

The European External Action Service fails to impress the Dutch, but may bring added influence

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Overall, the Netherlands was rather supportive of the establishment of the European External Action Service (EEAS). It has seen the nascent service taking small, but positive steps forwards. Ideally, the EEAS would be able to take over consular tasks from Dutch embassies in the future, but it is recognised that thus far, support for this move from other member states is lacking. The Netherlands would like to see a more coherent and effective EU foreign policy, and the EU more often speaking with one voice. At the same time the Netherlands is one of the advocates of a rather restrictive enlargement policy and has relatively strong views on the Middle East Peace process, even though this may change when a new government enters office. It supports the EEAS' efforts to pay more attention to human rights and economic diplomacy, and the contribution of the EU to sensitive political dialogues with, inter alia, Iran. It underlines the need for better and well-secured information flows and realises that this requires investment, but is keen to emphasise that the EEAS' budget may not be expanded in these times of economic austerity.

1. Introduction

The establishment of the European External Action Service has challenged the notion that diplomacy is solely the remit of nation states, but can also be conducted by a regional entity, i.e. the European Union (EU). The Netherlands has a long tradition of linking international diplomatic presence to promoting Dutch products and values. Since the 17th century, the notion of the 'merchant and the vicar' characterised the image of the embassies and consulates of the Netherlands. As a founding member state of the EU, the Netherlands is now considering how to make good use of the EU's new diplomatic service; can it eventually replace national diplomacy or is it merely an additional vehicle for influencing international relations? Will it be able to reverse or manage the decline of the international influence of individual EU member states, or merely illustrate how ineffective and divided Europe is?

This section looks at the impact and influence of the EEAS on Dutch diplomacy, both with regard to policy orientation and the organisation of national diplomacy. It will also look at how the Netherlands has tried to influence the Service in terms of structure, the presence of Dutch diplomats among its staff and its policy priorities.

2. The Netherlands as a foreign policy actor: the merchant and the vicar

Foreign policy, and particularly European integration, was a delicate matter for the centre-right Dutch government composed of Liberals (VVD) and Christian-Democrats (CDA) that took office in October 2010 and had to resign in April 2012. The parliamentary support they received for their minority government from Geert Wilders' Freedom Party (PVV) did not extend to government positions on European integration. For issues such as the Greek bail-out, support had to be obtained from other parties, notably the Social Democrats (PvdA), the Social Liberals (D66), the Greens (Groen-Links) and Christian Union (CU). Concerning general foreign policy, according to its Coalition agreement (2010), areas of focus included: fostering international stability and security, energy and resource security, promoting the international legal order, and advancing the trade and economic interests of the Netherlands and Dutch businesses. Israel was explicitly mentioned as a country with whom the relationship will be enhanced. On the issues of asylum and migration, the government aimed to decide if European policies can be altered with a view to making these policies more restrictive. Directly after the fall of the cabinet, the government took on a caretaker function and announced that it would no longer seek to obtain specific PVV endorsement, including the reversal of EU asylum and migration policies.

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In terms of organisation, the Dutch Ministry of Foreign Affairs is headed by a Minister for Foreign Affairs (Uri Rosenthal) and a State Secretary for European Affairs and Development Cooperation (Ben Knapen). Currently, 2,800 people are employed with a planned reduction to 2,500 staff in 2015. About 1,500 of staff members work abroad as diplomats (1,100) or attachés (400) in 113 embassies; 24 consulates; 19 permanent representations and 4 other diplomatic entities. The rest of the staff is allocated to various directorate-generals in the ministry, i.e. the DGs for Political Affairs, European Cooperation, Development Cooperation (officially “International Cooperation”) and the DG for Consular affairs and Operations (finance, HR, etc.). The Netherlands does not have a separate agency for development cooperation, but does channel a considerable share of its funding through a long-standing and well-established network of non-governmental development organisations.

