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Negotiating the EEAS: national interests and EU institutions

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Madrid, 2019

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In Varietate Concordia

*To my grandmother Digna,
For teaching me that education is the best means for being an independent
woman*

ABSTRACT

The process of integration of the European Union (EU) has always been an object of deep attention by scholars in order to understand what makes member states agree to cooperate at the supra-state level. In so doing, every step in the process of EU integration is a new opportunity for advancing in the theoretical explanation about its institutionalization. The European External Action Service (EEAS) has been the major institutional innovation brought about by the Treaty of Lisbon. It is the sole example of a diplomatic institution at a supra-state level, and, as of yet, its process of configuration has not been the object of deep theoretical explanation.

Since foreign policy is the most intergovernmental area in the process of EU integration, the creation of the EEAS is the perfect opportunity to revisit the intergovernmental EU integration theories, particularly liberal intergovernmentalism. The main question that this thesis aims to address is: why do big member states decide to create a supra-state diplomatic institution? This thesis assumes that member states are rational, and they decide to create supra-state institutions thinking about the benefits that they will accrue. Liberal intergovernmentalism shares this rational thinking and points out that what determine outcomes in any process of institution building at the supra-state level are asymmetries of power. Because of that, liberal intergovernmentalism highlights the concept that the biggest member states of the EU are the ones that shape the final choices in any process of the grand bargain. Traditionally, grand bargain negotiations were embedded in intergovernmental conferences where member states were the major players. That is why liberal intergovernmentalism is based on the idea that EU institutions do not play any relevant role in such a process.

Contrarily, the major contribution of this thesis is to show that institutions do matter. In short, this thesis is based on the claim that paying attention to the process of configuration of institutions is essential because this process can affect outcomes. In order to overcome the limitations of liberal intergovernmentalism, I take the rational choice institutionalism approach. Rational choice institutionalism lets me emphasize the relevance of EU institutions in the process of institution building at the supra-state level, first, as actors that have their own demands and therefore can affect the strategies that member states follow in the pursuit of their domestic goals, conditioning

the final outcomes, and, second, as sets of rules and norms that condition behaviour and, as a consequence, outcomes.

Process tracing theory testing is the methodological tool that I have followed in order to examine the three-step model on which liberal intergovernmentalism is based: domestic preference formation, intergovernmental bargaining, and institutional choice. In order to do so, I examined the process of configuration of the EEAS by looking particularly at the three biggest member states of the EU: the UK, France, and Germany. Evidence was mainly gathered through in-depth interviews and official documents. In the first stage, domestic preference formation, this thesis shows that it is an exogenous process where member states follow domestic objectives. In addition, this thesis confirms that foreign policy is an area where the number of actors involved in the process of preference formation—although subject to the constitutional process of each member state—is more limited than in other political areas and mainly restricted to the government. Finally, major motivations for member states in shaping their domestic preferences are geopolitical rather than economic.

In the second step, intergovernmental bargaining, this thesis demonstrates that EU institutions played an essential role in the process of EEAS configuration, first, as actors with their own demands that impact the strategies that member states follow in pursuing their national goals and therefore shape final outcomes, and, second, as sets of rules and norms that condition behaviour and, as a consequence, outcomes. This thesis also confirms that the two institutional settings in which the EEAS negotiations were carried out, the Convention and the Quadrilogue, were decisive for the final outcomes. Both the Convention and the Quadrilogue played an essential role in driving the discussions and drafting the conclusions. Furthermore, EU institutions defended their own demands and followed their own strategies to achieve them. Despite the fact that the demands from EU institutions were part of the discussions, they are still subject to the major preferences of the biggest member states.

Finally, in the third stage, institutional choice, this thesis corroborates the conclusion that the major motivation for member states and EU institutions in creating supra-state institutions is the benefits that the new body brings to them. In addition, they find that creating supra-state institutions helps in

ensuring what has been agreed, thinking about possible future domestic opposition. The creation of supra-state bodies is also understood as a way to ease the costs of running the system. However, both member states and EU institutions were particularly concerned about establishing mechanisms of control, both ex-ante and ex-post.

ACKNOWLEDGEMENTS

Doing this research would have been impossible without the constant help, support, and advice of different people who have shared this PhD adventure with me. In order to meet this challenge, I had the pleasure of having two supervisors: Carlos Closa and Ignacio Molina, who have been essential in the conduct of this research. First of all, I would like to express my sincere gratitude to Carlos Closa, who has guided me constantly in the different stages, not always good or pleasant, of the doctoral process. Carlos has always been ready to read my chapters, giving me valuable insights and encouraging me to adopt a critical perspective. He always inspired me to pursue the highest goals. It is impossible to describe how grateful I am for his dedication and patience over the past few years in reading my work thousands of times. Without his valuable academic guidance, this research would have never been finished.

I am also very grateful to Ignacio Molina. Nacho was very helpful from the beginning and, without knowing me well, supported my application for funding the doctorate through the FPI-UAM programme, for which I gratefully acknowledge the Autonomous University of Madrid. Nacho has given me valuable advice for my thesis and my future career. In addition, he has always counted on me for anything that may be of academic or research interest. He gave me the opportunity to participate in a fascinating project and introduced me to the world of think tanks where I could enlarge my network. I am also very thankful in this regard to the Elcano Royal Institute.

Besides my advisors, another essential person in this process to whom I want to express my most sincere gratitude is Celso Cancela. I would never have done this thesis if Celso had not been my EU studies professor at University of Vigo. He was the first person who made me feel passionate about EU studies. He was the supervisor of my undergraduate thesis and the person who inspired me to follow a research career. Since then, Celso has always been my mentor and the person who is always there if I need advice. Thank you very much for many years of constant support and help!

My deepest appreciation goes to all the diplomats, high level civil servants, and politicians who have granted me access to talk about and share with me their

knowledge and experience regarding the negotiations that led to the setting up of the diplomatic service of the EU. They are an essential part of this work.

I am also very thankful to the Department of Political Science and International Relations at the Autonomous University of Madrid for its commitment to their students, offering them the support they need to carry out their research. I would like to highlight the SIF program where PhD candidates can present their work and discuss it with the different professors of the department. In this regard, I am particularly grateful to Alfonso Egea, Luis Bouza, Itziar Ruíz, and Susanne Gratius, among others, who have contributed valuable comments to the first versions of this dissertation. I should also mention here the names of Carmen Navarro, my doctorate tutor; Santiago Pérez Nievas, head of the department during most of my time at UAM; and Cristina Latorre, the department secretary for facilitating administrative procedures particularly when I was abroad. Many thanks also go to Guillermo Cordero, Ignacio Molina, and, especially, Luis Bouza for helping me with the preparation of courses and teaching.

Finally, thanks go to Irene Martín and Moneyba González for their constant support, commitment to their work and their nonstop willing to help. I am also very thankful to the Autonomous University of Madrid for providing doctoral students a space to work together, discuss our research and share our fears and happiness. I am very grateful to my doctoral colleagues at UAM: Marta, Ilke, Jose, Carlos, Diego, Edgar, Javi, Irene, and Jacobo for the interesting discussions, their always relevant comments on my research, and the interesting conversations during lunch and at "la salita," but also for the good moments together outside Cantoblanco.

During my PhD process, I had the opportunity to enjoy five visiting scholar positions that, besides being useful in conducting field work for my thesis, also allowed me to meet very interesting scholars who helped me to grow personally and as a researcher. The first of those visiting scholar positions was at Maastricht University under the supervision of Sophie Vanhoonacker, to whom I am extremely grateful for her support and guidance of my work. While I was there, I also met Karolina Pomorska, Jost Morgenstern-Pomorski, and Heidi Mauer, brilliant scholars who gave me valuable research advice and made my life in Maastricht much easier. I am also very thankful to them for

including me in a network of academics who work on EU foreign policy, NORTIA, from which I obtained funds to participate in different conferences. The library sources of the Maastricht University have also been essential in the development of my work.

The second visiting position that I obtained was at Vesalius College, Vrije Universiteit Brussels under the supervision of Joaquim Koops to whom I am very grateful for accepting me. I am also grateful to Catarina Carta and María Martín de Almagro who were always very inspiring and willing to help. My next visiting position was at King's College, London under the supervision of Anand Menon. I am very grateful to him for accepting me for the position and, therefore, to be able to enjoy the great sources of this prestigious university. It was not an easy political moment in London but still interesting times for a political scientist. I am especially grateful to Pablo Castillo, who in addition to giving me valuable academic career advice, introduced me to the social life of this city.

My fourth visiting position was at Sciences Po Paris under the supervision of Christian Lequesne, to whom I am very grateful for accepting me for the position and for the help I received there in successfully conducting my field work. I am also very thankful to Colegio de España at Cité Universitaire for accepting my accommodation request. There I could enjoy talking about my work with other PhD students from completely different fields and, honestly, have so much fun! I will never forget my time there thanks to Angela, Carlos V., Joan, Ismael, Jorge, Sara, Josete, Isabel, Lourdes, Dani, Fran, and many others.

The last visiting position that I obtained was once again at Vrije Universiteit Brussels, this time at the Institute of European Studies (IES), under the supervision of Luís Simón. I am very grateful to him for accepting me for the position, discussing my work, and giving me professional guidance. I am also very thankful to Luis for helping me to identify key people for my fieldwork during different stages of my thesis. Many thanks go to the IES staff for being very welcoming and always helpful and to my colleagues there: Elie, Maike, Antonio, Stephan, Chantal, Jan, among others, for the interesting discussions.

Personally, I think that the PhD experience is especially valuable because of the friends you make throughout the process, both inside and outside the

academy. I already mentioned some of them; however, when it comes to the academic world, Marta and Ilke deserve special attention. They are two excellent women who have been by my side since almost the very first day I arrived at the Autonomous University of Madrid. Without their constant support and friendship, this PhD would have been much more difficult. I am sure that we will maintain our friendship forever. Regarding the people outside the academy, I would like to especially mention Anna and Elisa, my greatest support during my periods in Brussels, and with whom I am sure I will share many more chapters of my life.

Doing a PhD can be exciting but it is also a difficult process; that is why I would like to give special thanks to my old friends Carmen, Lucía S., María, Lucía M., Ádega, Marta, Silvia, Vero, Marcos, Francesc, Ana, and Lucía L. for their constant support, listening, and understanding. I feel very lucky to have you all in my life!

The last words are reserved for my family who have always been by my side, supporting any decision that I make. Their patience during this process has been precious. My mother, to whom I owe everything I am, deserves special attention. Thank you very much—without your support, this would never have been possible!

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Chapter I:

INTRODUCTION

Does Europe not, now that it is finally unified, have a leading role to play in a new world order (...)?

Laeken Declaration, December 2001.

The European Union (EU) is the pioneering and most developed regional integration that exists in the world. Its process of integration has been the object of deep attention from scholars since its inception, always with the purpose of explaining why and how member states decided to surrender part of their power in the creation of supra-state institutions. One question is always on the table: what motivates EU integration? The theories that explain the EU evolve as its process of integration does. That is why any new step in the process of EU integration/institutionalization is always a matter of concern for scholars.

The creation of the European External Action Service (EEAS) is the last and most innovative step in the institutional evolution of EU integration process brought about by the Treaty of Lisbon. It represents one of the greatest attempts to reform EU foreign policy institutions in the process of EU integration (Smith, 2013, pp. 1299-1300). The setting up of the EEAS is the first time that the member states agreed to the creation of an autonomous body at the supra-state level in the field of foreign affairs. The main purpose of this new body is to “help strengthen the European Union on the global stage, give it a higher profile, and enable it to protect its interests and values more efficiently.”¹

Article 27 of the Treaty of Lisbon established the EEAS. The mission of this service is to assist the high representative of the Union for Foreign Affairs and Security Policy (HR) and the vice-president of the Commission (VP) in fulfilling

¹EEAS. *Creation of the EEAS*. Checked out on 28th January 2019 <https://bit.ly/2CRkZOX>

his/her mandate.² The EEAS will help develop the common foreign security policy (CFSP), on the one hand, and it will also guarantee consistency in the EU's external action, on the other (O'Sullivan, 2012, p. 4). Moreover, it assists both the Commission and its president as well as the president of the European Council. It embodies both a central administration and the Union's delegations to third countries and to international organizations (Hillion & Lefebvre, 2010, p. 5). The main task of this new service is to work on achieving a more effective presence of the EU in the world; specifically, what the EEAS is supposed to present is a unified message from the EU in the field of foreign affairs (O'Sullivan, 2012, p. 4).

The creation of a supra-state diplomatic body at the EU level, an area close to the sovereignty of member states, again opens the question of what motivates member states to pool/delegate sovereignty. The fact that member states have decided to further EU integration in the major intergovernmental policy area, foreign policy, leads me to re-visit the intergovernmental postulates that have explained the EU process of integration, in short, liberal intergovernmentalism. Strictly following the premises of liberal intergovernmentalism, member states would never agree to the creation of the EEAS (Moravcsik & Nicolaïdis, 1999; Moravcsik, 1998). This is primarily because the biggest member states of the EU have had dissimilar views regarding the setting up of this diplomatic service. While Germany was fully engaged with the idea of creating the EEAS, two of the most relevant member states in foreign policy, the UK and France, had reservations. Then, why did the biggest member states of the EU finally agree to the creation of the EEAS? My first intuition is that EU institutions also contributed to the creation of the EEAS (Aspinwall & Schneider, 2000; Raube, 2012; Wisniewski, 2013). Then, are member states the only ones that shape the final choices? Or can these choices be nuanced by EU institutions?

The main question that this inquiry aims to answer is: **why do big member states decide to create a supra-state diplomatic institution?** Drawing on

²As the article 27.3 of the Lisbon Treaty (TEU) points out "In fulfilling his mandate, the High Representative shall be assisted by a European External Action Service. This service shall work in cooperation with the diplomatic services of the Member States and shall comprise officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services of the Member States. The organization and functioning of the European External Action Service shall be established by a decision of the Council. The Council shall act on a proposal from the High Representative after consulting the European Parliament and after obtaining the consent of the Commission".

60 interviews with high level member states and EU institutional representatives that were conducted between 2015 and 2018, I primarily analyse how the biggest member states of the EU: the UK, France, and Germany, form their preferences and what the demands of the EU institutions, specifically, the Commission and the EU Parliament, are. Then I look at how both the member states and EU institutions negotiate their preferences/demands and the strategies and alliances that they pursue in order to achieve the final outcome. The last step is to look at the final motivation that they pursue in order to decide to create a new institutional body. The period of time comprised by this inquiry starts in 2002 when the Convention on the future of Europe commenced, and member states started talking about the creation of a diplomatic institution at the supra-state level. Following the same logic, this survey finishes in 2011 when the EEAS started working. The information will be gathered mainly through semi-structured in-depth interviews and the analysis of official documents.

1.1 Why study the EEAS configuration process?

The EEAS is the sole example of a supra-state diplomatic institution, and, as of yet, the reason why this body was created has not been subject to extensive study. Then, even though the EEAS, as it is further explained in the theoretical chapter, has been analysed from different angles and perspectives, only Kluth & Pilegaard (2012) have addressed the question of why the EEAS was created. They approach the creation of the EEAS from a neo-realist perspective, uniquely focusing attention on France and the UK as the single actors that mattered in its configuration. In addition, they start their research in 2009 after the Lisbon Treaty entered into force without taking into account the Convention negotiations, precisely when the decision about creating the EEAS was taken, and to which this thesis pays particular attention. This thesis aims to show that Germany³ and the EU institutions⁴ in particular

³ Lenhe, S. (2012) "The Big Three in EU Foreign Policy" in *Carnegie Europe*, No. 5, July. <https://goo.gl/wtaVqP> ; Adebahr (2013), "The "Good Europeans": Germany and the European External Action Service" in Balfour & Raik, Eds, *The European External Action Service and National Diplomacies*. European Policy Centre, Issue paper 73.

⁴ Wisniewski (2013), "The Influence of the European Parliament on the European External Action Service" in *European Foreign Affairs Review*, Vol. 18, Issue 1, pp. 81–101. Dialer (2014), "Shaping the Institutional Set-up of the EEAS" in Dialer, Neisser, & Opitz, Eds. *The EU's External Action Service: Potentials for a One Voice Foreign Policy*; Innsbruck University Press; pp,

played a determinant role in the creation of the EEAS. That is why I feel further research is needed in order to better understand whether it was clearly single member states that conditioned the creation of the EEAS or if the EU institutions were also decisive.

Thus, it is extremely important for all points relating to both its creation and configuration to be thoroughly researched. This survey will allow me to analyse the reasons behind the configuration of institutions at the supra-state level. It is necessary to do an in-depth analysis of the reasons why states prefer to achieve their purposes through them. Moreover, this case study is particularly relevant inasmuch as the EEAS is a diplomatic supra-state institution, and diplomacy is the power of a state most closely related to its sovereignty.

The relevance of the study of the EEAS configuration process relies in the basic assumption of this thesis that institutions do matter, both as actors that have their own demands but also as sets of rules and norms that condition behaviour. Institutions shape the behaviour of actors to even the point of altering their preferences (March & Olsen, 1984). The relevance of institutions in the process of EU integration has always been the point on which the different theories have been divided. I feel that the EEAS will be an ideal case study to further an in-depth review of both classic theories, (liberal) intergovernmentalism and (neo) institutionalism. The fact that sovereign states have decided to create a supra-state institution to co-operate in the area of foreign affairs will be a good chance to test both the importance of institutions at the supra-state level and to know how those institutions work, whether autonomously—following the paradigm of neo-institutionalism theory—or subject to choices made by external authorities—following liberal intergovernmentalism theory. In short, the study of supra-state institutions is treated in two different ways: as a part of the actors' strategy where institutions are part of the game or as a mere result of states decisions (Martin, 1999, p. 79).

The creation of the EEAS is also worth testing due to the fact that its negotiation has been carried out over two innovative institutional settings that represent a challenge in the EU integration literature: the Convention and the

97-119. Erkelens & Blockmans (2012), *Setting up the European External Action Service: An Institutional Act of Balance*. Centre for the Law of EU External Relations working paper, 2012/1.

Quadrilogue. So far, a treaty change has always been negotiated in intergovernmental conferences where negotiations take place among member states. Thus, liberal intergovernmentalism focuses attention on intergovernmental conferences as the unit of analysis and emphasizes that the process of supra-state bargaining is intergovernmental. It follows that member states achieve their fixed preferences through strategic bargaining. Final agreements are achieved through package deals. Hence, the Convention and the Quadrilogue challenged the intergovernmental premises and opened the door to their revision. A new method of treaty change was put in practice.

Finally, having a deep understanding about the why and how of the process of configuration of the EEAS would be the first step for further studies about this institution's future evolution and way of functioning, for instance, its impact on the global order and on the diplomacy of the national member states.

I.2 The main objectives of this research

The main objective of this thesis is to analyse the process of configuration of the EEAS and, from this real and concrete example, to contribute to the literature of institution building in regional or international organizations. In so doing, the purpose is to answer the question: why do big member states decide to create a supra-state diplomatic institution? This thesis is based on the premise that sovereign governments do not want to surrender their power to supra-state institutions unless doing so is in their own interest. Pursuing the theory of rational-choice, it follows that the design of supra-state institutions will generally be subject to the interests of their members (Koremenos, Lipson, & Snidal, 2001, p. 762). The way in which institutions are designed is important because the design affects their outcomes. This is the reason why states pay so much attention to the process of configuration of institutions.

The hypothesis of my PhD is based on the idea that the process of configuration of the EEAS has essentially been dependent on the readiness and the will of its members to engage with it. Member states will be keen on yielding part of their sovereignty only if, in so doing, those institutions provide benefits to them. If states receive benefits from supra-state institutions (A)

they will be aware of losing part of their sovereignty (B). With regard to my research question, big member states will decide to create a supra-state diplomatic institution solely if they understand that such institution brings benefits to them.

With the aim of analysing the reasons that lead member states to create supra-state institutions, this thesis will test the three step model on which liberal intergovernmentalism is based: domestic preference formation, intergovernmental bargaining, and institutional choice (Moravcsik, 1998). Liberal intergovernmentalism is based on three basic elements: the assumption of rational state behaviour, a liberal theory of national preference formation, and an intergovernmentalist analysis of interstate negotiation (Moravcsik, 1993, p. 480). Finally, it also stresses that institutional choice is based on member states willingness to ensure the credibility of their commitments (Moravcsik, 1998).

Preference formation is the first step that liberal intergovernmentalism establishes in the process of supra-state institutional building. Regarding this first stage, the main objective of this thesis is to understand how member states form their preferences. The origin of preferences has been deeply analysed in the literature. The debate is between rationalists who stress that preferences are exogenous, and constructivists who think that they are endogenous. Regarding this first step, this thesis aims to show that member states form their preferences exogenously following domestic objectives. In short, I will identify and analyse the fundamental motivations that encouraged member states to support or to oppose the creation of the EEAS. I also aim to show whether the governments of member states are autonomous in defining domestic objectives or whether different social groups participate in the process of preference formation. The last element that this thesis aims to assess regarding preference formation is the final motivation of member states in creating supra-state institutions. Overall, liberal intergovernmentalism assumes that economic reasons are the most relevant. However, Moravcsik (1998, p. 28) is aware that, when it comes to foreign policy, this economic finality should be nuanced, and geopolitical motivations are the ones that prevail.

My expectation regarding this first stage is that preferences are formed exogenously. This means that the preferences of member states are not influenced by their EU membership. Member states are autonomous in the process of shaping their preferences that respond to their national goals. I assume that, in this specific case, foreign policy, the participation of groups of interests is more limited because it is an area linked to the power and sovereignty of the government. However, the degree of autonomy of the government will vary depending on the country. Finally, because this thesis aims to explain the creation of a diplomatic institution, I assume that the final motivation of member states in creating supra-state institutions follows geopolitical interests.

Intergovernmental bargaining is the second step that liberal intergovernmentalism establishes in the process of institution building. In this second stage, the main objective of this thesis is to determine whether member states are the ones that absolutely control this supra-state bargaining process, particularly the biggest ones due to asymmetries of power as liberal intergovernmentalism points out, or contrarily, whether EU institutions also play a relevant role. The major weakness that this thesis emphasizes regarding liberal intergovernmentalism is the fact that it denies any relevant role for institutions in the process of supra-state institution building. Liberal intergovernmentalism comes from the roots of realism where the nation state is the most relevant actor. Thus, liberal intergovernmentalism emphasizes that member states, particularly the biggest ones, are the ones that drive the negotiations and shape the final deals. In order to nuance this liberal intergovernmentalism weakness, I take new institutionalism, particularly the rational choice institutionalism approach whose major claim is that institutions matter, and they are the ones that establish the rules of the game. New institutionalism lacks a clear definition of institutions; it understands institutions from a pluralist perspective, both as a set of rules and norms and also as actors that condition behaviour and therefore impact the final outcome. This thesis aims to particularly stress the concept of institutions as actors that have their own demands, but, at the same time it will also emphasize the power of institutions as sets of rules and norms that conditions behaviour by establishing the rules of the game and driving the discussions in order to reach a compromise.

The negotiations that led to the creation of the EEAS were carried out in two innovative institutional settings, the Convention and the Quadriologue, that allowed EU institutions to take part at the negotiating table. My expectation is that EU institutions played a relevant role during the EEAS negotiations as actors with their own demands that were able to impact the strategies that member states pursued in order to achieve their domestic goals, also being able to shape the final outcome. Furthermore, this thesis assumes that the innovative institutional settings in which the EEAS negotiations were carried out were decisive in driving the discussions and finding a compromise. Therefore, this thesis aims to show that not only member states but also EU institutions as both actors and set of rules and norms were decisive in the creation of the EEAS.

Regarding the final stage, institutional choice, the main objective is to understand what makes member states and EU institutions agree to the creation of a supra-state institution. This thesis assumes functionalist and cost-benefit reasoning based on the fact that the decision about creating a supra-state body will depend on the functions that it will perform on the member states behalf. In addition, liberal intergovernmentalism establishes that choices are based on the member states willingness to ensure the credibility of commitments (Moravcsik & Nicolaïdes, 1999, p. 59). Rational choice institutionalism emphasizes that the creation of supra-state institutions is based on the fact that they help in reducing transaction costs, that is, the cost of running the system. Finally, establishing mechanisms of control will be essential in order to make member states and EU institutions agree to create a new supra-state body.

I.3 The main contributions of this thesis

The main contribution of the thesis is to update liberal intergovernmentalism by stressing that EU institutions are actors which have its own demands, and they can impact the strategies that member states follow in the pursuit of its domestic goals. In addition, this thesis stresses that the institutional settings where member states—and EU institutions—bargain their preferences also have a great impact on the definition of available choices. We assume that, in the case of the Convention on the Future of Europe, including the Secretariat of

the Convention and the Chairmen of the working groups, and in the case of the Quadrilogue, the Spanish Presidency was essential in achieving the final outcome.

The added value of this inquiry relies on the fact that I assume that not only nation states but also EU institutions have the power to nuance grand bargain final choices. This means that the creation of the EEAS has not only been the consequence of the domestic preferences and the asymmetries of power of member states, but it is also necessary to take into account the point of view and demands of EU institutions. EU institutions are actors that, by stressing and pursuing their own demands, have the power to condition the strategies that member states follow in seeking their domestic goals and, as a consequence, they affect the final outcome. In addition, this thesis aims to highlight the point that the institutional settings in which member states and EU institutions bargained their preferences or demands also conditioned the final deal by affecting the behaviour of actors.

Furthermore, this thesis aims to better understand how the preferences of member states are formed. As has already been stressed, this inquiry follows rational reasoning and assumes that preferences are fixed and exogenous. Domestic preferences are different from national strategies. What vary are the strategies that the actors pursue in the achievement of their preferences (Moravcsik, 1997, p. 519). However, since foreign policy is a peculiar policy area close to the sovereignty of governments, what this thesis aims to show is whether, in the case of foreign policy, member states follow a liberal process of preference formation, as liberal intergovernmentalism establishes. In short, what this inquiry aims to show is whether, in the case of foreign policy, different domestic groups of interest also take part in the definition of domestic preferences. In so doing, this thesis examines the process of preference formation that the UK, France, and Germany followed regarding the setting up of the EEAS. In addition, this thesis also aims to assess whether, when it comes to foreign policy, geopolitical purposes are the ones that prevail in the definition of member states preferences.

Finally, this thesis aims to shed light on the final motivations that member states have in the decision to create supra-state institutions. Liberal intergovernmentalism stresses that member states create supra-state

institutions with an aim to ensure the credibility of what has been agreed (Moravcsik & Nicolaïdes, 1999, p. 59) whereas rational choice institutionalism emphasizes that what motivates member states to create supra-state institutions is mainly to reduce the cost of running the system. What is clear is the fact that, in creating supra-state institutions, the first concern of member states and EU institutions is to establish mechanisms of control.

I.4 Research design

Process tracing is the methodological tool that I have chosen to test whether the steps that liberal intergovernmentalism establishes were effectively followed in the case of the EEAS configuration. Therefore, this dissertation will follow theory testing, which consists of taking a theory from the existing literature and test whether the evidence shows that each part of the hypothesized causal mechanism is present in a specific case. It operates through the formulation of within-case inferences with the aim of showing whether the mechanism was present in the given case and whether it functioned as expected (Beach & Rasmus, 2013). Process tracing helps to trace causal mechanisms whose main aim is to link a causal condition or independent variable with an outcome (King, Keohane, & Verba, 1994, pp. 85-86). The causal condition (X) will be the preferences of the member states and the outcome (Y) the final design of the EEAS. Process tracing is very suitable for this inquiry because it helps to link the theory and the evidence (Checkel, 2006, p. 369). In addition, it also allows the formulation of alternative explanations (George & Bennett, 2005).

This dissertation is based on a single case study, the EEAS. From this specific case, this thesis aims to provide generalized findings about what makes member states agree to the creation of supra-state institutions. The unit of analysis will be the institutional settings where member states—and EU institutions—bargained their preferences: the Convention on the Future of Europe and the Quadrilogue. Then, since it would be impossible to deeply analyze the 28 member states, I have decided to focus on the EU's biggest member states, the UK, France, and Germany. The first reason is because liberal intergovernmentalism understands that the final outcomes from the bargaining reflect the asymmetries of power between member states. This

means that the final outcome will be the reflection of the preferences of the biggest member states (Moravcsik, 1998). Showing that the final outcome is the reflection of the preferences of the biggest member states would be enough to verify the prominence of their power over the smaller member states. This thesis assumes that the biggest member states of the EU have their own resources and capabilities to influence the global arena and, therefore, they will be less interested in the creation of a supra-state diplomatic institution. Another relevant reason for having chosen the UK, France, and Germany is because they have different views of and approaches to the creation of the EEAS. Whereas Germany was completely in favor of creating the EEAS, UK was opposed to the idea, and France also showed its resistance.

This inquiry is based on a qualitative analysis where the main data was gathered through in-depth elite interviews. They were conducted in Brussels, London, Paris, and Berlin between 2015 and 2018 with the people who took part in the negotiations, diplomats, civil servants, and politicians, as well as researchers who directly followed this process. Official documents (ANEX I) and secondary data permitted mapping the actors involved in the process. From the first sample, I followed the snowball technique, and I stopped conducting interviews when either the key people had already been interviewed, or it was impossible to reach them. Finally, I was able to conduct 60 interviews from the total sample of 300, which represents around, 20%, a lot for a qualitative analysis. In order to process and codify the information, I used Atlas.ti. I have triangulated with secondary sources to verify the accuracy of the information provided in the interviews. Finally, the period of time in which this dissertation is framed starts in 2002 when the Convention on the Future of Europe began, and member states started thinking about the possible creation of a diplomatic body at supra-state level, and finishes in 2011 when the EEAS started working.

I.5 An overview of the study

With the purpose of explaining why member states decide to create supra-state institutions from the concrete example of the EEAS, I structured this thesis as follows: one introductory chapter and one conclusion chapter plus six chapters divided in two different parts that comprise the body of work. The

first part includes three chapters that deal with the theoretical analysis, the methodological analysis, and the historical context. The second part also includes three chapters, this time regarding the empirical analysis: preference formation, supra-state bargaining, and institutional choice. The first chapter introduces the object and objectives of the thesis and its rationale. The second chapter presents the theoretical framework in which this thesis is embedded. In this vein, I structured this second chapter in two parts. In the first part, I critically reviewed how the different theories of EU integration explain my research question: why do big member states decide to create a supra-state diplomatic institution? The chapter continues by looking specifically at how the literature has addressed the EEAS. Finally, I stress how this thesis will contribute to the literature on institution building. In the second part of this chapter, I focus attention on liberal intergovernmentalism, the theory that this thesis will test in order to explain the process of configuration of the EEAS. I deeply analyse the three steps on which liberal intergovernmentalism is based, and I add the premises of rational choice institutionalism that will help me in overcoming the weaknesses of liberal intergovernmentalism in explaining the creation of supra-state institutions, particularly the EEAS configuration.

The third chapter deals with the methodology. First, I introduced process tracing, the methodological tool that I follow in order to achieve my research objectives, and I analyse the mechanism that I test throughout the thesis. The chapter continues by outlining the qualitative character of the dissertation. In so doing, I explain how I got the empirical information, mainly in-depth interviews and official documents. The chapter also specifies what type of data I used for testing each part of the mechanism, and I present what I expect to find in the evidence in order to show whether the theoretical claims are correct. Finally, the chapter ends by justifying the selection of the three biggest member states of the EU, the UK, France, and Germany.

The main objective of Chapter IV is to contextualize the creation of a supra-state diplomatic body at the EU level. In so doing, the first part of the chapter deals with an historical overview about the evolution of EU foreign policy integration. I look at the different grand bargain negotiations in order to stress what makes member states further their cooperation at the supra-state level. Moreover, I point out the main advances that member states introduced in EU foreign policy from the 1970 Davignon Report to the 2001 Nice Treaty. The

second part of the chapter looks at the three biggest member states of the EU, the UK, France, and Germany and how their preferences regarding the EU integration process and specifically foreign policy have evolved through the years.

Chapter V is the opening empirical chapter of the thesis. It analyses the first part of the mechanism: preference formation. Here, I first look at how the biggest member states, the UK, France, and Germany, formed their preferences and what were their main priorities during both the Convention and the Quadrilogue negotiations. The key points during the Quadrilogue negotiations were staff, budget, and control. I also looked at the demands from the EU institutions: the EU Parliament and the Commission, during the Convention and the Quadrilogue negotiations.

After presenting a clear idea about how preferences are formed, Chapter VI looks at the second stage of the mechanism: supra-state bargaining. In the first section, I deeply analyse the two institutional settings in which the preferences were bargained: the Convention and the Quadrilogue. They are unique both in their institutional framework and composition. Analysing the institutional settings in which negotiations were carried out is essential because this thesis argues that they have a great impact on the results by shaping the behaviour of actors. In the second section I analyse the formula for the Convention, characterized by its dynamic of consultation instead of negotiation. Then, I examine a key characteristic of the Convention institutional setting, its broad composition. Not only member states representatives but also parliamentarians and civil society were allowed to take part in the debates. The way the Convention functioned was also peculiar and an object of attention in the second part of this second section. The Praesidium and its secretariat as well as the chairmen of the working groups played a decisive role in the conduction of the negotiations.

After that, I looked at how the proposal for the creation of the EEAS came to the table. Here, I emphasize that the creation of the EEAS is directly linked to the creation of the HR/VP post, and then I explain the role of the chairman of the external action working group. Finally, I point out the different strategies and alliances that the biggest member states and the EU institutions followed in order to achieve their main goals.

This chapter then pays attention to the negotiations of the Presidency. The third section deals with the Swedish presidency, and the fourth section examines the Spanish presidency under which the Quadrilogue negotiations were carried out. The Swedish presidency took place just before the Lisbon treaty came into force in December 2009. One of its main duties was to start preparing the EEAS decision right before the Quadrilogue negotiations started in January 2010, the object of the fourth section of this chapter. In the case of the Quadrilogue negotiations, it was also essential to examine its composition and formula. For the first time, the Commission, the Council Secretariat, the EU Parliament and the HR/VP sat at the same bargaining table.

In the next point of this fourth section, I emphasize the role of the Spanish presidency in driving the discussions. I also highlight the fact that the negotiations were mainly carried out in COREPER. The chapter follows by highlighting the relevant role played by EU institutions during the negotiations. The section ends by stressing the power of EU institutions in conditioning the alliances and strategies of the EU member states regarding the final design of the EEAS.

Chapter VII, the last of the empirical section, deals with the decision about the creation of the EEAS, institutional choice. What this thesis aims to stress in the first section of this chapter is that member states decided to create the EEAS because the benefits outweighed the costs, even for the big member states. In the second section of this chapter, I also stress that the creation of the EEAS is based on ensuring the credibility of what has been agreed in case of future domestic opposition (Moravcsik & Nicolaïdes, 1999, p. 59), at the same time that the creation of a new administrative body reduces the transaction cost because it eases interactions and therefore the conclusion of agreements. Last but not least, the third section of this chapter pays particular attention to the different elements of control that both EU institutions and member states decided to apply over the EEAS. The thesis ends with a final conclusion where I stress the main findings/contributions of the dissertation.

Part I: theory, methods and context

The first part of this thesis is composed of three chapters: II, III and IV. In the first part of the second chapter, I examine the process of institution building from a theoretical perspective, particularly how the literature has addressed the EEAS; in the second part, I explain the theoretical basis of this thesis. Then, in the third chapter, I elucidate the theoretical tools that I have chosen to examine the process of configuration of the EEAS. Finally, in the fourth chapter, I present an historical analysis about how the CFSP process of integration has evolved and how the three biggest member states of the EU, UK, France, and Germany, have approached it domestically.

