

The Commission and the European Union's External Policies

Neill Nugent

Manchester Metropolitan University

Paper delivered to the Fifth Biennial Conference of the European Community Studies Association, 29 May-1 June 1997, Seattle.

Not to be quoted without permission of the author.

Introduction

This paper comes out of a study of the Commission in which I am currently engaged.

The main focus of my study is the Commission's institutional and decision-making structures.

As part of the study, I am taking a particularly close look at external relations policy areas and am focusing most of my attention therein on the following questions: what are the Commission's responsibilities?; how and why have these responsibilities changed over the years?; what are the structural arrangements within the Commission for handling the responsibilities; and how does the Commission deal with the potential problem of policy coordination, given the wide scope of its external relations responsibilities and the many different parts of the Commission which are involved with external relations in some way?

In this paper I set out, necessarily in broad terms given wordage limitations, my early observations on these questions. Particular attention is focused on the difficulties which the Commission has experienced in creating organisational arrangements that enable it to handle its increasing responsibilities in an efficient manner.

Much of the paper is based on information provided to me in discussions and interviews in April 1997 with Commission officials - mainly in DGs I, IA, IB, and VIII. I am extremely grateful to these officials for giving me their time and for being so helpful.

Responsibilities

The external relations functions exercised by the Commission on behalf of the EC/EU have increased enormously over the years. From a somewhat limited Founding Treaty base, in which its external relations responsibilities were largely confined to acting as the EC's external negotiator with third countries on trade matters, the Commission now exercises a wide range of external relations responsibilities across a broad policy spectrum. Prominent amongst these responsibilities are:

- ♦ It is the main, and usually the sole, negotiator for the EU in Common Commercial Policy (CCP) bilateral and multilateral trade negotiations with non member states.
- ♦ It is the main negotiator for the EU when broadly based cooperation and association agreements, going beyond trade, are negotiated with non member states.
- ♦ It deals and negotiates - sometimes by itself and sometimes alongside the Council Presidency and/or member states representatives - with non member states in respect of the many internal EU policies which have external aspects and dimensions.
- ♦ It is associated with the EU's Common Foreign and Security Policy (CSFP) and seeks to play important policy proposing and coordinating roles therein.
- ♦ It advises the Council on EU accession negotiations and it negotiates terms of entry with prospective new members.

- ♦ It undertakes a wide variety of tasks within the framework of the EU's policies towards developing countries.
- ♦ It is the main coordinator of EU humanitarian and emergency aid.
- ♦ It participates in the work of international organisations such as the United Nations (UN) and its specialised agencies, the Council of Europe, the Organisation for Economic Cooperation and Development (OECD), and the International Energy Agency (IEA).
- ♦ It staffs and runs 128 offices in non member states and it liaises closely with over 150 missions to the European Communities which non member states have established in Brussels.

The Reason for Increased Responsibilities

The Commission is thus a very significant external relations actor and is the EU's main representative in many international forums and policy arenas. How has it come to assume such a range of competences and expand so considerably its external powers, authority and profile? The answer to this question lies in a combination of factors, five of which are especially important.

First, international commercial relations have grown considerably in importance since the Community was founded in the 1950s. They have done as a result of the great increases which have occurred in the volume of global trade, the changes which have revolutionised physical and electronic communications, and the general wave of economic liberalisation - including the lowering and dismantling of trade barriers - which has spread over much of the world since the early 1980s. This increased

importance of commercial relations has been very much to the institutional advantage of the Commission, for it is precisely in this sphere of policy activity that its legal powers to act as the EU's external representative are at their strongest.

Second, since the early 1970s foreign policy cooperation has come to assume an increasingly prominent place on the EC/EU agenda. Though this policy area has been constructed, and is still largely based, along intergovernmental lines, the Commission has sought, and has been given opportunities, to be a significant participant in processes and activities. A particularly fruitful sphere of opportunities is where foreign policy overlaps and intertwines with economic policy, for then the Commission can relate, and can seek to bring to bear, its powers and expertise on the latter to the former.

Third, many internal EC/EU policies which have been developed since the 1970s have significant external dimensions. Environmental policy, energy policy, and fishing policy are obvious such examples. Less obvious examples are social policy and state aids policy, where the EU has sometimes deemed that the policies of certain third countries have given to those countries unfair advantages when they have traded in the EU market. The Commission has succeeded in extending its well established responsibilities and powers for internal policies to responsibilities and powers for many aspects of the external dimension of these policies.