According to the CIA World Factbook Rank Order GDP of 2010, the Netherlands ranks 22nd in terms of the size of its economy. It is a large investor in third countries and has an open export-dependent economy. Economic diplomacy has regained importance in the current economic crisis and European integration is first of all judged on the benefits it brings to ‘Merchant Holland’. The other prevailing image of Dutch foreign policy is that of the ‘vicar’. The Netherlands is keen on promoting values, such as human rights and the rule of law. The Hague likes to refer to itself as the legal capital of the world and is the hometown of the Peace Palace, several tribunals, Europol and Eurojust and the International Criminal Court. Another element of its normative orientation is Dutch spending on development cooperation. Despite the benefits of development cooperation increasingly being the subject of debate, the country is still spending 0.7% of its GDP on ODA, which makes it a relatively influential donor country. Another example of the ‘vicar attitude’ is the emphasis on the need for EU conditions for enlargement to be “strict and fair” (the Netherlands government, 2011d).

In terms of security, the transatlantic orientation of the Netherlands stands out with its strong support for NATO. In the context of the EU it accepts the lead of the ‘big 3’, but also considers itself as a foreign policy actor when it comes to economic interests or issues on which the current government has strong convictions. Examples of the latter are the Netherlands being relatively pro-Israel within the political spectrum of the European debate on the Middle East peace process, something that may change with a new government.

3. The Dutch position on the High Representative, the EEAS and EU external action

After the no-vote in a referendum on the Constitutional Treaty in 2005, the Netherlands supported the British position to no longer use the title EU Foreign Minister for the upgraded position of the High Representative. Despite the removal of this symbolism, the Netherlands did not oppose the idea of setting up a European diplomatic service and combining the foreign policy tasks previously performed by the EU Commissioner for External Relations, High Representative and EU Presidency. In general the creation of the HR position and the performance of her functions have attracted little attention in Dutch media. For instance, the quality newspaper *NRC* only mentioned Ashton eight times in articles in 2011, and none of these articles was devoted to her function (*NRC*, 2012). Instead, they covered foreign policy issues and referred to Ashton when mentioning the EU’s position on the matter. Similarly, the *Volkskrant* devoted little attention to the High Representative, but did publish a letter by two pro-European politicians of the Liberal party (D66) in which they argued why more EU diplomacy was better for the Netherlands (Pechtold & Schaake, 2011). In 2010, attention was paid to the decision to establish the EEAS in both newspapers; otherwise there were few articles on the subject during this year. Mention was made of the establishment of the new EU diplomatic service creating opportunities to economise on the Dutch diplomatic presence abroad. The Parliament adopted a motion in which it called upon the government to investigate this matter (Ormel, 2008), but the government replied that more time would be needed to assess whether and to what extent the EEAS would be able to take over the tasks of Dutch embassies abroad (the Netherlands government, 2010).

Despite the topic being paid scant attention in the news, from its inception the Netherlands was relatively supportive of the EEAS. A letter to Parliament in 2010 on the establishment of the EEAS mentions that gains are to be expected with regard to the quality and coherence of decision-making in the area of EU foreign policy (the Netherlands government, 2010). It also refers to the need to increasingly speak with one European voice due to the shifting tectonics in world order, and the emerging economies being increasingly assertive to the detriment of the EU’s international influence.

Dutch support for the EEAS was also demonstrated by a high-level seminar organised by the Clingendael Institute in October 2010, in close

cooperation with the Ministry of Foreign Affairs. The event brought together senior policy-makers from over 17 EU member states with academic experts to discuss how the EEAS could be turned into a success (Drieskens & Van Schaik, 2010).

The Netherlands is among the strongest proponents of a role in consular affairs and visa services for EU delegations. Together with Belgium and Luxembourg, it drafted a non-paper in April 2011 in which it advocates:

- better cooperation in third countries and international organisations,
- increased information sharing and joint analyses,
- consular cooperation,
- streamlined foreign policy decision-making with a strong role for the Political and Security Committee,
- logistical support in times of crisis,
- joint travel advice and cables,
- common communication,
- more coordination between the EU and national development cooperation programming,
- common training of EU and national diplomats.