Chapter II:

A COMPREHENSIVE ANALYSIS OF THE RELEVANCE OF EU INSTITUTIONS

*It is the character of the people
which determines the institutions which govern them,
and not the institutions which give people their character.*

Attributed to Margaret Thatcher.

II.1 Institution building literature under review

II.1.1 How the different theories approach my research question

The main purpose of this section is to present an overview of how the literature on European integration has addressed this thesis research question: ***why do big member states decide to create a supra-state diplomatic institution?*** In short, the role of the EU institutions has been understood in two different ways: institutions as part of actor's strategies or institutions as rulers of the game. At the beginning of the European process of integration, during the 60s and 70s, the theoretical debate was mainly divided between neofunctionalism and intergovernmentalism. The main argument of

neofunctionalism is to highlight the role of the EU institutions—which have their own demands towards further integration—as the core of the European integration process. The leading scholar in this debate, Ernest Haas, defined the process of integration as “the process whereby political actors in several distinct national settings are persuaded to shift their loyalties, expectations, and political activities to a new center whose institutions possess or demand jurisdiction over the pre-existing national states” (1958, p. 16). Neofunctionalism explains the evolution of the EU process of integration through the logic of automatism or spillover once the supra-state institutions are created.

Specifically, neofunctionalism stresses that, once the member states have decided to integrate one policy, the logic of spillover will automatically provoke the integration of other sectors. Lindberg (1963) has further explained the decisive role of European institutions in this process, arguing that they are the ones who hold the power of initiative. This theory highlights the relevance of the European institutions since the very beginning of the process of EU integration. However, one of its main weaknesses related to this inquiry is the fact that neofunctionalism does not explain why member states decide to create those supra-state institutions. In the mid-60s, the crisis of the empty chair was one of the main turning points in the process of European integration. It provoked a reaction against neofunctionalism and originated intergovernmentalism, which became its main rival theory. Intergovernmentalism challenged neofunctionalism by pointing out that neofunctionalism does not consider the role of the EU member states in shaping the process of integration (Moravcsik, 1993, 2005). Contrary to neofunctionalism, the main argument of intergovernmentalism is to highlight the role of the EU member states as the main protagonists of the process of European integration (Hoffmann, 1966; Moravcsik, 1991, 1993, 1998).

Intergovernmentalism comes from the roots of realism⁵ which defends the nation state as the most relevant actor (Grieco, 1993). Intergovernmentalism understands nation states as self-egoist with clear interests, despite their willingness to cooperate at the supra-state level in low political areas (Hoffmann, 1966). Intergovernmentalism explains the process of European

⁵ Realism is based on three principles: states as the main units, states as rationally utility maximizers, and the anarchic character of the international scenario (Pollack, 2010).

integration as a series of intergovernmental bargains among sovereign states through which they pursue their national interests (Hoffman, 1966). Regarding the research question of this thesis, intergovernmentalism theory assumes that member states will not be willing to surrender parts of their sovereignty to a supra-state structure and, if they do, they will apply control mechanisms with the aim of ensuring that they will be able to limit their power.

Hoffmann, a leading scholar on intergovernmentalism, synthesizes the critics of neofunctionalism in three main points. First, Hoffmann stresses that the member states—not the EU institutions—will always be the main political units of the process of European integration. His main argument is that the member states are the drivers of the integration process, and, as a consequence, the ones in charge of controlling that process. Hoffmann denies a transfer of loyalties from the nation states to the supra-state institutions (Hoffmann 1966). The second main criticism of neofunctionalism is the fact that this theory does not differentiate between low politics and high politics. Hoffman points out that, in areas of low politics, it would be more propitious for member states to pool sovereignty with the aim of achieving common strategies. On the contrary, when we talk about high politics, nation states will be more resilient to creating supra-state structures (Hoffmann, 1982).

Despite the fact that intergovernmentalism continues to be a very useful tool for the explanation of the EU process of integration, it can be challenged in two different aspects. First, it does not pay any attention to the role of EU institutions and, second, it fails to explain the process of preference formation of the member states (Pollack, 2012, p. 10). Andrew Moravcsik revised intergovernmentalism theory in order to explain the process of preference formation. In so doing, he developed a new theory, liberal intergovernmentalism, which is based on the roots of Putnam's logic of two-level games (Putnam, 1988). This new theory pays special attention to the grand bargains and stresses the "importance of bargaining power, package deals, and side payments as determinants of the most important EU decisions" (Pollack, 2005, p. 361; Moravcsik, 1998; Moravcsik & Nicolaïdis, 1999). Liberal intergovernmentalism highlights the point that, during EU grand bargains, the role of the EU institutions is very small. EU institutions are only committed to help in reaching an agreement, but they do not have the

capacity to alter the goals of member states. The process is mainly driven by member states. Moreover, he points out that the main finality of the delegation is to ensure the commitment of the member states (Moravcsik, 1998).

Liberal intergovernmentalism establishes that nation states create surpa-state institutions through a causal path based on three steps: national preference formation, interstate bargaining, and the choice of supra-state institutions (Moravcsik, 1998, p.18). The first step is meant to start in the domestic sphere where it is necessary to pay attention to national preferences which are formed as a result of the bargaining between national government representatives, national parliament representatives, and domestic groups which have a strong interest in the specific field and can influence the state apparatus (Moravcsik, 1992, p. 7; 1993; 1991; 1998). In order to explain this process of preference formation, Moravcsik relies on liberal-pluralist theory. In addition, he stresses that those preferences can reflect geopolitical/ideological or economic interests (1998, p. 23). However, Moravcsik understands that the domestic interests have much lower impact on foreign and security policy than on economic policies (1998, p. 28). This is why the majority of liberal intergovernmentalism studies are concerned with the economic phases of integration (Simón, 2017, p. 191). Liberal intergovernmentalism assumes that the preferences are fixed (Moravcsik, 1998, p. 24) and often also heterogeneous (Moravcsik, 2008, p. 162).

In the second step, nation states bargain their preferences at the supra-state level. In so doing, they design their own strategies and bargain their preferences with other member states. The purpose is to reach an agreement meant to allow member states to better perform specific tasks at the supra-state level (Moravcsik, 2008, p. 20). These international negotiations are influenced from the primary political instrument, the nation state (Moravcsik, 1998, p. 22). This second step is analyzed through the lens of intergovernmentalism. Finally, during the third stage of the negotiations, member states choose whether to delegate or pool sovereignty as a means to ensure the credibility of the commitments they have achieved (Moravcsik, 1998, p. 20). Moravcsik stresses that the outcomes from the negotiations are the result of the relative capabilities of the member states (1998, 1997). Thus, they depend on the bargaining power of member states, especially the big ones.

In its aim to explain choices, Moravcsik proposes to assess the relative importance of federalist ideology, technocratic information management, and the desire of credible commitments (Moravcsik, 1998, p. 23). These credible commitments can be explained by saying that “Governments are likely to accept pooling or delegation as a means to assure that other governments will accept agreed legislation and enforcement, to signal their own credibility, or to lock in future decisions against domestic opposition” (p. 73). Moravcsik understands the process of European integration “as a rational response to exogenous pressures of interdependence” (2008, p. 158).

During the 2000s, every step of the Moravcsik’s model was challenged by different theories. The first idea of liberal intergovernmentalism, that member states are at the centre of the negotiations, is challenged by neofunctionalism and multi-level governance. Then, the assumption that member states are rational utility maximizers whose preferences are defined nationally in an exogenous way is questioned by constructivists. Finally, the premise that EU institutions have little influence over EU outcomes is examined by new institutionalism (Pollack, 2012, p. 12). Geoffrey & Tsebelis (1996), among others, stress that neither intergovernmentalism nor neofunctionalism⁶ take sufficiently into account the relevant role of European institutions in shaping the rules of the decision making process (Garret & Tsebelis, 1996, p. 270; Wallace, Pollack, & Young, 2010, p. 22; Kassim, 2004, p. 266; Closa, 2003, 2004).

The idea from liberal intergovernmentalism that nation states control the whole process has been criticized by new institutionalism which, contrary to liberal intergovernmentalism, is founded on two principles: institutions matter and they have the capacity to alter states goals. New institutionalism stresses that nation states are not the only ones that dictate the path and scope of European integration and that supra-state institutions are not subordinated to nation states (Kassim & Menon, 2003, p. 5).

New institutionalism is composed of three middle range theories, rational choice institutionalism, historical institutionalism, and sociological institutionalism. The main purpose of these approaches is not to explain the whole process of European integration but to focus on specific parts of it. They

⁶ Neofunctionalism does not pay attention to grand bargains such as intergovernmental conferences. It explains daily politics.

appeared during the 90s and led to a new theoretical dichotomy within the theories of the EU integration process. Thus, we have the rationalist approach on the one hand and the constructivist approach on the other. This thesis is based on a rationalist framework which understands the creation of supra-state institutions as the product of the choice of actors. That is why I will focus attention on rational choice institutionalism. The main point of divergence between liberal intergovernmentalism and rational choice institutionalism is the fact that the latter one stresses the role of EU institutions as relevant actors in the process of institution building. In addition, rational choice institutionalism highlights the fact that intergovernmental theories underestimate the power of institutions in conditioning the behavior of actors by establishing the rules of the game and therefore shaping policy outcomes (Wallace, Pollack, Young, 2010, p. 22).

The basic premise of new institutionalism analysis is that institutions affect outcomes. However, as Hans Keman (1997, 1) points out, new institutionalism lacks a clear conceptualization about what institutions are or how they can be defined. New institutionalism approaches the definition of institutions from a pluralist view. It includes a rationalist perspective where institutions shape behaviour, and, at the same time, it also embraces a more constructivist-sociologist view where institutions outline identities and preferences. Rational choice institutionalism highlights the relevance of institutions because they provide the context wherein actors interact in the pursuit of their exogenously given preferences. It understands that institutions can shape the behavior of actors but not their preferences or identities as the social-constructivist approach ensures (Pollack, 2005, p. 364). Rational choice institutionalism focuses attention on individuals, but it also stresses that “something more than an individualistic calculus of cost/benefit is needed in order to account for change and stability” (North, 1981, p. 12). Institutions are the ones that provide a set of formal rules and procedures, or informal practices, that structure relationships (Aspinwall & Schneider, 2000, pp. 1-12).

The main arguments of rational choice institutionalism can be found in the works of Koremenos, Lipson, & Snidal (2001) and Hall & Taylor (1996) among others, who point out that nation states create supra-state institutions because doing so is in their own interest, and they will only maintain supra-

state institutions as long as these institutions benefit them (Koremenos, Lipson, & Snidal, 2001, p. 768; Hall & Taylor, 1996, pp. 944-945). Rational choice institutionalism was developed in order to revisit the old neofunctionalism propositions about supra-state agency. Its main purpose is to make explicit the connections between specific cooperation problems and their institutional solutions, and it follows a functionalist approach (Koremenos, Lipson, & Snidal, 2001b, p. 1051; Pollack, 2003, p 20; Pollack, 1997, p. 102). Hall & Taylor (1996) also emphasize the functionalist approach by stressing that nation states create supra-state institutions because they want them to serve certain purposes. Thus, they focus on the functions that these institutions will perform and the outcomes that they are expected to produce. Here again, the argument that the existence of institutions is linked to the benefits that they bring to nation states is reinforced (Hall & Taylor, 1996, p. 945). I can stress that the benefits of member states are the functions that—on their behalf—this new institution is expected to perform in a better way. Rational choice institutionalism understands institutions as the conscious game of actors (Tsebelis, 1990, p. 94).

Rational choice institutionalism has mainly focused on explaining the autonomy of the institutions once they are created and also the control mechanism that nation states apply in order to limit their room for maneuvering. This mid-range theory explains the process of delegation to supra-state institutions through the principal agent theory, which is based on a cost-benefit calculation as the main reason for action (Shepsle, 2006). Principal-agent theory is helpful in understanding and explaining the process through which one or more actor(s) is/are acting in behalf of (an) other actor(s) (Tallberg, 2002).

When talking about a principal agent relationship, it is essential to have an act of delegation, which can be formal or informal (Delreux & Adriaensen, 2017, p. 4). Rational choice institutionalism argues that nation states will be interested in delegating their powers to supra-state institutions if they can avoid conflict, reduce uncertainty, or reap economies of scale (Majone, 2001; Tallberg, 2002; Shepsle, 2006). In addition, this theoretical approach understands that the main aim of member states in delegating their power to supra-state institutions is to reduce the transaction costs derived from the public policy decision making (Epstein & O'Halloran, 1999; Huber & Shipan,

2002), which is compatible with the model of institutional choice on which liberal intergovernmentalism is based (Pollack, 2012). Regarding the weaknesses of rational choice institutionalism, the most relevant related to this inquiry is the fact that this theoretical approach does not answer how preferences are formed. They only stress its exogenous character (Dietrich & List, 2013, p. 614). Within the rational choice institutionalism approach, actors are understood as strategic utility maximizers whose preferences are taken as given (Pollack, 2005, p. 139).

Rational choice institutionalism is challenged by historical institutionalism whose main distinctive argument is the significance that they attribute to the historical process, the time dimension (Pierson, 1996, p. 131). Paul Pierson, its leading scholar, shows how nation states design supra-state institutions at one time point to achieve their purposes. Nevertheless, in the long term, these institutions will become autonomous, and the outcomes they produce might not be the ones desired by their designers. Thus, gaps can emerge between the intentions of the nation states when they create supra-state institutions and the political outcomes from those institutions. Those gaps emerge for four principal reasons: the autonomous character of the supra-state organizations, the restricted time horizons of the institutional designers, the unanticipated consequences that those institutions might lead to, and changes in preferences of the institutional creators.

Thus, the power of EU institutions increases as time goes by, and they consolidate. Historical institutionalism points out that supra-state institutions are designed to be change resistant for two main reasons. First, nation states, when they design supra-state institutions, try to constrain themselves with the aim of achieving credible commitments. Second, they try to bind their successors to the agreements that they made. Continuous control over institutions is unlikely, so they might lead to unintended consequences once they are created. In addition, the previous institutional choices limit future room for maneuvering. Supra-state institutions might be sticky and path dependent, which makes the decision to reversal less attractive (Pierson, 2000, pp. 491-493).

Historical institutionalism rejects the assumption of Moravcsik that EU institutions do not impact the bargaining between member states (Pollack,

2005, p. 361). Furthermore, historical institutionalism emphasizes that institutions not only shape strategies but also underlie goals (Bulmer, 1993). Pierson emphasizes that preferences might change over time mainly due to electoral turnover. Nevertheless, new government choices are linked to past decisions (Pierson, 1996). Historical institutionalism shares the rational assumption that government fundamental preferences and identities remain unchanged. That is why scholars like Pollack include historical institutionalism within the rationalist approaches (2005, p. 364). Historical institutionalism challenges rational choice institutionalism by highlighting the fact that the desire of member states to subject the evolution of institutions to tight control is almost impossible (Pierson, 1994, pp. 4-6).

Institutions will not only reflect the preferences of the actors who take part in their process of creation, but they will also reflect the preferences of the institution itself (Pollack, 1997, p. 107). In addition, Pollack (1996) asserts that historical institutionalism generally rejects a functionalist explanation for institutional design. He emphasizes that the decisions taken by the nation states at one point will constraint the choices of those actors in the future because he stresses that supra-state institutions are resistant to change mainly for three reasons: the uncertainty associated with the institutional design, the transaction costs, and the barriers that they are going to create for later reforms (Pollack, 1996, pp. 437-438). What is also relevant regarding historical institutionalism are the consequences associated with member states once they create those institutions, such as the looseness of part of their sovereignty and also the pooling their resources, which means that this institution will create a logic that dramatically increases the cost of exit (Pierson, 1996).

Another theoretical tool that has recently appeared in order to explain the process of European integration from a rationalist point of view is new intergovernmentalism. This new theory challenges the liberal intergovernmentalism assumption that preferences are formed at the domestic level. Bickerton, its leading scholar, asserts that the role of domestic politics is broader (Bickerton, Hodson, & and Puetter, 2015, p. 714). The primary argument of new intergovernmentalism is the indeterminacy of preferences, and this fact, Bickerton points out, is what drives integration (Bickerton, Hodson, & Puetter, 2015, 715). He goes further, pointing out that member

states will not be especially willing to delegate, but, in case they do so, member states would chose to create de novo bodies instead of reinforcing the old institutions. This because of “the difficulties it presents in terms of public justification and legitimacy, and yet national executives are fully committed to collective action in areas such as border security and diplomacy–new areas of EU activity that need new institutional frameworks” (Bickerton, Hodson, & Puetter, 2015, p. 714). Schimmelfennig (2015) has contested this “de novo bodies” idea by stressing that it is pointless because it adds nothing to the debate between supranationalism/intergovernmentalism (Schimmelfennig, 2015, p. 724). New intergovernmentalism also challenges the distinction that Hoffmann has made between high and low politics by saying that it has been blurred precisely because the indeterminacy of national preferences (Bickerton, Hodson, & Puetter, 2015, p. 716).

The Bickerton argument that the current logic of the process of integration is held on “more integration without more supranationalism” has also been criticized by Schimmelfennig (2015) who points out that it is not very consistent when the concepts are well applied (Schimmelfennig, 2015, p. 725). In addition, Schimmelfennig also argues that the areas that are still mainly intergovernmental were established before Maastricht (p. 726), namely foreign policy and defense. This last critic highlights a lack of analysis regarding how the new economic situation and domestic political conditions affect intergovernmental conflict and negotiations and how that impacts the process of preference formation and the EU process of integration (Schimmelfennig, 2015, p. 728). However, Schimmelfennig also sees improvement in two specific things: the reference to new areas of activity and the evolution from domestic interest groups politics to mass politics (p.727).

Following new intergovernmentalism’s basis on new areas of EU integration and the evolution from domestic politics to mass politics, Genschel & Jachtenfuchs developed a new theoretical framework, European integration of core state powers which specifically focuses on EU integration in foreign and defense policy, public finance, public administration, and the maintenance of law and order. This theoretical framework is based on the assumption that the European integration of core state powers requires “the co-presence of a demand for integration in terms of a collective problem to be solved by it, and a supply of integration in terms of actors capable and willing to effectively

increase the level of integration” (Genschel & Jachtenfuchs, 2014, p. 12). Nevertheless, what is especially relevant for this thesis is the fact that this approach challenges the traditional EU integration theories, neofunctionalism and liberal intergovernmentalism, when it comes to the process of preference formation. This new theoretical approach assumes that neofunctionalism and liberal intergovernmentalism are similar, despite their aforementioned differences, because they explain the process of EU market integration by stressing that national preferences are the reflection of the business sector’s interests.

In contrast, Genschel & Jachtenfuchs point out that these theories are less useful for explaining EU integration when it comes to core state powers because, in this case, national preferences are mainly shaped by state elites and the public rather than by economic interest groups (Genschel & Jachtenfuchs, 2016, p. 50). Nevertheless, they agree on the fact that “issue-specific interdependence may still shape government preferences in a major way (Moravcsik & Nicolaidis, 1999, pp. 61–62), not through their effect on domestic business interests but through their impact on state élites” (Genschel & Jachtenfuchs, 2016, p. 51). However, as I have already noted, Moravcsik (1998, p. 28) is aware of the fact that, when it comes to foreign policy, geopolitical rather than economic purposes are the ones that matter the most. Therefore, Moravcsik highlights the fact that, in this area, national preferences will not be shaped by economic interest groups but by foreign and defense ministers, ruling parties, executive power, and elite opinion.

Genschel & Jachtenfuchs develop more this idea and emphasize that, when it comes to further European integration of core state powers, state elites are the most affected, and they will support integration as long as it serves their institutional and functional interests (Scharpf, 1988). However, they will oppose it if they feel it might threaten their primary interest, the survival of their home institution. Finally, they stress that state elites would prefer intergovernmental arrangements that ensure the participation of national officials instead of empowering only Eurocrats (Genschel & Jachtenfuchs, 2016, p. 51).

Constructivism represents the opposite ontological approach to rationalism (Risse & Wiener, 1999, p. 778). Specifically, if the key foci of rationalism are nation states, cost-benefit analysis, and the logic of consequentiality, constructivism turns its attention to EU institutions, ideas, identities, and the logic of appropriateness. Checkel writes, “Constructivism’s main argument is that the European institutions can alter, through interaction/socialization, the identities and interests of member states” (2001, p. 52). Constructivism challenges rational choice institutionalism by saying that institutions not only affect the strategic calculations of individuals but also their preferences and identity (Hall & Taylor, 1996, p. 948; Sandholtz, 1993; Risse, 1996; Jorgensen, 1997; Wind, 1997; Matlary, 1997; Lewis, 1998). This idea represents the cornerstone of constructivist thinking. The turning point in the study of the EU through constructivist lenses is the publication of a special issue on this topic in the *Journal of European Public Policy* (Christian et al., 1999).

This publication challenges liberal intergovernmentalism by saying that the preferences of member states are shaped by identities (Schimmelfennig, 2012). Checkel (2001) argues that constructivism has been able to demonstrate that the identities and interests of member states can be constructed by institutions through a process of interaction. Constructivism argues that member states behave following a logic of appropriateness instead of a logic of consequentiality, as rational approaches point out (Checkel, 1999, p. 547; March & Olsen, 1989, pp. 160-162; Checkel, 2001, p. 557). This means that member states will take decisions regarding what the social context tells them is appropriate (March & Olsen, 1989, pp. 160-161) to do, instead of regarding the consequences of their actions (p. 160).

Then, constructivism stresses that the preferences of the actors originate from the social context where they operate instead of as the result of a cost-benefit analysis (Checkel, 2005, p. 804). Following this logic, constructivists deny the fixed character of preferences, emphasizing that they are socially constructed (Rosamond, 2006, p. 130). The preferences of the EU as an institutional body will also become the preferences of the member states (Checkel, 2005, p. 804). Moravcsik has challenged the constructivist approach by pointing out methodological reasons. In short, he points out that constructivism lacks two relevant things for a theoretical framework, a distinctive testable hypotheses and methods to test such hypotheses against alternative theories or a null

hypothesis of random state behavior. He also stresses that these weaknesses are well known by constructivist scholars since they agree on the fact that their claims need empirical confirmation/disconfirmation (Moravcsik, 1999, p. 670).

I finish by pointing out that constructivism can also be used in order to explain the process of institutional building at the supra-state level, but I conclude that rational approaches best suit this thesis' research question: "Why do big member states decide to create a supra-state diplomatic institution?" This thesis is based on rational thinking, focusing on the consequences of member states and EU institutions' choices regarding the benefits that a new institutional body will bring to them.

II.1.2 How the literature has addressed the EEAS

After presenting an overview of how the literature on the EU has addressed the creation of supra-state institutions, I present how the literature has explained the EEAS. The first wave of studies about the EEAS were mainly concerned with how the EEAS should be built and work (Maurer & Reichel, 2005; Avery, 2008; Vanhoonacker & Reslow, 2010) but also on the consequences of its creation (Spence, 2006; Duke, 2009). Bindi (2011) looked at the difficulties the different member states experienced in coming to a common will during the EEAS negotiations after the Treaty of Lisbon came into force. Furthermore, Raube (2012) looked at the new relationship between the EU Parliament and EU foreign policy through the EEAS and its HR/VP. This new status of the EU Parliament in foreign policy has also been analyzed from a new institutionalist framework by Wisniewski (2013). This article reveals that the EU Parliament has taken advantage of the intra-institutional dynamics within the EU political system—during the EEAS process of configuration—in order to gain more institutional powers than the ones already established in the Lisbon Treaty. Bátora (2013) has analyzed the EEAS as an interstitial organization based on empirical evidence gained through interviews with EEAS officials, and Van Vooren (2011) looked at the EEAS from a legal point of view in order to determine its institutional character.

The delegations of the EU have also been the object of particular attention as some scholars have understood them to be the perfect laboratory in which to test EEAS effectiveness (Chaban, Kelly, & Bain, 2009). Delegations have also been understood as “a perfect tool for providing input into EU policy-making, promoting European interests abroad, and advancing consensus among the representatives of member states interests in the field” (Mauer & Raik, 2014). In addition, Dijkstra & Vanhoonacker (2011) paid attention to EU delegations as a precious instrument for gathering, analyzing, and sharing information. In short, they analyze how the EU has evolved from a system of shared information to another where it exercises the role of collector and processor of information (Dijkstra & Vanhoonacker, 2011, p. 542). In addition, Bicchi (2012) looked at how and in what different ways the EEAS has improved communications in EU foreign policy.

After analyzing the reports from the heads of EU delegations, Bicchi (2013) concludes that the EU is producing knowledge for the member states through its documents, which represents an enormous advantage for them due to, she concludes, all member states are interested in EU knowledge. On the other hand, Whitman & Juncos (2009) analyzed the EEAS through its implementation challenges. One challenge is to achieve more coherence in European external action which is examined by Duke (2012), Gatti (2016), and Smith (2013); another challenge, according to Murdoch (2012) is to reach good internal coordination inasmuch as it can have a relevant impact over the inter-institutional negotiations. Other sensitive topics related to the implementation of the service are the empowerment of the HR/VP and the new working relations with the political and security committee, as highlighted by Morillas (2011). The effect that the EEAS might have on a better coordination between CFSP/CDSP and development policy despite its legal division that continued after the Lisbon Treaty was examined by Merket (2012). Finally, Murdoch & Geys (2014) analyzed the EEAS through organizational change theory.

After explaining the how of the EEAS, it was also necessary to pay attention to the why. In order to do so, Kluth & Pilegaard (2012) have chosen a neorealist framework. They argue that the creation of the EEAS is directly linked to the interests of France and the UK because these countries already have great influence on the EU institutions and because they will also take advantage of the creation of this service in order to boost their power in the global arena

(Kluth & Pilegaard, 2012, pp. 318-319). Kluth & Pilegaard (2012) also argue that the creation of the EEAS is in the interest of France and the UK because they have a very well prepared diplomatic staff that will allow them to be on excellent ground to fill the highest positions of the new body (Kluth & Pilegaard, 2012, p. 322), and, as a consequence, make sure that the EEAS outcomes are in their own interest.

Since Kluth & Pilegaard chose the neorealist framework, they did not pay any attention to the role of European institutions. In addition, they did not pay the attention to Germany that it deserves in this process. In contrast, I think that both Germany and the EU institutions have been key players in the process of the creation of the EEAS. Another interesting thing to take into account is the fact that Kluth & Pilegaard started their research in 2009 when the Lisbon Treaty came into force. They do not mention the Convention battles when the decision about the creation of the EEAS was actually taken. I believe that including the Convention negotiations is essential in any research that aims to explain why the EEAS was created, as is the case in this thesis.

The second wave of analysis about the EEAS was published around 2013, the year of the first revision of the functioning of the service. In this sense Vanhoonacker & Pomorska (2013) critically examined the two first years of the functioning of the EEAS in order to explain how the HR/VP and the EEAS tried to build credibility, its major priority. They conclude that this was done mainly by focusing attention on capacity-building. Spence (2012) has also studied the early days of the EEAS in the achievement of creating a truly EU diplomacy but, this time, from a practitioner's point of view. Wessel & Van Vooren (2013) analyzed the EEAS from a legal point of view in order to assess how far the diplomatic ambitions of the EEAS can go with regards to international law. They conclude that the diplomatic action of the EU will depend on the acceptance of the EU as a diplomatic actor by third states. Tannous (2013) looked at the division of power between the EEAS and the Commission regarding EU development aid in terms of strategic planning and programming. During this second wave, the literature is mainly divided between those who examined the EEAS from a rational perspective and those who decided to look at it from a constructivist lens. On the rationalist side, the EEAS has been primarily analyzed through the principal agent framework. The

main concerns are about its autonomy and the control applied from the member states (Kostanyan & Orbie, 2013; Furness, 2013; Kostanyan, 2016).

Kostanyan & Orbie (2013) took the eastern partnership in order to examine the organization and functioning of the EEAS but focusing on the contract that establishes the relationship between the member states (principals) and the EEAS (agent). Koenig (2012) analyzed the actuation of the EEAS over the Libyan crisis in order to assess the improvement that this new body brought about in EU coherence. It concludes that the institutional innovations from the Lisbon Treaty have not done enough to overcome the internal divisions. Furness (2013), for his part, was the first to analyze the autonomy of the EEAS by stressing the control mechanism that the member states have designed to limit the margin for maneuvering of this new body as much as possible. He also asserts that member states have kept some capabilities which overlap the prerogatives of the EEAS and, as a consequence, limit its power, at least in the short term. However, Furness (2013) established that the EEAS will have the chance to get more autonomy in the longer term. Kostanyan (2016) has also analyzed the EEAS through the lens of the principal agent, concluding that the EEAS enjoys very limited autonomy. Henökl & Trondal (2015) have also looked at the autonomy of the EEAS but, this time, through the examination of the level of independence of its staff. Furthermore, Henökl (2015) followed a behavioural analysis of the EEAS decision-making. Henökl stresses that the origin of the EEAS affects its administrative decisional behaviour.

In addition, the EEAS has also been analyzed through a constructivist lens. Juncos & Pomorska (2013) conclude that constructivism is better a tool than rationalism in explaining the support that the EEAS officials apply to the service because they found that the ideational rather than the material are what matter the most. After that, Juncos & Pomorska (2014) focused on organizational studies in order to search for an esprit de corps within the EEAS. They did so through analyzing five factors, communication, leadership, public image, trust, and training. They concluded that, after two years of functioning of the service, there was no esprit de corps within the EEAS. On the other hand, Cross (2011) also followed a constructivist perspective in order to assess how the recruitment and training of EU diplomats, as well as the challenges in creating a true esprit de corps would affect the future

relevance/impact of the EEAS. Carta (2012) likewise chose a constructivist framework in which to analyze the process of building EU diplomatic institutions and identity, working on issues of foreign policy and external economic relations, both in Brussels and with Commission delegations. The administrative dimension of the EEAS has also been the object of scholarly attention. Henökl (2014) argued that the EEAS can be understood as a further step in the evolution of the European administrative space. The role that the European institutions have played in the setting up and functioning of the EEAS is also an important subject of research within the constructivist framework. On the other hand, Riddervold & Trondal (2016) analyzed the EEAS' organizational settlement in order to stress its administrative autonomy.

The main aim of the last wave in EEAS studies was to assess the fulfillment of this service's requirements related to staff criteria (Novotná, 2016) or on neighborhood policy (Kostanyan, 2016). Additionally, Murdoch, Trondal, & Gänzle (2014) also examined the way in which the national diplomats are recruited into the EEAS, whether independently or linked to the influence of the member states. The problems of coordination between the EEAS and member states are still object of academic preoccupation (Lequesne & Weber, 2016). Furthermore, Adler-Nissen (2014) argues that the EEAS does not challenge the national diplomatic power in a material sense but in a symbolic one. On the other hand, Lequesne (2015) tried to demonstrate that the study of practice helps in better explaining the nature of the EEAS. Lequesne stresses that new institutions should lead to new practices.

At the same time, Spence & Bátorá (2015) edited a book whose purpose was to analyze the different changes in the way European diplomacy functions in the post-Lisbon era. In short, this work aims to answer the question of whether the EEAS represents the basis of a new era of post-Westphalia' diplomacy. The book is divided in one introduction and seven major sections where the authors analyze the following topics: a theoretical approach to the EEAS from the literature on the European Union and international relations (Alder-Nissen), how the new diplomatic body fits into the EU multilevel governance system (Spence; Onestini; Helwig; Murdoch & Trondal; Tannous & Raube), the normative dimension of the EEAS and its relationship with international and diplomatic law (Wouters & Duquet; De Baere & Wessels); an empirical

analysis of the delegations of the EU and its relationship to international organizations (Laatikainen, Spence, & Lundin), an empirical analysis of the bilateral activities towards key actors in EU foreign policy (Balfour & Raik, Mauer, Austermann, Hanses & Spence), organization for a comprehensive diplomatic approach including civilian and military crisis management missions (Weston & Mérand); public diplomacy (Maia & Cross), and consular policy (Ferández Pasarín), and training and recruitment practices as well as the possible construction of an European diplomatic spirit de corps (Juncos & Pomorska, Novotná & Duke).

Finally, the process of configuration of the EEAS has also been the object of attention by Morgenstern-Pomorski (2018) who has chosen a bureaucratic institutionalist framework in order to analyze the political contestation of the EEAS and its impact on the organization and functioning of this administrative body. In addition, coherence continues to be a matter of concern for scholars. In this sense, Sellier (2018) stresses that, whereas the EEAS is helping the EU to achieve better coherence in diplomatic cooperation with third countries and the CSDP, regarding intelligence, the margin for improvement is still large, since it is largely conditioned by the will of the member states in exchanging information. Last but not least, scholars also continue to pay attention to EU delegations. *The Hague Journal of Diplomacy* published a special issue, (2018, Vol. 13, No.1) about European coordination outside the EU borders. In this issue, Duquet (2018) analyzed the functions of the EU delegations from a legal perspective, highlighting the fact that they fulfill most of the traditional tasks of diplomacy although they are constrained by EU law. Smith (2018) looked at the hybridity of the EU foreign policy and how it affects the work of the EU delegations. Finally, four empirical chapters were included analyzing EU cooperation in third countries of special relevance such as Washington DC and Moscow (Maurer & Raik, 2018), the eastern neighbourhood (Baltag, 2018), Turkey (Terzi, 2018), and the southern Neighbourhood (Bicchi, 2018).

II.1.3 The argument

After having done an overview about how the literature on European integration explains the process of creation of supra-state institutions and

how the literature has specifically addressed the EEAS, it is possible to conclude that there is still more research needed in order to answer my research question: “Why did big member states decide to create a supra-state diplomatic institution?” The current debate about the EU process of institution building and about the EEAS specifically is principally rooted in rationalist and constructivist approaches. However, since this thesis is based on the assumption that member states will agree on creating a new supra-state institutional body by thinking about the benefits that it will bring to them, I feel that the rationalist rather than the constructivist approach best suits this study. In addition, since foreign policy is the most intergovernmental area in the EU process of integration, I feel that the creation of the EEAS is the perfect opportunity to revisit this theory, particularly liberal intergovernmentalism.

Regarding the literature on the EEAS, scholars have mainly focused on explaining its institutional settlement and staff composition rather than doing a more theoretical analysis about its configuration. As I have already noted, I only found one article (Kluth & Pilegaard, 2012) that, through a neorealist framework, aimed to explain why member states have agreed to the creation of the EEAS. Due to the theoretical framework chosen, this analysis is only focused on the role of member states, the biggest ones, but not on the EU institutions, which, this thesis stresses, have played a very important role in the creation of the EU diplomatic service as actors with their own demands that limit the strategies that member states follow in pursuing their domestic goals but also as sets of rules and norms that condition behavior and affect final outcomes. In addition, this article only focuses on the two biggest member states of the EU: the UK and France. However, as it will be further stressed in this thesis, I feel Germany has been a key player in the process of the configuration of the EEAS.

Furthermore, Kluth & Pilegaard (2012) only focus on the post-Lisbon phase, the Quadrilogue negotiations. In contrast, I feel that the creation of the EEAS cannot be explained without taking the Convention negotiations into account, when the decision about creating the EEAS was actually taken and to which this thesis pays particular attention. Regarding the role of EU institutions in the setting up of the EEAS, I found two articles that underlined the enhanced status of the EU Parliament in foreign policy after the Lisbon Treaty and how its institutional powers were put into action during the Quadrilogue

negotiations (Raube, 2012; Wisniewski, 2013). However, these papers do not explain why the EEAS was created. They only focus on the new powers of the EU Parliament after Lisbon and how they could be expanded during the Quadriologue negotiations.