Fourth, the Commission's legal bases for exercising external relations functions have been strengthened. They have been so as a result of new treaty provisions on the one hand and Court of Justice (ECJ) judgements on the other. Of the new treaty provisions, two have been especially important in establishing a firm place for the Commission in policy areas beyond the CCP: (1) the SEA and the TEU both stated

that the Commission should be 'fully associated' with EC/EU foreign policy; and (2) the TEU stated 'The Union shall in particular ensure the consistency of its external activities as a whole in the context of its external relations, economic and development policies. The Council and the Commission shall be responsible for ensuring such consistency' (Article C). As regards ECJ judgements, of particular importance has been an expansive establishment by the Court of the principle of parallelism, whereby the existence of internal policy competences is assumed to be paralleled by the existence of external powers in those spheres of competence. The effect of the establishment of this principle has been to give potentially increased external responsibilities to the Commission - most obviously in its capacity as the institution charged with the responsibility for conducting international negotiations on behalf of the EC - wherever internal policy competences are deemed to exist.

Fifth, and finally, since the mid-1980s the Commission has generally sought to act in a proactive manner so as to establish influential powers and authority for itself in as many spheres of external relations as it can. On a 'routine' basis, such proactivism has included: launching external initiatives and taking external actions in respect of internal policies; submitting policy and position papers to the Council on CFSP issues; identifying, and seeking to establish in the Council's mind, links between CFSP issues and CCP issues (the Commission's treaty policies being, as noted above, much greater with regard to the latter); and, defending - and in so doing sometimes consolidating - its actions and its positions before the ECJ in Commission-Council-member state 'turf disputes'. On a necessarily more occasional basis, proactivism has included seeking greater external powers via treaty reform: in, for example, its submission to the 1996-

97 IGC, the Commission called, in effect, for the operation of much of the CFSP to be based on a Council Presidency-Commission tandem (Commission, 1996, pp15-17).

Organisational Structure

How is the Commission structured to undertake the many external relations responsibilities it now exercises?

College Level

At College level, the organisation of external relations portfolios has, in recent times, been altered every time a new College has assumed office. Figure 1, which lists the main external relations portfolios at the beginning of the Delors I and Santer Colleges, shows two very different sets of arrangements, just a few years apart.

Particularly striking features of the portfolio allocations in the Santer College, as opposed to those in the Delors I College, are the formal assumption of tasks by the President, the much more detailed and regionally focused specification of responsibilities, and the increased number of external relations portfolios - up from two to six. An indication of how widely spread external policy responsibilities at College level have become is seen in the fact that it is common for General Affairs Councils to be attended by at least five of the six External Relations Commissioners - the so-called RELEX Commissioners - plus occasionally other Commissioners when an agenda item requires it. At the Council meeting on 24 February 1997, for example, all six

Figure 1

Principal External Relations Portfolios of Commissioners

Delors I College (1985)

Jacques Delors (President)	No specific portfolio allocated, but an informally understood external 'representative' role on major occasions.
Willy de Clerqu	External relations and trade policy.
Claude Cheysson	Mediterranean policy. North-South relations.
Lorenzo Natali	Cooperation and development.

Santer College (1995)

Jacques Santer (President)	CFSP and human rights (with Hans van den Broek).
Hans van den Broek	External relations with the countries of Central and Eastern Europe, the former Soviet Union, Mongolia, Turkey, Cyprus, Malta and other European countries. CFSP and human rights (in agreement with Jacques Santer). External missions.
Sir Leon Brittan	External relations with North America, Australia, New Zealand, Japan, China, Korea, Hong Kong, Macao and Taiwan. Common commercial policy. Relations with OECD and WTO.
Manuel Marin	External relations with southern Mediterranean countries, the Middle East, Latin America and Asia (except Japan, China, Korea, Hong Kong, Macao and Taiwan), including development aid.
Joao de Deus Pinheiro	External relations with ACP countries and South Africa, including development aid. The Lomé Convention.
Emma Bonino	European Community Humanitarian Office (ECHO).

