting between Delegations and embassies" as was lately recommended by the Committee on Foreign Affairs of the European Parliament.[7] This would also mean further reallocation of resources from the Brussels EEAS Headquarters to abroad, combined with some additional funding or burden sharing between EUDs and national embassies (EEAS Review 2013, 11).

Aside from these general challenges facing the role of the newly established EUDs in third countries, a specific problem arises regarding EU representation in international organisations (IOs). With the Lisbon Treaty the EU has upgraded its status in IOs and agencies. As a supranational body within IOs the EU holds a constellation of roles ranging from full membership which applies to the WTO to "observer", "enhanced observer" or "virtual member" alongside the MS. In the last two cases, the EU has full rights to participate, but no right to vote (Comelli and Matarazzo 2011, 6). However, in contrast to other IOs, the array of functions that the EU performs is much larger and resembles, to some extent, the diplomatic practices of states (e.g. adopt legally binding acts). Yet, especially the collective of principals of the MS are still reluctant to accept the stronger role of the former "humble" sub-agents in IOs (e.g UN General Assembly). The separation of competences between the EU and the member states still causes political frictions given the fact that

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[7] European Parliament (Committee on Foreign Affairs), Recommendations to the High Representative of the Union for Foreign Affairs and Security Policy and Vice President of the European Commission, to the Council and to the Commission on the 2013 review of the organisation and the functioning of the EEAS (3012/2253(INI)), 26.4.2013, 6.

shared EU competences are at stake in almost all IOs (UN, FAO, OECD, OSCE, IAEA, etc.) (Art. 4, TFEU).

Such opposition on the side of the member states to recognise the EU Delegations' new competences confirms the lack of cohesion and strategic vision within the EU even after Lisbon. While the cooperation of the EU's Delegation to the UN with member states initially posed problems ("blocking of statements"), it has improved since the Council agreed on 'general arrangements for EU statements'[8] in 2011.

Yet, competition between the MS and the EU is hardly relevant for the EU Delegation to the WTO, where the EU is a full member and was granted even stronger autonomy on trade matters by the split of the pre-Lisbon Commission Delegation in Geneva into two Delegations (WTO and UN). The EU Delegation in Rome is working on the basis of a triple mandate with the FAO, the Holy See (Vatican) and with the Order of Malta. With the entry into force of the Lisbon Treaty the EUD to the FAO is covering issues of both exclusive and shared competences. The MS argued that relevant national interests (agriculture) are at stake and finally reached a post-Lisbon transitional arrangement (Comelli and Matarazzo 2011, 9). Thus, a central dilemma of the 'principal' principals—the MS—is to balance their foreign policy interests with their common desire to have a strong diplomatic role of the EU legally performed by the EEAS and its sub-agents the EUDs.

5. Case Study: The EU Delegation in Beijing

So far, the historical section has revealed how the initial informality, the geographical distance, and the influence of third states have helped the Delegations to build up certain autonomy from, the Commission, and, by extension, from the member states. Even before any legal stipulation, the Delegations have certainly helped to give the European Community and later the European Union a more unified voice in the world. The subsequent section has shown that while Lisbon has extended the competences delegated to the EUDs and increased their diplomatic profile, the stipulation of contractual rules and agreements has increased the means of the various principals to control the EUDs' work and performance. Meanwhile, PA theory would predict that the post-Lisbon complexity of the principals, which is still a moving target, may enhance the possibilities of the EUDs to re-gain autonomy. Historical analysis is limited to the pre-Lisbon situation and the examination of the institutional make-up is mostly based on the new legal stipulations. Therefore, in order to investigate this theoretical prediction and well as the general possibilities of the EUDs to contribute to a one-voice policy, I will now add more empirical evidence of the actual practice of Delegations post-Lisbon.

While it is beyond the scope of this paper to provide an analysis of all currently existing Delegations, a selection needs to be made. Even after Lisbon, the EU is still reproached not to speak with one voice and it is the purpose of this paper to investigate this phenomenon.

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[8] Council of the European Union, EU Statements in multilateral Organizations: General Arrangements, 15901/11, 24 October 2011.