All in all, this thesis aims to contribute to the literature on institution building in regional/international organizations by deeply examining the process of the configuration of the EEAS. Throughout this inquiry, I aim to contribute to liberal intergovernmentalism by stressing the role of EU institutions as actors that can condition the behavior of member states at the time of reaching grand bargain agreements. This thesis shares the claim of liberal intergovernmentalism that member states, especially the big ones, continue to be the drivers of the European process of integration. However, I aim to show that the EU institutions have also played a relevant role in the setting up of the EEAS. This thesis takes liberal intergovernmentalism as its theoretical basis and, at the same time, relies on the rational choice institutionalism approach in order to stress not only the role of the EU institutions as actors with their own demands but also as a set of rules and norms able to constrain the strategies that member states follow in achieving domestic goals and, therefore, impacting the final outcomes.

II. 2 Institution building: a matter of national preference formation, supra-state bargaining, and institutional choice

In the aim of fulfilling the main objective of this thesis—to explain the creation of the EEAS—I chose the three step model that liberal intergovernmentalism establishes that member states follow in the creation of supra-state institutions. In short, the main claims of liberal intergovernmentalism are that, firstly, issue-specific interdependence explains national preferences; secondly, that the process of intergovernmental bargaining conditioned by asymmetric interdependence of the actors involved explains the outcomes of negotiations; and, finally, liberal intergovernmentalism also claims that the decision to pool or delegate sovereignty is taken in order to ensure the credibility of commitments in the longer term due to possible domestic opposition (Moravcsik & Nicolaïdes, 1999, p. 59).

This thesis assumes rational and cost benefit reasoning of member states. As Moravcsik asserts, the process of EU integration can best be explained as a range of rational choices made by national leaders. Member states behave rationally in defining their domestic interests that then will be bargained at the supra-state level, taking into account the asymmetries of power between member states. The final purpose stressed by liberal intergovernmentalism is to reach an outcome based on the necessity of ensuring the credibility of commitments (Moravcsik, 1998, p. 18). Liberal intergovernmentalism stresses that preferences and power are two key explanatory elements and the driving force in the decision to create supra-state institutions.

My contribution is based on the criticism that new institutionalism makes of liberal intergovernmentalism by stressing that not only member states but also EU institutions matter in the process of institution building. As has already been pointed out, new institutionalism is based on two principles, institutions matter, and they are the ones that establish the rules of the game. That is why it is that important to pay careful attention to the creation and design of institutions. In addition, new institutionalism lacks a clear definition of institutions. It embraces two meanings of institutions, as actors and as sets of rules and norms. This thesis mainly relies on the perspective of rational choice institutionalism that institutions are relevant actors that have developed their own demands and can affect behavior. This thesis aims to test the proposition that, during the EEAS negotiations, EU institutions had a seat at the negotiation table, and they were able to bargain their demands with the preferences from the member states. In this process, EU institutions could impact the strategies that member states followed in the pursuit of their domestic goals, and therefore could inform the final outcomes.

Despite the fact that this thesis still asserts, as liberal intergovernmentalism does, that the preferences of big member states play a major role and that they are decisive in shaping the final outcome, the main aim of this thesis is to contribute to liberal intergovernmentalism by stressing its weakness in neglecting any role of EU institutions in grand bargain negotiations. Even if the demands of the EU institutions are meant to be adapted to the main preferences of the member states, it is relevant to stress its capacity to bring their demands to the negotiation table and, as a consequence, to shape the

strategies that member states pursue in the achievement of their domestic goals.

This thesis also highlights the second meaning that new institutionalism offers about institutions, institutions as rules of the game. In this sense, the Convention and the Quadriologue have been two innovative institutional settings that this thesis aims to show had a clear impact on the negotiations by presenting the available options, driving the discussions, and drawing the conclusions. The main contribution of this thesis is not just that EU institutions are actors that have their own demands and that can bargain them at the same bargaining table as member states and therefore alter their strategies in pursuing their domestic goals, but also, that the institutional settings in which the negotiations are embedded can impact the final outcome by establishing/modifying the rules of the game. Institutions affect behavior (strategies) but not preferences or identities, as is the claim from constructivist approaches.

The choice of delegation will be the last stage of the process of institution building, and here this thesis combines the claims of liberal intergovernmentalism and rational choice institutionalism. First, both liberal intergovernmentalism and rational choice institutionalism follow a functionalist and cost-benefit behavior. This means that member states and EU institutions agree to the creation of a supra-state institution thinking about the functions that this new body will perform on their behalf. Furthermore, liberal intergovernmentalism emphasizes that the final purpose of member states in creating supra-state institutions is to ensure the credibility of commitments. Rational choice institutionalism stresses that the creation of supra-state institutions help in reducing the transaction/sovereignty costs very plausibly in the area of foreign affairs. Finally, it also asserts that establishing mechanisms of control is essential in any process of pooling/delegation with the aim of having a close look at the developments from the new body. Applying control mechanisms is the key for member states in agreeing to create an institution at the supra-state level, especially when its field of action is as directly linked to its sovereignty as the CFSP is.

II.2.1 An exogenous process of preference formation

In this first stage of the process of institutional building in which liberal intergovernmentalism is based, preference formation, the main purpose is to answer the following questions. How do member states form their preferences? Who are the actors involved? What is the main purpose that actors follow in defining their preferences?

The first step that liberal intergovernmentalism establishes in the process of supra-state institution building is the formation of national preferences. I share the definition of preferences stressed by liberal intergovernmentalism which assimilates preferences to national objectives, “independent of any particular international negotiation to expand exports, to enhance security vis-à-vis a particular threat, or to realize some ideational goal” (Moravcsik, 1998, p. 20). Theories on the EU process of integration are divided in explaining the origin of national preferences, either exogenous or endogenous. Here is precisely where the main distinction between rationalism and constructivism comes. Thus, whereas rationalism distinguishes between two different phases in preference formation and bargaining, constructivists assume that both processes come at once. Then, constructivists defend an endogenous process of preference formation whereas rationalists defend an exogenous one. In this second case, the preferences are meant to be fixed, exemplifying an ordering of world states that is invariant with respect to the strategic circumstances (Moravcsik, 1999, p. 61). Strategies are the ones that change in order to achieve the domestic preferences (Moravcsik, 1997, p. 519).

The theoretical basis that I use in this inquiry (liberal intergovernmentalism and rational choice institutionalism) stresses that nation states’ preferences are formed exogenously. Rational choice institutionalism only emphasizes the idea of exogenous preference formation whereas liberal intergovernmentalism has a more developed theory about how preferences are formed. Rational choice institutionalism stresses the liberal idea that national preferences are the consequence of the aggregation of individual choices which are fixed and exogenously given (Pollack, 2006, p. 32). More precisely, liberal intergovernmentalism, as we have already highlighted, establishes that the nation states’ preferences are configured domestically following a liberal pluralist process (Moravcsik, 1998, p.1999). This means that the preferences

are outlined in the national scenario, shaped among the domestic political/social groups.

What is indispensable to emphasize regarding this inquiry is the fact that the interests of the different groups are not always well defined and, because of that, national governments do not always enjoy the same grade of independence. The more divided/uncertain are the groups of interest, the greater autonomy the government enjoys (Moravcsik, 1993, p. 488). In addition, this grade of autonomy will also depend on the political area under discussion (Moravcsik & Nicolaïdes, 1999, pp. 61–62). This margin is especially large when it comes to political, institutional, or distributional policies (Moravcsik, 1993, p. 495).

Liberal intergovernmentalism relies on the liberal pluralist theory in order to explain the process of domestic preference formation. During this first stage, both the national government and domestic groups of interest are involved in the process of shaping the national preferences. Liberal intergovernmentalism has mainly focused on the study of EU economic integration. Because of that, the number of stakeholders/the third sector that liberal intergovernmentalism stresses take part in those negotiations is quite numerous. However, when it comes to foreign policy, it is necessary to reconsider who the domestic actors are involved in the formation of domestic preferences. This task will be mainly driven by the ministry of foreign affairs that will consult and have meetings with the other ministers of the government. The opposition parties and the national parliament might also play a relevant role. I can highlight as one group of interest the diplomatic corps.

As I have already pointed out, the different domestic groups that are named to take part during the configuration of the government preferences vary depending on the constitutional framework of each member state. This process depends on the autonomy of the government to come up with a position, that is, how mandatory it is to consult different domestic actors such as the national parliament, the third sector, et cetera. In this matter, there are large differences regarding the biggest member states of the EU, the UK, France, and Germany; as I will point out in the following chapters.

Liberalism focuses on the society-state relationship in the outline of preferences and asserts that the process of preference formation is the most

relevant in world politics (Moravcsik, 1997, p. 513). Furthermore, liberalism concludes that the preferences of the member states are the result of pressures from the different domestic actors which “reflect issue specific patterns of substantive interdependence” (Moravcsik, 1999, p. 61). Liberalism frames the relationship between the state and society under principal agent theory where the different society groups (political parties, interests groups, and bureaucracies) are the principals and the state is the agent. Following this reasoning, liberalism stresses that the domestic social/economic groups are able to deeply impact the definition of national preferences. In addition, rationalist theories assume that preferences are stable⁷ despite some specific changes. We can predict how a specific country will react based on their fundamental set of preferences (Moravcsik & Nicolaïdis, 1999, pp. 62-66).⁸

What matters the most for liberalists is the consequences that a change in preferences provoke in states behavior instead of the strategic circumstances in which a state pursue them (Moravcsik, 1997, p. 519). In addition, liberal intergovernmentalism understands that the process of EU integration is mainly based on economic interests.⁹ That is why it highlights those as the more relevant in the preferences of member states rather than the geopolitical¹⁰ ones. Moravcsik has mainly focused on the economic process of integration and, because of that, he asserts that economic interdependence is the primary determinant of EU integration (Moravcsik, 1993, 1998).

This statement should be nuanced in this specific inquiry due to the aims of this thesis is to explain the creation of a new institutional body in foreign policy, and the geopolitical interests are meant to have more relevance than in the economic process of integration, as it has been the case to which liberal

⁷ “Preferences reflect the objectives of those domestic groups which influence the state apparatus; they are assumed to be stable within each position advanced on each issue by each country in each negotiation but not necessarily across negotiation, issues or countries” (Moravcsik, 1998, p. 24).

⁸ It is essential to distinguish between the national preferences and the strategies that a nation state follows in the achievement of their national goals. Sometimes nation state A might choose Y over X, despite the fact that its national interests is X because it is following a strategy to achieve another more relevant goal for its national objective (Moravcsik, 1997, p. 519).

⁹ “Economic interests reflect the imperatives induced by interdependence and, in particular, the large exogenous increase in opportunities for profitable cross-border trade and capital movements in the post-war period” (Moravcsik, 1998, p. 26). An economic explanation assumes that national preferences reflect issue-specific interests. The costs and benefits to powerful domestic economic groups dominate linkages to other concerns (Moravcsik, 1998, p. 26).

¹⁰ “Geopolitical interests reflect perceived threats to national sovereignty or territorial integrity, whether military or ideological” (Moravcsik, 1998, p. 26). The indirect security implications (“security externalities”) of economic cooperation dominate the direct economic implications. Geopolitical interests drive purely political-military policies (Moravcsik, 1998, p. 26).

intergovernmentalism has been mostly applied (Moravcsik, 1999, p. 61). Therefore, geopolitical interests supersede the economic ones, even if we can also find economic interests behind the decision to create a supra-state diplomatic institution as, for example, the member states interests in “managing” or at least in having better access and decision-making power over the EU development funds. Then, even if major bargaining are geopolitical, major concessions are economic.

Moravcsik predicts that “shifts in national positions are more likely to happen after major changes in economic situations or in domestic policies” (1998, p. 50). However, when it comes to foreign policy, the presumption is that shifts in preferences follow the resolution of major geopolitical events that reveal new information. Then, since I am analyzing foreign policy, we should take into account geopolitical-military interests and perceived threats to national sovereignty as major drivers of changes in the domestic positions (Moravcsik, 1998, pp. 24-25). When it comes to advances in foreign policy, the state of the global world order gains in significance. For instance, in 2001, the 9/11 attacks plus the traditional weaknesses of the EU in foreign policy, if we compare with its economic power, were major reasons for furthering the process of integration in this field. All in all, once again, what matters the most is the idea of interdependence between the different member states (Moravcsik, 1999, p. 61).

Moravcsik points out that when it comes to preferences regarding foreign and defense policy, predictions are the same as those of the geopolitical explanation: positions vary by country as a function of ideological commitment to federalism or perceived politico-military threat. Foreign policy and defense cooperation are particularly important issues. Generally, Germany is the most favorable to integration, France less so, and Britain the least so (Moravcsik, 1998, p. 28).

One of the key principles of liberalism is that the key actors in international relations are individuals and private actors. Following the specificities of foreign policy, private actors are not as relevant as in other policy areas. The number of non-state actors interested in foreign policy is limited compared to other policy areas. In addition, governments are not very open to letting non-state actors have a say in foreign policy because it is very close to nation state

sovereignty. However, individuals, such as the ministries in office or the chiefs of state or government, et cetera who are in charge of defining the nation state preferences, are still the protagonists while taking into account the demands of the domestic groups. National representatives define the national preferences based on their society's interests, and they pursue them at the supra-state level (Moravcsik, 1997, p. 516).

II.2.2 Supra-state bargaining through a rational lens

Intergovernmental bargaining is the second step that liberal intergovernmentalism points out that member states follow in creating supra-state institutions. However, this thesis stresses that not only member states but also EU institutions are allowed to take part and pursue their preferences/demands. Therefore, the questions to answer will be as follows: how do member states pursue their exogenously given preferences? Are member states the single actors that matter, or do EU institutions also play a relevant role?

After having a clear idea about what the domestic preferences are, liberal intergovernmentalism stresses that representatives of member states bargain within intergovernmental forums of discussion. Liberal intergovernmentalism is based on Putnam's two-level game theory regarding the formation and bargaining of preferences. At this second stage, the national representatives defend the domestic preferences at the supra-state level, trying to satisfy as much as possible the interests of their national groups (Putnam, 1988, p. 434). This second step towards further EU integration is focused on the process of preference bargaining at the supra-state level which, following liberal intergovernmentalism, will be characterized by the asymmetries of power between member states.

Actors who have major preferences will have less power since they will be ready to make major compromises. The purpose of the bargaining will be to achieve an agreement in which the majority of the preferences consistent with the domestic goals are reflected (Aspinwall, 2002, p. 82). Liberal intergovernmentalism differs from constructivism in that the former emphasizes the separation between the process of preference formation and

bargaining power since this second step is conditioned by the power of a given actor (Beach, 2002). This means that the more powerful an actor is, the more bargaining power it will have, and, therefore, it will be in a better place to impact the final outcome. Furthermore, during the negotiations, the different actors follow the logic of consequentiality in order to maximize the outcome utility. This is opposed to the idea of the logic of appropriateness that means behaving in a way that is socially accepted, which is followed by constructivists and socially constructed theories.

Liberal intergovernmentalism explains inter-state bargaining through intergovernmental theory where the participation of supra-state institutions is minimum, and the asymmetrical interdependence between actors is what determines its power and role during bargaining negotiations. In addition, liberal intergovernmentalism theory stresses that states, which are assumed to be rational and having aggregated domestic preferences, provide policy choices to intergovernmental bargaining (Moravcsik, 1993, pp. 480-81). Intergovernmental bargains are characterized by three core elements. First, bargaining takes place among member states and under conditions of unanimity voting and veto power. Second, member states bargain their preferences under conditions of full information. Finally, the transaction costs of such intergovernmental bargaining are low (Moravcsik, 1993, p. 499). Those bargains usually “tend to be issued specific to cross-issue linkages restricted to balancing out benefits among governments and generally taking the form of cash payments or institutional concessions” (Moravcsik, 1998, p. 8).

The dynamics of grand bargains have always been framed in intergovernmental conferences where the power was completely in the hands of the member states, particularly the big ones. However, as the EU evolved and the number of its member states increased, the intergovernmental conferences dynamics based on intergovernmentalist bargaining and veto power started to become a disadvantage in achieving a desired outcome. That is why the member states decided to convene a convention instead of an intergovernmental conference in order to write a constitutional text for the EU. At the same time, EU institutions have gained a lot of powers through the treaties, and they, as it will be detailed in the following chapters, are in a better position to empower their demands.

Regarding the setting up of the EEAS, we had two different institutional settings: the Convention on the future of Europe and the Quadriologue negotiations. Here, the absolute power of member states was nuanced by the participation of other actors such as EU institutions, national parliaments, civil society, et cetera. This thesis aims to show that the role of the EU institutions was plausible in both settings. EU institutions were understood as actors that joined the negotiation table and that bargained their demands at the same level as the nation states, although subject to those nation states. In both cases, the institutional framework in which the negotiations were carried out was decisive in its outcomes. Under both frameworks, veto power was not available; negotiators were meant to reach an agreement by consensus.

The main claim of this thesis is that institutions matter; additionally, when it comes to grand bargains, EU institutions are actors that have developed their own demands and have gained enough power through the treaties to be allowed to sit at the same supra-state bargaining table as member states. Therefore, we can no longer talk about purely interstate bargaining only shaped by the relative power of member states. This thesis assumes that the bargains at the supra-state level are now more open to other institutional settings instead of being necessarily restricted to intergovernmental conferences where only member states have the power. In addition, this thesis also emphasizes the power of the institutions as sets of rules and norms in which grand bargains are carried out since they are the ones that establish the rules of the game and are therefore able to impact the final choices.

In this sense, this thesis highlights a second meaning of institutions on which new institutionalism is based—institutions as set of rules and norms. This thesis argues that the institutional settings in which supra-state negotiations are carried out affect the final choices. The relevance of institutions is based on the fact that they “define or constrain the strategies adopted by the actors to pursue their interests and structure strategic interaction between them” (Hall & Taylor, 1996, p. 945). In the case of the EEAS configuration, the Convention and the Quadriologue were two unique institutional settings that allowed EU institutions to take part in the negotiations. In addition, these

institutions were in charge of presenting the available choices, driving the discussions, and drafting the conclusions.

Yet, I share with liberal intergovernmentalism the assumption that the biggest countries will have more influence and impact on the final decision than the small/medium-sized ones and EU institutions have. Still, asymmetries of power are relevant, which is consistent with the idea that the biggest member states of the EU are in a better position to shape the final outcomes. That is why I decided to mainly focus on them. Then, the EU institutions capacity to nuance the final outcome with their own demands, despite relevant due to the necessity of committing to the agreement, will be subject to the main preferences of the biggest member states.

All in all, the major novelty that I would like to introduce to liberal intergovernmentalism reasoning is that EU institutions matter and because of that it is essential to pay careful attention to its creation and design; thus, rational choice institutionalism highlights the power of EU institutions that has developed through the years, and they have gained the right to bargain their own demands along with the preferences from the member states at the same bargaining table. As a consequence, the EU grand bargain negotiations changed from being purely intergovernmental to also being conditioned by the demands from EU institutions. Nevertheless, as I have already noted, I understand that asymmetries of power are still relevant, and the demands of EU institutions are subject to the preferences of the big member states. The main claim of this thesis is that it is necessary to pay attention to EU institutions as actors that can affect behavior and, therefore, condition final outcomes. EU institutions defend their demands at the same bargaining table as member states, and they have the capacity to shape the member states' strategies in the pursuit of their domestic goals. However, this thesis also stresses the role of institutions as sets of rules and norms that condition the behavior of actors and, as a consequence, affect the final outcomes.

At this second stage, the object of major attention will be the strategies that the different actors will follow in achieving their exogenously given preferences. Where preferences are fixed, strategies will have to adapt to changing circumstances. The institutional framework in which negotiations are carried

out is also decisive. In addition, the EU institutions had the chance to take part and defend their own demands in those bargains. The key difference between member states and EU institutions is that the demands of EU institutions are constrained by the preferences of the member states, especially the big ones, as they are still the ones that hold major power. Therefore, despite the fact that EU institutions have the power to impact the strategies of member states, EU institutions are subject to the red lines imposed by member states more than member states are to the red lines of the EU institutions. That is why big member states and asymmetries of power are still relevant.

I assume that the demands of the EU institutions, as well as the preferences of the member states, are the causal conditions that affect the final outcome. However, we should understand the EU institutions demands as intervening variables, as rational choice institutionalism establishes, rather than independent variables, which are restricted to the preferences of member states (Aspinwall & Schneider, 2000, p. 12). The interdependence between member states and EU institutions is rather asymmetrical. Finally, since it would be almost impossible that an actor can achieve all of its preferences, the strategy to follow will be to agree on package deals, which means that one actor will agree on something which is not among its strong preferences because other ones will accept some of theirs in return or in compensation. In addition, member states that are more engaged with the idea under discussion will agree on more side payments than the ones that are more reluctant to do so (Moravcsik, 1998, p. 66).

II. 2.3 Institutional choice

The last step that liberal intergovernmentalism establishes in the institution building procedure is institutional choice. In short, liberal intergovernmentalism stresses that member states—and this thesis adds EU institutions—will agree to pool/yield sovereignty in order to ensure the credibility of what they have committed to during the bargaining phase. On the other hand, rational choice institutionalism stresses that the final motivation for creating supra-state institutions is to reduce transaction costs. Rational choice institutionalism stresses that what is essential in any transfer

of sovereignty is to establish mechanisms of control. Finally, both liberal intergovernmentalism and rational choice institutionalism follow functionalist and cost-benefit reasoning in the creation of supra-state institutions. Therefore, member states and EU institutions create supra-state institutions thinking about the functions/advantages that the new body will bring to them. All that being said, the question to answer at this stage is this: what explains the transfer of sovereignty to international/supra-state institutions?

After member states have configured their domestic preferences and they have bargained them at the supra-state level, the next step is to take a decision about pooling/delegation. The main assumption of this thesis is that member states decide to create supra-state institutions because doing so is in their own interest. Liberal intergovernmentalism explains the agreement of “institutional choice” by the necessity that member states–I add EU institutions–have in ensuring the credibility of commitments (Moravcsik, 1999, p. 82). The creation of EU institutions is understood by liberal intergovernmentalism not as a way to advance EU integration but as a method for protecting member states’ interests (Moravcsik, 1998, p. 73). Finally, liberal intergovernmentalism stresses that asymmetries of power matter and that the final decision will be a reflection of the biggest member states preferences. However, this thesis will assess the impact of EU institutions on the final choices.

Since the purpose of this thesis is to stress the fact that EU institutions matter even when we talk about grand bargains, this thesis assumes the specificities that rational choice institutionalism bring to this stage of the negotiations. Rational choice institutionalism explains delegation through the concept of principal agent. Delegation is based on the balance between the expected costs and the desired benefits. According to Tallberg, “the principal and the agent enter into a contractual arrangement in which the principal chooses to delegate certain functions to the agent in the expectation that the agent will act in ways that produce outcomes desired by the principal” (2003, p. 19). Rational choice institutionalism emphasizes that what motivates EU member states to reach an agreement in pooling/yielding sovereignty is to reduce transaction costs. However, delegation not only brings benefits but also disadvantages. That is why rational choice institutionalism pays great

attention to the control that the principals exercise over the agents in order to make sure that the agent will not work contrary to the interests of its principals (Pollack, 1996, 1997, 2003; see also Tallberg, 2000, Franchino, 2007).

We should bear in mind that institutions develop their own dynamics, aiming to fight for their bureaucratic objectives, and they can apply an independent influence on the policy process. Therefore, when member states make use of control mechanisms, as Nicolaïdis (1999) points out, the risk of agency costs diminishes (Moravcsik, 1999, p. 66). All in all, the functions that the new body will perform in member states' behalf as well as ensuring the credibility of commitments and reducing transaction costs are the key elements for both member states and EU institutions in agreeing to the creation of a new institutional body at the supra-state level. However, in order to make sure that the new institutional structure will not behave contrary to the interests of its principals, they find it essential to apply control mechanisms.

a) Avoiding future domestic opposition

In the beginning, liberal intergovernmentalism was characterized by being a theory based on two stages, national preference formation and interstate bargaining at the supra-state level. It was not until Moravcsik's book, *The Choice of Europe*, was published in 1998 that liberal intergovernmentalism added a third layer to its theory, namely, institutional choice. Liberal intergovernmentalism explains the decision of pooling/delegation based on the necessity to ensure the credibility of commitments. In short, it allows national governments to lock in the agreements achieved and avoid possible opposition from future domestic governments. In short, the purpose is to eliminate the option to these resolutions being controlled by individual governments. This decision is based on uncertainty about the future, and it can also be conceived as a strategy to make governments agree on elements over which there is not yet a clear assessment of cost and/or benefit (Moravcsik, 1998, p. 74). Liberal intergovernmentalism also stresses that the decision about delegation can be seen as a solution to the problem of incomplete contracts (Moravcsik, 1998, p. 73).

This specific inquiry assumes that the aim to ensure the credibility of commitments applies to both member states and EU institutions since they were involved in defending their demands/preferences in the bargaining process. The decision to create the EEAS was taken at the Convention of the Future of Europe 2002-2003 by both member states and EU institutions. However, the specificities of said body were left open until 2010 when the Quadriologue negotiations started after the Treaty of Lisbon came into force and the HR/VP was nominated and started working.

Moravcsik asserts that actors take the decision about pooling/yielding sovereignty when the future is uncertain. Under these circumstances, “gains from assuring the compliance from others are large, and the cost of greater compulsion to comply tolerable” (Moravcsik, 1998, 1999). In past years, when the cost-benefit balance for pooling/yielding sovereignty was uncertain, member states opted to create new hybrid institutions (Moravcsik, 1999, pp. 76-77) as is the case of the EEAS. In addition, due to the great variety of actors involved in the creation of this supra-state diplomatic body characterized by its pro-European bias especially during the Convention, it was essential to ensure that what had been agreed would persist independently of future domestic opposition.

b) Facilitating interactions

Rational choice institutionalism explains the decision of member states to delegate part of their powers to create supra-state institutions based on the necessity to reduce transaction costs associated with the adoption and implementation of transnational policies. In short, the ultimate purpose of pooling/delegation is to ease the costs of transaction (negotiation, et cetera) in the future as a consequence of creating the current institutions. The concept of transaction costs originated in the discipline of economics. If we use a very broad definition of transaction costs, they are “anything that impedes the specification, monitoring, or enforcement of an economic transaction” (Dixit, 1996, p. 38). However, we must be careful in applying economic concepts to political science. It is necessary to take into account other important factors like the political environment. As I will point out in the following pages, sovereignty is an important variable that nation states take into account and

which might exercise a limit on their decision to delegate (Knight, 1992; Abbott & Snidal, 2000).

The pioneering scholar who introduced the transaction cost mode in the political process was North (1990). His studies were mostly focused on the effect of information costs on individual decision making. He called this fact a lack of instrumental rationality (Dixit, 1996, pp. 46-47). Arrow defined transaction costs from a political perspective as “costs of running the system” (quoted in Williamson, 1985, p. 18). Afterwards, Epstein & O’Halloran (1999) and Huber & Shipan (2003) were the pioneers of applying the transaction cost approach to political institutions. They stressed that legislators create institutions in order to reduce transaction costs, which means reducing uncertainty and establishing a stable structure to facilitate interactions (Pollack, 2007, p. 39).

This is precisely one of the major purposes behind the creation of the EEAS, to improve the coherence, continuity, and consistency of the external action and foreign policy of the EU by creating a common ground in which those areas could work together. In the specific case of the EU, the transaction costs are quite relevant because the negotiations are characterized by being permanent, linked, and continuous (Elgstrom & Smith, 2000). Member states find delegation a convenient possibility for reducing those negotiating costs (Dijkstra, 2013, p. 23). Foreign policy is an area where reaching a common goal is not particularly easy; that is why it is very advantageous to create a stable structure, such as the EEAS, that would allow easing the costs of reaching agreements and being able to act promptly during an international crisis. This would be essential after the great enlargement.

c) Cost-benefit analysis

In creating the EEAS, member states have to pool part of their power in the field of foreign affairs, which is one of the policy areas very close to the sovereignty of the nation states. This means that, at first sight, nation states will be reluctant to take such a decision. When a nation state decides to surrender part of its sovereignty to a new international body, the nation state is deciding to also deprive itself of its own autonomy; the nation state will be

tied to the decisions taken by the new body (Hathaway, 2008, pp. 121-122). Hence, they have to deal with sovereignty costs which are defined by Epstein & O'Halloran as “the distance between the policy that a country would implement in case it was not a member of the international organization and of the policy that it enacts once it has joined” (2008, p. 82). This is why this thesis assumes that member states will decide to delegate, considering the functions that the new institutions will perform, and that will be of added value for them.

The nation-state decision to delegate is based on a cost-benefit analysis where it is mandatory to take into account the costs of sovereignty as a counterweight to its benefits (Dijkstra, 2013, p. 31), especially when we talk about foreign policy. In this sense, Abbott & Snidal make a differentiation between low sovereignty costs and great sovereignty costs. They point out that sovereignty costs are low when member states make international agreements that “simply” limit their autonomy. Contrarily, Abbott & Snidal talk about great sovereignty costs when nation states make international agreements that allow external authority over relevant decisions. Finally, they assert that the highest costs of sovereignty are when the international agreement affects the primary elements of the sovereignty of a nation state that were settled in the Westphalian Peace Treaty signed in 1648 (2000, p. 437).

Despite the basic assumption based on the fact that nation states decide to delegate based on a cost-benefit analysis, where the benefits of such delegation exceed the costs, if nation states analyze the delegation based on compensation between the anticipated efficiency gains and the anticipated sovereignty costs, nation states will delegate fewer tasks than what would be functionally optimal (Dijkstra, 2013, p. 32). However, what is also true is the fact that sometimes the single way or, at least, the less costly way that nation states possess to achieve their purposes is through international delegation. Within those purposes, we can also emphasize the strengthening of their own power over the long term (Hathaway, 2008, p. 141). Nevertheless, when member states feel that the sovereignty costs are too high, they simple decide not to delegate or to do it by means of an agent that they can easily control. Other situation that might frustrate delegation is when there are high levels of uncertainty about the consequences of delegation. Under such circumstances,

member states will prefer to either not delegate or to delegate step-by-step (Dijkstra, 2013, p. 32).

If we think about the institutional evolution of the CFSP, we can identify the trend of step-by-step delegation. Before having taken any decision about foreign policy delegation, member states make a rational cost-benefit analysis where they usually are very reluctant to yield their sovereignty. However, the global scenario is pushing member states to reinforce their capacity, and the single way that they have to play a more relevant role is to unite their power under the EU umbrella. Currently, nation states individually cannot respond to current problems that transcend the national sphere. Under these circumstances, the cost-benefit analysis of yielding sovereignty is nuanced by the fact that member states are unable to successfully respond to international crisis individually; they need to reinforce the CFSP structures at supra-state level.

Nevertheless, at the same time that member states understand that their global power is diminishing, they do not want to lose all their autonomy in foreign policy. That is why they have decided to also retain part of their own capacity. The delegation towards the EU is not exclusive. Furthermore, they were also very cautious about choosing the agent to which they would delegate their powers. Member states decided to create a bureaucratic structure in the middle of the communitarian and the intergovernmental forces in order to balance the preferences of the member states but also to control this new entity.

One of the major red lines was, as will be detailed in the following chapters, to make the EEAS purely supranational and controlled by the Commission. Member states have measured the sovereignty costs of creating the EEAS, and taking into account the specificities and sensitivity of the topic, they have opted for a non-exclusive delegation policy under which the member states are still able to pursue their own independent foreign policy although subject to some coordination constraints.

d) Mechanisms of control

Despite the fact that this thesis assumes that member states and EU institutions decided to create supra-state institutions because of the advantages that the new body brings to them (Koremenos, 2008, p. 152), delegation not only produces benefits but also costs. Therefore, after member states and EU institutions decided to pool/delegate, a further step would be to think about what control mechanisms they will apply to the new institution in order to overcome the undesirable effects resulting from its creation (Franchino, 2007, p.15). Needless to say, the natural behavior of nation states is to protect their power/sovereignty as much as they can. When nation states decide to pool/delegate their powers to a supra-state institution, they will try to control this new entity as much as possible. As rational choice institutionalism stresses, delegation and control are two sides of the same coin.

Rational choice institutionalism frames this “necessity” of control under the framework of a principal agent relationship in order to determine when agents do (and do not) act in their principals’ interests. This means that the principals are the ones able to both yield and revoke power to/from the agent. Conflicts between the principals and the agent are very common. Agency loss¹¹ or the cost of delegation take place when the agent behaves in ways that are contrary to the interests of its principals. The agent is meant to have its own preferences which are only subject to the constraints imposed by the relationship with the principals (Pollack, 1997, p. 108). However, the agency control measures are quite costly, so they only adopt them when they ensure a large and enough reduction of agency losses. Agency loss arises when the agent and principal do not have common interests because the agent gains an incentive to act against the principal’s interests (Lupia, 2001).

One of the reasons that member states decided to create a new entity like the EEAS instead of empowering the Commission was that member states wanted to control outcomes as much as possible. The Commission would be much more difficult to control than a new institution like the EEAS. In addition, the

¹¹ Lupia (2003:35) defines agency loss as “the difference between the actual consequence of delegation and what the consequence would have been had the agent been ‘perfect,’ ‘perfect’ being a hypothetical agent who does what the principal would have done if the principal had unlimited information and resources to do the job herself.”

Commission is more likely to act contrary to the interests of the member states. In such a case, member states would defend an agreement where the high representative and the EEAS would be reinforced as expenses of the Commission and would limit its autonomy by keeping them closely tied to the EU Council (Furness, 2013, pp. 101-112).

Taking these things into account, principals try to establish the maximum possible control mechanisms to limit the autonomy of the agents. However, as has already been mentioned, control mechanisms are costly for the principals. In addition, an over utilization of control mechanisms limits the effectiveness of the agent (Furness, 2013, p. 106). That is why too much control can undermine the benefits of delegating. Principals have to balance granting enough autonomy to the agents with the aim of reaching the principal purposes and get the benefits of delegation and applying sufficient control over the agent in order to avoid agency losses as much as possible (Delreux & Adriaensen, 2017, pp. 4-5).

There are two types of control mechanisms: ex-ante and ex-post. Ex-ante control mechanisms are applied before the agent starts putting into practice the duties delegated. Such mechanisms determine the scope and the procedure of the delegated task. On the other hand, ex-post control mechanisms can be applied before or after the agent acts. There are two ways of exercising ex-post control: policy patrol or fire alarm control. The first one refers to direct control by the principals. The second one occurs when the principals entrust the control to third parties (McCubbins & Schwartz, 1984). In the case of the EEAS principals, both of them are exercised. The member states directly monitor the EEAS, and they also do it through a third party, the Commission, which has tools for horizontal checks (Kostanyan, 2016, p. 29).

The ex-ante control mechanisms are thought to be a tradeoff between the principals' willingness to bear costs and the agent's ability to function. The ex-post mechanisms include monitoring and sanctioning, both of which are costly (Furness, 2013, p. 106). That is why member states will only implement control mechanisms if they are less costly than the sum of agency losses that they will reduce by employing them (Pollack, 1997, p. 109). The control mechanisms will be conditioned by the type of functions delegated to the agent (Tallberg, 2002, p. 28).

Ex-ante control mechanisms are meant to limit the maneuvering room of the agent. In so doing, member states make sure that the agent is doing what the principals want. However, the fact of using ex-post control mechanism forces the principals to identify the unwanted behavior in the agent (Dijkstra, 2016, pp. 41-42). Control mechanisms have different purposes; nevertheless, they must be applied simultaneously rather than sequentially. In either case, both of them are quite difficult to quantify (Williamson, 1985, p. 21). In addition, the maneuvering room that the agent has is called discretion.¹² If the agent enjoys a high level of discretion, this means that the agent becomes the prevailing actor. Contrarily, if the level of discretion is low, it means that the principal is the one who preponderates (Delreux & Adriaensen, 2017, p. 6). In the case of the EU, agency discretion will vary depending on the issue area and over time. The EEAS is a great example of that. The level of discretion of the EEAS regarding community matters will be much higher than its level of discretion on CFSP.