RELEX Commissioners attended, with the main agenda items which brought them to the meeting being:

- Santer: several CFSP items and a general 'watching brief'
- van den Broek: several CFSP and CFSP-related items, including Cyprus, the Balkans, Former Yugoslavia, and Albania
- Brittan: several trade and trade-related items, including the US Helms/Burton Act, and humane trapping standards
- Marin: Mediterranean policy
- Pinheiro: relations with South Africa
- Bonino: the situation in Zaire, and a discussion on human rights in China

Services Level

At Services level, most external relations matters were managed for many years by two DGs - DGI (External Relations) and DGVIII (Development) - plus, as needs arose, special, and usually temporary, units in the Secretariat General. In 1993 DGI was split into two DGs - DGI (External Economic Relations) and DGIA (External Political Relations). This arrangement was short-lived and in 1995 there was a further reorganisation. Designed to place the management of external policies on a more regional, and less functional, basis, the 1995 reorganisation saw DGs I and IA revamped and a new DGIB created. Under this arrangement there are thus now four external relations DGs:

- DGI (External Relations: Commercial Policy and Relations with North America, the Far East, Australia and New Zealand);
- DGIA (External Relations: Europe and the Newly Independent States, Common Foreign and Security Policy and External Missions);
- DGIB (External Relations: Southern Mediterranean, Middle East, Latin America, South and South-East Asia and North-South Cooperation);
- DGVIII (Development: External Relations and Development Cooperation with the ACP countries; Lomé Convention).

Another important external relations actor at Services level is the European Community Humanitarian Office (ECHO). Established initially, in 1992, to deal primarily with the needs of humanitarian assistance in the former Yugoslavia, ECHO's operations now stretch throughout the world - as is demonstrated by the fact that in 1995 it made available 692 million Ecu to aid projects in more than 50 countries. (*European Voice*, 24-30 October 1996). ECHO works very closely with, and on a contractual basis channels most of its funds through, a wide assortment of non-governmental organisations (NGOs) and UN agencies.

DGs I, IA, IB, VIII, and ECHO are commonly referred to as the RELEX DGs, even though the last named of these is, in fact, a Directorate rather than a Directorate General.

In addition to the RELEX DGs, several other DGs have, as a result of the international nature of at least some of the subject matter falling within their policy remit, important external relations functions. These DGs include DGII (Economic and Financial Affairs), DGVII (Agriculture), DGVIII (Transport), and DGXVII (Energy).

The Reasons Behind the Frequent Organisational Changes

What explains the extensions, and almost constant chopping and changing, of the Commission's external relations organisational arrangements in recent years? A combination of four, overlapping and interlinking, factors do so.

The most obvious of these factors is that the Commission has had to accommodate itself to the increased EU external relations responsibilities and workloads which were noted above. Whether it is the EU's leading external relations actor (as in important respects it is in commercial and many commercial-related policy areas) or is a supporting actor (as it is on CFSP matters), it has had to cover the increased responsibilities with appropriate portfolio allocations in the College and policy designations in the Services.

The second factor is that external relations is not only a developing area of Commission responsibilities, but it is also a highly complex area, with many different, yet interconnected, aspects and dimensions. This means that in policy process terms it is an area in which there are, as Smith has noted (1994, pp249-50) various 'boundary' problems: between domestic and external policies; between commercial, foreign, and security and defence policies; and between the responsibilities of EU actors - especially the Commission, the Council, and the member states. These boundary problems mean that there is no one clear, obvious, and uncontentious way of organising responsibilities. Rather, there are many possibilities.

The third factor stems from the fact that in undertaking its external relations responsibilities the Commission is motivated not only to be efficient and effective, but also to be creating, and taking advantage of, opportunities which enable it to establish

strong positions for itself across the spectrum of external policies. These motivations are not necessarily wholly complementary in organisational terms and shifts in emphasis between the two can suggest different organisational arrangements. Such shifts provide much (though by no means all - see below) of the explanation for why the external relations DGs were subject to two major reorganisations in three years in the 1990s. In the first reorganisation, in 1993, which saw separate CFSP and external trade portfolios designated at College level and DG1 split into DG1 and DG1A at Services level, a major motivating factor was a belief that this would give to the Commission a stronger organisational base from which it could seek to play a full and influential role in the new, TEU-established, CFSP arrangements. Much of the thinking behind the second reorganisation in 1995 - which saw the designation of more, and more geographically-focused, external relations portfolios, the creation of DGIB, and the setting in place of structural arrangements in the RELEX DGs which would enable policies to be dealt with on more holistic regional bases - stemmed from widely held beliefs that the essentially horizontal division embodied in the 1993 reorganisation between external economic and external political policy was not conducive to policy consistency or coherence. It was not so because of the intermingling of so many aspects of external economic and political policies.