Meanwhile, it should be noted that the critique depends on the third country in question. Thus, we often hear that the EU does not manage to create a common foreign policy towards countries such as China (Fox and Godement 2009; Körber Stiftung 2011; Renard 2009; Willis 2011). Whereas, the EU is rarely criticised for not speaking with one voice towards Cambodia, New Zealand, or Honduras. Emerging states such as China have a particular economic and geopolitical weight in contemporary global politics. Hence, the EU member states' interests towards China are more pronounced and arguably more diverse than towards, say, Honduras. As a result, China represents a particular challenge for the EU post-Lisbon to live up to the goals of the new EEAS, not least because all 28 member states have a diplomatic presence in Beijing. The EU Delegation in Beijing is therefore an interesting and strong test case to examine the post-Lisbon Delegations' possibilities to contribute to one European voice in the world.

Before looking at the post-Lisbon situation, some background of the Delegation in Beijing should be given. Diplomatic relations between the European Communities and the People's Republic of China were established in 1975 (Wei Ke 2010). While this was only possible in light of the Sino-American rapprochement of the early 1970s, it is nonetheless remarkable. China considered the EC as a political actor long before the CFSP was officially established—and long before other major states, such as the Soviet Union/Russia, did so (which was only in 1991). It nevertheless took some time until diplomatic relations really took off. The economic reform policies in China on the one hand and the moves towards closer integration in Europe, notably with the Single European Act, were decisive triggers in this respect. Eventually, a Commission Delegation was established in Beijing in the year 1988. Shortly after, the limits of a China-EC relationship 'in its own right' became clear. After the 1989-Tian'Anmen protests, relations between the EC and China were put on hold and could only be resumed after an agreement of all EC member states (Duchâteau 2004, 11). This reveals how close the PA-relationship between the Delegation and the member states still was at that stage.

Nonetheless, the Delegation incrementally increased its political role and hence its capacity to support a one-voice policy in China. While the Heads of Delegations needed to stay in their field of competences, they also 'traded' sensitive political information in exchange for insights, such as on the PRC's WTO-entry (Duchâteau 2004, 11). This reinforces the previously made statement that the degree of autonomy of the EUDs depends on the HoD. The HoD selection is hence indeed a strong tool to exert control. According to Wouters et al. (2013, 73), the personal performance of the experienced and respected HoD in China is rather beneficial for coordinating the MS' embassies.

With the internationalisation of 'low politics' such as trade in the course of globalisation, the role of the EU and by extension the Delegations has increased almost naturally. This is all the more the case for China as it has been the EU's second biggest trading partner since 2007. However, for the Chinese the Delegation has also been the contact point for political relations with the European Community. The European Parliament, for instance, regularly utters criticism about the human rights situation in China. If such events happened during the pre-Lisbon-era, the Chinese counterparts usually summoned the Head of the Delegation

rather than the Ambassador representing of the country that held the EU Presidency before Lisbon (Barnett 1993). Both, externalisation and geographical distance may have helped the Delegations to acquire such autonomy. On the other hand, the unofficial responsibility may also be in the MS' interests: thus, Balfour suggests that MS tend also to hide behind critical collective positions expressed by the Delegations in order to protect their own bilateral interest (2013b, 14). There are clear signals that MS Ambassadors favour the 'cherry-picking-method' regarding concerted EU demarches: they only join in delivering a concerted EU demarche alongside the HoD when it is in their interest to do so (Wouters et al 2013, 71).

Nonetheless, since Lisbon, there is no confusion anymore on that front: the EU Delegation now officially represents the EU as a whole in all matters that concern it. Events organised in Beijing by the embassy representing the rotating Presidency are second-tier and must be coordinated with the EU Delegation. This almost seems like a reversal of the PA-relationship. While this means a loss of visibility of the member states, most national diplomats in Beijing actually welcome the post-Lisbon arrangement. After all, organising the EU Presidency on the ground used to be very resource-consuming, sometimes to the extent that bilateral relations were put on hold for at least six months. With the EU Delegation being permanently in the driving seat, they can better concentrate on their bilateral relations with China (Austermann 2014).