As it has already been noted, member states did not want the EEAS inside the Commission since this would imply losing all capacity for control over this diplomatic supra-state institution. However, they also decided not to locate the EEAS under the European Council, which would provide greater control over this new entity (Dijkstra, 2010, p. 533). The EEAS was the medium term between those who were more integrationist and those who were more intergovernmentalist. This decision to locate the EEAS in between the Commission and the EU Council could be understood as an ex-ante control mechanism because it allows member states to have a stronger control over it than if they decided to insert the EEAS into the Commission. Then, one of the most relevant ex-ante control mechanisms that the member states applied over the EEAS was to limit its mandate.

In addition, the fact that the CFSP and CSDP remain intergovernmental is also an important element of control. The decisions over those policy areas are totally controlled by the member states. The single area where the discretion of the EEAS is higher is regarding external action. Another element that the member states can use to exercise ex-ante control over the EEAS is the appointment of the HR/VP. Member states decided that this post should be

¹² Hawkins et al (2006:6) defined discretion as: “the range of potential independent action available to an agent after the principals have established mechanisms of control.”

elected by the EU Council by a qualified majority vote. Hence, the member states are in charge of selecting and appointing the person who is going to execute this post, which is a tool in their hands to shape the future of this new entity. The proof that their aim was to keep the EEAS under their tight control was the election of candidates with very low political profiles.

Last but not least, member states have also applied ex-post control mechanism. The most relevant ex-post control mechanisms are the different forums and committees that member states have at their disposal to shape the EEAS outcomes. Among them, the EU Council, the Foreign Affairs Council, the Committee of Permanent Representatives (COREPER II), the Political and Security Committee (PSC) and the CFSP Council working groups. Within the Council working groups, member states can control the EEAS, both formally through their decision-making rights, and informally by influencing the chair of the group who is in charge of setting the agenda setting (Kostanyan, 2016, pp. 34-36).

Chapter III:

ANALYSIS OF INSTITUTION BUILDING: A PROCESS OF LINKING CAUSES WITH OUTCOMES

*The man of science has learned to believe in justification,
not by faith, but by verification.*

Attributed to Thomas Huxley

The main goal of this study is to answer the following question: why did big member states decided to create a supra-state diplomatic institution? I assume that the process of configuration of the EEAS depended essentially on the will of the member states. Member states will follow a rationalist and cost benefit analysis under which they will only favour pooling their sovereignty if, in so doing, those institutions provide benefits to them. Therefore, I assume that member states will decide to create a supra-state diplomatic institution only if that institution brings benefits to them, which means that only in case states achieve benefits from supra-state institutions (A) they will favour pooling their sovereignty (B).

Both liberal intergovernmentalism and rational choice institutionalism share this functionalist principle: the innovation that rational choice institutionalism brings to liberal intergovernmentalism emerges during the second stage of the process. My objective is to show whether only member states have had the power to control the whole bargaining process in order to fulfil domestic objectives (liberal intergovernmentalism) or whether the EU institutions have had the capacity to shape their strategies and therefore nuance the final outcomes (rational choice institutionalism). From a methodological point of view, I employ process tracing. It permits me to test whether the different steps in the creation of a supra-state institution suggested by liberal intergovernmentalism were effectively followed in the specific case of the EEAS and, as a consequence, they can be generalized under the new EU institutions competence' status. Furthermore, process tracing will let me measure to what

extent this theory fully answers my research question or if it is necessary to update it by applying other theoretical approaches such as rational choice institutionalism.

III.1 A causal relationship between preferences and outcomes: process tracing.

The methodology that this thesis follows in explaining the process of EEAS creation is process-tracing.¹³ Process tracing seeks to provide refutable proofs for theoretical causal explanations (Ulriksen & Dadalauri, 2016, p. 223). The main aim of process tracing is to understand the processes linking the different relevant factors to the outcome (Gerring, 2007) by connecting theory and evidence (Checkel, 2006, p. 369) and allowing the inclusion of alternative explanations (George & Bennett, 2005). Therefore, Collier (2011, p. 823) stresses that process-tracing can be defined as “the systematic examination of evidence selected and analyzed in light of research questions and hypotheses posed by the investigator” (Ulriksen & Dadalauri, 2016, p. 224). It allows the researcher to “make strong within case inferences about causal mechanisms based on in-depth single case studies that are arguably not possible with other social science methods” (Beach & Rasmus, 2013, p. 2). Another advantage of the use of process tracing in this research is that it can also lead to refinement or evaluation of theories (Della Porta, & Keating, 2008, pp. 231-235).

Process tracing is based on the identification of causal mechanisms, a widely accepted method of doing empirical analysis (King, Keohane, & Verba, 1994, pp. 85-86). In short, process tracing consists of tracing causal mechanisms between X and Y (Bennett, 2008; Checkel, 2008; George & Bennett, 2005). Process tracing is particularly suitable for single case studies since its main purpose is to test the presence or absence of causal mechanisms within single case studies. Single case studies are the perfect choice for testing complex theories through the careful examination of empirical evidence while contributing to the elaboration of constructive and generalized conclusions (Ulriksen & Dadalauri, 2016, pp. 223). A case study can provide single or

¹³ The scholars that have deeply studied it are Beach & Pedersen (2013), Blatter & Haverland (2012), Collier (2011), George & Bennett (2005), and Gerring (2007).

multiple within-case observations (Brady & Collier, 2004; Gerring, 2007). In addition, as Peters (1998, p. 141) points out, it can carefully look at the consecution of different developments that led to a specific outcome; it is the process rather than the outcome that is more relevant (Ulriksen & Dadalauri, 2016, pp. 224-225). The process-tracing method emphasizes the mechanisms linking the independent and dependent variables. Rather than testing multiple instances of a relationship between an independent and a dependent variable as in cross-case studies, one examines a single instance of a causal chain where multiple factors may lead to an outcome; this causal path is not necessarily linear but may be circuitous with multiple switches and feedback loops (Gerring, 2007). The object of analysis regarding this thesis will be the different institutional settings where member states—and EU institutions—bargained their preferences/demands that led to the creation of the EEAS.

Following Glennan (1996, p. 52), a causal mechanism is “a complex system which produces an outcome by the interaction of a number of parts.” Process tracing “involves attempts to identify the intervening causal process—the causal chain and causal mechanism—between an independent variable (or variables) and the outcome of the dependent variable” (George & Bennett, 2005, pp. 206-7). It is particularly suitable for this inquiry because it allows the covering of all instances of an institution building process. Thus, this thesis will work on a causal sequence that will allow me to evaluate the empirical data (evidence) regarding the within-case (the creation of the EEAS) using causal claims that come from the theory. I had to find “diagnostic evidence that provides the basis for descriptive and causal inference” (Collier, 2011, p. 824). This means that I will focus on the causal effects from the observed data (King, Keohane, & Verba, 1994, pp. 3-9). One causal explanation argues that the phenomenon Y (the creation of a supra-state institution) is affected by factor X (the member states’ preference towards its creation). This thesis is based on an asymmetric¹⁴ causal relationship which consists of X being necessary for Y to occur (Bailey, 1994, p. 49). In this specific inquiry, the fact that the member states have a preference for the creation of the EEAS is a necessary causal condition for the EEAS to be created.

¹⁴ The cause precedes the effect in time.

Process tracing can be used to achieve three different purposes: theory building, theory testing, and case specific analysis. According to Beach & Rasmus, “Theory testing process tracing deduces a theory from the existing literature and then tests whether evidence shows that each part of a hypothesized causal mechanism is present in a given case, enabling within-case inferences about whether the mechanism functioned as expected in the case and whether the mechanism as a whole was present” (2013, p. 3). I will follow theory testing because what I aim to do is to take liberal intergovernmentalism as a theoretical base and then test whether the concrete example of the process of configuration of the EEAS follows the path that this theory establishes or whether it needs to be updated.

The key reason for having chosen the theory testing approach is because I already know that the X (cause) and the Y (outcome) took place. In addition, I think I know that they are linked by a causal link (a preference towards strengthening EU foreign policy), and I have deduced from the theory how the causal mechanism should work. Therefore, what I am to show is whether there is evidence that supports the existence of such a causal mechanism linking the X (cause) and the Y (outcome). Even if process tracing deeply analyzes a single case, its main aim is to generalize the conclusions.¹⁵

Despite skepticism, “case studies can, if carefully selected, contribute to the testing and modification of solid theoretical frameworks undertaken through a rigorous research design that ensures substantial empirical leverage and constructive conclusions” (Ulriksen & Dadalauri, 2016), which is the main objective of this research. Single case studies are suitable for theory-testing process tracing. In short, single case studies require clear defining of the theoretical framework, theorizing of the causal links that lead to an outcome, and identifying verifiable expectations named to structure the empirical tests.

The test is based on the link between general and specific theoretical expectations. Then, the inclusion of alternative explanations is a way to force the researcher to try to find evidence contrary to the preferred theoretical explanation (Ulriksen & Dadalauri, 2016, pp. 228-233). Once the causal processes and alternative explanations are identified, the next question relates

¹⁵ Centre for Development Impact. *Applying Process Tracing in Five Steps*. No.10 Annex, April 2015. <https://goo.gl/UQZDfA>, p. 2.

to the identification of appropriate data and how to conduct the analysis. According to Gerring (2007, p.173), the “hallmark of process tracing ... is that multiple types of evidence are employed for the verification of a single inference.” Prominent authors on process-tracing refer to “diagnostic pieces of evidence” or, more commonly, “causal-process observations” (CPOs), which are insights or pieces of data that provide information about context, process, or mechanism, and contribute with distinctive leverage to causal inference (Collier, 2011; Mahoney, 2010).

The mechanism consists of a causal chain which is composed of a number of parts where entities engage in activities (Beach & Pedersen, 2013, p. 39). Each part of the mechanism should be the object of independent scrutiny, but, at the same time, it should be interdependent with the others. Thus, each part of the mechanism is essential for the following part to arise. What is of great relevance is to be able to frame the mechanism to a concrete level of abstraction from the specific case of study, which allows for generalizing of the conclusions.¹⁶

Process tracing generates multiple observations that, put together, lead to the explanation of a case. “It is precisely the interdependence of the observations that makes them a powerful tool for inference” (George & Bennett, 2005, p. 207). In this theory testing variant, the different parts of the mechanism are theory-given, national preference formation, supra-state bargaining, and institutional choice, as I have already mentioned. However, studying a causal mechanism not only requires the explanation of the different parts that connect the cause with the outcome but also the describing of both the causal condition that led to the start of the causal mechanism and the outcome to which it leads (Beach & Pedersen, 2013, p. 49).

¹⁶ Centre for Development Impact. *Applying Process Tracing in Five Steps*. No. 10 Annex, April 2015. <https://goo.gl/UQZDfA>, p. 4.

Table 1: Mechanism: theory-guided process tracing

	Cause X	Part 1	Part 2	Part 3	Outcome
Theory	Member states' representatives start thinking about the creation of a supra-state diplomatic body. They understand the necessity for improving coherence and major visibility in the CFSP.	Member states form/define their preferences/positions at the domestic level. The most pro-integrationist countries should be more favor of integration than the most intergovernmentalists. Key actors are foreign ministries, diplomatic corps, ruling parties, chief executives and national parliamentarians. Member states preferences are conditioned by the national groups/agenda (mainly governmental ones). Although preferences might reflect economic interests, because I am working on foreign policy, geopolitical interests will be at the forefront. Member states follow the logic of consequences.	Member states and EU institutions bargain their preferences at the supra-state level, putting into action their own strategies to get what they want. The institutional framework in which bargaining takes place determines who the actors involved are and the strategies that they might follow to get what they want. EU institutions condition member states' strategies and impact the outcomes. Concessions on the margin are systematically biased toward outcomes preferred by actors least likely to support the "core" agreement. Package deals are necessary to achieve a compromise.	Member states and EU institutions decided to create the EEAS in order to ensure the credibility of member states commitments and reduce the transaction costs. The final design of the service will reflect the bargaining power of the member states and EU institutions. Control is essential in order to agree to the creation of a new body. They follow a functionalist and cost-benefit analysis-logic of consequences.	The EEAS is established, and it starts working
Proposition about evidence.	Member states admit that the EU failed to give a proper response in previous international crises and that the world is asking for a more effective EU presence. In addition, member states recognize that they need to reinforce their collaboration at the supra-state level. They manifest a lack of coherence and visibility in EU foreign policy.	The preferences are different between each actor that mentions domestic/bureaucratic interests and objectives. The Foreign Affairs Ministry, in charge of the negotiations, admits consultation with other ministries, government office, MPs, and key diplomats who manifest their opinion. Member states manifest their weaknesses at the time of dealing with international issues which are very unpredictable.	Member states and EU institutions sit at the same bargaining table and follow their own strategies to get what they want. The institutional apparatus drives the negotiations by making the first drafts and recollecting what has been agreed. Member States are conditioned by the available options. Preferences/demands are meant to be fixed. Big member states' preferences prevail. More favorable actors are the ones that give more side payments. They are flexible in less relevant areas to get their priorities.	The final decision is taken by consensus by both member states and EU institutions. Member states stress the advantages that this new body brings and also the functions that it is named to perform, which will be of added value for them. The final design of the service reflects the priorities of the big member states and EU institutions. Control is the major preoccupation of both member states and EU institutions in order to agree to a final deal.	The staff is moved to the new institution, and they start producing documents.

Source: Own Elaboration

III.2 The mechanism under examination

As I have already pointed out, the mechanism needs a cause in charge of activating its functioning that will lead to a specific outcome. In this particular inquiry, the cause that activates the mechanism is the preferences of the member states for creating the EEAS whereas the outcome is its effective creation. I expect that the member states' preferences towards the creation of this new supra-state diplomatic body arise due to their understanding that their individual global power is decreasing in the face of the rising powers that account for higher rates of growth and a larger population. Then, member states recognize that the best way to bolster their global power is to reinforce their collaboration at the supra-state level by providing more coherence and visibility to EU foreign policy.

The fact that member states start talking about/having preferences for strengthening EU foreign policy's institutional framework is a necessary condition for the process to start working. As I have already pointed out, the different steps of the mechanism are based on a rationalist framework and the fact that connects each part of the mechanism is the will of the member states to strengthen the coherence and visibility of the CFSP. In short, the mechanism is composed of three parts. First of all, member states define their preferences for the creation of a supra-state diplomatic body at the domestic level. Then, member states—and this thesis adds, EU institutions—bargain at the supra-state level where they follow different strategies to achieve their domestic goals. Finally, member states take a decision about pooling/delegating. To conclude, the decision about the creation of the EEAS is published, the staff is moved to the EEAS, and the new body starts working, i.e., producing documents.

III.3 A qualitative analysis based on in-depth interviews

From a methodological point of view, it is relevant to analyze the type of data used, first, because it is relevant to pay attention to the possible bias that might influence the quality of the information and therefore affect the accuracy of the conclusions. It will also be necessary to assess the information

obtained to ensure the existence of the different steps of the mechanism that I have deduced from the theory.

Then, since I aim to understand a particular event, I will follow a qualitative method because such a method is more suitable for understanding a particular phenomenon and for stressing the underlying reasons, opinions, or motivations for something. In a qualitative analysis, the collection of data pays attention not to the quantity but to the quality of the information. The main methods of data collection of a qualitative research are focus groups, participant observations, or in-depth interviews. The main aim is to create a detailed explication of something.

Regarding the empirical chapters, the evidence that I am using in order to evaluate my hypothesis has been carefully selected. I mainly gathered the information through 60 in-depth elite interviews as well as documentary analysis. The elite interviews are a unique source of information that I conducted in Brussels, London, Paris, and Berlin with the people who took part in the negotiations including EU member states representatives (diplomats), civil servants from EU institutions and member states, and researchers who closely followed that process. I started by looking at the official documents and secondary data in order to identify who the key people involved in the process were. In addition, I used official documents and minutes that revealed the topics discussed in those forums and what the positions from each actor were. Finally, I also used such secondary data as newspapers, academic articles, et cetera. In this specific inquiry, elite interviews were particularly useful in reconstructing the negotiation process that led to the creation of the EEAS.

Elite interviewing is a unique way of collecting data as it allows the researcher to get information from first hand participants and witnesses to the process under study. Because of that, elite interviews can also constitute a good source for verifying the information already gathered from other sources. In addition, conducting open-ended elite interviews allows the interviewee to talk freely and give key information about the intentions and thoughts behind the process, as well as a broad range of interesting details for the researcher which otherwise might not be gathered (Tansey, 2007, pp. 766-767). Elite

interviews are also useful in shedding light on what is possible to be found in legal documents and/or secondary data (Tansey, 2007, pp. 771-772).

In this regard, one of the biggest decisions in process tracing is how many interviews are necessary to document the workings of a particular causal process. In short, the most common question is: when is the data gathered enough? In using process tracing, the purpose is to interview the most relevant actors in the political event under investigation; non-probability samplings are the most appropriate (Tansey, 2007, p. 767). The actors involved in the negotiations that led to the creation of the EEAS are the ones that will be object of being interviewed. The number of people involved in the process were around 300, taking into account the conventionnels¹⁷, the people involved in the Quadrilogue plus some researchers. I conducted 60 in-depth¹⁸ elite interviews¹⁹ between 2015 and 2018—approximately 20 per cent of the total sample. I sought to identify and contact high-ranking officials and politicians who were involved in the negotiations. I mainly interviewed them face to face, but in a couple of cases I had to use the phone or Skype.

What is more important for this research is that I could interview most of the key drivers of the negotiations. It is possible for one piece of evidence to strongly affirm one explanation and/or dis-confirm others, while at the same time numerous other pieces of evidence might not discriminate among explanations at all. What matters the most in a qualitative study is not the amount of evidence but its contribution to adjudicating among alternative hypotheses (Bennett, 2010, p. 209). In fact, it is “the quality of the observations and how they are analyzed, not the quantity of observations, that is relevant in evaluating the truth claims of a process tracing study” (Gerring, 2007, p. 180).

I followed a semi-structured interview format since this allows the researcher to be more flexible than when following structured interviews. In addition, as H. Rubin & I. Rubin (2005, p. 88) stress, it also allows going more in-depth because the interviewer can test whether the interviewee responses can be expanded (Alshenqeti, H.: 2014, 40). Conducting elite interviews is the best

¹⁷ The European Convention <https://goo.gl/PqgnzL>

¹⁸ For more information, see Johnson (2001), “In-depth interviewing” in Gubrium & Holstein, Eds, *Handbook of Interview Research*. SAGE Publications Ltd, pp, 103-119.

¹⁹ For more information, see Odendahl & Shaw (2001) “Interviewing elites” in Gubrium & Holstein, Eds. *Handbook of Interview Research*. SAGE Publications Ltd; pp. 299-316.

way to obtain information about specific events, such as the EEAS configuration process. In the first place, it is necessary to identify who the most important people involved in that process were, i.e. high-level politicians and officials from the member states and the institutions of the EU. The primary goal of process tracing is to reduce randomness as much as possible. The people who participated in the negotiations are the best resources for information since they are the first witnesses to the facts. However, this method may also have disadvantages such as faulty memories or bias from interviewers (Tansey, 2007, p. 767).

Semi-structured interviews are this thesis' essential method of data gathering. Talking to the people involved in the process was crucial in reconstructing the negotiations that led to the EEAS. This information would be impossible to collect through secondary data. Interviews allow for going behind what has been agreed and thus understand why the decisions were taken. What is more important is to identify the key players, to make sure that the most important information is collected, and, then, to contrast the information with other independent sources. However, although the interviews are the best source of information when the purpose is to know the details of the negotiations, it also has its disadvantages.

One of the most common disadvantages is related to the lapses of memory of the interviewees. Civil servants from the EU or representatives from the nation states have to work on several dossiers every year; so it is easy for them to forget the specific details of a negotiation. This problem has been especially relevant regarding this inquiry because the time lapse between the first negotiations during the Convention and when the interviews were done was more than 10 years. Sometimes it was difficult to determine the most accurate response between different answers. Therefore, careful attention had to be paid, and crosschecking information was necessary in order to give real value to the information gathered through those interviews.

Another possible risk was that the people involved in the negotiations may have talked to other participants and their perceptions about the facts might have changed. An additional element that limited the access of information was the sensitivity of the topics under discussion since they were closely related to the sovereignty of member states. Key minutes and internal

documents from the governments of the member states were not available. In addition, key people, mainly from member states, did not want to contribute with their testimony due to the delicate nature of the information.

In order to overcome these limitations, here again, it is extremely important to pay careful attention to what the interviewees say and to diversify the sources of information, either by conducting interviews with different people who are not connected to each other or by using different sources such as the minutes of meetings or secondary data. This technique is called triangulation, and for it to work the best, the resources have to be completely independent one from another (Beach & Rasmus, 2013, p. 135). In addition to interviews, I also checked documentary evidence. I consulted official documents and minutes from the negotiations such as reports, amendments, et cetera, especially with regard to the External Working Group during the Convention on the future of Europe. The Convention negotiations have better official documentation than the Quadrilogue negotiations.

Since I focused on individuals, my level of analysis is micro. The level of analysis depends on where the empirical manifestations of a mechanism are best studied (Beach & Rasmus, 2013, p. 54). The micro level of analysis is the perfect option when the purpose of the research is to analyze complex decision-making processes in which different actors and diverse contextual factors are involved. The micro level of analysis focuses on the choices, perceptions, or attitudes of individuals. Moreover, the spaces where those actors interact and the observations are found are the unit of analysis. The units of analysis of this thesis are, mainly, two specific institutional settings: the EU Convention and the Quadrilogue. It was at these two assemblies that the representatives of the EU member states and the representatives of the EU institutions bargained their interests/demands and took their decisions.

III.4 The evidence for each part of the mechanism

Each part of the mechanism will be the object of different sources of evidence. As I have already pointed out, the most relevant one was elite interviews, but also other resources were utilized such as minutes, official documents, journal articles, books, and news. I have already analyzed the problems of bias that

interviews might have. The minutes of the meetings as well as official documents might be the most reliable types of data. Media reports or news needed to be the object of more serious analysis before admitting them as reliable information. Finally, with regard to secondary data such as news, journal articles, or books, I had to carefully read and contrast them with the primary data.

Finally, it is also interesting to point out that the data analysis is primarily based on text analysis, mainly through the transcription of the 60 interviews and all other resources already mentioned. I used the software Atlas.ti to help me in analyzing the data. In so doing, I coded the text in both a deductive and inductive manner. The process of coding is primarily based on two steps: generating significant labels for the information gathered and then classifying the information according to those labels. First, I wrote a list of different codes that I deduced from the theory (Anex II: Code List). Then, I defined them narrowly in order to have a clear idea about which pieces of evidence should be linked to which code. Finally, after codifying, I used the analytical tool to get the most from the evidence in order to prove my hypothesis.

III.4.1 First part of the mechanism

In order to test the first part of the mechanism, preference formation, I looked for pieces of evidence that indicated that the preferences of the member states were formed at the domestic level. In addition, I also searched for evidence that confirmed who the actors involved in this process were and whether their preferences were rooted in economic or geopolitical motivations. In so doing, I looked at different speeches from the chief executive and minutes from meetings or interviews where the different national actors express their domestic preferences. Those preferences should coincide with their historical position towards the EU process of integration and the CFSP in particular, as well as with its domestic objectives.

These actors should express the necessity of having a much stronger international position at the supra-state level, even from the side of the biggest member states. Another observation would be a position paper from the national parliament or testimony that confirmed that the national government

representatives had asked the opinion of national parliamentarians and key diplomats. Finally, they might recognize as an advantage having an EU diplomatic service that would be a more competent and “neutral” actor capable of acting on their behalf. I do not expect NGOs or the third sector to have a prominent role in the formation of the preferences of member states primarily because I believe that foreign policy is a field more restricted to the government.

Then, we should look at interviews and official papers such as speeches from the prime ministers or other actors involved, such as government representatives, national parliamentarians, civil servants, et cetera. We should also look at secondary data such as memoirs from the key actors, journal articles, or newspaper articles. In fact, during the first stage of the mechanism, preference formation, I mainly relied on interviews with nation state representatives and with EU institutions civil servants who were directly involved in the process of preference formation and bargaining and who had a clear perspective of what the priorities of those that they represented were. Minutes of the meetings were also useful in identifying the major priorities of the different actors.

To sum up, in this first step of the mechanism, I followed the specificities of liberal intergovernmentalism, and I looked for evidence that confirmed that the preference formation had taken place at the national level aiming to fulfill domestic objectives. Then, because of the theoretical assumption shared by both liberal intergovernmentalism and rational choice institutionalism as well as some empirical information, I assumed that I needed a hoop test for this part of the mechanism (high certainty) (Collier, 2011, pp. 826-827). This means that finding the evidence is necessary to confirm the h. I am very confident about finding the evidence. However, the low level of uniqueness means that there can be other valid explanations. I will need to pass several hoop tests in order to find sufficient confirmatory evidence.

III.4.2 Second part of the mechanism

During this second stage, I aim to show that negotiations take place at the supra-state level and that EU institutions are able to condition the strategies

that member states follow in pursuit of their domestic preferences, affecting the final outcomes. In addition, the institutional setting in which negotiations are carried out should also play a relevant role as they are the ones in charge of driving the discussions. In this second part of the mechanism, I aimed to find minutes from meetings, interviews and/or speeches that showed great differences between the preferences of the different member states and EU institutions. In addition, I also aimed to find joint proposals from bilateral or small group of member states meetings (apart from the official forum of negotiations) where they reach compromises that then they will use to push other member states to agree to their position.

I also looked at the minutes of the meetings and interviews expecting to find that the most discussed items are the preferences from the big member states and EU institutions. Thus, from the minutes of the meetings, I expected to find that EU institutions are part of the bargaining process and, therefore, they are able to contribute to the discussions and shape member states preferences. They have a strong position linked to their better technical expertise. Budget, control, and composition/staff are expected to be the most relevant discussions. I should also find through both interviews and official documents that the organs from the institutional settings, the Convention and the Quadrilogue, drove the discussions and thus were also able to condition the strategies followed by member states and EU institutions in the pursuit of their exogenous preferences, impacting the final outcomes.

At this second stage of the mechanism, bargaining at supra-state level, the information was once again mainly gathered through interviews with representatives of the nation states and EU institutions, but official documents were also very valuable. At this stage, minutes from the meetings were relevant in order to check the strategies that those actors followed in order to achieve their preferences/demands. Here, official documents that revealed bilateral agreements and concessions among the different actors as well as speeches from the key actors were also useful as well as secondary data such as newspapers or articles.

In order to test the idea that member states are not the only ones that condition grand bargain negotiations, I needed a smoking gun (high uniqueness) (Collier, 2011, p. 827). This implied that finding that the EU

institutions had their own demands and were able to bargain them with the preferences of the member states and that the institutional settings in which negotiations were carried out played a relevant role in driving the discussions is sufficient to accept the h. However, it was also necessary that I bear in mind that the certainty is low, so it was not clear that I would find obvious evidence about the fact that EU institutions conditioned the strategies of member states. Because of that, in case that I could not find absolutely obvious evidence, this did not mean that the h would be rejected.

III.4.3 Third part of the mechanism

In this third part of the mechanism, I aimed to show that EU institutions are able to effectively impact the final outcome. In addition, I aimed to discover the main reasons that caused member states to agree to the creation of the EEAS. I expected functionalist and cost-benefit behavior. I also expect the willingness of member states in order to ensure the credibility of commitments and to reduce transaction costs. Last but not least, the major preoccupation, I assumed, would be to control the new body as much as possible. In so doing, I would search for evidence such as minutes from meetings and official documents or interviews that would stress the final motivations that made member states and EU institutions agree to the creation of a supra-state diplomatic body.

This thesis also expected to find through interviews, minutes of meetings, and official documents that package deals and logrolling were necessary to reach a compromise, and that the more interested member states/EU institutions had to do more side payments. Finally, I expected to find that demands from the EU institutions were part of the final deal although, due to asymmetries of power, subject to those of the member states. Regarding this last stage of the mechanism, interviews were especially decisive in explaining the final outcome. The final documents from the negotiations were also useful in cross checking what was finally agreed. The fact that EU institutions have the power to impact the final decision is again a smoking gun test (high uniqueness) (Collier, 2011, p.827) because, if I could find that the decision had been

nuanced by EU institutions preferences, it would highly increases my confidence in h (it is sufficient for confirming my hypothesis).

III.5 Case selection

In order to analyze the process of EU integration, rational theories and, specifically, liberal intergovernmentalism focuses on the biggest member states because they are the ones who have more power to shape the final outcome; they have greater power of influence (Moravcsik, 1998). The biggest member states of the EU, namely the UK, France, and Germany, are the ones within the EU that have global interests and are still able to act individually. They are less dependent on multilateral institutions, and, therefore, they understand the EU as another tool/forum where they can operate (Lehne, 2012). In addition, regarding the process of domestic preference formation, the level of government autonomy provided by each of the three constitutional frameworks—the UK, France, and Germany—is different.

Liberal intergovernmentalism asserts that the outcome of the negotiations take into account asymmetries of power, so the biggest member states will be in a better position than the small ones in shaping the final deal. Big member states have greater bargaining power. This means that the less a member state has to lose from a negotiation the more powerful it is in achieving its purposes. In addition, we assume that the biggest member states, which have more capabilities and resources, will be the most reticent in terms of creating a supra-state diplomatic body. For the small member states, it is clear that being a part of a worldwide supra-state diplomatic network able to play a significant role in the global arena will always be of great advantage. The majority of the small member states of the EU are players with diplomatic representations only within the EU; they are unable to play a role in the world by their own. That is why it will be especially interesting to deeply observe the preferences and bargaining strategies of the biggest EU member states regarding the setting up of this diplomatic supra-state institution.

III.5.1 The UK

The UK is one of the biggest member states of the EU and one of its strongest foreign policy actors and is among the EU states with global projection. The UK is a permanent member of the United Nations Security Council, and it is also one of the two that account for an independent nuclear deterrent. For those reasons, the UK is one of the EU member states in a better position at the international level and less dependent on the EU power. In addition, the UK is the member state least engaged with the idea of pooling its power in foreign policy. The UK has historically been the most Eurosceptic of the EU. As examples of this Euroscepticism, I can point to its desire not to be part of the Eurozone and the Schengen area, its tenacity in preventing the extension of qualified majority voting, and the recent referendum on the exit from the EU.

It is not a surprise that even under Blair's pro-European Labour government, compared to previous UK governments, the UK's approach to the creation of the EEAS was the most skeptical of all of the EU member states. The UK understands the EU as an intergovernmental organization where the member states should have absolute power. The UK has historically preferred to keep the EU institutions far away from foreign policy. Britain has also rejected any extension of qualified majority voting in this field. In addition, the UK always prefers to negotiate in intergovernmental forums.

One of the major principles of the UK constitutional framework is parliamentary sovereignty²⁰. The executive power is a parliamentary executive; this means that its existence depends on the confidence of the parliament (Ronek, 2014, p. 169). The UK parliament is a key player in policymaking, and, therefore, the level of autonomy of the UK government is low. Regarding European policymaking, the major actors involved are the prime minister and the foreign secretary as well as the officials in charge of giving them advice such as the Cabinet Office and the Foreign and Commonwealth Office. Other ministerial departments such as the Treasury might also be heavily involved (Bulmer & Burch, 2002, p. 122). There are weekly meetings in the Cabinet office under the chair of the Head of the European Secretariat where the UK

²⁰ Parliamentary sovereignty is a principle of the UK constitution. It makes Parliament the supreme legal authority in the UK which can create or end any law. Generally, the courts cannot overrule its legislation, and no Parliament can pass laws that future Parliaments cannot change. Parliamentary sovereignty is the most important part of the UK constitution. (Parliament.uk: <https://goo.gl/YwZ357>)

permanent representative along with officials from the Foreign and Commonwealth Office agree on the UK position over EU issues. The constitutional framework of the UK does not contemplate many veto points; constraints mainly arise from inter and intra party division (Bulmer & Burch, 2005, pp. 871-872).

Finally, the key reason why I chose the UK is because it is a powerful member state within the EU, and it perfectly fits the main supposition of this thesis that the more powerful the member state, less they will favor pooling their sovereignty. In addition, the more powerful a member state is, less dependent it is on the EU, and therefore its bargaining power increases. In addition, the UK is the most Eurosceptic country in the EU. In the beginning, the UK said no to the creation of the EEAS. However, it finally agreed to the creation of this supra-state diplomatic body. That is why it was extremely interesting to elucidate what its initial preferences were and if they changed or not during the bargaining process; also interesting to learn was what strategy the UK followed during the negotiations and which of its initial preferences were added to the final design of this institution.

III.5.2 France

France is one of the most pro-European countries in the EU, but it has its clear red lines in terms of foreign policy. By strengthening the CFSP and the CSDP, France aims to improve its own power in the world. France wants to protect its national sovereignty and its interests in this matter. It has the second biggest diplomatic service in the world, just after the US, and it is also one of the two countries in the EU, along with the UK, that has a seat on the United Nations Security Council and has an independent nuclear deterrent. Therefore, its bargaining power is one of the biggest among the EU member states. Following this reasoning, France agreed with creating the EEAS but only if this meant the reinforcement of French national interests (Terpan, 2013, pp. 131-132). As Sarkozy pointed out in 2009, one nation alone has no influence at all. Europe is a force multiplier (Pertusot, 2012b, pp. 1-9). France wants to become stronger internationally through the EU (Terpan, 2013, p. 130).

The French constitutional framework highlights the supremacy of the executive power when it comes to European policymaking. France's European policy is in the hands of the Presidency and the Government. Following the Gaullist tradition of parliamentary non-intervention in the driving of external relations, the Fifth Republic Constitution transferred power from the Parliament to the Executive, creating a strong executive which enjoys great autonomy from parliamentary harassment and interference (Rizzuto, 1995, p. 46). European policy is considered within the French system a "domaine réservé" where decisions are taken by French presidents (Kim, 2016, p. 302). Therefore, the level of autonomy that the French government enjoys is high.

The reason I chose France is because it is one of the founding members of the EU. It is pro-European, but, at the same time, it has clear red lines regarding the comunitarization of EU foreign policy. As I have already said, France has a powerful diplomatic network, and it is one of the EU countries with a seat on the United Nations Security Council. Thus, it is one of the most autonomous actors, and it also has greater bargaining power, so I expected its preferences to be the most heavily bargained and reflected in the final outcome. In addition, it was extremely interesting to elucidate why this country decided to say yes to the institutionalization of diplomacy at the EU level. This can be a very good example for determining to what extent the capabilities that a member state has affects its engagement with the setting up of a supra-state institution.

III.5.3 Germany

Germany is one of the three biggest member states of the EU. However, its foreign policy role in the global scenario is less relevant/visible than that of the UK or France. Germany is not a permanent member of the United Nations Security Council. In addition, because of its historical past, it has rejected playing a relevant role in terms of foreign and military power. It is dependent on the EU in this field. Germany is one of the founding fathers of the EU and one of the strongest supporters of the strengthening of EU foreign policy and the creation of the EEAS. Germany did not see the setting up of the EEAS either as a danger to its own responsibilities or as an alternative to national diplomacy. Germany was mostly interested in the areas related to

neighborhood policy, external assistance, and project programming (Adebahr, 2015, p. 107).