The fourth, but by no means least important, factor is that the division and allocation of responsibilities between Commissioners and within the Services is not just a consequence of workloads and calculations as to what appears to work best within the context of institutional and policy goals, but is also a consequence of political jostling, especially at College level where most incoming Commissioners want, and in some cases expect to be given, important and high profile portfolios. The increased

number of Commissioners that has followed upon EC/EU enlargements has made it ever more difficult for all Commissioners to be satisfied with the portfolios they are assigned, but the creation - partly through re-arrangement of tasks - of more jobs in the prestigious and high-profile field of external relations has helped to smooth potentially ruffled feathers. This creation of more, and differently defined, external relations portfolios has necessarily resulted in external relations DG structures having to be reconsidered and, when necessary, changed - as in both 1993 and 1995.

Coordinating Arrangements and Mechanisms

With so many actors within the Commission having external relations interests, aspirations, roles, and responsibilities, it is clearly essential that appropriate coordinating arrangements and mechanisms be in place. If they are not, there is the risk of turf-disputes, duplications of effort, lack of consistency, the sending of conflicting signals to actors outside the Commission, and generally inefficient policy-making.

Some of these problems do indeed exist. The Commission has, however, a variety of arrangements and mechanisms designed to try and ensure that they are minimised.

College Level

At College level there are, as was noted above, currently six Commissioners with explicit external relations portfolios. The responsibilities contained in these portfolios are partially regionally based and partially functionally based. In addition, several other

Commissioners - including De Silguy (Economic and Monetary matters), Liikanan (Budget), and Bjerregaard (Environment) - have portfolios which frequently draw them into external relations debates and considerations.

There is clearly a recipe here for policy problems if effective coordination mechanisms are not established or are not made to function well. So, for example, smooth and efficient policy-making requires that there be good lines of communication between van den Broek in his capacity as being responsible for the CFSP and the three Commissioners who (in addition to van den Broek himself) have regional responsibilities.

What coordinating mechanisms are in place? Essentially there are three:

- There is a meeting of the RELEX Commissioners every six weeks. The meetings are chaired by the President of the Commission, and are attended by non RELEX Commissioners as and when agenda items cover matters within their portfolio. The Secretary General of the Commission also attends: partly to provide a link with the Services and partly for record keeping purposes. The meetings are intended to provide a forum for considering overlapping and intertwining issues, for discussing general external relations matters, and for exchanging ideas and thoughts on current developments. Most of the preparation for the meetings is undertaken by the RELEX Directors General, who themselves meet before RELEX Commissioners' meetings, and by the Commissioners' *cabinets*.

- Important external relations matters are placed on the agenda of the weekly meeting of the College. This provides an opportunity for all interested Commissioners to make their views known and to feed into decision-making processes.

- Commissioner's *cabinets* exercise key coordinating, liaising and trouble-shooting roles. The *cabinet* members of RELEX Commissioners naturally have a range of specific external relations responsibilities assigned to them, but non RELEX Commissioners also contain at least one person in their *cabinets* who has, as at least part of his/her job, keeping an eye on external policy developments. The mechanisms used at *cabinet* level to promote external policy coordination are, as they are in other policy areas, many and various. They include: external policy issues may be placed on the agenda of the weekly meeting of *chefs de cabinet*; relevant policy experts from the cabinets may hold *ad hoc* meetings on particular issues - *special chefs* meetings as they are usually called; and, as throughout the Commission system, informal exchanges are an everyday occurrence - as one *cabinet* official put it to the author in interview, 'We in the Commission all love corridors, coffee bars, dining rooms, and the telephone'.

§

It is, of course, helpful to internal Commission coordination, and in turn to the Commission's ambitions to be an influential external relations actor, if the College coordinating structures and mechanisms are underpinned by shared policy beliefs and good personal relationships between relevant Commissions. So, for example, Acharya (1996) has argued that Commission effectiveness in the Uruguay Round negotiations of the early 1990s was greatly assisted by the broad policy consensus which existed between three key Commissioners: Frans Andriessen (External Relations and Trade), Sir Leon Brittan (Competition Policy), and Martin Bangemann (Industrial Policy). 'All three are considered liberal in their views on trade and competition policy, and their role during this period was crucial in completing the Uruguay Round and establishing the liberal trade stance projected by the Commission today'. (Acharya, 1996, p12).