The transition process is also noteworthy: since the transfer of the new Lisbon-competences from member states' embassies to the Delegations came rather abrupt in December 2009, the Spanish Foreign Ministry, which had already prepared its Presidency for the first semester of 2010, demanded that the Delegations in its former colonies as well as in countries where an EU Summit was planned would take over the new Lisbon-tasks later in the year, that is after the Spanish Presidency. This demand was implemented—with the exception of China: also here, a Summit was planned but the EU Delegation nevertheless took over the Lisbon-tasks as of January 2010. It seems that especially in China, Ashton and her team wanted to convey the message that the EU now speaks with one voice (cf. Rettman 2011).

As far as the Chinese counterparts are concerned, the 'Lisbon-effect' is ambiguous: on the one hand, they confirm that the abolition of a change of EU-interlocutors every six months has clearly contributed to more coherence of the EU's representation in China. On the other hand, there seemed to be more continuity rather than a foreign policy revolution. After all, the Delegation to Beijing had already "coordinated on all policy fronts", even before Lisbon (Chinese diplomat 2011). Nonetheless, it is noteworthy that this coordination is now officially channelled through the EU Delegation. In contrast to the pre-Lisbon situation, the EU Delegation now chairs all the 15 coordination groups which range from Ambassador-level, over trade, to science and technology. Before Lisbon, the embassy that represented the EU Presidency was in charge of that. Such a centralisation of internal coordination puts the EU Delegation in a key position when it comes to knowledge and information, two of the main resources of diplomacy in the twenty-first century (cf. Rooney 2003, 39; Hocking 2005, 3). It is important to note that the EUD seeks to make use of this position in an inclusive way. Thus, there are more and more reports drafted in a modularised fashion, meaning

commonly by the member states' embassies. The process is facilitated and coordinated by the EU Delegation. Again, this seems like a reversal of the PA-relationship (Austermann 2014).

Also 'classical high politics' such as defence are now part of the Delegations' portfolio. This is not least due to a demand from China, which in 2010 stated that it seeks to "explore ways to develop military ties with […] the EU" (Gov.cn: Chinese Government's Official Web Portal 2010). The Delegation plays a key role in implementing this demand by connecting and coordinating with the Chinese Defence Ministry. As a result, the Delegation in Beijing is also among the first ones to employ a military attaché despite resistance from some member states. This makes it look more similar to a traditional embassy (European diplomat 2012). To implement such new tasks the respective human resources are required. In this respect, it is worth mentioning that in 2011, the EU Delegation in Beijing was the bilateral Delegation with the highest number of diplomatic staff in the world (Austermann 2013). Moreover, most new recruits for the Delegation are in the political department; many of which have a background in national foreign ministries, that is a 'genuine' diplomatic background.

Despite the above-mentioned evidence that hints at a more unified European voice in Beijing, the Delegation still faces issues which are common to most EUDs, such as a lack of clarity about lines of reporting, notably between the EEAS and the Commission staff; deputisation of the Head of Delegation by its Vice-Head still needs to be improved; member states are still sensitive when it comes to the EUD as a diplomatic player in Beijing; moreover, some issues are still too sensitive for the member states to convey a central message. An example is the temporary detention of the Chinese artist Ai Weiwei in spring 2011. In its Resolution of 7 April 2011 on the case of Ai Weiwei the European Parliament called on the EUDs to thoroughly address the question of Chinese human rights violations on the ground.[9] Yet, according to PA theory the European Parliament cannot be considered a 'principal' because it does not delegate authority to the EEAS in its EUDs. Regardless to theory in accordance to the preamble of EEAS Council Decision it has been regularly consulted and its views have to be taken under consideration (Furness 2013, 113). Quiet surprisingly, the European Ambassadors came together to draft a statement which condemned this move of the Chinese government. This clearly shows the collective attempt of sub-agents (in our case the EUDs) to speak with one single voice. Nevertheless, they eventually did not sign it and it was published by the Head of the EU Delegation only.

Despite such limitations, this section has revealed the potential of the EU Delegation in Beijing to strengthen the EU's common voice towards China. This is remarkable since the EU is usually reproached of being unable to convey a clear message to Beijing. What is more, there is some empirical evidence that does not only hint at greater autonomy of the EUD in Beijing but at a possible reversal of the PA-relationship vis-à-vis the member states. The Delegations certainly deserve closer attention and analysis in the future to confirm or reject this impression.