The level of autonomy that the German government enjoys in terms of policy making is relatively low. Since Germany is a federal state and has a bicameral system, its constitutional framework necessitates certain points of constriction. The Bundestag and the Landers, through the Bundesrat, are allowed to participate in European matters. The Federal Government must notify the Bundestag about those matters comprehensively and as soon as possible. In addition, the Federal Government must give the Bundestag the opportunity to express its opinion that must be taken into account during the negotiations, despite details regulated by law (Art. 23, German Constitution).²¹ Nevertheless, the Federal Government enjoys a central position in European policy (Beichelt, 2017, p. 9). The Federal Foreign Office and the Federal Ministry of Economics chair the round table of European Affairs Directors-General in order to discuss ministerial positions on European political issues and to come up with a German government position. The Federal Chancellery also plays a coordinating role in European Affairs.²²

The reason I chose Germany is because it is one of the most powerful member states within the EU, and it was very eager to create this supra-state diplomatic service. In addition, Germany is more dependent on the EU than the other two big member states. Because of that, we should expect that Germany will be the one which offers the most side payments. That is why it was very interesting to analyze its initial preferences, particularly if they changed or not during the bargaining process; also interesting to discover was what its strategy was and which of its preferences were finally added to the design of this supra-state institution.

²¹ Basic Law for the Federal Republic of Germany. <https://goo.gl/TyF6fJ>

²² Germany and Europe. <https://goo.gl/imSpn1>

Chapter IV:

TOWARD A MORE COHERENT EU FOREIGN POLICY: THE EEAS

*People only accept change when they are faced with necessity,
and only recognize necessity when a crisis is upon them.*

Attributed to Jean Monnet

Foreign policy has been a part of the EU process of integration since its inception. The purpose of this chapter is to look at the evolution of EU foreign policy integration at the supra-state level—from the 1970 Davignon Report until the 2001 Treaty of Nice—in order to understand what motivates member states to further their cooperation. This thesis emphasizes that every member states' decision of more cooperation at the supra-state level is a response to external challenges, to a real necessity for common action. In addition, in the second part of this section, I look at the domestic preferences of the three biggest member states of the EU: the UK, France, and Germany in terms of the process of EU integration in general and particularly the CFSP. This will help me in understanding the origin of their preferences and in assessing if they have remained fixed through the years.

IV.1. The institutional evolution of the CFSP from the 1970 Davignon Report to the 2001 Nice Treaty

In this first part of the section, I look at the evolution of the process of EU integration in Foreign Policy: from the Davignon report until the Treaty of Nice. This helps to understand what moves member states to further their foreign policy cooperation at the supra-state level. In a nutshell, I stress that every decision of member states in furthering their cooperation at EU level responds to their necessity to work together because these states are unable to respond to the global challenges alone.

Very soon after the six EU founding member states decided to cooperate in economic matters, they realized that it was also necessary to pay attention to the external dimension of this economic cooperation. The first step took place in 1959 when member states decided to hold consultative meetings in order to talk about the political effects of the economic integration. The first encounter took place in Rome in 1960 when the French president, General De Gaulle proposed establishing regular meetings in order to discuss political, economic, cultural, and defense issues. Those meetings were intended to take place between ministers, heads of state or government, and senior officials. In order to define the form of the cooperation, a study group was established chaired by a French diplomat, Fouchet. However, there was a clear division between member states during the negotiations. Finally, the proposals were rejected, and it took seven years to reopen the negotiations.²³

IV.1.1 The birth of political cooperation at the supra-state level: the EPC.

The motto “The European Union is an economic giant but a political dwarf” has been a constant since the 70s when the member states of the European Community (EC) decided to institutionalize their collaboration in the foreign affairs field. During the Hague Summit in December 1969, the heads of state and government decided to work towards a united Europe which would be able to assume its responsibilities in the international world (EC Bulletin, 1970, No. 1, pp. 11). In so doing, they ordered their foreign ministers to study a better way to deepen political cooperation at the European level (EC Bulletin 1970, No. 1, pp. 3, 5).

As a result of this mandate, the EC Foreign Ministers drafted the Davignon Report. Under this document, they proposed the creation of a foreign policy institutional framework called the European Political Cooperation which would operate on an intergovernmental basis. Nevertheless, taking into account the problems regarding which they previously had to be able to cooperate in the political field, they decided to be very cautious. Thus, the main aim of the European Political Cooperation was to enhance collaboration and coordination

²³ Centre Virtuel de la Connaissance dur l'Europe, *The Fouchet Plans*. <http://goo.gl/T7pIHZ>

between the EC member states in this area. In short, the principal objectives of this cooperation structure were:

To ensure greater mutual understanding with respect to the major issues of international politics, by exchanging information and consulting regularly

To increase solidarity by working for a harmonization of views, concentration of attitudes, and joint action when it appears feasible and desirable (Davignon Report, (Luxembourg, 27 October 1970).

However, it was not based on a Treaty and permanent organizational machinery was not provided. At that time, the rules were very scarce, and the states agreed on only a few instruments for collective action. What was extremely clear was the fact that the European Political Cooperation will be totally separated from the supranational EC (Smith, 2004, p.1). Member states did everything they could to ensure that Brussels was not going to be a center of foreign policy (Allen, 1998, p. 50). Foreign policy is directly linked to the sovereignty of member states; thus member states preferred to keep it connected to intergovernmental cooperation where decisions are taken by unanimity and member states have the right of veto. The European Political Cooperation structure also allowed harmonizing of the foreign policies of member states to begin, however, as mentioned above, always on an intergovernmental basis and with veto power over any common action (Whithman, 1998, p. 165).

The most interesting part of the agreements is the fact that they allowed member states to exchange views and information but also to decide on action in cases of urgency (Winn & Lord, 2001, p. 23). In addition, they agreed that foreign ministers should meet at least twice per year, once every six months. The person in charge of convening these meetings was the holder of the seat of the rotating presidency. Depending on the relevance of the topic, it was possible to upgrade the level of the meetings to heads of state or government. Furthermore, in case of serious crisis or special urgency, they also agreed on the possibility to convene extraordinary consultations between the governments of the member states. The meetings would always be chaired by the foreign minister who held the presidency of the Council, and they would be prepared by a committee composed of the heads of political departments

(Davignon Report, Luxembourg, 27 October 1970). Other tasks that had to be dealt with by the rotating presidency were setting agendas, proposing joint actions, drafting common statements, and acting as the spokesman for the twelve in international forums and in meetings with third countries. Finally, this president was also in charge of representing the member states in relations with the EU Parliament.

Under the European Political Cooperation agreement, member states were only meant to consult and cooperate in order to achieve coordinated positions. The single instrument that member states had was political declarations. As mentioned above, European political cooperation was rightly separated from EC. Three years later, on 23 July 1973, because of external reasons such as the oil embargo and the fourth Middle East war but also because of internal reasons such as the success of the first agreement, member states decided to sign a second report, this time in Copenhagen (Wessels, 2006, p. 74). Thus, during the time of the Copenhagen Report, member states agreed to improve the trans-governmental flow of information by creating the Correspondance Européenne (COREU). This is an information mechanism meant to ease information sharing, also allowing foreign ministers and desk officers to take part in the deliberations (Winn & Lord, 2001, p. 24).

The next milestone was the London Report in 1981. This second report was a consequence of the poor response by the EC member states to crises during the 70's. The aim was to improve the response of the participating governments through a crisis mechanism with the purpose of enabling the member states to shape events instead of only reacting to them (Report on European Political Cooperation, London, 13 October 1981). Through the London Report (1981), member states also established the Troika system, composed of the previous, present, and subsequent presidencies. The goal was to ensure the continuity and consistency of the European political cooperation (Smith, 2004, p. 166).

IV. 1.2 European political cooperation under the treaties: the Single European Act

It was not until 1987 that, through the Single European Act, cooperation in foreign policy was institutionalized at the European level. It was the first time that European Political Cooperation was introduced in a Treaty. The Single European Act was not meant to play a role in the foreign policy field but to enhance economic cooperation in order to create a truly single market. The most important improvement from the Single European Act was its characteristic of "single," signaling that this act was meant to deal with both EC and European Political Cooperation under the same legal instrument, although both areas continued separately. The method remained cooperative under the Single European Act; the European Political Cooperation instrument was still the common positions. However, the periodicity of the meetings was upgraded; the foreign ministers would meet at least four times per year, twice as frequently as previously.

In addition, the EU Parliament was going to start playing a role in this matter. The act ensured that the presidency would inform the EU Parliament about the policy issues examined that the positions of the EU Parliament would be taken into consideration. Finally, it is essential to note that they agreed to enhance their cooperation (Art. 30, Single European Act). In so doing, in the Single European Act, a small permanent secretariat was established in Brussels in order to assist the Presidency of the Community. The Single European Act found that, if possible, member states should consult each other in order to adopt common political positions. To sum up, the most important element of the Single European Act was that it meant a real step toward political integration and a monetary union at the European level. Those elements would be consolidated in the Treaty of Maastricht.

Member states, particularly France and the UK, were insistent on keeping the European Political Cooperation away from the Brussels institutional framework because Brussels was understood as the domain of the European Commission. However, through the Single European Act, member states agreed to create a formal and permanent secretariat in Brussels, the first and single permanent body in the European Political Cooperation. It was very important for the member states to make sure that the secretariat was not

going to have powers on its own. It was only created to ensure consistency of the European Political Cooperation (Nuttall, 2000, pp. 23-24). The secretariat was meant to operate under the authority of the Presidency and was totally dependent on it because it did not have its own budget and had only a small staff (Sanchez da Costa Pereira, 1988, p. 86). The final reason for creating this permanent secretariat was to assist the rotating Presidency when it had to manage the European Political Cooperation and in its task of coordinating the external action of the European Communities (Allen, 1996, p. 289).

The Secretariat did not have autonomy; however, nothing prevented it from making the most of its presence by doing a remarkable job or by the personality of its members (Sanchez da Costa Pereira, 1988, p. 100). It had neither the right of initiative to prepare papers, nor to represent the European Political Cooperation externally (Nuttall, 2000, p. 23). The Secretariat was composed of an extended troika: 17 officials, the current and following presidencies, administrative staff, and the head of the Secretariat (Tonra, 2000, p. 153). The European Political Cooperation activities were rightly separated from the EC. The European Political Cooperation secretariat was separated from the rest of the Council's secretariat "by doors with special locks on them" (Allen, 1998, p. 51). Notwithstanding the efforts from member states to keep the secretariat subordinated to them, it started to play a significant role. In Nuttall's words, it meant the "keeper of the books" (2000, p. 23). As mentioned above, the member states were worried about controlling this secretariat, so its functions were very minimal. The main task of the Secretariat was to guide the procedures, ensuring that the "traditions" were respected (Sanchez da Costa Pereira, 1988, pp. 93-94).

In the Single European Act, the rules were the same as in the European Political Cooperation (1970); however, it introduced a very important novelty, a permanent secretariat. This permanent secretariat helped to reduce the administrative burden on successive presidencies and ensured continuity. Thus, we can see how the member states decided to go a step forward in the institutionalization of the EU foreign policy in order to ease their cooperation. The differences in the preferences and behavior between the big and the small member states became larger, which was also a signal of a change in the relationship between the western European countries and the two big

superpowers, well before the events that took place at the end of the 80s (Allen, 1996, pp. 288-289).

IV. 1.3 Maastricht: single institutional framework and pillarization

The next great evolution in the institutionalization of the European Political Cooperation took place at the intergovernmental conference in 1991. During this negotiation, the debate about CFSP was re-launched mainly as a reaction to the political events after the end of the Cold War, particularly as a means to link the reunified Germany to the EC. This intergovernmental conference ended in the Treaty of Maastricht, and, as usual, it was led by a confrontation between the intergovernmentalists and the supranationalists (Vanhoonacker, 1992, pp. 27-28). The Treaty of Maastricht in 1992 represented an inflexion point in the institutional development of EU foreign policy. The treaty came up with a new institutional structure for the recently created EU. The structure was divided into three pillars: the community pillar, the pillar related to security and defense policy which came to substitute for the European Political Cooperation, and the third pillar was related to justice and home affairs. The first pillar was community; it followed a supranational decision-making process based on qualified majority voting. The other two followed an intergovernmental decision-making process based on unanimity and veto power. In short, the second pillar followed the model of the European Political Cooperation which was based on two basic principles: the lower common denominator and collegiality (Francia & Median Abellán, 2006, p. 161). Nevertheless, under the Treaty of the European Union (TEU), because of the necessity to coordinate the different policies between the community and the external action pillars, it was agreed that the pillars had joint responsibility (TEU, Titule I, Art. 3).

At this time, a new DG within the Commission was also created, the DG of External Political Affairs (DG-E), under the authority of the commissioner of external relations. With the purpose of achieving the aforementioned coherence, the main goal of Maastricht was to create a single institutional structure. Nevertheless, the option for the three pillars consolidated the establishment of a huge division between the community and the intergovernmental fields, which shows the desire of member states to keep

foreign policy and justice and home affairs linked to their sovereignty as much as possible. The construction of a common defense was an object of great divergences between the three biggest member states. On the one side were France and Germany who aimed to achieve an organization of defense matters at the European level run by EU institutions and able to act both politically and militarily. On the opposite side was the UK who wanted to keep defense matters away from EU institutions. The UK was willing to support the creation of a common defense policy but only under the condition that its constitution would be made by political and non-operative initiatives of the EU (Daloiso, 2012, p. 6).

What was very clear under Title V of the TEU was that member states were called to strengthen their cooperation through more meetings, major exchanges of information, and the coordination of their positions within international organizations and during international conferences. This cooperation was also spread to embassies, consulates, and the representatives of the Commission abroad. At the same time, member states were prevented for acting in a way that could harm the interests of the EU. The rotating presidency was named to play a relevant role because among its duties are the implementation of common policies and the representation of the EU in international forums. Finally, a new Troika was introduced, which allowed the presidency to be assisted in the performance of its tasks by both previous and following presidencies and the Commission (Francia & Median Abellán, 2006, pp. 135-136).

The above restructuring is related to one of the major novelties that the Treaty of Maastricht introduced regarding the institutional structure of foreign policy and the external action of the EU, the necessity of coherence between the two components, external action and foreign policy. This necessity for coherence will be one of the major rationales behind any further supra-state institutionalization in this field. Although it is in their interest to strengthen their collaboration, the division between external action and CFSP was still very clear, and it would remain so, precisely because the great importance that member states place on keeping foreign policy close to their sovereignty.

A boost to the institutionalization of foreign policy and the external action of the EU was a consequence of the external events that took place during the

late eighties and nineties such as the crisis in the Middle East, the fall of communism in Central and Eastern Europe, and the wars in the Balkans. In addition, one of the first motivations for Europeans in the institutionalization of their foreign policy was the relationship with the US, especially in terms of security and defense. Those circumstances showed that the EU member states had a great necessity for a more effective and consistent CFSP. Taking all those things into account and despite the fact that France and Germany had different perspectives about the institutionalization of EU foreign policy and external action at the supra-state level, they linked their interests to support the birth of the CFSP. Those two countries also continued to influence the development of EU foreign policy during the 1990s. In addition, the UK showed strong interest in enhancement of EU capacities in the field of security and military policy (Francia & Median Abellán, 2006, p. 161).

All of these events that took place in the late 80s increased the feeling of insecurity in the EU countries (Vanhoonacker, 1992, p. 33). At the same time, because of external events like German reunification, it became even more problematic for member states to act unilaterally. They started to understand a real necessity for the EU to speak with one single voice, and they also needed to be prepared for an EU community of an ever-increasing number of member states (Vanhoonacker, 1992, p. 33). Hence, the benefits of collective action gained a strong value. Under these circumstances, one state will be secure only if it ensures the security of the others. However, member states still had firm control over the outcomes from those institutional innovations. They were preoccupied with maintaining a firm separation of the community approach and the foreign policy field.

IV. 1.4 Visibility in Amsterdam: the post of High Representative

Every negotiation of a new EU Treaty tries to overcome the unresolved issues of the preceding treaty, and the Treaty of Amsterdam was no different. It tried to deal with the hybrid institutionalization that the Treaty of Maastricht consolidated through the pillar structure. During the negotiations of the Treaty of Amsterdam, member states agreed to consolidate the resource base for the CFSP, the creation of the post of High Representative, and opened the door to qualified majority voting within the CFSP. Last but not least, it also led

to the introduction of the Western European Union within the EU's institutional framework. Nevertheless, the necessity of achieving greater coherence between the different pillars was still required (Smith, 2012, p. 703).

The Treaty of Amsterdam meant the consolidation of the achievements of the Maastricht Treaty. The major novelty from the Treaty of Amsterdam was the creation of the post of Secretary General/High Representative with the aim of reinforcing the visibility and the continuity of EU actions in foreign policy towards the global world (Article 26, TEU). What remained open was the way in which the cooperation between this new figure and the commissioner of external relations would work (Francia & Median Abellán, 2006, p. 141).

The responsibilities of the Secretary General/High Representative were established under Article 26 of the EU Treaty, in short, to assist the Council in CFSP related matters. In so doing, this figure should contribute to the formulation, preparation, and implementation of decisions. Moreover, by the request of the Presidency, he is meant to act on behalf of the Council in conducting political dialogue with third parties. As Christiansen & Vanhoonacker (2008) stress, the fact of naming a person with such a high political profile as Javier Solana (Spanish Foreign Minister and NATO Secretary General) provoked the automatic upgrade of the political profile of the Secretariat (Juncos & Pomorska, 2010, p.9). The appointment of Javier Solana, a high-profile political figure to perform this job was a relevant signal of the aim of member states to strengthen the CFSP (Bretherton & Vogler, 2006, p. 169).

This new figure would be supported by a policy planning and an early warning unit set up in the General Secretariat of the Council and placed under his responsibility. It would be composed by one national diplomat seconded from each member state, one representative from the Commission, and one representative from the General Secretariat (Juncos & Pomorska, 2010, p. 11). After the reforms of the Treaty of Amsterdam, the CFSP secretariat was divided into four directorates, two dealing with geographic responsibilities, a third focused on security and the United Nations, and fourth one working on general affairs. The total number of staff was around 50 people (Nuttall, 2000, p. 252).

The creation of this policy unit was in response to the deficiencies in the actuation of the EU in the Yugoslavia conflict. The fact of having national experts taking part in this unit was an effort to link the capitals and the EU in CFSP matters. Furthermore, it was a way to facilitate the flow of information, but its success would always depend on the willingness of the member states to provide such information. In addition, there were tensions between the DG-E officials and the Policy Unit officials because they had to work together in areas of special interest for the EU such as the Balkans, Eastern Europe, and the Middle East. Among the several changes introduced in the structure of the DG-E, it is worth noting that, since the Treaty of Amsterdam, the economic external relations and the CFSP were incorporated under the same framework. Furthermore, more thematic and regional directorates were created in order to increase the role of the EU in the world as well as two more liaison offices, one in Geneva and another in New York (Juncos & Pomorska, 2010, p. 10).

Regarding the area of defense, the treaty of Amsterdam played a relevant role in clarifying the Petersberg tasks introduced in the Treaty of Maastricht. Article 17.2 TEU points out, “Questions referred to in this Article shall include humanitarian and rescue tasks, peace keeping tasks, and tasks of combat forces in crisis management including peace-making.” In addition, an important consequence of the development of the CSDP was the creation of new institutional structures that allowed international crisis management. In this sense, member states found it necessary to hold periodic General Affairs meetings with the presence of the defence ministers of the member states.

IV. 1.5 NICE, the continuation of Amsterdam

The treaty of Nice did not create major novelties in the institutional framework of the EU’s foreign policy. However, it introduced a new instrument in the field of foreign policy and external relations, enhanced cooperation. It allowed the willing and able member states to proceed further in their cooperation but only with regard to joint actions or common positions, never over issues with military or defense policy implications (Francia & Median Abellán, 2006, p. 143). The legal instruments that were introduced through the treaties did not represent an inflexion point but merely the continuation of existing policies.

Nothing but systematic cooperation among member states was the most used EU foreign policy tool (Francia & Median Abellán, 2006, p. 162).

On the other hand, under the Treaty of Nice negotiations, member states also agreed to the creation of the Political and Security Committee. This Committee is a permanent structure part of the EU Council. Its main task is to contribute to the drafting and implementation of the CFSP and to the CSDP. This Committee is composed of one ambassador of each member state, a permanent representative from the European Commission, a representative from the European Union Military Committee, and representatives from the Secretariat of the Council and from its legal service. The main task for this Committee is to deal with crisis management operation, and in so doing, to work closely with the High Representative and with the European Union Military Committee.²⁴ In addition, it is also necessary to point out that, after the St. Maló summit (1998) and the Cologne European Council (1999) established the European Security and Defense Policy (ESDP), the Council Secretariat was the object of structural reforms in order to extend its responsibilities over this field. Thus, with the purpose of carrying out planning and executive functions, new units were created in the DG-E, the political-military aspects of the ESDP (Defense Issues/Directorate 8) and civilian crisis management operations (Civilian Crisis Management/Directorate 9) (Juncos & Pomorska, 2010, p. 11).

Finally, it is interesting to note that the different changes in the institutional evolution of the EU foreign policy have resulted in shifts of power and visibility with the different actors (Tsebelis, 1999, p. 7). From the European Political Cooperation until Nice, member states had chosen to further their cooperation in foreign policy at the EU level. However, they were extremely worried about maintaining their power over the final decisions, keeping foreign policy properly under their control. At the same time, the necessity for the EU to play a more relevant role in the international scenario increased. The political dimension of the EU process of integration was the reasoning behind of a speech from the German Foreign Minister, Joschka Fischer, during the Nice intergovernmental conference. He suggested that, after the changes that took place in 1989 and the Kosovo war, it had become necessary to work towards a

²⁴ Council Decision [2001/78/CFSP](#) of 22 January 2001 setting up the Political and Security Committee (PSC).

federation with a constitution. He also pointed out that the EU enlargement should be accompanied by an increase of the EU capacity to act globally (Laursen, 2006, p. 544).

IV.2 The Big Three toward EU foreign policy

Within this second part of the section, I examine how the three biggest member states of the EU have approached the evolution of the process of EU integration regarding foreign policy. The UK, France and Germany have followed different approaches. However, this thesis can stress that all of them have looked at the EU as a way to maximize their domestic goals.

IV. 2.1 The UK, the EU as a way to promote national interests

We have not successfully rolled back the frontiers of the state in Britain only to see them re-imposed at a European level.

Margaret Thatcher. The Bruges Speech, 1988.

The UK approach towards the European project has been characterized by its preference for intergovernmental cooperation where decisions are taken by unanimity and the nation states have power of veto (Geddes, 2013, p. 195). Historically, the British government's main purpose in terms of the European project has been to maximize its national interests. Hence, they were ready to collaborate with the EU in the areas where they could act better together which were, in the words of Margaret Thatcher, trade, defense, and foreign policy.²⁵ Since the very beginning, the UK was opposed to the idea of an ever-closer union and to the creation of a supranational state. The UK's main concern was to keep the power of the EU supra-state institutions under control. However, the UK also understood that it was in its own national interest to be at the heart of Europe (Dryburgh, 2010, pp. 257–273).

²⁵ Thatcher pointed this out in her speech at the College of Europe, Bruges, 20 September 1988.

During the EU process of integration, the major preoccupation of the various UK governments was to ensure that the EU remains a union of member states and not a federation. British preferences regarding the EU project were based on reversing the trend towards a federal Europe and limiting the power of EU institutions. The British point of view is that the EU is a union of nation states that aim to work together in their own interest and in the interest of Europe as a whole. Their approach to the CFSP followed the same path. The UK's major preoccupation had been to keep the member states at the center of the decision-making process and to ensure its right of veto. In addition, the UK wanted to improve cooperation with CFSP as long as it helped the member states in achieving major visibility and policy coherence in the eyes of the world, but they would always veto any proposal to create a single European foreign policy that would replace the individual ones of the member states (Whitman, 2016, p. 6).

The EU has always been an object of political controversy among the British political parties, and sovereignty has always been at the forefront of the debate (Mulligan & Brendan, 2010, p. 305). After applying twice and being vetoed by De Gaulle, the UK finally became a full member of the EU in 1973. However, at that time, the Labour Party, who had applied for membership in 1968, was divided about the appropriateness of Britain being member of the EU. They won the election in 1974 committed to renegotiating the terms of the UK membership²⁶, and, in June 1975, two years after the UK had become full member of the EU, the Labour Party held a referendum on this matter. This occurred because the far left within the Labour Party understood that being part of the European Communities would undermine its national autonomy (Callaghan, 2007). A large part of the Labour Party had also campaigned against the UK membership in the EU. Furthermore, during the general elections held in 1983, the Labour Party manifesto asked for the UK to withdraw from the EU.²⁷ The situation changed radically during the 80s and 90s when the Labour Party became the most pro-European and the Conservatives became Eurosceptic.

During the 80s, UK foreign policy was conditioned by the friendship between Thatcher and Reagan. They were convinced that the UK needed only to protect

²⁶ Conservative Party. The Campaign Guide 1983. <https://goo.gl/mTstNY>

²⁷ UK, Parliament (2008) British Foreign Policy since 1997. 08/56. 23 June.

its relationship with the US in order to achieve its foreign policy goals (Bulmer-Thomas, 2013). The relationship between the UK and the US is based on its cultural ties, language, ideals, and democratic practices. In addition, its relationship has been reinforced by the alliance during several conflicts such as World War II and its membership in multilateral forums like NATO. They continually consult each other on foreign policy issues and global problems since they share many common objectives.²⁸ Another asset in the hands of the UK Foreign Office is its Commonwealth network, which includes some of the most advanced economies in the world.²⁹ Thatcher believed in the EU as a partnership of independent nation states aimed at protecting their national interests but also willing to cooperate regarding the areas over which it is not possible to give a national response.³⁰

At the time of the Treaty of Maastricht negotiations, during the Major government, the UK preferences regarding CFSP remained the same: supporting decisions taken by unanimity and intergovernmentalism and opposing any extension of qualified majority voting, making sure that the EU institutions stay far away from this field.³¹ At this time, the UK membership in the EU was an object of controversy among the Conservatives and one of Major's objectives was to keep the party united in this area.³² In addition, the Major government also maintained a very Atlanticist perspective.³³ During the Treaty of Amsterdam negotiations, the UK persisted with its same cornerstone preferences, prioritizing cooperation over centralization. The UK supported the idea of the creation of the CFSP. In addition, the Labour government wanted to strengthen cooperation on defense.³⁴

The Labour Party won the general elections in 1997 by highlighting in its party manifesto that they will give Britain leadership in Europe.³⁵ At this time, the Labour Party was more united regarding the EU process of integration than

²⁸ United States Embassy in the UK. History of US-UK Special Relationship. <https://goo.gl/EVTqec>. Accessed 22/06/17.

²⁹ Gov.uk. Foreign Secretary William Hague made a statement in Parliament on how the UK plans to reinvigorate the Commonwealth. <https://goo.gl/6RxhPN>. Accessed 22/06/17.

³⁰ Conservative Party Manifesto. General Elections 1979. <https://goo.gl/3t8Km4>

³¹ UKPOL (2016) John Major–1991 Statement on the 1991 European Council Meeting at Maastricht. <https://goo.gl/bjyF37> Accessed 26/07/17.

³² Holmes. John Major and Europe: The Failure of a Policy 1990-7. The Bruges Group. <https://goo.gl/FexMsU> Accessed 26/07/17.

³³ UK Parliament (2008) British foreign policy since 1997. 08/56. 23 June, pp. 29.

³⁴ BBC (1997) Guide to the Amsterdam Summit. <https://goo.gl/kHGhZU>. Accessed 26/07/17

³⁵ Labour Party Manifesto. General Elections, 1997. <https://goo.gl/XPWcYi>.

the previous conservative governments.³⁶ The Labour Party opposed a federal Europe but believed in an EU characterized by an alliance of independent nation states that choose to cooperate in order to achieve the purposes that they cannot achieve alone.³⁷ The biggest success during the Blair government regarding this topic was the Saint Maló agreement (1998) under which the UK and France agreed to further cooperation on defense.³⁸ However, they also defended NATO as the EU's most relevant framework for defense.³⁹ At the same time, Blair maintained the UK's original preferences regarding the CFSP—unanimity and veto power as well as the positioning of the UK as a bridge between the US and the EU.

The Labour Party also won the general elections in 2002. At this time, they reinforced their commitment to the EU, asserting that it was in the UK interest to engage and be constructive. They understood that the UK membership in the EU was positive for the UK, and they wanted to strength the collaboration in order to make it more effective.⁴⁰ In conclusion, it is possible to say that despite the differences between the Conservative and the Labour governments regarding the EU and, specifically, the CFSP, the main priorities of the UK have remained constant: intergovernmentalism and unanimity remain the rule. In addition, they were also very persistent in maintaining the special alliance with the US and with the Commonwealth, leaving the EU in third place (Barber, 1998).

³⁶ UK, Parliament. (2008) British foreign policy since 1997. 08/56. 23 June, pp. 30.

³⁷ Labour Party Manifesto. General Elections, 1997. <https://goo.gl/XPWcYi>.

³⁸ UK, Parliament (2008) British foreign policy since 1997. 08/56. 23 June, pp. 32.

³⁹ Labour Party Manifesto. General Elections, 1997. <https://goo.gl/XPWcYi>.

⁴⁰ Labour Party Manifesto. General Elections 2002. <https://goo.gl/bgGhh5>.

IV. 2.2 France, the EU as the optimum force multiplier

It is not a question of forgetting each actor's legitimate interests, but on transcending them in the refund dynamism of the construction of Europe.

François Mitterrand, speech before the German Bundestag, 1963.

The relationship between France and the EU process of integration has historically been a balance between strong commitment and sabotage.⁴¹ France is one of the founding fathers of the EU whose main approach towards the CFSP and the EU project itself is to protect its national sovereignty as much as possible while, at the same time, believing in a strong EU. France understands that foreign policy is at the heart of its national sovereignty and the EU CFSP is a complement of it. France will always support the development of an EU CFSP as long as it does not limit its own foreign policy. This explains the preference of France for intergovernmental structures, limitation of the extension of qualified majority voting, and the maintaining of a small role for the Commission (Lehne, 2012). The main approach of France to the EU is to create a political union strong enough to be able to multiply its own global impact while keeping its own national power. The EU is understood as an instrumental force multiplier that can be reinforced or ignored in terms of the French national interest (Irondele, 2008, pp. 154-155).

In short, the main aim of France is to promote its own national interests through the EU (Guyomarch, Machin, & Ritchie, 1998). France also advocates the deepening of the EU integration as a way to reduce the influence of the US. France fights for “Europe puissance,” a contested concept that can be defined as an EU strong enough in the global arena to be able to answer the prominence of the US. For France, the EU should become a real alternative to the US.⁴² France has been one of the member states who have promoted the CSFP the most since it is essential for France’s foreign policy but only if it

⁴¹ As examples, we can highlight the failed European Community of Defence or the rejection of the EU Constitutional Treaty.

⁴² LeMonde.fr. “Le PS et l'Union européenne Pierre Moscovici, secrétaire national du Parti socialiste français et vice-président du Parlement européen” 13 Septembre 2004, <https://goo.gl/WgUGH7>.

allows France to maintain its own national foreign policy interests (Guéhenno, 2014).

However, we have to take into account the fact that France promotes EU integration as long as it has the power to shape its outcomes. As noted above, this member state is one of the strongest advocates of the intergovernmental character of the CFSP (Irondele, 2008, pp. 154-155). The French leaders see the EU as a two level game: national and European. They fight for a strong France in a strong Europe (Blunden, 2000, p. 23). Since the beginning of the EU process of integration, French leaders have been balancing between integration at the supra-state level and at the level of its own national autonomy (Drake, 2005b, p. 4).

Charles de Gaulle, who put the V Republic into action and was responsible for launching the EU project, was one of the French politicians that had a major impact on French politics. He believed that France had the capacity to play a role in the global arena and stressed that the EU should be understood as a tool in order to achieve such a purpose (Drake, 2005, pp. 299-300). French foreign policy is inspired by its legacy which is rooted in three key elements: the achievement of a great role for France in the world, the promotion of the EU project, and an ambiguous relationship with the US (Pertusot, 2012). In short, one of Charles de Gaulle's major objectives regarding the EU project was to build an autonomous EU foreign and military policy as an alternative to NATO (Moravcsik, 1998b). This, along with the recovering of its status and prestige, was one of the main aims of French foreign policy after the Cold War (Van Ham, 1999, p. 4).

The evolution of the EU process of integration has always been dependent on the relationship between France and Germany, the driving force of the EU. This is why the fall of the Berlin Wall with it some fears to France because Mitterrand thought that the reunification of Germany might provoke its turn towards the USSR. But a successful German reunification could only be possible under the EU umbrella. One year later, Mitterrand and Kohl launched an intergovernmental conference whose main aim was to talk about EU political union. In short, their objective⁴³ was to put into action a CFSP and to strengthen the communitarian institutions. Both leaders published a letter on

⁴³ Regarding this inquiry and apart from the German priority of launching the EMU.

6th December regarding what the EU political union should look like. This process finished with the signing of the Maastricht Treaty.⁴⁴

Mitterrand followed the same idea as De Gaulle about NATO, based on the priority of preserving the independence of the French defense services, very close to the national sovereignty. Since Germany has always been the leader of the EU economic integration, France has always aimed to lead in the areas of politics and diplomacy. In that sense, Mitterrand was very much in favor of a CFSP because he thought that the impact of the EU in the world would be diluted among 15 different voices (Tiersky, 1995, p. 21). Maastricht was the most relevant step towards an EU political union and one of the most relevant victories of Mitterrand since he decided to subject the agreement to a referendum that received 51.4% of positive votes (Guigou, 2004).

The Treaty of Maastricht introduced the CFSP, but it did not develop the policy properly. This did not happen until the negotiations of the Amsterdam Treaty. At this time, the President of France was Jacques Chirac from the Republican government (1995-2007). One of his objectives during the Amsterdam negotiations was to reinforce cooperation in the CFSP. However, France still insisted on the necessity of reinforcing the role of the Council. The good relationship between France and Germany suffered after Chirac came to power. The preferences of these two countries at the time of the negotiation of the Amsterdam Treaty were divergent. The priority of Chirac was to develop the EU defense because he thought that the EU had to assume responsibility in this matter (Milzow, 2012, p.131) and make the EU less dependent on the OTAN. France found an ally in Britain, which led to the St. Maló agreement where both countries reached a compromise regarding their priorities in defense matters, mainly as the result of the EU failure to develop joint initiatives in Kosovo.⁴⁵

At the same time, Chirac proposed the creation of the post of a permanent president of the Council whose mandate would be three years. The person who filled the post would be in charge of representing the EU Council and the post would have to be coordinated with the presidencies that rotated every six

⁴⁴ CVCE.eu. *The end of the Cold War: Towards the establishment of a new partnership (1989-2011)* <https://goo.gl/sFKthr>.

⁴⁵ BBC News, *UK Politics: Anglo-French military pact*; 4 December 1998 <https://goo.gl/XoJBqX> .

months.⁴⁶ “France maintained its defense of its preference for a strong Council structure and limited influence for the more integrationist institutions, the Commission and the European Parliament” (Mazzucelli, Guérot, & Mets, 2006, p. 161). The Treaty of Nice was in charge of the leftovers of Amsterdam and more focused on preparing the EU for the next great enlargement.

IV.2.3 Germany, national foreign policy through the EU

We really believe our national interests are identical with European interests.

Attributed to Gerhard Schröder.

The German approach towards the EU integration process has been characterized by its preference for supranational cooperation where the decisions are taken by qualified majority voting. At the beginning of the EU process of integration, Germany made the EU its main objective, in other words, German and the EU interests were the same (Guérot, 2010). The EU has been understood as an opportunity to realize German ambitions as an international actor. Because of that, Germany has always been one of the most pro-integrationist member states, even when it comes to the particular case of the CFSP. Taking into account its historical past, the EU was understood as a great arena in which come up with a shared foreign policy where Germany could influence with its own interests.