However, the Uruguay Round negotiations illustrated not only the policy progress which can be made when Commissioners agree, but also the problems which can arise when they disagree. Thus, the Commission's negotiating hand was hardly helped when, in June 1990, the Farm Commissioner, Raymond MacSharry, stressing that he was determined to defend the Community position on farm reform in the Uruguay Round talks, felt obliged to state publicly that he, not Frans Andriessen, was 'in charge of agricultural negotiations'. In November 1992, when the much troubled bilateral negotiations with the United States on the agricultural aspects of the Uruguay Round were at their most difficult, MacSharry temporarily resigned from his position in the Commission negotiating team because of the alleged excessive interference by the Commission President, Jacques Delors. Delors subsequently, in effect, gave way to MacSharry.

More recently, the rather poor personal relations which are said to exist within the Santer Commission between Hans van den Broek and Manuel Marin are widely regarded as being unhelpful to effective Commission performance in the areas where their responsibilities overlap.

Services level

At Services level, the most important organisational aspect of coordination is ensuring that the division of responsibilities between DGs and the structuring of tasks within DGs is such as to enable the many different parts of the Commission which are involved with external relations to (as one Commission official put it to the author in interview) 'fit into the overall picture'.

The 1995 reorganisation of DGs, which followed upon the creation of additional and re-arranged Commissioner portfolios in the Santer College, has certainly assisted external policy coordination. It has done so, most particularly, by identifying 'lead' DGs for conducting the EU's relations with the countries and regions of the world. This makes it easier for more comprehensive policy approaches - embracing political, economic and other perspectives - to be developed.

However, the 1995 reorganisation has far from removed the need for coordinating mechanisms between DGs, for it is still very much the case that few external relations responsibilities and spheres of interest fall wholly within the domain of a single DG. To take, for example, the EU's relations with China, these are dealt with, in one way or another, by around 20 officials from about six DGs - precise figures cannot be given since the number of officials involved can vary according to prevailing events and circumstances.

Clearly, therefore, mechanisms need to be in place to deal with such matters as the dissemination of information, the minimisation of overlaps and duplications, and representation - who is to speak for the Commission in particular external forums and on particular issues.

The principal mechanisms used to deal with this need for internal coordination are as follows:

- RELEX Directors General meet at least once every month, including before all RELEX Commissioners' meetings. The Secretary General attends, as do other Directors General when agenda items make it appropriate for them to do so. As with RELEX Commissioners' meetings, the main purpose of RELEX Director General meetings is to try and ensure that the different parts of the Commission which are

dealing with external relations are 'singing from the same hymn sheet'. This requires that information on current activities is exchanged and that general policy issues are debated: should, for example, the Commission have a clearer overall policy on free trade agreements, and should it seek to promote a more comprehensive policy towards the Eastern Mediterranean?

- Meetings are held on a regular basis between RELEX Deputy Directors General and also Assistants to Directors General. These can have as their purpose either particular issues or general preparation for meetings of Directors General.

- The Commission's Rules of Procedure require that all parts of the Services which have a potential interest in a matter be consulted when proposals are being developed. Article 20 includes the following:

Departments involved in the preparation of implementation of Commission decisions shall work together as closely as possible.

Before submitting a document to the Commission, the department shall, in sufficient time, consult other departments which are associated or concerned by virtue of their powers or responsibilities or the nature of the subject.

The department responsible shall endeavour to frame a proposal that has the agreement of the departments consulted. (Commission, 1993, p18).

The Rules thus oblige DGs to work in close cooperation with one another. They require that if, for example, DGIB intends to propose that the EU negotiates a cooperation agreement of some kind with Indonesia, it consults, at a minimum, with: DGI (for its views on possible trade implication matters); DGIA (for its views on possible CFSP implications and human rights issues); and ECHO (for its views on humanitarian aid implications). Similarly, the Rules require that if, for example, DGXXIII (Enterprise Policy, Distributive Trades, Tourism and Cooperation) is considering launching an initiative to help promote, within the context of EURO-

MED, tourism in Cyprus, it will keep in close touch with the Cyprus desk officer in DGIA.

Of course, the Rules are open to interpretation, both as regards the precise circumstances in which consultation and coordination are necessary and the extent to which they need to be pursued. As a result, the amount of consultation and coordination that takes place between officials on particular external policy issues varies - as it does in other policy areas too - quite considerably. Much can depend on the preferred way of working of the *chef de file* (who is normally a head of unit) and/or on the extent to which direct personal relations and working networks have been established between relevant officials.