At the same time, the Netherlands underlines its longstanding demand that the budget for the EU's external action can only be increased when other items of the EU budget decrease, as no extra monies can be given to the EU at this point in time (the Netherlands government, 2011c). This demand is consistent with the objective of budget neutrality as enshrined in the decision on the establishment of the EEAS (EU, 2010). Recently, the Netherlands also asked for more clarity on the status of certain internal EEAS documents, such as Heads of Missions (HOMs) reports that are agreed upon in third countries by the Heads of Embassies of the EU member states and the EU Delegation. This matter arose after an incident in which the minister was displeased at the leaking of a HOMs report drafted in Gaza.

The Netherlands supports the practice that one third of EEAS staff come from EU member states, as agreed upon in the decision establishing the service (Parliament, 2011b). One senior staff member at the Permanent Representation, in fact the former deputy Permanent Representative, is responsible for promoting Dutch nationals in senior EU positions, including those within the EEAS. In September 2011, 64 Dutch nationals were employed in the EEAS (4% of total staff numbers). Eight out of the 136 EU delegations across the

world were headed by a Dutch national (more than 6% of the total) (the Netherlands government, 2011d).

In December 2011, the Netherlands Minister for Foreign Affairs, together with 11 colleagues from other EU member states, co-signed a three-page letter to Catherine Ashton on the EEAS (*EUobserver*, 2012). Some observers viewed this as a criticism of the service, even though the ministers emphasised their objective of being constructive and supportive. The letter mentions, amongst other things, that "the setting up of a secure communications network should be a major priority" and that "the creation of defence and security attachés in EU delegations ... should be considered." In reaction, Ashton presented a report in which she pointed to the administrative and budgetary challenges facing the EEAS and highlighted the achievements made thus far (High Representative, 2011).

It seems as if the Dutch criticism focused mainly on organisational aspects. For instance, in October 2011, the Minister of Foreign Affairs, Uri Rosenthal, assured Parliament that HR Ashton had made an active and valuable contribution to international policies, including to the Middle East peace process, the relationship between Serbia and Kosovo and in the Arab region (Parliament, 2011b). In an informal meeting of the Foreign Affairs Council in March 2012, Rosenthal underlined the need for "more synergy between the EEAS and member states' diplomatic services" (*Bulletin Quotidien Europe* 10571, 2012).

In general, the Netherlands considers an effective and coherent EU foreign policy to be an essential addition to Dutch diplomacy. In its annual policy statement on EU policy (Netherlands government, 2011d), the following priorities are mentioned:

- The EU is to be more assertive in defending its interests and could decide earlier on that economic sanctions will be implemented,
- The EU should focus on the emerging economies: China, India, Brazil and South Africa,
- The EU should promote common objectives, such as fighting climate change, protectionism and piracy, as well as common values, including democracy, human rights and the rule of law.

At the most recent informal meeting of the Foreign Affairs Council ("Gymnich") Minister Rosenthal

pointed to more specific objectives, such as the need to pay more attention to frozen conflicts in the EU's neighbourhood, focusing on human rights and economic diplomacy. The minister explicitly praised the contribution of the EU on important issues of foreign politics, such as the statement of the quartet on the Middle East peace process, the E3+3 meetings with Iran, the dialogue between Serbia and Kosovo on human rights and the sanctions against Myanmar and Syria (the Netherlands government, 2012).

4. Changes to Dutch diplomacy as a result of the establishment of the EEAS

As a result of the establishment of the EEAS a number of relatively minor changes have already been made to the way Dutch diplomacy operates. First of all, the Netherlands proposes that *demarches* made on behalf of the EU are always made by the EU Heads of Mission. This should also be the case when the EU considers other states made serious political offences (for instance grave human rights violations); otherwise an impression could be given of the EU as only being in charge of less politically sensitive issues. Secondly, the Netherlands accepts a (leading) role for the EU delegation in the coordination of development cooperation. Thirdly, the Netherlands will (passively) follow the EU's policy in countries where it has no embassy. Fourthly, the Netherlands is pragmatic with regard to questions of EU external representation in international organisations. EU coordination and external representation practices should be adjusted to the post-Lisbon rules, but it is recognised that these can be interpreted in different ways. It also matters how far interests and preferences of EU member states are apart and if the rules and culture of the relevant international organisation allow for a unified EU external representation. Finally, the Netherlands is very much interested in obtaining access to the political reports of EU delegations, including those with politically sensitive information. It realises that this requires considerable investment in IT to ensure a safe transmission of data. It is willing to advise the EEAS on this matter and to provide technical support, but at the same does not think that this matter justifies any additional funding for the EEAS from the EU budget or the member states.