However, especially since the Treaty of Nice, Germany has started to stress its own national interest. Overall, Germany has been very cautious about enforcing its autonomy and sovereignty. Germany is characterized as having been a pacifist nation, and, for several years, it has “hidden” its interests under the umbrella of multilateral organizations (Gardiner & Hulsman, 2006). After World War II, German leaders, based on the Adenauer legacy, have always preferred to act through multilateral organizations such as NATO, the United Nations, or the EU (Aggestam, L.: 2000, 68). As a consequence,

⁴⁶ González, E. (1995) “Chirac combina europeísmo y nacionalismo militar al presentar su política exterior” Elpaís.com; 17 de marzo. <https://goo.gl/UEFbGz> Checked out by 28.11.17

Germany has anchored its foreign policy on the principle of multilateralism, through NATO or the EU, and always avoided the use of force. Germany has constantly opted for the use of civilian power and responding to conflicts through peaceful resolution (Blumer & Paterson, 1996, p. 11).

This uncritical preference for multilateral forums was partially modified during the Schröder era. At this time, Germany highlighted its national interest, reinforcing its opposition to the Iraq war as Germany decided to oppose the US and betray the traditional transatlantic multilateral path (Koops, 2011, p. 267). Iraq also represented an aversion to the use of force. Overall, the major aim that all German chancellors had to with relation to the EU has been to promote EU integration as well as EU institutions. They always pushed for a federal Europe, a reflection of its own internal system. The two cornerstones of the German foreign policy are NATO and the EU. This implies that, as long as the EU integration in foreign policy becomes stronger, Germany tries to push for an enhanced collaboration between these two organizations (Belking, 2007). The relationship with NATO is an interesting point in relation with the other two member states in this study, France and Britain. Germany is the most pro integrationist among the biggest member states of the EU. However, it has not had the political will to lead EU foreign policy (Grant, Janning, Le Gloannec, Lehne, & Techau, 2012).

During the nineties, German foreign policy changed due to shifts in international structures such as German unification and the end of the Soviet Union as well as its embeddedness in the different multilateral organizations mentioned above (Harnisch, 2001, p. 36). In the early stages of the process, the major preoccupation in Germany was the unification between east and west. After that, Germany gained more impact in foreign policy (KAS, 2015). The Maastricht treaty negotiations were mainly a consequence of those changes. In fact, the process of German foreign policy normalization had already started during the Kohl mandate, 1982-1998 (Schwiger, 2004, p.36).

The main political parties have always been supportive of the EU process of integration. Germany is one of the founding fathers of the EU and the maximum exponent of the required peace on the continent. The priorities of the Kohl mandate were to reach economic monetary union, create the CFSP,

and boost the political cooperation (Blumer & Paterson, 1996, p. 10). Kohl emphasized that he wanted to see progress in different EU areas among which was foreign and security policy.⁴⁷ Kohl's party, the CDU, has been traditionally characterized as pro-American and supportive of the EU process of integration.⁴⁸ Konrad Adenauer defined the foreign policy of the CDU, establishing support for NATO and the EU as its cornerstones.⁴⁹

During the negotiations of the Amsterdam treaty, the priorities of the Kohl government remained the same. They pushed for creating different mechanisms with the aim of achieving a more coordinated EU foreign policy, to strengthen the cooperation between the WEU and the EU and to increase the frequency of using qualified majority voting as the decision-making process in foreign policy (Wessels & Diedrich, 1996, p. 78).

Federal elections were held in Germany in 1998. The result was that the SPD candidate Gerard Schröder became Chancellor of Germany. After that, the traditional alliance between France and Germany broke down due to the bad relationship between its leaders, Schröder and Chirac. This fact crystallised during the negotiations of the Nice treaty during which these two countries could not agree on several reforms such as the structure of the Commission or the CAP reform (Schwiger, 2004, p. 42). Regarding the CFSP, the SPD was completely supportive of the EU. In addition, Schröder aimed to transform the Council into the second chamber of the EU Parliament in charge of protecting the national interests of the member states.⁵⁰

During the Schröder mandate, Germany assumed that it had a responsibility for foreign policy as a consequence of being part of a multilateral organization like the EU. At that time, it decided to stop hiding its national interests and to promote them while at the same time being conscious that they have to share responsibility with the other EU member states (Schwiger, 2004, pp. 38-39).

⁴⁷Helm, (1996), "Kohl warns of war if European Union fails". Independent.co.uk, 3rd February <https://goo.gl/5B3aDc>. Accessed 23rd February 2019.

⁴⁸ Conradt, "Christian Democratic Union. Political Party, Germany". Britannica.com <https://goo.gl/3iddcX>. Accessed 23rd February 2019

⁴⁹BBC.co.uk "Germany's political parties", 7th September 2005. <https://goo.gl/YAYqSe>.

⁵⁰ The Guardian "European Superstate," 30th April 2001. Accessed 23 November 2017. <https://goo.gl/SbNohS>.

Part II: The creation of the EEAS: only a matter of the preferences of member states?

The second part of this thesis is composed of three chapters in which I look empirically at the three stages that, following liberal intergovernmentalism and rational choice institutionalism, I assume member states and EU institutions followed in the creation of the EEAS: preference formation, supra-state bargaining, and institutional choice. The major purpose of this second part is to examine empirically the process of configuration of the EEAS and to understand what made member states agree to its creation. Thus, in the fifth chapter, I examine the process of preference formation of the biggest member states of the EU. After that, in the sixth chapter, I analyze the process of bargaining at the supra-state level. The two institutional settings where member states and EU institutions negotiated their preferences/demands in terms of the setting up of the EEAS were the Convention on the Future of Europe and the Quadriologue. As I stressed in this chapter, those two institutional settings were unique, both in their broad composition (including member states and EU institutions) and way of functioning. Finally, in the seventh chapter, I look at the final motivations that member states (and I add EU institutions) have behind the creation of a new institutional body.

Chapter V:

THE PREFERENCE FORMATION OF MEMBER STATES

We all live under the same sky, but we do not all have the same horizon.

Attributed to Konrad Adenauer.

National preference formation is the first step on the causal path that liberal intergovernmentalism establishes that member states follow in order to create supra-state institutions. This first step starts in the national sphere where it is necessary to pay attention to domestic preferences (Moravcsik, 1993, 1998). Moravcsik observes that by preferences we should mean not only policy goals

but also domestic objectives, which are independent of a particular international negotiation. Those preferences should be shaped by bargaining between representatives of the national government, representatives of the national parliament, and domestic groups that have a strong interest (Moravcsik, 1991, 1992, 1993, 1998), in this case, the diplomatic corps. Finally, Moravcsik stresses that the final motivation of member states in the definition of its preferences is economic. However, he is aware that, when it comes to foreign policy, geopolitical motivations are more relevant (Moravcsik, 1998, p. 28). Rational choice institutionalism does not have an explanation of how preferences are formed, it only stresses that preferences are exogenous. Therefore, since rational choice institutionalism does not clarify how preferences are formed, this thesis assumes the liberal intergovernmentalism explanation of preference formation.

In order to test whether liberal intergovernmentalism works effectively regarding the setting up of the EEAS, during this first stage of the negotiations, we should find that the preferences of the governments of UK, France, and Germany match their historical preferences towards the EU project and, particularly, the CFSP which might be different from the preferences of the other stakeholders, in this particular case, mainly the diplomatic corps. Member states are meant to consider their domestic interests, and they are also meant to follow a rational approach. Economic motivations might not be the most relevant but rather geopolitical motivations. Moreover, this thesis will also pay special attention to the demands of EU institutions, the EU Commission and the EU Parliament. In short, this chapter analyzes the preferences of the biggest member states of the EU and the demands from the EU institutions in terms of the creation of the EEAS. Finally, in order to show that the member states' preferences were formed domestically, this inquiry focuses on the actors involved in the process of member states' preference formation and their major demands.

V.1. The preferences of member states, a reflection of national goals?

Throughout this first part of the chapter, I examine the process of preference formation of the three biggest member states of the EU, the UK, France, and

Germany in terms of the process of the configuration of the EEAS during both stages, the Convention and the Quadriologue. In the Quadriologue negotiations, I particularly examine the three major topics of discussion: staff, budget, and control. In so doing, I elucidate that if the process of preference formation is domestic, member states follow domestic objectives. I also look at the different actors that take part in this process, questioning whether member states follow a liberal process of preference formation or if the definition of national preferences regarding foreign policy is mainly restricted to the government.

V.1.1 UK preferences

A. Convention

At the time of the Convention on the Future of Europe negotiations, the UK was administered by the Labour government led by Tony Blair, one of its most pro-European prime ministers. Tony Blair claimed,

Britain's future is inextricably linked with Europe; that to get the best out of it, we must make the most of our strength and influence within it; and that to do so, we must be whole-hearted, not half-hearted, partners in Europe. We have a vision for Europe - as a union of nations working more closely together, not a federal super-state submerging national identity. It is the right vision for Europe. Let us have the confidence to go out and win support for it.⁵¹

However, even if Tony Blair was very committed to the EU, this attitude was gradually weakened by internal and international factors as well as divisions within his own party as well as a Eurosceptic media and public opinion that prevented him from pursuing a clear pro-European line (Smith, 2005, p. 703).

The formula of the Convention was not welcomed by the UK; they would prefer to bargain their preferences in an intergovernmental conference institutional setting. According to Menon, “British officials were not in favor of participating in a process they could not control” (2003, p. 964), precisely due to their perception that they could not completely restrain all aspects of the

⁵¹ Speech given by Tony Blair at the European Research Institute on the future of Europe, Birmingham, 23 November 2001.

discussions. The UK government representative during the Convention was Peter Hain, the Minister of State for Europe. John Kerr, former ambassador to Washington and to the EU was appointed secretary general of the Convention, and Gisela Stuart was named one of the representatives of national parliamentarians within the Presidium of the Convention. These appointments had one single purpose, to make sure that Britain would have the capacity to drive the discussions (Menon, 2004, p. 5).

As a researcher emphasized, during the Convention negotiations, unusually for treaty reform, the party in government at that time and its leader made a difference in terms of the definition of UK preferences.⁵² In general, the Labour Party was positive about the creation of the post of the HR and the EEAS, but there also were sceptical views. For example, a UK diplomat recalls that Jack Straw, the UK foreign minister, showed his complete opposition to the HR being named Minister of Foreign Affairs.⁵³ The UK government was not the single actor in defining the country's preferences regarding the negotiations that led to the creation of the EEAS, the Constitutional Treaty and the decision about setting up the EEAS. Then, not only the ministers but also the UK Parliament and some high-level diplomats working in key regional areas such as China were fully involved in the definition of British main goals. During the process of preference formation, the UK government consulted everyone who had an interest in the subject. As a UK diplomat explained, there was a team in London in charge of collecting the different views and transferring the final position to the UK negotiators in Brussels, even if it had to be overnight.⁵⁴

This UK diplomat also stressed that the ministries involved were the ones in charge of development, treasury, sometimes home affairs, defence, the foreign office, and all the departments that had an interest on what the EEAS was going to do.⁵⁵ In addition, as another one of its diplomats notes, Britain's aim was that the EU development money would not be within the EEAS but in the Commission, the DG International Cooperation and Development, as was the case in the British national system.⁵⁶

⁵² Participant 52, RW_2016: Quotation 52:5.

⁵³ Participant 45, FC_2017: Quotation 45:1.

⁵⁴ Interviewee 47, KJ_2016: Quotation 47:1.

⁵⁵ Interviewee 47, KJ_2016: Quotation 47:20.

⁵⁶ Interviewee 46, HC_2016: Quotation 46:6.

The red lines of the UK approach on this matter were very clear. Those red lines were pointed out by Peter Hain at the beginning of the Convention negotiations—a stronger Council, a smaller Commission, and a more effective monitoring of the principle of subsidiarity (Menon, 2003, p. 968)—while Hain stressed his favorable position towards the EU project. Hain asserted that Britain wanted to be an active partner with the EU, they want to influence the future of the EU process of integration (Schweiger, Ch.: 2007, 107). However, the British government had to understand that the other member states were very keen on strengthening the EU and, among other things, they had the priority of promoting EU values abroad through building a coherent CFSP (Menon, 2003, p. 968). In words of an UK diplomat, in order to improve coherence, the basis of the EEAS creation, the priority was to bridge the division between the community policies and intergovernmental ones. This meant that the different elements of the external action and CFSP should be brought together.⁵⁷

The most relevant red lines for the British government were related to the decision-making procedure. The UK was totally opposed to the idea of extending qualified majority voting to foreign policy.⁵⁸ They were also against the idea of the Court of Justice⁵⁹ or even the EU Parliament being involved in CFSP. These ideas were reinforced by Tony Blair during his speech in Cardiff in 2002 when he stressed the necessity to keep CFSP intergovernmental. In addition, he showed his support for strengthening the powers of the HR, who, in his view, should have the power of chairing the Council of the European Union in its formation of foreign affairs, have an independent right of initiative, control a big budget, second national diplomats to the secretariat staff, and be represented in third countries by EU delegations instead of Commission delegations. Finally, he also stressed the proposition to merge the post of the HR and the Commissioner for external relations by saying that it would create some problems that needed further discussions. Indeed, at the beginning of the negotiations, the British government rejected the idea of

⁵⁷ Interviewee 46, HC_2016, Quotation 46:13.

⁵⁸ Working Group VII on External Action. *Task Force Future of the Union and institutional questions*. Meeting of 3 and 4 December 2002. Brussels, 5 December 2002 TF-AU/1 (2002) JFBR D/190496, Quotation 71:13.

⁵⁹ Interview 12, MVH_2016, Quotation 12:16; Interview 27, AD_2016, Quotation 27:15.

creating a double-hatted HR because they thought that this fact could provoke the supra-nationalization of the CFSP.⁶⁰

The major UK interest was, as I have already highlighted, to keep this policy completely intergovernmental, taking the Commission far from the CFSP and, at the same time, strengthening the Council. The EU member states should remain responsible for the decisions taken in this field. The UK would be willing to achieve a common foreign policy when possible but never a single one.⁶¹ As Tony Blair pointed out, the EU is a superpower but not a super state.⁶² The UK was also opposed to the idea of naming the HR Foreign Affairs Minister, much preferring European Foreign Affairs Representative (FCO 7, June 2003) (Quoted in Menon, 2004, p. 17).

The UK did not support strong EU external action, and they did everything they could to reduce the visibility of the EU in external relations. In words of a Commission official, the UK does not accept the EU as an entity independent of the member states. The UK government wants this policy to be done by the UK. The British government does not want the EU to speak for them abroad as a single voice.⁶³ Following this idea and regarding the EEAS, the UK showed its opposition because they knew the consequences that it could bring in the future. After the creation of the EU diplomatic body was agreed to, the UK was opposed to the idea of strengthening it very much. In short, the main aim of the member states was to limit the consequences of the creation of this new administration as much as possible. In so doing, the major priority for the UK was to keep the Commission as far away as possible from the EEAS in terms of the autonomy of the service and the staff. In this regard, the UK Parliament heartily welcomed the independence of the CFSP and the EEAS from the Commission, and it also warned that the EEAS should be a complement to but never a substitute for the national diplomatic services.⁶⁴

⁶⁰ This idea has been emphasized by Tony Blair in a speech in Cardiff on 28 November 2002. Speech given by the Prime Minister Tony Blair, Cardiff, 28 November 2002. <https://goo.gl/h4OcwN>. Accessed 22nd June 2017.

⁶¹ *The Guardian*, 20 May 2003, cited in Menon (2003), "Britain and the Convention on the Future of Europe," *International Affairs*; Vol. 79, No. 5, p., 963-978, p. 976.

⁶² Speech given by the British Prime Minister, Tony Blair to the Polish Stock Exchange, Warsaw, 6 October 2000. <https://goo.gl/PPTA12> Accessed 3rd March 2019.

⁶³ Interviewee 7, JK_2015, Quotation 7:11.

⁶⁴Parliament.uk Select Committee on Foreign Affairs. Minutes of Evidence. *Letter to the Chairman of the Committee from the Minister for Europe*. <https://goo.gl/Su7zyM>. Accessed 22nd June 2017, paragraphs 97 and 189.

B. Quadrilogue

Between June 2007 and May 2010, the UK continued under a new Labour government, this time led by Gordon Brown who, although less committed to the EU project than the previous prime minister, he followed his pro-European legacy, particularly during the first year, when the UK signed the Lisbon Treaty. Afterwards, this new government was the one in charge of conducting the negotiations on the setting up of the EEAS. As a UK diplomat stresses, the decision regarding the creation of the EU diplomatic body was not much resisted by the House of Commons.⁶⁵

It was also in the interest of the national diplomats, who supported the creation of the EEAS and who, as will become evident, controlled the process of its configuration. In words of a UK diplomat, everything in the negotiations was asked to the national parliament and to the key national diplomats.⁶⁶ Thus, in addition to the UK government and Parliament, the Foreign and Commonwealth Office was also a highly relevant interest domestic group in the creation of this diplomatic body. Even the UK Parliament highlighted the fact that this new institutional structure would be of great added value for the future careers of British diplomats.⁶⁷ As one UK diplomat stressed, one of the strongest red lines for the UK at this point was that they did not want the EEAS to have consular tasks.⁶⁸ The British thought that this is a duty for the embassies of the member states, an idea that was very much seconded by the French, as its diplomats stressed.⁶⁹ In addition to consular assistance, two other clear red lines for the UK, in words of an UK diplomat, were intelligence and defense.⁷⁰ In addition, as one of the members of the Convention Secretariat pointed out, the UK had a clear position on the fact that the Court of Justice should not be involved,⁷¹ and they even rejected any participation of the EU Parliament.

The main purpose during the Quadrilogue negotiations was not to analyze the convenience of the creation of the EEAS, as it was already part of the Lisbon

⁶⁵ Interviewee 46_2016, Quotation 46:3.

⁶⁶ Interviewee 47_2016, Quotation 47:32.

⁶⁷ Parliament.uk Select Committee on Foreign Affairs. Minutes of Evidence. *Letter to the Chairman of the Committee from the Minister for Europe*. <https://goo.gl/Su7zyM>. Accessed 22nd June 2017, paragraph 194.

⁶⁸ Interviewee 44, CR_2016, Quotations 44:21 and 44:2.

⁶⁹ Interview 11, EP_2018: Quotation 11:25; Interview 59, FD_2018: Quotation 115: 24.

⁷⁰ Interviewee 44, CR_2016: Quotations 44:2 and 44:5.

⁷¹ Interviewee 12, MVH_2016, 12:16.

Treaty, but to design it in the best way possible to ensure the interests of the key actors. However, the UK made some clear statements about the elements that were of great interest during the Quadrilogue discussions such as staff, control, and budget.

B.1 Staff

The success of the EEAS would mainly depend on the people who are in charge of it.⁷² The British strongly supported the idea of having national diplomats within the EEAS who would be allowed to return to the Foreign and Commonwealth Office after some years. It was commonly agreed in Britain, as its diplomats stressed, the numerous benefits that would accrue to the UK by having its people within the EEAS, such as a greater understanding of British interests and the capacity to put them on the table.⁷³ This idea was strongly followed by the UK Parliament who was also very willing to host EEAS staff within the Foreign and Commonwealth Office in order to make them better understand the major interests of the UK.⁷⁴ In this sense, one UK diplomat asserted that the major asset from the EEAS would be the ability to convince the other member states to follow the British line of thinking. For that, it would be essential to have UK nationals inside the apparatus, and, even better, if they are the ones who fill the key positions.⁷⁵ It is quite remarkable that the UK was in charge of naming the HR/VP. However, from a researcher's perspective, after the elections in 2010, the party in government changed and, consequently, the fact of having named the HR was not as advantageous as it otherwise would have been.⁷⁶

B.2 Budget

In words of an UK diplomat, budget is always a key aspect to be discussed in any bargain, and it was also one of the main reasons for the UK to improve the

⁷² Parliament.uk. Select Committee on Foreign Affairs. Third Report. Conclusions and recommendations. <https://goo.gl/zQc2Xt>. Accessed 27th September 2018.

⁷³ Interviewee 44, CR_2016: Quotation 44:7; Interviewee 47, KJ_2016, Quotation 47:25.

⁷⁴ Parliament.uk Select Committee on Foreign Affairs. Minutes of Evidence. *Letter to the Chairman of the Committee from the Minister for Europe*. <https://goo.gl/Su7zyM> Accessed 22nd June 2017, paragraph 194.

⁷⁵ Interviewee 45, FC_2017, Quotation 45:9.

⁷⁶ Interviewee 52, RW_2016: Quotation: 52:16.

CFSP. The British government argued that, since CFSP would cost a lot of money for member states, the UK wanted to get the most out of it. This is the main reason why the British government wanted to improve the efficiency and coherence of the CFSP while always keeping the CFSP intergovernmental as far away as possible from the EU Commission.⁷⁷ As one of its diplomats pointed out, the UK understood the EEAS as something complementary, another tool in their external action tool kit that could be useful in some parts of the world where it is better to act through a more neutral actor and which can sometimes provide some money or assistance to the British investments/forces.⁷⁸ However, it was more a preoccupation about making the most with the available resources than a way of saving money at the national level or taking advantage of the EU budget.

B.3 Control

Despite the fact that, in the words of an UK diplomat, we are not talking about a full delegation and decisions are still taken by unanimity⁷⁹, without doubt the creation of a new body is always a matter for concern. Member states, particularly the biggest ones, were concerned with keeping a close eye on what was happening in the EEAS. Although, in words of an UK diplomat, for the biggest member states, it is always easier to shape EU policies because they can have more people and more expertise.⁸⁰ In the specific case of the EEAS, these two elements are the key. Thus, control and staff are, in this case, two sides of the same coin. As an UK diplomat stresses, the different actors found in the staffing process the best way to have a look at and to impact the EEAS decisions and development. It also follows that having national diplomats inside to whom paper positions have been provided is also a very efficient way to control the service⁸¹ as well as, in words of an UK diplomat, making sure that the capitals are consulted about any important decision.⁸²

The UK interest in keeping the EEAS under tight control was stressed by a researcher who emphasized that the UK made a huge effort to put their people

⁷⁷ Interviewee 46, HC_2016: Quotation: 46:9; Interviewee 47, KJ_2016: Quotation: 47:20.

⁷⁸ Interviewee 45, FC_2017: Quotation: 45:7.

⁷⁹ Interviewee 45, FC_2017: Quotation: 45:10.

⁸⁰ Interviewee 46, HC_2016: Quotation: 46:28.

⁸¹ Interviewee 45, FC_2017: Quotation 45:9.

⁸² Interviewee 47, KJ_2016: Quotation 47:26.

in the EEAS, especially in the key positions.⁸³ A UK diplomat shared the idea that the single way to make a difference was to send the best people into the EEAS.⁸⁴ As a UK diplomat affirms, the UK found it very important to control/constrain what was going on. In so doing, having the HR/VP post filled by a British representative and being able to provide the HR with some sense of direction and mandate was a key asset.⁸⁵ Related to this, it follows that the question about who should chair the Council Working groups was also under discussion. The choice was between the EEAS chairing the Council Working Groups or the Rotating Presidency doing so.⁸⁶ The UK wanted the High Representative to chair the Council of the European Union in its formation of foreign affairs.⁸⁷

V.1.2.2 FR preferences

A. Convention

In the case of France, the people involved in the definition of CFSP preferences, as I have already stressed in the third chapter, are mainly the executive power: those in the government and the president of the republic, as well as the different ministers interested in the topic within the government and the diplomatic corps. Foreign policy is what the French administration call “le domaine réservé.” In the French system, foreign policy is, as one of its diplomats stressed, a topic mainly government led and politically driven.⁸⁸ This means that only the government is involved in this political area. However, in words of a French diplomat, after constitutional reforms due to the EU membership, the government is obliged to consult the National Parliament.⁸⁹ Therefore, as a French diplomat confirmed, the French

⁸³ Interviewee 56, SL_2016: Quotation 56:7.

⁸⁴ Interviewee 47, KJ_2016: Quotation 47:25.

⁸⁵ Interviewee 44, CR_2016: Quotation 44:8.

⁸⁶ Interviewee 44, CR_2016: Quotation 44:6.

⁸⁷ This idea was emphasized by Tony Blair in a speech in Cardiff on 28 November 2002. Speech given by the Prime Minister Tony Blair, Cardiff, 28 November 2002. <https://goo.gl/h4OcwN> Accessed 22nd June 2017.

⁸⁸ Interviewee 59, FD_2018: Quotation: 115:3.

⁸⁹ Interviewee 59, FD_2018: Quotation: 115:3.

Parliament was kept informed, and they wrote some reports,⁹⁰ even after the government reached a position.

France was represented by a group of people directly connected to the government who were in charge of developing a national position on each item that would be discussed at the supra-state level. As a French diplomat confirmed, the diplomatic corps can be understood as a group of interest that plays a very important role in the definition of French government preferences. In fact, they meet every Saturday morning at the Élysée.⁹¹ However, as a French diplomat asserts, the French diplomatic corps cannot be understood as a homogeneous group of interest because there is not a single and clear cut line of thinking among them. There are three ways of thinking: one more integrationist, one more United Nations-oriented following the line of De Gaulle, and a third position that works for the reconciliation of these two antagonistic approaches. The final position came out from this great mixture.⁹²

At the time of the Convention on the Future of Europe, the Republic of France was presided by the Republicans, led by Jacques Chirac (1995-2007) whereas the French government was presided over by Lionel Jospin of the Socialist Party. This period of cohabitation⁹³ was unique because of its long duration (five years) and its constructive approach in search of consensus. There was no confrontation since the last word in Foreign policy, Jospin made clear, would be the one of the President of the Republic.⁹⁴ During a presidential campaign speech in 2002, President Chirac outlined the three main goals that France should fight for during the Convention negotiations. First, the main purpose should be to develop a constitution for Europe. Second, it would be in the interest of France to create the post of a permanent president of the European Council, a sort of a President of the EU. Finally, it would be mandatory to fight for a powerful Europe and, in doing so, create the post of a European foreign minister (Jabko, 2004, p. 289).

⁹⁰ Interviewee 62, PV_2015 & 2018: Quotation: 119:25.

⁹¹ Interviewee 63, ML_2018: Quotation: 120:22.

⁹² Interviewee 59, FD_2018: Quotation: 115:8.

⁹³ Cohabitation, in politics, the state of affairs in which a head of state serves with an antagonistic parliamentary majority. In semi-presidential systems such as that of France, cohabitation entails that the offices of president and prime minister are held by members of competing political parties. Munro, A. Encyclopaedia Britannica: <https://goo.gl/7VQSjz>

⁹⁴ Lemonde.fr "Cohabitation: cinq ans de combat sans merci", 7th Mai 2002 <https://goo.gl/2y58Ca> Checked out on 1st March 2019.

France was accounted a great asset within the EU Convention on the Future of Europe because Valerie Giscard d'Estaing, former President of the French Republic and former member of the EU Parliament, was its president⁹⁵ and the driver of the whole process. Pierre Moscovici, the Minister of European Affairs in Lionel Jospin's government, was the French government representative. Dominique Le Villepin replaced Moscovici after the elections in 2002, when the last one became the Minister of Foreign Affairs under the new government, led by Jean Pierre Raffarin.⁹⁶ This change did not affect the French approach to the EU Convention. On the contrary, it was understood as a reaffirmation of French commitment. France also occupied another key post within the corporate board of the EU Convention since its diplomat Etienne de Poncins was part of the Secretariat.⁹⁷

France strongly supported the merger of the functions of the HR and the RELEX Commissioner into a Minister of Foreign Affairs of the Union. France wanted that this new figure work under the political leadership of the European Council and to be able to use all the available instruments.⁹⁸ In words of a French diplomat, France said yes to the EEAS but only where it can bring an added value, which means, only where the states are more efficient if they are together rather than on own.⁹⁹ As one French diplomat noted, at the time of the EU Convention, France mainly supported an intergovernmentalist view, aiming to enhance the role of the Council and not so much the role of the Commission.¹⁰⁰ In words of a French diplomat, the relationship between France and the EU had always been on two levels. The French elite understood the EU as an optimum force multiplier of national power. France has been always very concerned with defending its internal and domestic interests.¹⁰¹

Following this line of thinking, a French diplomat stressed that the reactions to a new diplomatic service at EU level were positive in terms of sending some

⁹⁵ European Convention webpage. <https://goo.gl/E3MjAa> Checked out on 27th September 2018.

⁹⁶ Euractive. France, Germany and the UK in the Convention – common interests or pulling in different directions? Last update 29 January 2010. Checked out on 27th September 2018. <https://goo.gl/1VFRjp>.

⁹⁷The European Convention official documents webpage. <https://goo.gl/RGMR25> Checked out on 27th September 2018.

⁹⁸ Working Group VII on External Action. *Task Force Future of the Union and institutional questions*. Brussels, 14 November 2002 TF-AU/1 (2002) JFBR D/190447. Quotation:82:4.

⁹⁹ Interviewee 11, EP_2018: Quotation: 11:7.

¹⁰⁰ Interviewee 69, FM_2018: Quotation 127:8.

¹⁰¹ Interviewee 62, PV_2015 & 2018: Quotation 119:25.

national diplomats. This means understanding the new diplomatic service as another tool in the French foreign policy. The French government was not opposed, but they made a serious claim that it had to be controlled.¹⁰² Michael Barnier, a French national but representative of the EU Commission during the EU Convention was, as one French diplomat asserted, one of the most eager to defend the idea of creating an EEAS.¹⁰³ At the same time, Pierre Lequiller, the representative of the French National Parliament in the EU Convention, pushed strongly for the creation of an EU Ministry of Foreign Affairs,¹⁰⁴ following the line of thinking of the French government.

In words of a French diplomat, France was ready to reinforce the institutional architecture of the EU to make the EU institutions more resistant, more robust, and more stable.¹⁰⁵ This was the time to do it, just before the great enlargement when the decision-making procedure would become much more challenging. In this sense, as one of the French diplomats asserted, one of the main priorities for France was to enhance the role of the Council. The French parliament and government wanted to give more powers to the Council.¹⁰⁶ In this sense, a German diplomat understood that among the priorities of the French government was to push strongly for a permanent president of the European Council. This meant a reinforcement of the role of the heads of state and government.¹⁰⁷

As one French diplomat notes, France was looking to create something functional, a complement to the national diplomacies. They were thinking about something easy in order to deal with the structure, to link the HR and the Commission, because one of the main difficulties was to deal with the two posts, High Representative of the Council and Vice-President of the Commission.¹⁰⁸ In words of one French diplomat, the EEAS should remain in the hands of the member states.¹⁰⁹ The French government was against the idea of the EEAS being an institution with a legal personality and its own status. In this sense, a French diplomat asserts that one of the French red lines was that the EEAS should not become an independent institution with a

¹⁰² Interviewee 11, EP_2018 Quotation 11:9.

¹⁰³ Interviewee 62, PV_2015 & 2018 Quotation:119:4.

¹⁰⁴ Interviewee 61, PL_2018 Quotation: 118:6.

¹⁰⁵ Interviewee 63, ML_2018 Quotation: 120:27.

¹⁰⁶ Interviewee 69, FM_2018 Quotation: 127:13.

¹⁰⁷ Interviewee 38, TO_2016 Quotation: 38:9.

¹⁰⁸ Interviewee 65, CR_2018, Quotation: 123:11.

¹⁰⁹ Interviewee 50, VP_2016, Quotation: 50:1.

legal personality but remain a simple administration.¹¹⁰ Finally, as a member of the Secretariat of the Convention points out, one thing that some member states wanted to discuss, but for France and Britain was absolutely out of negotiation, was the permanent seat that these countries have on the United Nations Security Council.¹¹¹

B. Quadrilogue

After Jacques Chirac ended his second mandate, Nicolas Sarkozy (2007-2012) became President of the French Republic under the Republican Party. One of the main priorities of his mandate regarding the EU was to overcome the EU institutional crisis because of the failure of the EU Constitutional Treaty as a consequence of the negative result in the referendums held in the Netherlands and France.¹¹²

Sarkozy defended a sort of “petit traité” in which the French main priorities did not dramatically change from the ones stressed during the Convention. Regarding the institutional architecture, the main goals were the establishment of a permanent president for the EU Council and the creation of the post of a Ministry of Foreign Affairs. Then, regarding the decision making, the French government pushed for the extension of qualified majority voting, the co-decision, in order to enhance the role of the EU Parliament; the “passarelle” clause, to allow member states to change from unanimity to qualified majority voting—the early warning mechanism—to allow national parliaments to get involved and the right of a citizens’ initiative, in order to give the EU citizens a chance to come up with a legislative proposal,¹¹³ in short, to enhance the role of the domestic actors in EU decision-making. After the Lisbon treaty, signed in December 2007, finally replaced the Constitutional Treaty, which came into force in December 2009, the Sarkozy government was the one in charge of bargaining the setting up of the EEAS. In

¹¹⁰ Interviewee 62, PV_2015 & 2018, Quotation:119:36.

¹¹¹ Interviewee 11, EP_2018, Quotation: 11: 7.

¹¹² Nouvelobs.com, *UE: Sarkozy propose "un traité simplifié"* Published on 28 February 2007. <https://goo.gl/HWyiya>. Accessed 27th September 2018.

¹¹³ Nouvelobs.com, *UE: Sarkozy propose "un traité simplifié"* Published on 28 February 2007. <https://goo.gl/HWyiya>. Accessed 27th September 2018.

words of a French diplomat, this government main goal was to make sure that this new diplomatic body would serve the French interests.¹¹⁴

B.1 Staff

In words of a French diplomat, staff was one of the mayor preoccupations of the French government; they were very interested in investing in the staff of the EEAS.¹¹⁵ Several French diplomats stress that France was especially interested in being well represented in the EEAS's top jobs, composition, and key portfolios.¹¹⁶ Even if they were not quite sure about the success of this new diplomatic body, member states representatives and a researcher ensured that the biggest member states of the EU could keep a close eye on it. In so doing, they sent its best people to fulfil the key posts.¹¹⁷ The UK named the HR, France named the vice-president, and Germany named the political director. The idea of having Pierre Vimont as the first General Secretary of the Service was driven by the fact that the French government considered, in the words of different member states diplomats, that it was important to have their people inside the structure, especially in the key posts.¹¹⁸ This shows that France took this set up very seriously, wanting to have somebody who was able to help and build at the very beginning of the service.¹¹⁹

The French government's efforts to fulfil the highest posts of the EEAS stopped at the Secretary General position. What France lacked, in the words of its diplomats, was being well represented at the medium level posts, which are essential.¹²⁰ In addition, France felt quite frustrated by the British administrative impact within the EEAS, which aimed to work against the ambition of the service, putting it under the very strict control of the member states.¹²¹ As one French diplomat stresses, the member states wanted to have as many national diplomats as possible within the structure of the EEAS. At the beginning, they were pushing for having half of the personal, but finally

¹¹⁴ Interviewee 50, VP_2016, Quotation: 50:7.

¹¹⁵ Interviewee 50, VP_2016, Quotation: 50: 5.

¹¹⁶ Interviewee 67, AM_2018, Quotation: 125: 6; Interviewee 59, FD_2018: Quotation: 115:8.

¹¹⁷ Interviewee 67, AM_2018, Quotation: 125:6; Interviewee 59, FD_2018: Quotation: 115:19; Interviewee 11, EP_2018, Quotation:11:9.

¹¹⁸ Interviewee 68, GF_2018: Quotation, 126:21; Interviewee 63, ML_2018; Quotation: 120:16; Interviewee 11: EP_2018, Quotation: 11:17.

¹¹⁹ Interviewee 59, FD_2018, Quotation: 115:17.