- Inter-service meetings are frequently used to bring together officials from parts of the Commission which have a shared interest of some kind. The main purpose of inter-service meetings is to act as forums for the exchange of information and ideas so that there is overall consistency and coherence in Commission policy and behaviour.

Most external relations inter-service meetings are *ad hoc* and informal in that they are convened as and when they are deemed to be necessary so as to bring together relevant people on particular issues. Some inter-service meetings are, however, formalised and established in the sense that they meet regularly (perhaps every two months or so), are based on a fairly stable membership (which can range in size from as few as half a dozen officials to over thirty), and have a permanent chairperson (normally the most appropriate director or head of division). Examples of such meetings are those on Japan, the USA, and the World Trade Organisation (WTO). The inter-service meeting on Japan may be taken to illustrate the nature of

these formalised and established meetings: it includes amongst its membership representatives from DGI, DGIA, DGII (Economic and Financial Affairs), DGIII (Industry), DGIV (Competition), DGVI (Agriculture), DGXII (Science, Research and Development), and DGXIII (Telecommunications); it is chaired from DGI (the geographically responsible DG); and it meets normally every six to eight weeks.

The great majority of inter-service meetings deal with countries or geographical areas, though a few have a more functional or horizontal focus. The above mentioned inter-service meetings on Japan and the USA are obviously of the former type, whilst that on the WTO is of the latter type. Another example of the latter type is the meeting which is held every month of planners from each of the RELEX DGs (all Commission DGs have a planning service, the activities of which are coordinated by the Central Planning Service). The main function of the RELEX planners group is to produce papers, usually on request, for the RELEX Commissioners. The papers are channelled to the Commissioners via the RELEX Directors General and can be on topics ranging from the international implications of enlargement for the central interests of the EU to the implications of imposing sanctions on a country with which the EU is in dispute.

- Away from Brussels, the Commission's External Delegations try to pull together the different aspects of policy that apply to and in their host states. External Delegations have no policy-making powers and only limited executive powers (they can make decisions on small projects), but the reports which they submit to their geographically responsible DGs provide an important feed into Commission policy processes. Amongst these reports are monthly reports on the political and economic

situation, plus periodic - often annual - reports on such matters as the national economy and cultural developments.

The Structures and the Policy Process

Notwithstanding the major changes which have been made in recent years, it can hardly be doubted that there are still problems with the Commission's organisational arrangements for handling its external policy responsibilities. Two particular, in practice closely related and overlapping, problems stand out since the 1995 reorganisations at College and Services levels.

First, responsibilities are too widely dispersed: at College level six Commissioners have specific external policy portfolios; at Services level responsibilities are dispersed amongst four DGs, plus ECHO.

Second, structures are too vertical in character. The 1995 reorganisations were, of course, designed to bring about a shift in emphasis from horizontal to vertical organisation and in so doing they have undoubtedly had some positive effects. One such effect has been the setting in place of 'cleaner' one-to-one relations between Commissioners and DGs. (There were considerable 'cross-over' problems in the Delors III Commission, with the Development Commissioner being responsible not only for DGVIII but also for parts of DGI: these parts became part of, and made up most of, the new DGIB in the 1995 reorganisation). Another positive effect has been the ability (which was noted above) for the EU's relations with countries and regions of the world to be dealt with on a more holistic basis.

However, the shifting of the balance between horizontal and vertical appears to have gone too far in that structures now make it extremely difficult for strategic overviews to be taken of any horizontal policies, be they foreign and security policy, trade policy or development policy. That this is so is seen in the following:

- No Commissioner and no DG is assigned responsibility for the overall development and conduct of external relations.
- The vertical approach appears to have exacerbated the protectionist attitudes which Commissioners and DGs traditionally adopt towards the defence of their 'turf'.
- The vertical approach has weakened the authority of those who are assigned and seek to exercise horizontal policy activities. This is seen most clearly in respect of the CFSP, where Santer and van den Broek at College level, and DGIA at Services level, are charged with overall policy responsibility: the two Commissioners clearly find it difficult to 'interfere' in the regional remits of the other four RELEX Commissioners (a situation that is not helped by the fact that Brittan, Marin, and Bonino are three of the more powerful personalities in the current College); all non DGIA RELEX DGs plus ECHO have established their own - albeit as yet small - CFSP units; and in both internal and external meetings in which CFSP issues arise, it is far from unknown for 'country and regional' officials to make it clear to DGIA CFSP officials that they (i.e. the latter) are attending in, at best, a supporting role.