Many questions remain as to the impact of the EEAS on Dutch diplomacy. Initially the Ministry of Finance saw the establishment of the EEAS as a justification to close embassies and to hand over consular and visa affairs to the EU delegations. Today it is recognised that it is still too early to rely on the EEAS and EU delegations to take over the substantial tasks of national embassies.

Nevertheless, the Netherlands still aims to explore the possibility of delegating tasks in the area of consular affairs and visa applications to the EU delegations in years to come (the Netherlands government, 2011b; 2012). This point is reiterated in policy documents and debates with Members of Parliament (e.g. Parliament, 2011a). The option of co-locating embassies with EU delegations is also considered a viable one for those countries in which the Netherlands has a small diplomatic service.

Within the Ministry structure responsibility for EU neighbourhood policy, EU development cooperation and other topics on the agenda of the former EU external relations commissioners and services fall within the Directorate-General for European Cooperation. Common Foreign and Security Policy, including the European Correspondent and Common Security and Defence Policy, falls within the Directorate-General for Political Affairs. The two main aspects of EU external action are thus the responsibility of two divisions of the ministry that fall within different organisational entities of the same ministry; one of them reporting primarily to the State Secretary of European Affairs and the other reporting primarily to the Minister of Foreign Affairs. On EU external action, they also coordinate regularly with other departments, such as the department for multilateral institutions regarding EU representation in those fora and the Directorate-General for International Cooperation for EU donor coordination and aspects of EU development cooperation policy, such as aid effectiveness, on which the Netherlands has its own viewpoints and considerable experience. The fact that issues covered by the EEAS are handled by different organisational sub-entities within the ministry risks undermining the Dutch objective of coherence in EU external policies, and is the source of a considerable amount of intra-ministerial coordination. This aspect might be taken into account by a group of 'wise men' that is currently advising the minister on how to modernise Dutch diplomacy.

5. An EU delegation for international organisations in The Hague?

The Hague is often portrayed as the legal capital of the world. It is the host city of the International Criminal Court, the International Court of Justice, and various tribunals, of which the International Criminal Tribunal for the former Yugoslavia (ICTY) is the most important. It also hosts the Organisation for the Prohibition of Chemical Weapons (OPCW). With the entry into force of the Lisbon Treaty it was expected that EU coordination and external representation in these fora, which mainly address issues falling within the remit of the EU's Common

Foreign and Security Policy (CFSP), would be taken over by the new EU foreign policy actors. However, as there was no Commission delegation to international organisations in The Hague, it could not be changed into an EU delegation to international organisations.

As things stand at the moment, the EEAS lacks the resources to establish a delegation in The Hague and it does not seem to be one of its priorities as the current (pre-Lisbon) set-up is still working relatively well (Delaere & Van Schaik, 2012). If, in the future, it would decide to open an EU delegation this might affect the diplomatic presence of EU member states in The Hague, who currently all have diplomats working on the OPCW, for instance. It might also strengthen the relationship between international debates held in The Hague and debates held elsewhere across the globe, and possibly make new EU foreign policy actors more visible in the Netherlands.

6. Conclusion

All in all, the establishment and functioning of the HR and EEAS thus far have attracted relatively little attention in the Netherlands. The government is moderately supportive and sees opportunities for the EEAS and EU delegations to take over tasks from its national diplomacy, especially in the field of consular affairs. It sees the EEAS as a (potentially) useful vehicle for extending influence in world politics. The Netherlands is supportive of a more assertive EU foreign policy, but not where EU majority positions conflict with its own conviction, for instance in the Middle East or on enlargement. After the elections of September 2012, this may change, but given the Dutch 'vicar-attitude', new convictions are likely to emerge and replace the old ones, meaning that the Netherlands is unlikely to submit its foreign policy completely to the objective of reaching a common EU position on all issues.

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