¹²⁰ Interviewee 50, VP_2016, Quotation: 50:5; Interviewee 11, EP_2018; Quotation: 11:17.

¹²¹ Interviewee 11, EP_2018, Quotation: 11:23.

they had to accept a third.¹²² In words of one of its diplomats, France did not want the EEAS filled only by people from the Commission.¹²³ French diplomats also say that having its national diplomats within the EEAS was very important for France, including the heads of EU delegations.¹²⁴

As a French diplomat asserts, the French administration has also seen the EEAS as an opportunity for national diplomats in finding proper jobs. The French diplomatic service has considerable difficulties, for example, in finding good posts for its great number of senior diplomats. In the French system, achieving an ambassador position is very complicated. Hence, having a position as head of the EU delegation can be a great opportunity for them. France followed a real strategy for getting its nationals in those positions.¹²⁵ It also follows that the competition was fierce, and a top position like, for instance, a head of delegation in key geostrategic areas such as Japan, Moscow, etc, was a very delicate negotiation.¹²⁶

As one of its diplomats affirms, the French administration tried to anticipate how to contribute in terms of personnel to the staffing of the future EEAS, and there were also reflections on how to organize the career of the French diplomats to give them the opportunity to go for one or two posts, and then come back, organizing the circulation of civil servants from the French administration to the EU and coming back afterwards.¹²⁷ As one of the French diplomats confirms, senior French diplomats are the most interested in achieving a position in the EEAS, whereas the middle level diplomats want to stay in the national administration in order to effectively develop their career.¹²⁸

B.2 Budget

In words of a French diplomat, budget has also been object of controversial negotiations, particularly between the member states and the Commission.¹²⁹ However, it is agreed among the French diplomats that the idea of getting

¹²² Interviewee 62, PV_2015 & 2018, Quotation: 119:45.

¹²³ Interviewee 69, FM_2018, Quotation: 127:42.

¹²⁴ Interviewee 11, EP_2018, Quotation: 11:26; Interviewee 32, LP_2016; Quotation: 32:27.

¹²⁵ Interviewee 11, EP_2018, Quotation: 11:27.

¹²⁶ Interviewee 11, EP_2018, Quotation: 11:27.

¹²⁷ Interviewee 59, FD_2018, 115:8.

¹²⁸ Interviewee 11, EP_2018, Quotation: 11:27.

¹²⁹ Interviewee 15, PV_2015 & 2018, Quotation: 119:79.

access to EU funds was not decisive in terms of France agreeing to the creation of the EEAS.¹³⁰ As a French diplomat stresses, even if the French budget is not as big as it was used to be before the crisis, it was not the major motivation for this country in agreeing to the creation of the EEAS. France felt more enthusiastic about improving its capacity to act on a more neutral and stronger scale through the EU.¹³¹ In words of a French diplomat, France was very interested in creating an efficient diplomatic tool.¹³²

B.3 Control

Following the French preference for enhancing the Council and the power of member states in the EU, it is clear their preference, as stressed by one of its diplomats, for keeping the EEAS as far as possible from the Commission.¹³³ In words of a French diplomat, member states and France in particular were worried about controlling the service.¹³⁴ As one of its diplomats asserts, France was ready for setting up the EEAS, but they wanted to make sure that it was going to be controlled,¹³⁵ which means, as one of its diplomats says, the necessity of reporting, acting on a mandate, and working on EU conclusions.¹³⁶

A French researcher also understood that the idea of filling the highest positions of the EEAS was also a way to control it, to influence it from inside.¹³⁷ In this sense, a French diplomat stresses that a huge debate took also place about the pertinence of the working groups chaired by the rotating presidency or having someone from the EEAS as chair. France played an important role in keeping the chairs of the working groups to a minimum for the EEAS.¹³⁸ Although this element might be considered of little relevance, in words of a French diplomat, it is the heart of the system.¹³⁹ France was divided between the those who wanted a permanent chair for working groups and the those who wanted them in the hands of the rotating presidency.

¹³⁰ Interviewee 69, FM_2018, Quotation: 127:53; Interviewee 63, ML_2018; Quotation: 120:17.

¹³¹ Interviewee 32, LP_2016, Quotation: 32:22.

¹³² Interviewee 59, FD_2018, Quotation: 115:9.

¹³³ Interviewee 59, FD_2018, Quotation: 115:14 & 115:17.

¹³⁴ Interviewee 15, PV_2015 & 2018, Quotation: 119:66.

¹³⁵ Interviewee 11, EP_2018, Quotation: 11:9.

¹³⁶ Interviewee 33, NS_2016, Quotation: 33:11.

¹³⁷ Interviewee 50, VP_2016, Quotation: 50:5.

¹³⁸ Interviewee 62, PV_2015 & 2018, Quotation: 119:69.

¹³⁹ Interviewee 59, FD_2018, Quotation: 115:23.

Finally, as one of its diplomats pointed out, France decided to push mainly in favour of keeping the chairs of the working groups primarily for the rotating presidency,¹⁴⁰ which meant, in the hands of the member states.

V.1.3 GR Preferences

A. Convention

During the Convention on the Future of Europe, Germany was led by the socialist Gerard Schröder (1998-2005). During the Schröder mandate, it was assumed that Germany had a responsibility in foreign policy as a consequence of being part of a multilateral organization like the EU. At that time, the German elite decided to stop hiding its national interests and to promote them. At the same time, they were conscious that they had to share the responsibilities with the other EU member states (Schwiger, 2004, pp. 38-39).

Even if Germany continued to support a pro-integrationist position; in the course of the Schröder mandate, the long tradition of German leaders in promoting the Commission changed towards a new trend characterized by the defence of the intergovernmental decision-making systems at the EU level. Merkel has mostly continued along the same path. During the SPD party conference in Nuremberg (2001), the leaders decided to support a more intergovernmental view about the EU process of integration. They agreed that the new transfers of competences from the member states to the EU will remain controlled by the member states, so the control over the EU process of integration should not be left in the hands of the EU Commission or the EU Parliament (Schwiger, 2004, p. 43).

As a member of the Secretariat of the Convention notes, the German government very soon realized that the Convention was something much more serious than what they had thought, and they decided to change its representatives to others with a higher political level. Germany decided to send its Foreign Minister.¹⁴¹ Germany's Foreign Minister Joschka Fischer was

¹⁴⁰ Interviewee 59, FD_2018, Quotation: 115:23.

¹⁴¹ Interviewee 60, GM_2018, Quotation: 116:8.

appointed on 18 October 2002 to represent the German government at the European Convention on the Future of Europe. Mr. Fischer replaced the media professor and former member of the German Bundestag, Peter Glotz. By appointing Mr. Fischer, the German government wanted to make sure that the country was represented in the Convention at the highest level, similar to several other member states.¹⁴² Another big German representative at the time of the Convention was Nicolaus Meyer Landrut, appointed as the spokesman of the Secretariat of the Convention.¹⁴³

In words of a German diplomat and confirmed by one researcher, the definition of German preferences was mainly a result of inter-ministerial negotiations between the Foreign Affairs Ministry, defence, development, finance, economics, and all ministries that had an interest in the topic.¹⁴⁴ Of course, as one German diplomat confirmed, the chancellery also played a relevant role.¹⁴⁵ In addition, as one researcher confirmed, the Bundestag elaborated a resolution, but it came out almost at the end of the negotiations.¹⁴⁶ In words of a German diplomat, the government had to inform the Parliament, but it only had to ratify what had already been agreed. There were some very vocal parliamentarians, but overall it was mainly a Foreign Office responsibility.¹⁴⁷ As a researcher confirmed, think-tanks or civil society were not involved in the definition of the German position; it was mainly government and diplomatically led, assisted by some legal experts.¹⁴⁸ German diplomats agreed on the fact that the people and the party, who were in charge of the key positions in the German government like Joschka Fischer, had a huge impact on the results.¹⁴⁹ Joschka Fischer was, in the view of a German diplomat, very pro-European, and it was known that he had its own ambitions regarding the new HR/VP.¹⁵⁰

From EU institutions, it was perceived that Germany was, among the biggest member states, the strongest supporter of the strengthening of the EU foreign

¹⁴² Euractiv.com, *Joschka Fischer to represent German government at EU Convention*. Published on 29 January 2010 <https://goo.gl/PbNjff>. Accessed 27th September 2018.

¹⁴³ The European Convention official documents webpage. <https://goo.gl/dmctPU>. Accessed 27th September 2018.

¹⁴⁴ Interviewee 64, NVO_2018, Quotation: 122:16; Interviewee 68, GF_2018; Quotation: 126:25.

¹⁴⁵ Interviewee 68, GF_2018, Quotation: 126:25.

¹⁴⁶ Interviewee 64, NVO_2018, Quotation: 122:16.

¹⁴⁷ Interviewee 71, MF_2018, Quotation: 129:7.

¹⁴⁸ Interviewee 64, NVO_2018, Quotation: 122:17.

¹⁴⁹ Interviewee 68, GF_2018, Quotation: 126:39; Interviewee 38, TO_2016; Quotation: 38:4.

¹⁵⁰ Interviewee 38, TO_2016, Quotation: 38:27.

policy dimension because it drives its foreign policy through the EU.¹⁵¹ As EU institutions representatives emphasize, this is directly connected to their historical past and with the fact that they are not permanent members of the United Nations Security Council. They also agreed that, within the EU, Germany is more dependent on EU foreign policy than France or Britain can ever be.¹⁵² However, German diplomats highlighted that Germany was one of the drivers of the initiative¹⁵³ with the purpose of advancing the EU foreign policy. Germany, as its representatives stressed, was convinced that, in this global era, individual member states are quite small.¹⁵⁴ Under this new framework, as a German diplomat affirmed, “Germany believes in the relevance of the EU being globally perceived as a political actor, that this is our own way of life, and this is our own voice”.¹⁵⁵ It also follows that, at the end of the day, working together is a positive sum game.¹⁵⁶

All in all, one of its diplomats assured that Germany was very interested in strengthening EU foreign policy and in creating a new diplomatic organization because they think that the EU is underperforming in this area.¹⁵⁷ In words of a German diplomat, Germany wanted to improve the three Cs: coherence, consistence, and continuity. Improving the coherence between the Council and the Commission was Germany’s chief purpose.¹⁵⁸ In addition, as German diplomats asserted, even if the member states internally disagree, externally they have to converge, which is the big idea behind the EU spreading as a single voice.¹⁵⁹

With this purpose in mind and taking into account the new situation after the great enlargement, reaching a common position would become much more difficult, German diplomats and members of the Secretariat of the Convention confirmed that Germany pushed for the extension of qualified majority voting

¹⁵¹ Interviewee 14, RF_2015, Quotation: 14:22; Interviewee 28, JB_2016; Quotation: 28:13
Interviewee 53, CG_2016, Quotation: 53:16

¹⁵² Interviewee 6, HS_2015, Quotation: 6:15; Interviewee 14, RF_2015; Quotation: 14:22.

¹⁵³ Interviewee 36, PSONTB_2016, Quotation: 36:1; Interviewee 34, OR_2016; Quotation: 34:1

¹⁵⁴ Interviewee 34, OR_2016, Quotation: 34:2; Interviewee 35, AD_2016; Quotation: 35:13;
Interviewee 38, TO_2016, Quotation: 38:14.

¹⁵⁵ Interviewee 38, TO_2016, Quotation: 38:20.

¹⁵⁶ Interviewee 38, TO_2016, Quotation: 38:14.

¹⁵⁷ Interviewee 35, AD_2016, Quotation: 35:7

¹⁵⁸ Interviewee 36, PSONTB_2016, Quotation: 36:1.

¹⁵⁹ Interviewee 36, PSONTB_2016, Quotation: 36:13; Interviewee 38, TO_2016; Quotation: 38:24.

in EU foreign policy.¹⁶⁰ In words of one of its diplomats, Germany wanted to strengthen the EEAS and support the basis of the High Representative, and, in so doing, it had no clear red line.¹⁶¹ In addition, as a German diplomat stressed, they wanted a strong EEAS, and they fought for it. Germany was absolutely in favour of the setting up the EEAS.¹⁶²

As we will see in the following chapter, the idea of creating an EEAS came after the member states agreed to the merger of the figures of the High Representative of the Council and the External Commissioner. Germany was very much in favour of strengthening the EU foreign policy institutional architecture with the aim of increasing the coherence of the EU external action. It would allow the EU to speak with one voice and to manage the resources in a coordinated fashion.¹⁶³ Last but not least, the German government thought that this change would prevent the comunitarization of the CFSP.¹⁶⁴ Following this idea, Germany stressed that, in order to create a truly European diplomatic culture, the EU delegations abroad and the external administration (headquarters) in Brussels should be composed of staff coming from the Commission, the Council, and the national diplomatic services. That is also the reason why Germany strongly favoured this idea of double hatting.¹⁶⁵

B. Quadrilogue

Angela Merkel (CDU) became the new chancellor of the Federal Republic of Germany in 2005 as the leader of the grand coalition between the CDU and the SPD. This new government was to again play the traditional German role and behave as a mediator in Europe (Bierling, 2006). In addition, Chancellor Merkel and her government decided to play a more proactive role in Europe, to rescue the failed Constitution for Europe, and to convene a new

¹⁶⁰ Interviewee 12, MVH_2016, Quotation: 12:17; Interviewee 34, OR_2016; Quotation: 34:2; Interviewee 38, TO_2016, Quotation: 38:5.

¹⁶¹ Interviewee 34, OR_2016, Quotation: 34:5.

¹⁶² Interviewee 68, GF_2018, Quotation: 126:1.

¹⁶³ Working Group VII on External Action. *Task Force Future of the Union and Institutional Questions*. Meeting of 13 November 2002. Brussels, 14 November 2002, TF-AU/1 (2002) JFBR D/190447, Quotation: 82:7.

¹⁶⁴ Working Group VII on External Action. *Task Force Future of the Union and Institutional Questions*. Meeting of 3 and 4 December 2002, Brussels, 5 December 2002, TF-AU/1 (2002) JFBR D/190496, Quotation: 71:45.

¹⁶⁵ Working Group VII on External Action. *Task Force Future of the Union and institutional questions*. Meeting of 27 November 2002, Brussels, 28 November 2002, TF-AU/1 (2002) JFBR D/190480, Quotation: 77:4

intergovernmental conference in order to elaborate a new text. This was precisely the main commitment for the German EU Council Presidency in 2007, to re-launch the failed Constitutional Treaty. However, in order to avoid a second rejection, it was no longer supposed to be named a Constitution but a Treaty or even simplified Treaty.¹⁶⁶

During the Angela Merkel government, Germany's first interest in external relations has been the EU. The US is also an essential partner but only as long as it ensured the persistence of the first one.¹⁶⁷ As a consequence of the deteriorated relationship between Germany and the EEAS due to the Iraq War, the Merkel government promised to strengthen its ties with the US (Belkin, 2007). Germany became the main point of contact between the US and the EU. For this new coalition government, a strong transatlantic relationship and a strong Europe are two sides of the same coin. Germany wanted to be right in the middle between Paris and the US.¹⁶⁸

The partnership between Merkel and Sarkozy (in the Elysee from 2007) was not as good as the one between Schröder and Chirac. Germany was one of the member states that pushed the most to strengthen the cooperation in external action and, in so doing, the creation of the EEAS. Germany had no red lines, but it had some clear positions. First of all, as agreed among its diplomats, Germany was not convinced of the EEAS having consular competences.¹⁶⁹ As a German diplomat asserted, the German position was that, even if the visa policy is something that the member states decide together, they do not want the EU to take over visa delivery.¹⁷⁰ Secondly, in the words of a German diplomat, even if they were one of the strongest supporters of the EEAS, they wanted to have a strong representation by member states diplomats in its staff. Finally, it follows that they were also pushing for a solid management structure within the EEAS. This meant that Germany wanted a strong

¹⁶⁶Traynor, I. & Gow, D. *Germany pushes fast-track strategy for EU constitution*. The Guardian, Published on 9th March 2007.

¹⁶⁷Brown, A.; Miller, V. & Taylor, C. (2005) *Germany: elections, the new Government and Anglo-German relations*. Published on 20 December by House of Commons, pp. 37.

¹⁶⁸ Reynolds, P. A new German voice but what will it say? BBC News, <https://goo.gl/JkV6Qr> Published on 22 November 2005, Accessed 27th September 2018.

¹⁶⁹ Interviewee 68, GF_2018, Quotation: 126:3; Interviewee 71, MF_2018: Quotation: 129:11.

¹⁷⁰ Interviewee 71, MF_2018, Quotation: 129:11.

Secretary General of the EEAS besides the HR as well as strong management directors.¹⁷¹

B.1 Staff

Even if Germany wanted a strong EEAS, the situation in 2010 was quite different from the one in 2003. A researcher perceived that, since the EEAS was already there, member states wanted to control it as much as possible and make the most of it. This means that they wanted the EEAS to be filled by as many national diplomats as possible. Member states wanted to be very well represented in the top jobs.¹⁷² As another researcher emphasized, the main reason for sending national diplomats to the EEAS, especially Germans, is to be able to put a nation's own priorities in the EEAS.¹⁷³ Germany did not want the EEAS to become a Commission-driven organization.¹⁷⁴ As German diplomats asserted, in so doing, they suggested Helga Smith as the political director of the EEAS, who finally became appointed.¹⁷⁵ Apart from having its own people in the EEAS' headquarters in Brussels, the positions in the EU delegations abroad were also of great interest for the member states, even for the biggest ones.

It is commonly agreed among the German diplomats that Germany had a great national interest in getting the highest positions in the delegations of, for instance, China¹⁷⁶ or Moscow.¹⁷⁷ Therefore, as one of its diplomats asserts, Germany worked and lobbied very hard to get them.¹⁷⁸ The German government, in words of one of its diplomats, strongly pushed to make up one third of the diplomats of member states, both in Brussels and in the delegations.¹⁷⁹ As a researcher affirmed, the German government was satisfied overall with its national representation within the EEAS structures, both in Brussels and abroad.¹⁸⁰ German diplomats asserted that this idea of sending national diplomats to the EEAS was also seen by Germany as a great

¹⁷¹ Interviewee 68, GF_2018, Quotation: 126:4.

¹⁷² Interviewee 67, AM_2018, Quotation: 126:6.

¹⁷³ Interviewee 64, NVO_2018, Quotation: 122:4.

¹⁷⁴ Interviewee 64, NVO_2018, Quotation: 122:2.

¹⁷⁵ Interviewee 37, PH_2016, Quotation: 37:3; Interviewee 68, GF_2018; Quotation: 126:41.

¹⁷⁶ Interviewee 68, GF_2018, Quotation: 126:42; Interviewee 64, NVO_2018; Quotation: 122:3; Interviewee 71, MF_2018, Quotation: 129:15.

¹⁷⁷ Interviewee 64, NVO_2018, Quotation: 122:3; Interviewee 71, MF_2018, Quotation: 129:15.

¹⁷⁸ Interviewee 71, MF_2018, Quotation: 129:15.

¹⁷⁹ Interviewee 68, GF_2018, Quotation: 126:5.

¹⁸⁰ Interviewee 64, NVO_2018, Quotation: 122:25.

opportunity for its younger diplomats. They would be able to go to the EEAS for a certain period of time and then go back to the national system which, in Germany's view, would create a stronger link between the national diplomatic services and the EEAS.¹⁸¹

B.2 Budget

Budget has also been an object of major attention by the member states. The preoccupation of Germany regarding the budget was efficiency. As its diplomats stressed, Germany was not interested in the creation of the EEAS as a way of reducing its national service, in saving money.¹⁸² However, in the words of one of its diplomats, Germany also had in mind to make the most of the Commission budget.¹⁸³ The German position was, as it is explained by one researcher, that the EEAS should be as budget neutral as possible, which meant that the EEAS could have funds shifted from the EU Commission delegations that they already had, but there should not be a huge increase in budget for the EEAS.¹⁸⁴

B.3 Control

As it was agreed among the German diplomats, when a new institutional body is created, there is always concern about controlling it.¹⁸⁵ Even if, as a German diplomat stressed, in the case of the EEAS and EU foreign policy, the way in which decisions are taken is still unanimity.¹⁸⁶ Hence, in words of a German diplomat, the main decisions still lie the hands of the member states, and the EEAS is not meant to act on its own.¹⁸⁷ However, one German diplomat asserted, member states still have a certain mistrust, so they want to consider a mechanism for controlling it,¹⁸⁸ or, at least, with which to influence.¹⁸⁹

¹⁸¹ Interviewee 68, GF_2018, Quotation: 126:33; Interviewee 70, CK_2018, Quotation: 128:7.

¹⁸² Interviewee 68, GF_2018, Quotation: 126:7; Interviewee 70, CK_2018, Quotation: 128:16.

¹⁸³ Interviewee 37, PH_2016, Quotation: 37:11.

¹⁸⁴ Interviewee 64, NVO_2018, Quotation: 122:9.

¹⁸⁵ Interviewee 36, PSONTB_2016, Quotation: 36:16; Interviewee 71, MF_2018; Quotation: 129:4.

¹⁸⁶ Interviewee 34, OR_2016: Quotation, 34:15.

¹⁸⁷ Interviewee 36, PSONTB_2016, Quotation: 36:16.

¹⁸⁸ Interviewee 38, TO_2016, Quotation: 38:18.

¹⁸⁹ Interviewee 68, GF_2018, Quotation: 126:43.

The chairing of the working groups was an object of great discussion. As a German diplomat stressed, despite the fact that, finally, the majority of the working groups kept being chaired by the rotating presidency, the general feeling within the German administration was that the EEAS should chair as many working groups as possible.¹⁹⁰ As one of its diplomats affirmed, Germany particularly wanted the Political and Security Committee chaired by the EEAS, which would allow a permanent dialogue between the member states represented by their ambassador in charge of the Political and Security Committee and the EEAS.¹⁹¹ As this thesis has already strongly emphasized, in addition to the chairing of the working groups, having national diplomats in the highest positions of the EEAS was also, in words of a German diplomat, a great tool for control.¹⁹² The relevant point here, underlined by a German diplomat, is that member states, and Germany in particular, did not want the EU to develop its own interest and detached from the foreign policy of EU member states. They wanted the EEAS to also defend national interests.¹⁹³

V.2 Demands of EU institutions

As I have already pointed out, the main objective of this thesis is to highlight the role of the EU institutions during the setting up of the EEAS: the Convention and the Quadrilogue negotiations. This is why it is extremely relevant to include their demands as part of the research. The reason why I focus on the preferences of those actors is the fact that the Convention and the Quadrilogue were two unique institutional settings that allowed the EU institutions to be part of the negotiations table and had a say in the bargaining. On top of that, during the Quadrilogue negotiations, the Commission became a co-legislator without being the initiators, and the EU Parliament got to change the final decision procedure into a co-decision.

V.2.1 EU Parliament Demands

As an UK diplomat asserts, the EU Parliament has been one of the major protagonists during the negotiations. They had particular priorities, and they

¹⁹⁰ Interviewee 70, CK_2018, Quotation: 128:14.

¹⁹¹ Interviewee 68, GF_2018, Quotation: 126:45.

¹⁹² Interviewee 71, MF_2018, Quotation: 129: 19.

¹⁹³ Interviewee 71, MF_2018, Quotation: 129: 21.

wanted to make sure that those would be taken into account.¹⁹⁴ In addition, the EU Parliament was also very close in its demands to the Germans and the small member states as well as to the Commission. The Secretary General of the Council understood, in the words of one of its members, that what the EU Parliament wanted the most was control.¹⁹⁵ This idea was shared by France because one of its representatives pointed out that in this aim of controlling the new body, staff, and particularly the budget, were its major assets. The entirety of its efforts were towards a more federative approach.¹⁹⁶

A. Convention

At the time of the Convention, Elmar Brok, as president of the Foreign Affairs Committee, was the member of the EU Parliament in charge of defending the views of the EU Parliament during the negotiations. As a French diplomat perceived, the main goal of Elmar Brok was to make this scenario an opportunity for the EU Parliament to have a say in EU foreign policy.¹⁹⁷ As an EU Parliament official stressed, the developments from the Convention were the result of the push of different leaders from EU institutions and member states who had a clear vision about how the EU should work. It also follows that the main idea behind the position of the EU Parliament regarding foreign policy was to bridge the division between the community and the intergovernmental policies and to take steps that allowed the EU to achieve a more coherent CFSP.¹⁹⁸

The EU Parliament had always recommended the full merger of these two functions: the HR and the Commissioner of External Relations to the Commission and not the "double hatted" approach that the working group recommended.¹⁹⁹ However, the EU Parliament would accept the "double hatted" person if he or she was appointed by the Council, meeting as a combination of head of state and government and acting by a qualified majority, on a proposal by the President of the Commission and approval by

¹⁹⁴ Interviewee 46, HC_2016, Quotation: 46:27

¹⁹⁵ Interviewee 53, CG_2016, Quotation: 53:24

¹⁹⁶ Interviewee 69, FM_2018, Quotation: 127:10

¹⁹⁷ Interviewee 62, PV_2015 & 2018: Quotation: 119:84

¹⁹⁸ Interviewee 20, EP_2015, 20:1

¹⁹⁹ European Parliament. The Secretariat. Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy. Examination of the revised draft. Final Report circulated on 22 November. Brussels, 13 December 2002, Quotation: 98:3

the EU Parliament.²⁰⁰ To reduce the number of voices speaking on behalf of the EU was one of the EU Parliament major priorities regarding the CFSP.²⁰¹ As one of its officials noted, during the Convention, the EU Parliament pushed strongly for the creation of a Ministry of Foreign Affairs.²⁰² Elmar Brok also suggested the creation of a common diplomatic academy.²⁰³ In addition, the EU Parliament was one of the strongest supporters of the extension of qualified majority voting in the CFSP.²⁰⁴

The Secretary General of the Council also perceived that Elmar Brock was the one who pushed hard for this idea, supported by the German government and different thinkers and experts, former ambassadors, and other members of the EU Parliament.²⁰⁵ What was very clear for the EU Parliament, as was confirmed by one of its officials, was that the HR needed a dedicated service and that the service had to come partly from the member states and partly from the DG RELEX.²⁰⁶ It would not make sense to create the post of HR/VP without creating a diplomatic body, the EEAS.²⁰⁷ In addition, the HR should' have a direct mandate from and be accountable to the European Council and answerable to the EU Parliament for issues relating to the CFSP.²⁰⁸

The main requests from the EU Parliament were the following: “The participation of the EU in international organizations; the setting up of EU diplomatic representations; and, to a lesser extent, the creation of EU diplomatic corps, the creation of a college of European Diplomacy or the development of a bridging system between the external services of the

²⁰⁰ European Parliament. The Secretariat. Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy. Examination of the revised draft. Final Report circulated on 22 November. Brussels, 13 December 2002, Quotation: 98:3

²⁰¹ Working Group VII on External Action. *Task Force Future of the Union and Institutional Questions*. Meeting of 29 October 2002; Brussels, 30 October 2002. TF-AU/1 (2002) JFBR D/190419. Quotation: 63:10

²⁰² Interviewee 23, JF_2015, Quotation: 23:8

²⁰³ Working Group VII on External Action. *Task Force Future of the Union and Institutional Questions*. Meeting of 29 October 2002; Brussels, 30 October 200. TF-AU/1 (2002) JFBR D/190419.,Quotation: 63:15

²⁰⁴ European Parliament. The Secretariat. Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy. Examination of the revised draft. Final Report circulated on 22 November, Brussels, 13 December 2002, Quotation: 59:2

²⁰⁵ Interviewee 55, LS_2015, Quotation: 52:2

²⁰⁶ Interviewee 20, EP_2015, Quotation: 20:1. European Parliament. The Secretariat. Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy. Examination of the revised draft. Final Report circulated on 22 November. Brussels, 13 December 2002.

²⁰⁷ Participant 25, SG_2015, Quotation: 25:21

²⁰⁸ European Parliament. The Secretariat. Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy. Examination of the revised draft. Final Report circulated on 22 November. Brussels, 13 December 2002, Quotation: 85:3

Community and of the Member States.”²⁰⁹ The position from the EU Parliament, as was confirmed by one of its officials, did not change during the whole process, which meant from the Convention until the decision on the setting up of the EEAS was signed.²¹⁰

B. Quadrilogue

The EU Parliament was not supposed to play a relevant role during the Quadrilogue negotiations, but it got the right to change the decision into a co-decision procedure using the two tools available to it: staff and budget. In so doing, as one of its officials stressed, the EU Parliament proposed a package deal through which it refused to veto the agreement on staff regulation and financial regulation only if the final decision was taken by co-decision. It also followed that this co-decision process was a clear red line for the EU Parliament. This official asserted that its claim was that if they were not properly consulted on the decision, the EU Parliament position would not be reflected. Then the whole decision was approved under a co-decision procedure. The EU Parliament, the Commission, and the Council (Spanish Presidency), and the HR/VP Lady Ashton composed the negotiation table.²¹¹

As a UK member of the EU Parliament confirmed, the EU Parliament wanted some clear lines of accountability for Catherine Ashton and the Foreign Affairs Committee. The EU Parliament also wanted the special representatives of the EEAS to pass a hearing in front of the EU Parliament. Financial regulation and budget control were also part of the negotiations as well as the role and the scope of the Court of Justice and the judicial authority of the Court over the CFSP.²¹² Another requirement from the EU Parliament, confirmed by a German diplomat, was that the key positions should pass a hearing in front of the EU Parliament. This means that the EU Parliament would like to be consulted on new key appointments.²¹³

²⁰⁹ European Parliament. The Secretariat. Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy. Examination of the revised draft. Final Report circulated on 22 November. Brussels, 13 December 2002, Quotation: 85:1

²¹⁰ Interviewee 21, GQ_2015, Quotation: 21:1

²¹¹ Interviewee 20, EP_2015, Quotation: 20:5 & Quotation:20:10

²¹² Interviewee 27, AD_2016, Quotation: 27:12

²¹³ Interviewee 27, AD_2016: Quotation, 27:12; Wessels, W. (2002) The Parliamentary Dimension of ESDP Team: 12 Options for the European Parliament. Study submitted for the

As an official from the EU Parliament confirmed, budget and staff were the two key tools that the EU Parliament used in order to push for its demands during the negotiations. The EU budget and the statute of the civil servants depended on approval from the EU Parliament.²¹⁴ The EU Parliament and the Commission stressed, in words of an EU Parliament official, that the budget of the EEAS should be part of the EU budget, which meant that it is part of the Commission budget.²¹⁵ Regarding staff, the EU Parliament's main requirement, as one of its officials stresses, is that at least 60% of the EEAS staff should come from the EU staff. The objective was to limit the number of member states diplomats within the EEAS to a maximum of 33%.²¹⁶ In addition, a French diplomat notes that, as a method of control, the EU Parliament wanted some clear lines of accountability. Hence, they were hoping for the EEAS appointments to follow a similar process since it was established by the designation of EU commissioners, which means that they needed a green light from the EU Parliament.²¹⁷

V.2.2 EU Commission Demands

The Commission has been one of the major losers in this negotiation process because, in the creation of the EEAS, the Commission lost a part of its administration and personnel. The Commission was favourable to the creation of the EEAS, but they wanted this new service to be part of the Commission. The key element that the Commission had to achieve its goals was the budget. As will become clear, the Commission was the only one that could manage the EU budget because it is the one accountable to the EU Parliament. In so doing, the EU Parliament was one of its major allies.

A. Convention

The elimination of the pillar structure and regrouping of competences under one hat affirmed that the Commission should play a central role as a guarantor of the common interest which would include action and

European Parliament Directorate-General for Research under Contract No IV/2002/01/01. TEPSA.

²¹⁴ Interviewee 23, JF_2015, Quotation: 23:10

²¹⁵ Interviewee 20, EP_2015, Quotation: 20:27

²¹⁶ Interviewee 23, JF_2015, Quotation: 23:33

²¹⁷ Interviewee 15, PV_2015 & 2018, Quotation: 119:67

representation in multilateral forums.²¹⁸ As one of its officials underlined, the Commission wanted enlargement to keep being part of the Commission.²¹⁹ During the Convention negotiations, Mr. Patten, the RELEX commissioner, argued that it would be too much work for just one person to merge the functions of both the RELEX Commissioner and the HR.²²⁰ Mr. Lamy from the Commission stressed that the EU should be represented externally by someone who is trusted by the member states.²²¹ In addition, he was not completely sure about establishing a permanent president for the EU Council due to possible problems of accountability.²²² A French diplomat confirmed that Michael Barnier, Commission representative during the EU Convention, was one of the strongest advocates of the necessity to improve the institutional framework of the EU Foreign Policy, and, in short, about the creation of the EEAS.²²³

From the Commission, it was established that, in order to ensure the coherence and efficiency of the EU, external action would be necessary: a HR with the right of initiative and the extension of qualified majority voting. In addition to that, all actions in this matter should be under the scrutiny of the EU Parliament, the money spent should be accountable to the EU Parliament, the court of auditors should be understood as a control mechanism, and the HR should also be part of the Commission.²²⁴

As one of its officials notes, there was also a very clear line for the side of the Commission in the necessity to define the exact role and tasks for the HR/VP and the head of the Commission, for instance, who will be the spokesperson for a foreign prime minister visit. It also follows that the Commission was also concerned about the fact that many internal policies such as energy that have a great external dimension will interfere with internal policy. One clear red line for the Commission in this sense was, in this official word, that neither the

²¹⁸ The Secretariat. Working Group VII on "External Action". Summary of the meeting held on 15 October 2002. Brussels, 21 October 2002 CONY 356/02, Quotation: 65:7

²¹⁹ Interviewee 7, JK_2015, Quotation: 7:19

²²⁰ The Secretariat. Working Group VII on "External Action". Summary of the meeting held on 8 October 2002. Brussels, 11 October 2002. CONV 342/02. Quotation, 68:17

²²¹ The Secretariat. Working Group VII on "External Action". Summary of the meeting held on 15 October 2002. Brussels, 21 October 2002 CONY 356/02. Quotation, 65:7

²²² The Secretariat. Working Group VII on "External Action". Summary of the meeting held on 15 October 2002. Brussels, 21 October 2002 CONY 356/02. Quotation, 65:19

²²³ Interviewee 62, PV_2015 & 2018, Quotation: 119:14

²²⁴ European Parliament. The Secretariat. Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy. Meeting 15 October 2002. Brussels, 21 October 2002, Quotation: 65:9

EEAS nor the Commission should be forced into a hierarchy with the other one.²²⁵

B. Quadrilogue

If the main assets in the hands of the EU Parliament were staff and budget, in the case of the Commission, budget was the key element. The strongest red line for the Commission, as one of its officials stressed, was that the money had to be only with the Commission because the Commission is the one accountable to the EU Parliament.²²⁶ As one of its officials confirms, the Commission, and specifically Catherine Day, its Secretary General and representative during the Quadrilogue negotiations, was strongly against the creation of the EEAS as an independent body outside of the Commission. She understood this new EEAS as a way to inter-governmentalize the external action of the EU, a step back in the process of EU integration.²²⁷ In words of an EU Commission official, the Commission wanted the EEAS within its own structure.²²⁸

Since the creation of the EEAS was already decided, the Commission wanted, as confirmed by its officials, to make the most of it so that it would work properly.²²⁹ In short, the Commission officials insisted that it wanted to be constructive.²³⁰ They added that the Commission had to give up on the preferences of the member states in creating the EEAS as an autonomous body, but they made clear that this creation had consequences.²³¹ From the Commission and the German diplomatic service, it was confirmed that thematic desks such as development, near, trade, et cetera were object of great discussion.²³² The argument was, in words of one Commission official, about those continuing to be part of the Commission or being transferred to the EEAS. Finally, development continued to be part of the Commission.²³³ In

²²⁵ Interviewee 10, WS_2016, Quotation: 10:16

²²⁶ Interviewee 9, PC_2015, Quotation: 9:20

²²⁷ Interviewee 4, BMC_2015, Quotation: 4:3

²²⁸ Interviewee 9, PC_2015, Quotation: 9:16

²²⁹ Interviewee 5, CL_2015, Quotation: 5:11; Interviewee 7, JK_2015, Quotation: 7:37

²³⁰ Interviewee 8, MTM_2015, Quotation: 8:7

²³¹ Interviewee 5, CL_2015, Quotation: 5:4

²³² Interviewee 38, TO_2016, Quotation: 38:17; Interviewee 5, CL_2015, Quotation: 5:13

²³³ Interviewee 5, CL_2015, Quotation: 5:13

addition, one Commission official stressed that the former DG Enlargement, now DG Near, also continued to be part of the Commission.²³⁴

EU institutions' representatives confirm that staff was a difficult negotiation for the Commission because it was very resistant to transfer their people to this new body.²³⁵ National diplomats from France and Spain perceived that the Commission was afraid of losing its power and having to compete with the national diplomats for the best jobs inside the EEAS.²³⁶ In addition, from the Asthon cabinet it was perceived that, since the positions of the EEAS were open to people coming from the Council, the Commission and the national diplomatic services, many people inside the Commission feared that they would lose promotions and jobs in favour of people coming from outside.²³⁷ This was a matter of worry for the high level civil servants within the Commission. As a French diplomat emphasized, both member states and the Commission defended the interest of their people.²³⁸ People from the Asthon cabinet stressed that there were huge discussions about who should be transferred, how many people, etc. It was a very difficult process for the Commission as an institution because they were losing people.²³⁹

The procedure was, in words of a Commission official, to check position by position in the aim of identifying the task to be done and decide if such job had to be transferred to the new service or not.²⁴⁰ As an EU Parliament official explained, DG DEVCO, different from DG RELEX, was finally able to retain the majority of its personnel.²⁴¹ The Commission understood the EEAS, in the words of a researcher, as its rival both in staff and budgetary terms.²⁴² Therefore, as a French diplomat remarked, it was a complicated process for the Commission, but it was the price that had to be payed in order to have a common external service.²⁴³

From the Asthon cabinet, people also stressed that the negotiations regarding the future role for the Commission in the EU delegations abroad were also very

²³⁴ Interviewee 7, JK_2015, Quotation: 7:19

²³⁵ Interviewee 2, PS_2016, Quotation: 2:19; Interviewee 7, JK_2015, Quotation: 7:17; Interviewee 25, SG_2015, Quotation: 25:16

²³⁶ Interviewee 63, ML_2018, Quotation: 120:6; Interviewee 66, CB_2018, Quotation: 124:10

²³⁷ Interviewee 2, PS_2016, Quotation: 2:19.