Of course, the sort of structural problems faced by the Commission in dealing with external policies are not unknown in governing quarters elsewhere. It is, for example, the norm for responsibility for external policies in the member states to be divided between at least five - horizontal rather than vertical - ministries: foreign

affairs, trade, finance, defence, and development. There are, however, important differences between the situation in the Commission and in the member states which normally permit the latter to be in a better position to look at external policies from an overall perspective. Three differences are especially important. First, national governmental structures are more hierarchically organised than is the Commission: the head of government is usually in a stronger position than is the Commission President to see that policies are being properly coordinated; ministers are not on the (more or less) equal footing of Commissioners but rather some - including almost invariably the foreign minister - are more senior than others; and authoritative coordinating mechanisms - in the form, for example, of ministerial and senior civil servant committees - usually exist at the centre of the government machine. Second, national governments do not have to deal with the complications arising from the Commission's differing legal powers in differing fields of external policy, and from the desires of those parts of the Commission which are responsible for policy spheres that are still evolving - most obviously foreign policy, non ACP development policy, and human rights policy - to be asserting themselves. And third, in most spheres of external policy the Commission is not a final decision-maker - that is the role of the Council (especially the General Council) - so the pressures on it to have all policy ends completely tied up are not quite so great.

The Reform Agenda

A wide range of views exist within the Commission as to the extent to which existing structures make it difficult for the Commission to be as effective as it could be in the

external policy field. There is, however, general agreement that the compartmentalisation that exists at College and Services levels tends to produce fragmentation of thinking about external relations and makes it difficult for there to be an overarching approach to considering what the EU's interests are and what its policy objectives and priorities should be. As one external relations official put it to the author in interview: 'Even at the policy conceptualisation stage, we tend to think separately and independently and then try to fit everything together'.

Compartmentalisation has promoted a widely held feeling within the Commission that the institution's functioning and influence probably would be improved if there was an authority at the centre capable of promoting and facilitating a more comprehensive thinking about objectives and priorities. Such an authority has recently been advocated by the Commission, in a communication it approved on 5 March 1997 as a supplement to its February 1996 Opinion for the Intergovernmental Conference. Entitled *Composition, Organisation and Working of the Commission*, the communication (which is summarised in *Agence Europe* No. 6929, 7 March 1997), calls, amongst other things, for:

- the number of Commissioners to be reduced to one per member state, and for that number to be reviewed when the EU has expanded to more than 20 members;
- the number of Commissioner portfolios to be reduced to 10-12, with the Commissioners without portfolio having either specific missions or support tasks;
- there to be perhaps three vice presidents, with their positions being given more pre-eminence;

- one of the vice presidents to be given overall responsibility for external affairs.

The scheme thus envisages a senior Commissioner carrying overall responsibility for external policy, and junior Commissioners probably being responsible either for geographical areas such as non EU Europe, the rest of the developed world, and the underdeveloped world, or for functional tasks such as foreign policy, trade, development, and human rights.

A major reorganisation along these lines will, of course, require new thinking, and will require the IGC to make decisions that permit such a structure to emerge: what is to be the number of Commissioners in the future?; is the President to be given more powers to determine the nature of the College structure?; and is the notion of senior and junior Commissioners to be permitted?

Once answers to these type of questions have been produced and the future shape and nature of the College is clearer, attention needs to be - and doubtless will be - turned to the Services. The preference of many Commission practitioners is for the RELEX DGs and ECHO to be brought together into one 'super' DG. Clearly this could have advantages, not least in eliminating turf disputes. On the other hand, it will create a structure that could be potentially unwieldy.

Developments are awaited!

References

- Acharya, R. (1996), *Making Trade Policy in the EU*, London: Royal Institute of International Affairs, Discussion Paper No.61.
- Commission (1993), *Rules of Procedure of the Commission*, published in *Official Journal of the European Communities*, L230, 11 September 1993.
- Commission (1996), *Intergovernmental Conference 1996: Commission Opinion: Reinforcing Political Union and Preparing for Enlargement*, Luxembourg: Office for Official Publications of the European Communities.
- Smith, M. (1994), 'The Commission and External Relations', in G. Edwards and D. Spence, *The European Commission*, Harlow: Longman (1994).