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[9] European Parliament (2001) ‚Resolution of 7 April 2011 on the case of Ai Weiwei' (P7_TA-PROV(2011)0157), Brussels

6. Concluding Remarks

A central rationale of the EEAS is to give the European Union a more unified voice in the world. To that end, and for any other foreign service, physical embassy-like representations located in third countries are a vital requisite. Nonetheless, most analyses of the new EEAS have focused on the headquarters in Brussels. This chapter sought to change the focus from Brussels towards third countries, where the actual impact of the EEAS should be felt. Therefore, the question which this chapter sought to answer was whether and how the EUDs are contributing to integrating European diplomacy post- but also pre-Lisbon. Based on a Principal-Agent approach, our central message is that the EU Delegations have clearly contributed to strengthen the EU's voice in global politics.

There are three main reasons for this: first, the historical development of the EU Delegations revealed that even before Lisbon the Delegations were able to help the Community/Union speak with one voice abroad. One of the reasons is related to the geographical distance of the Delegations from the pre-Lisbon headquarters, the Commission, which allowed the Delegations to develop certain autonomy and interpret their mandate rather generously. Thus, despite not being diplomatic institutions, they already fulfilled diplomatic tasks and were often the de facto representation of the Union as a whole. This was also possible due to the relative lack of contractual relations between the Delegations and the Commission. While these relations were gradually defined in various treaties prior to Lisbon (SEA, Maastricht, Amsterdam), the Delegations were also officially entrusted with more responsibilities, also of political/diplomatic nature.

The second reason for contribution of the Delegations to a one-voice policy is the institutional make-up as stipulated in the Lisbon Treaty. After Lisbon, not only the number of Delegations has increased to about 140 but also their competences have been thoroughly enhanced. Since Lisbon, the Delegations are officially entitled to represent the Union as a whole abroad and in IOs, i.e. the collective of the 28 member states as well as the Brussels-based EU institutions. Due to this enriched set of competences, the MS but also other EU institutions, such as the Parliament, seek to exert more control over the Delegations and their work, such as through strategic staffing. While this may limit the Delegations' autonomy it may however increase a genuine presentation of the Union as a whole and thus a true 'European voice' abroad. According to PA-theory, in the event of a complex principal-agent relationship, the agent may enhance its autonomy. Our analysis does not necessarily confirm this prediction. There are still problems when it comes to lines of reporting, budget responsibilities or deputisation of the Head of an EU Delegation. Such rather chaotic circumstances are unlikely to enhance the sub-agents' autonomy or a unified European voice.

However, analysing institutional arrangements without actual empirical evidence remains rather speculative. This is why we examined the post-Lisbon situation of the EU Delegation in China in some more depth. Since the EU is regularly reproached not to speak with one voice towards China, the Delegation in Beijing constitutes a strong test case to investigate the actual impact of EU Delegations post-Lisbon. This third step of the analysis not only

showed that the EUD in Beijing performs rather well in supporting a one-voice policy towards China but it also revealed the influence of third states on integration of EU foreign policy. The relatively early establishment of a Delegation in Beijing and its diplomatic profile are the result of the PRC's acknowledgement of the EC/EU not only as an economic heavyweight but also a (potential) political actor. While at the end of the 1980s, the Delegation was still heavily dependent on the member states and their embassies in Beijing, today, the Delegation has certainly gained autonomy, not only through Lisbon, notably the permanent execution of the EU Presidency in China, but also as a coordination- and information-hub for the local member states' embassies.

Over the past three years, the EEAS has been criticised on many fronts; some of the criticism is deserved. The analyses have however largely left out the contribution that the former Commission/post-Lisbon EU Delegations have made and are making to give the Union a more unified voice in the world. This chapter was an attempt to fill this research gap. While there is still much room for improvement, such as in terms of personnel management, administrative overload, incentives and training, the chapter showed that the EUDs contribute significantly to the EU's external policymaking system and to developing its strengths as an international actor. Due to its role as a sub-agent of the EEAS analysing the EUDs does not only have a social relevance for improving the efficiency and effectiveness of the EEAS and EU diplomacy in general but also a scientific relevance, notably for Principal-Agent approaches to EU external relations.

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