²³⁸ Interviewee 63, ML_2018, Quotation: 120:20

²³⁹ Interviewee 2, PS_2016, Quotation: 2:16

²⁴⁰ Interviewee 7, JK_2015, Quotation: 7:17

²⁴¹ Interviewee 25, SG_2015, Quotation: 25:16

²⁴² Interviewee 67, AM_2018, Quotation: 125: 5

²⁴³ Interviewee 11, EP_2018, Quotation: 11:4

complicated.²⁴⁴ They also noted that another preoccupation was how the instructions would be given to the delegations, if the EEAS would manage the whole delegation including giving instructions to the Commission people, and also how the budget responsibility would be managed within the delegations.²⁴⁵ In words of a French diplomat, Catherine Day worked very hard to find a compromise where heads of delegation would have to achieve the green light from the Commission to be accepted as the guardian of the Commission budget. The main priority was that the budget of the EEAS would be linked to the Commission, and member states diplomats would need its permission to disperse it.²⁴⁶

Member states diplomats confirm that budget was the key of the Commission's interests. The Commission biggest red line was regarding its prerogatives in the budget. The Commission made perfectly clear, as was also confirmed by a French diplomat, that the only one who could spend money is the Commission.²⁴⁷ In this sense, one French diplomat emphasized that the Commission did not want the EEAS to manage the EU development funds²⁴⁸ because, as a member state diplomat confirmed, the Commission was the single accountable entity in front of the EU Parliament.²⁴⁹ In words of a French diplomat, it was a bureaucratic battle between the Commission and the EEAS. Member states were not implicated.²⁵⁰

The preferred option for the Commission would be to create the EEAS as an agency inside the Commission, which was completely opposed by the majority of the member states. The Commission had to accept it. However, they claimed that the EEAS could not administer its own operational budget, and it would not be in a position to coordinate external relations. A researcher perceived that the main priority of the Commission was to keep the EEAS to a minimum.²⁵¹ In words of one of its officials, the Commission had to explain to the member states, who wanted the EEAS a role with money, that this is a prerogative of the Commission because it is the single entity accountable to the EU Parliament. Then, implementation can only be within the

²⁴⁴ Interviewee 2, PS_2016, Quotation: 2:17

²⁴⁵ Interviewee 2, PS_2016, Quotation: 2:18

²⁴⁶ Interviewee 15, PV_2015 & 2018, Quotation: 119:79

²⁴⁷ Interviewee 7, JK_2015, Quotation: 7:19; Interviewee 11, EP_2018: Quotation: 11:32

²⁴⁸ Interviewee 11, EP_2018, Quotation: 11:11

²⁴⁹ Interviewee 30, MW_2015, Quotation: 30:12

²⁵⁰ Interviewee 63, ML_2018, Quotation: 120:18

²⁵¹ Interviewee 56, SL_2016, Quotation: 56:2

Commission.²⁵² The Commission control of the EEAS, as a French diplomat highlighted, is through the budget.²⁵³

Theoretical Conclusion

After a detailed revision of the process of preference formation from the biggest member states regarding the two key moments in the EEAS bargaining process, it was possible to verify the prediction shared by liberal intergovernmentalism and rational choice institutionalism that preference formation is exogenous and follows domestic purposes. First of all, the preferences of the different actors were connected to their domestic objectives. All of its demands were directly linked to their traditional goals towards the EU integration process. The general claim that Germany was the most committed to the process of integration, France less so, and Britain least so perfectly applied to this case. As Moravcsik claims, positions vary by country as a function of ideological commitment to federalism or perceived politico-military threat (1998, p. 28). The EU institutions had also their own particular demands which were linked to their traditional position towards the EU process of integration. They worked to keep the EEAS as community as possible.

Another key element in liberal intergovernmentalism theory is that the preferences are formed taking into account the interests of the different domestic actors. However, because this thesis is focused on foreign policy, the different actors involved in the definition of national preferences is more limited, and the autonomy of the government is greater than in other areas such as the economic field, since this is the area where liberal intergovernmentalism is mostly applied. Obviously, in this specific area of discussion, the actors involved are mainly the government, different ministers, the diplomatic corps, and, to some extent, the national parliament. However, there are differences depending on the country. The UK is more open to including a greater variety of actors in the definition of its preferences, the power of the domestic actors is larger than in the case of France or Germany where foreign affairs is mainly government-driven area.

²⁵² Interviewee 8, MTM_2015, Quotation: 8:6

²⁵³ Interviewee 63, ML_2018, Quotation: 120:18.

Finally, liberal intergovernmentalism also claims that economic reasons are the key in order to advance in the EU integration process. Thus, money should be the most relevant preoccupation for member states instead of geopolitical reasons because, as Moravcsik asserts, economic interdependence is the major driver of the EU process of integration. This is once again because liberal intergovernmentalism has been mostly applied in terms of economic integration. However, Moravcsik (1998, p. 28) also understands that, when talking about foreign policy, economic motivations are not necessarily the most relevant. This has been the case during the EEAS configuration. As has become clear, even if member states are open to having a say regarding the EU development funds and they can also take advantage of the EU delegations abroad in terms of reducing the national budget, the greatest preoccupation in order to strengthen the EU foreign policy architecture was to improve the power of the EU as a coherent political entity in the global arena. Money was not decisive in the member states' agreement regarding the creation of the EEAS.

Table 2: Member states and EU institutions preferences / Source: Own Elaboration

ISSUE	UK	FRANCE	GERMANY	EU PARLIAMENT	EU COMMISSION
Qualified Majority Voting	NO	YES	YES, the main supporter	YES	YES
Council Permanent President	YES	YES, one of the major French priorities	YES	NO	NO
HR/VP	No to the Ministry UK wanted to enhance the role of the HR and to improve the coordination with the External Commissioner	Yes to the Ministry	Yes to the Ministry. Very much in favour of the double hatting.	Yes to the Ministry	Yes to the Ministry
EEAS	NOT very convinced at the beginning. Another tool in the UK national diplomatic strategy	YES, only if it can bring added value. Another tool in the French diplomatic strategy.	YES, Germany wanted a strong EEAS.	YES	YES, but within the Commission.
Staff	As many diplomats as	As many diplomats as	As many diplomats as	Number of diplomats into the	Number of diplomats into the EEAS limited

	possible within the EEAS Diplomats in the top jobs Favours rotation.	possible within the EEAS Diplomats in the top jobs	possible within the EEAS Diplomats in the top jobs	EEAS limited Number of diplomats in the top jobs limited	Number of diplomats in the top jobs limited
Budget	EU development money in a different DG than cooperation and programming The EU costs a lot of money. The CFSP has to be efficient.	Budget was not decisive for France, even if its budget is not as big as it was used to be.	The EEAS would allow co-ordinated management. the resources. Germany was looking at efficiency.	Money should be within the Commission, accountable only to the EU Parliament	Money should be within the Commission, accountable only to the EU Parliament
Control	Control through staff EEAS chairing the Foreign Affairs Council	Control through staff. EEAS far from the Commission. Rotatory presidency should chair as many working groups as possible	Control through staff EEAS should chair as many working groups as possible	Control through budget and staff	Control through budget

Chapter VI:

SUPRA-STATE BARGAINING

Make men work together, show them that beyond their differences and geographical boundaries there lies a common interest.

Attributed to Jean Monnet

Following Putnam's two level game theory on which liberal intergovernmentalism is based, once the preferences of the member states are defined at the domestic level, member states bargain those domestic preferences in the supra-state forums of discussion with the purpose of getting the most out of them (Putnam, 1988, p. 434). At this second stage, liberal intergovernmentalism stresses that the asymmetries of power among different member states will be decisive. That is why this investigation deeply analyses the preferences of the biggest member states.

In addition, this thesis is based on the rationalist principle shared by the theoretical basis of this thesis: liberal intergovernmentalism and rational choice institutionalism posits that member states' preferences are fixed and exogenous. However, rational choice institutionalism does not give an explanation about the origin of nation-states preferences. Therefore, this thesis relies on the liberal intergovernmentalism premise that national preferences emerge from domestic conflict (Moravcsik, 1993, p. 481). Liberal intergovernmentalism assumes that, since domestic preferences respond to national goals, they are not subject to external changes. As Moravcsik asserts, "Preferences are by definition causally independent of the strategies of other actors and, therefore, prior to specific interstate political interactions, including external threats, incentives, manipulation of information, or other tactics" (1997, p. 519).

New-institutionalism's main claim is that institutions matter. However, as I have already highlighted in previous chapters, it lacks a clear and unique definition of institutions. For instance, Peter Hall (1986, p. 19) defines institutions as "the formal rules, compliance procedures, and standard

operating practices that structure the relationship between individuals in various units of the polity and economy.” However, new institutionalism also can define institutions in a much broader sense. This is the case of Asbjorn Norgaard, (1996, p. 39) who stresses that institutions are ‘legal arrangements, routines, procedures, conventions, norms, and organizational forms that shape and inform human interaction (Aspinwall & Schneider, 2000, p. 4).

New institutionalism addresses the definition of institutions from a pluralist view. This research highlights the relevance of institutions as strategic operating environments—institutions are set of rules that shape decision-making processes and can affect the scope for action of the actors involved by modelling their behaviour. In so doing, this thesis emphasizes the relevance played by the Convention and the Quadriologue institutional settings in the development of the negotiations on the establishment and design of the EEAS. As new institutionalism claims, institutions are the ones in charge of defining the rules of the game where actors interact. Rational choice institutionalism stresses that institutions affect the strategies that actors follow in the pursuit of their exogenously given preferences. Actors “operate in an environment which is highly structured by these institutions which can both enable and constrain them in the pursuit of their interests” (Kietz & Maurer, 2006, p. 4). In addition to this idea of institutions as set of rules and norms, the main purpose of this thesis is to stress the relevance of EU institutions as actors that have developed their own demands and pursue them at the same level as the nation states do. They were part of the bargains and had the opportunity to shape the strategies of member states in the pursuit of their domestic preferences.

This scenario is completely different from the one in which liberal intergovernmentalism is based because liberal intergovernmentalism does not take into account the role of institutions during grand bargain negotiations. Liberal intergovernmentalism stresses that member states are the ones that have absolute power. They are the only ones involved in intergovernmental conferences, the institutional setting where heads of state and government bargain the nation states domestic preferences in order to agree on changes to the EU Treaty. Outcomes of intergovernmental conferences are based on the

asymmetries of power between member states and their preferences.²⁵⁴ The institutional settings in which the decision making process that led to the creation of the EEAS was embedded—the Convention and the Quadrilogue - were unique and particularly interesting for this thesis because both the institutional framework (set of rules) in which it was developed and the EU institutions (actors) as part of the bargaining played a major role. The contribution of this thesis relies precisely on this bargaining stage. I will look for evidence that nuances the liberal intergovernmentalism claim that the grand bargain negotiations are purely intergovernmental, and institutions have no influence on the results. In so doing, this thesis not only focuses on the preferences of the biggest member states, but it will also pay genuine attention to the demands of EU institutions in order to test whether they can impact the behaviour of member states, and as a consequence, affect the final outcomes.

VI.1 Two new institutional settings to put Liberal Intergovernmentalism to the test: the Convention and the Quadrilogue.

The Convention and the Quadrilogue, the institutional settings that led to the creation of the EEAS, are unique in both their institutional framework and composition. The Convention was thought to be a constituent assembly based on the powers of argument instead of bargaining, as is the case of an intergovernmental conference. Under the Convention framework, the power of argument prevailed over the power position of the speaker. Therefore, the asymmetries of power were not as relevant as in an intergovernmental conference (Magnette, 2004, p. 216). Then, since we are under a new frame where the actors and procedures are different, inevitably the techniques and the approach have also to be different. Therefore, it is possible to conclude that the institutional setting that outlines the negotiation is crucial in understanding the actor's roles, resources and preferences (Closa, 2004, p. 8). This thesis emphasizes that institutions matter to the extent that they can modulate the behaviour of actors to the point of even altering their preferences (March & Olsen, 1984 in Closa 2004, p. 8).

²⁵⁴ Consilium.Europa.eu. Intergovernmental Conferences. <https://goo.gl/Hm6exH>.

VI.2 The Convention: a dynamic of consultation, not negotiation

The decision to call of a convention has its origins in the failures of the previous intergovernmental conferences such as Nice 2000. The Nice Treaty had as its main purpose adapting to the EU decision in preparation for the upcoming EU great enlargement planned for 2004. In so doing, the three main goals were: “the composition of the Commission, the weighting of votes in the Council, and, particularly, the extension of majority decisions”.²⁵⁵ However, it did not fit the purpose and ended with important leftovers that created the necessity for convening another intergovernmental conference for 2004. However, many of the people involved in the Nice Treaty negotiations agreed with the necessity of changing the institutional setting in which grand bargain negotiations were embedded. The Nice Treaty included a specific mandate, in the declaration 23²⁵⁶ attached to the Treaty, where the necessity to initiate a debate about the Future of Europe was stressed. This was the seed that led to the EU Constitutional process (Christiansen, 2008, p. 40). After that, it was during the Laeken Summit in December 2001 when the Convention was settled and the topics for discussion needed to be defined as well as its composition and working methods.

The principal idea behind the Constitutional process was to prepare the EU framework for the biggest enlargement in EU history. In addition, and especially relevant for this thesis, was its aim of giving the EU the necessary instruments for playing a relevant role in the global and multipolar world.²⁵⁷ At this time, the EU not only necessitated a revision of the content of the treaties but, in order to improve its democratization, it was also necessary to work in the clarification and simplification of its form. In so doing, the alternative to a Convention—an intergovernmental conference—had demonstrated its limits during both the Amsterdam and Nice Treaty

²⁵⁵ Speech given by Joschka Fischer on the ultimate objective of European integration (Berlin, 12 May 2000) <https://goo.gl/HGEwKT>. Accessed 30th October 2018.

²⁵⁶ 23.3 Declaration on the Future of the Union: Having thus opened the way to enlargement, the Conference calls for a deeper and wider debate about the future of the European Union. In 2001, the Swedish and Belgian Presidencies, in cooperation with the Commission and involving the European Parliament, will encourage wide-ranging discussions with all interested parties: representatives of national parliaments and all those reflecting public opinion, namely political, economic and university circles, representatives of civil society, etc. The candidate states will be associated with this process in ways to be defined.

²⁵⁷ Laeken Declaration on the future of the European Union (15 December 2001); p. 3.

negotiations. Contrarily, the Convention that led to the Charter on Human Rights put on the table an alternative that was coherent with constitutional issues. It consists of a broad composition that included European and national parliamentarians while the discussions were public (Magnette & Nicolaidis, 2004, p. 385). The final purpose was, as noted by one of the drafters of the Convention, to create a single text for the first time since the Treaty of Rome. The Constitutional Treaty was meant to substitute for the previous treaties, which were amending treaties.²⁵⁸ This constitutional process lasted for 17 months, from 28th February 2002 until 18th July 2003.²⁵⁹

The Convention process was named to act as the preparatory stage for the next intergovernmental conference, and because of that, some academics like Magnette & Nicolaidis (2004) or Closa (2004) stressed that this implies that the final decision is in the hands of the member states and, therefore, the preferences of the member states are the ones that will prevail, no matter the institutional forum of discussion (Closa, 2004, p. 8). In addition, Magnette & Nicolaidis (2004, p. 391) stress that the convention members were totally conscious that they were negotiating in the shadow of an intergovernmental conference, and, therefore, member states would always be able to veto any decision. In this sense, Closa (2004) said that the rules of the Convention were far from an ideal-type of a deliberative Constitutional forum since the representatives were not completely autonomous and they had the subsequent intergovernmental conference in mind (Magnette, 2005, p. 437).

We cannot underestimate the role of the big member states in getting their preferences over the other actors involved. Nevertheless, in the case of the creation of the EEAS, the institutional framework in which the negotiations were carried out, the Convention and the Quadrilogue, played a major role as drivers of the negotiations. In addition, the EU institutions were part of the bargaining and, therefore, they were able to bargain their demands with the preferences of the member states. That is why this thesis assumes that the EU institutions nuanced the preferences of the big member states in the pursuit of their own demands. Magnette & Nicolaidis (2004, p. 399) argue that, despite the originality of the Convention in terms of its composition and

²⁵⁸ Interviewee 24; MJ_2015, Quotation: 24:1

²⁵⁹ Assemblée Nationale Française. Rapport d'information déposé par la délégation de l'Assemblée nationale pour l'Union Européenne sur la Constitution Européenne. Présenté par M. Pierre Lequiller. N° 1710.

procedures, this institutional setting was not substantially different from previous rounds of treaty reform.

The main point of divergence that this thesis wants to highlight between a regular intergovernmental conference and the Convention institutional setting is that the major purpose of the Convention was not to negotiate the preferences of member states in order to get the most out of them but to reach a consensus through a deliberative process. Under an intergovernmental conference, the normal procedure is to exchange something for something else, whereas, in the case of the Convention, the procedure was to explain and argue the different points about why one option is better than another one. Of course, even under the Convention framework, a minister of the UK, Germany, or France may have more influence because everyone knows whom he or she represents. However, he/she does not have more speaking time for the matter, and he/she is equally forced as any other attendee, to give arguments, justify its positions, listen to others' opinions, and join common decisions. The chief difference is that whereas a more deliberative method produces high consensus, an intergovernmental conference based on hard bargaining favours the option of blocking or making arrangements that reflect low consensus (Duhamel, 2005, p. 61).

Finally, the intergovernmental conference was just another layer in the process of ratification as it was assumed that the process of bargaining was already concluded in the Convention. The 2004 intergovernmental conference was held under the Italian presidency, which decided that the vast majority of the text would not be re-opened; attention would only be paid to the non-resolved issues such as the size of the Commission or the extension of qualified majority voting.²⁶⁰ In this sense, the Convention Secretariat revealed that some member states, especially the UK, thought that, during the intergovernmental conference that followed the Convention, they would have the chance to change what they did not like from the agreed text. However, this was not finally allowed, and the major elements that were included in the text agreed under the Convention framework were also approved in the

²⁶⁰ Document from the 2003 IGC — Report from the Presidency to the Intergovernmental Conference (24 March 2004) <https://goo.gl/qVEL9S> Accessed 26th November 2018.

intergovernmental conference.²⁶¹ This Convention Secretariat official also asserted that, during the intergovernmental conference, there was great pressure on the member states to not open the text agreed under the Convention to further substantive discussions.²⁶²

A. Convention: composition and formula

The Convention on the Future of Europe was meant to be composed of the main actors involved in the debate about the future of the EU.²⁶³ The EU Council appointed Mr. Valery Giscard d'Estaing as Chairman of the Convention and Mr. Giuliano Amato and Mr. Jean-Luc Dehaene as Vice-Chairmen. They were the drivers of the negotiations assisted by the Praesidium. Apart from its chairman and its two vice-chairmen, the Convention was also composed of the 15 representatives of the head of state or government of the member states, one for each member state; 30 representatives of national governments, two from each member state; and 16 member of the EU Parliament and two Commission representatives. In addition, the candidate countries were also represented equal to the member states at that time (one government representative and two national parliament members). They were allowed to take part in the negotiations without being able to prevent any consensus that might result among the member states.²⁶⁴

National parliaments were interested in the fact that the convention method has strengthened the parliamentary dimension and the democracy in European politics. In this sense, they are glad that the future draft treaty revisions will be analysed in a convention process after consultation with the EU Parliament and the Commission. In short, the UK Parliament welcomed the news that this new approach would ensure more closeness with citizens, more democracy and transparency, and more efficiency and future-oriented results.²⁶⁵

²⁶¹ Interviewee 60; GM_2018, Quotation: 116:11.

²⁶² Interviewee 60; GM_2018, Quotation: 116:11.

²⁶³ Presidency Conclusions European Council Meeting in Laeken 14 and 15 December 2001. DOC/01/18. Europea.eu; pp, 24. Accessed 30 October 2018.

²⁶⁴ Presidency Conclusions European Council Meeting in Laeken 14 and 15 December 2001. DOC/01/18. Europea.eu; pp, 24. Accessed 30 October 2018.

²⁶⁵ House of Lords. Select Committee on the European Union. The Future of Europe. The Convention's draft constitutional treaty. Session 2002–03. 41st Report. October 2003. HL Paper 169.

The wide composition was an object of controversy between member states. The UK did not like the idea; they would prefer a forum composed only of heads of state and government whereas Germany was very much in favour of including members of the EU Parliament in the bargaining (Magnette & Nicolaidis, 2004, p. 384). The Convention was characterized by being part of an open/transparent process in which not only the institutions and national governments took part but also a whole process of consultation with civil society. In this sense, one member of the Convention Secretariat stressed: “There was an attempt to drive a consultation process through Europe which quite frankly did not really work”.²⁶⁶

At the same time, as one official from the Secretary General of the Council stressed, the Convention was not a very representative process because the majority of its members came from the Brussels bubble and the same pro-European thinking.²⁶⁷ However, as one member of the Convention Secretariat pointed out, even though the discussions were mainly carried out within the Brussels bubble, due to the broad composition of the Convention, it was difficult to argue that the text of the Constitution for Europe was not the result of an open process. Therefore, the pressure was very intense on the member states to accept what had been agreed.²⁶⁸

One remarkable difference between the Convention and a regular intergovernmental conference, as one of the drafters of the Convention text noted, is the political level of the participants. Under an intergovernmental conference format, the ministries only met on occasion because the negotiations were driven by civil servants. During the course of a negotiation, the freedom of action of the civil servants was very limited because they were tied to their government’s guidelines. They did not have a margin in which to manoeuvre, and, therefore, the tendency was towards veto. In addition, a civil servant cannot argue, because they are restricted by their mandate. Nevertheless, in the case of the Convention, even if the instinct of the different member states was also to send their representatives, after having realized the relevance of the topics discussed and the dynamics of the negotiations, the

²⁶⁶ Interviewee 60; GM_2018, Quotation: 116:12.

²⁶⁷ Interviewee 55; LS_2015, Quotation: 55:10.

²⁶⁸ Participant 60; GM_2018, Quotation:116:11; Hoffmann, L. (2002) “The Convention on the Future of Europe -Thoughts on the Convention-Model”. *Jean Monnet Working Paper. Professor J.H.H.Weiler. European Union Jean Monnet Chair* 11/02; p. 11. <https://goo.gl/T2uPPB>. Accessed 26th November 2018.

different member states decided to upgrade the level of their representatives to the Ministry level.²⁶⁹ The fact that the negotiations were among politicians, not civil servants, constitutes an essential particularity of the Convention that makes it even further away from a regular intergovernmental conference. Contrary to an intergovernmental conference, the Convention was characterized by constant argument. In words of the above-mentioned drafter of the text of the Convention: “The plenary session of the Convention was a constant brainstorming”.²⁷⁰

One example of the uniqueness of the Convention negotiations in comparison to a regular intergovernmental conference was that the points of divergence needed to be deeply explained and provided with great arguments. Within the VII Working Group on External Action, there were representatives of the largest countries expressing different views on the evolution of the HR into this double hatting and also on the setting up of the EEAS. For example, Peter Hain, UK government representative, was always very clear in his opposition to the idea of double hatting and to the setting up of what at that time they called the European diplomatic service. The Swedish were also very sceptical, as were the Irish. However, since there was a certain push for those solutions in the context of the Convention, a major effort based on good arguments and building coalitions was necessary instead of simply saying no, as it would be under an intergovernmental conference where the member states had veto power, and, if a country said no, it tended to be no. As a researcher noted, this new Convention working method put the liberal intergovernmentalist theory to the test.²⁷¹

The main asset of the Convention formula was to give the results broader legitimacy than would be the case at a classic intergovernmental conference. However, as one Commission representative perceived, the Convention turned out to be more ambitious than the member states wanted it to be, and this could be understood as the main reason why the final product was rejected in France and the Netherlands.²⁷² In addition, it was agreed among several convention attendees that the heavy involvement of parliamentarians and the pro-European atmosphere meant that the member states had to agree to

²⁶⁹ Interviewee 24, MJ_2015, Quotation: 24:1

²⁷⁰ Interviewee 24, MJ_2015, Quotation: 24:1

²⁷¹ Interviewee 51, GG_2016, Quotation: 51:1

²⁷² Interviewee 5, CHL_2015, Quotation: 5:3.

elements that they would have never agreed to in an intergovernmental conference.²⁷³ Member states did not enjoy a privileged status as it is the case during an intergovernmental conference. In the case of the Convention, they took part with an equal status to any other actors, such as the representatives of national parliaments, the representatives of the Commission, members of the EU Parliament, etc. It was a peculiar and unique context. In this sense, a researcher stressed that the final power was in the hands of the Secretariat of the Convention and its Praesidium that, within limits, could draft the texts that would become the basis of the negotiations.²⁷⁴

B. Convention procedure: the power of the Praesidium and the Chairmen

The Convention procedure is characterized by being a deliberative process whose discussions were mainly driven by the Praesidium and its chairman. The Praesidium is an organ within the EU Convention in charge of providing the ground elements and ideas in order to launch the debates, which means, contributing an initial working basis for the Convention debates. In so doing, the Praesidium may consult officials and experts to procure technical expertise. The Praesidium was composed of the Chairman of the Convention, the vice-chairmen, and nine members of the Convention, specifically: “the representatives of all the governments holding the Presidency of the Union during the Convention (Spain, Denmark, and Greece), two National Parliament representatives, two European Parliament representatives, and two Commission representatives”.²⁷⁵

The main task of the Chairman of the Convention was to write the conclusions of the public debates. The Council followed the whole process very closely. It meant to keep informed about the Convention developments. In so doing, among the tasks of the Chairman of the Convention was to give an oral progress report during each European Council meeting in order to let the Heads of State and Government express their opinion. All Convention

²⁷³ Interviewee 24, MJ_2015, Quotation: 24:1; Interviewee 12, MVDH_2016, Quotation: 12:14; Interviewee 20, EP_2015, Quotation: 20:24; Interviewee 26, CC_2016, Quotation: 26:1; Interviewee 35, AD_2016, Quotation: 35:11; Interviewee 51, GG_2016, Quotation: 51:1; Interviewee 55, LS_2015, Quotation: 55:10.

²⁷⁴ Interviewee 51, GG_2016, Quotation: 51:23.

²⁷⁵ European Convention Webpage: <https://goo.gl/UhHS4u>.

discussions and official documents were public, and the Convention worked in the 11 official working languages.²⁷⁶

The procedure of the Convention was divided in three phases: first, a listening phase, then the different issues raised were analysed in an analytical phase and, finally, the procedure finished with a drafting phase (Crum, 2004). During the listening phase, there were debates about documents drafted by the secretary about fundamental topics that were left opened in the intergovernmental conference that led to the Nice Treaty. The next step was the analytical phase. At this stage, the different working groups started making proposals. Those were 11 different thematic groups that were meant to end up with a complete product: 1. Subsidiarity, 2. Charter/ECHR, 3. Legal Personality, 4. National Parliaments, 5. Complementary Competences, 6. Economic Governance, 7. External Action, 8. Defence, 9. Simplification, 10. Freedom, Security, and Justice, and 11. Social Europe.²⁷⁷

Since this thesis focuses on the creation of the EEAS, the VII group, external action will be of particular attention. One of the drafters of the constitutional text assured that the composition of the working groups was diverse enough to take into consideration the distinct sensitivities,²⁷⁸ while the discussions were driven by the Praesidium. Finally, this constitutional drafter also added that, during the writing phase, those working groups proposed different articles based on the consensus achieved.²⁷⁹ Even if the dynamics of the working groups was similar, there were divergences depending on the topic under discussion. For example, a French diplomat stressed that, regarding the external action working group, the sensitivities of the member states were more important, and Giscard and his team paid more attention to them than to other working groups.²⁸⁰ The division between the ones who were more ambitious and those who were less was particularly relevant in this field.

The Secretariat of the Convention was a permanent body based in Brussels headed by Sir John Kerr, former head of the British Diplomatic Service, who, in words of a French diplomat, was very instrumental and who had an

²⁷⁶ Presidency Conclusions European Council Meeting in Laeken 14 and 15 December 2001. DOC/01/18. Europea.eu; p. 25. Accessed 30 October 2018.

²⁷⁷ The European Convention official documents webpage: <https://goo.gl/kv9XjM>.

²⁷⁸ Interviewee 24, MJ_2015, Quotation: 24:2.

²⁷⁹ Interviewee 24, MJ_2015, Quotation: 24:25.

²⁸⁰ Interviewee 69, FM_2018, Quotation: 127:5.

enormous influence on the process.²⁸¹ The main commitment of the Secretariat of the Convention was to assist all members of the Convention regarding the different aspects of the Convention work, in short, preparing discussion documents for the Convention, drafting reflection papers, and drawing up syntheses of the debates. Among the Secretariat's main duties was also to assist the Chairman and the two vice-chairmen as well as the Praesidium.²⁸²

The Secretariat of the Convention, as assistant to the Praesidium, played a major role because it was in charge of guiding the discussions and providing documents. As its members confirm, the Secretariat of the Convention provided, before the meetings, a draft of the topics that needed to be discussed, first at the presidency level, then at the president level, and finally at the Convention level. Those texts were based on previous discussions at the working group level. After that, the discussions on the working group level were transferred to the Praesidium. Finally, what had been discussed had to be reflected in the articles of the treaty. Then, they would be discussed again, and so forth, and so forth.²⁸³ This continuous discussion was mainly because voting was excluded as a way of decision making within the Convention, so, the conventioners had only the option to argue and bargain (Magnette & Nicolaidis, 2004, pp. 390-391).

After all the discussions and arguing, the Chairman of the Convention, Giscard d'Estaing, was in the privileged position of having the last word on each topic (Kleine, 2007, p. 1228) as he was in charge of controlling the working methods of the Praesidium (Crum, 2004, p. 5). This does not mean that the Chairman imposed its position. Usually, as stressed by one of the members of the Secretariat of the Convention, the final decision of the Chairman was to find common ground between the different options that were put on the table, which means that he opted for the middle way between the different positions.²⁸⁴ Although, as a French diplomat stressed, sometimes it

²⁸¹ Interviewee 11, EP_2018, Quotation: 11:2.

²⁸² The European Convention official documents webpage: <https://goo.gl/gA3qsc>.

²⁸³ Interviewee 11, EP_2018, Quotation: 11:2; Interviewee 24, MJ_2015, Quotation: 24:25; Cloas, C. (2003) "Improving EU Constitutional Politics? A Preliminary Assessment of the Convention", *Constitutionalism Web-Paper (ConWEB) No. 1*, University of Manchester, p. 18.

²⁸⁴ Interviewee 60; GM_2018, Quotation:116:2

was difficult to identify exactly the point of agreement between the different positions on each item due to the multiplicity of actors involved.²⁸⁵

This procedure reinforced the argument that the power of the biggest member states was not fully decisive as it would be the case under an intergovernmental conference because the power of debate and reasoning was the one that prevailed. However, a French diplomat perceived that, since Giscard d'Estaing was aware of his privileged position, he also wanted to fight for some of his main preoccupations such as the creation of the permanent post of the President of the EU Council, which was strongly resisted by some actors, and also the question of religion,²⁸⁶ the Christian roots of Europe. This last one was a particularly personal conviction that Giscard wanted to push for. However, as it is perceived by a researcher, the strongest motivation for Giscard was to make history and to write a new treaty to advance in the EU project.²⁸⁷ As a member of the Convention Secretariat ensures, Giscard wanted to write a constitution for Europe.²⁸⁸

Other actors with great relevance during the Convention negotiations were the chairmen of the working groups. They were in charge of presenting the options, driving the discussions, and coming up with a final agreement. As an example, the major discussion within the VII group, external action, concerned the figure of the Minister of Foreign Affairs. After bargaining different options, Dehane was the one who found in the option of double hatting the best solution. The double hatting was created as a compromise between four different options. Hence, the topic is presented, discussed, and then the chairman wrote a paper proposal that was presented to the members of the working group. In words of a member of the Secretariat of the Convention, it was a very complicated process, but the group decided to create the double hatted person, and only once this structure was decided, the EEAS came on the table.²⁸⁹

²⁸⁵ Interviewee 69; FM_2018, Quotation: 127:23

²⁸⁶ Interviewee 69; FM_2018, Quotation: 127:23

²⁸⁷ Interviewee 49; BC_2016, Quotation: 49:24

²⁸⁸ Interviewee 60; GM_2018, Quotation: 116:2

²⁸⁹ Interviewee 12, MVDH_2016, Quotation:12:13.

C. A new body for reinforcing the institutionalization of the EU foreign policy: the genesis of the EEAS

The debates about the establishment of the EEAS are directly linked to the creation of the HR/VP post.²⁹⁰ One of the objectives of the Convention was to reinforce the role of the EU on the international scene. As member states agreed in the Laeken Declaration, the EU had to take its responsibility in order to fight for the new challenges that a global world brings.²⁹¹ The EU was seen from outside as a political dwarf whose foreign action was characterized by lack of coherence, consistency, or continuity. In this sense, the division of labour between the HR and the RELEX commissioner was not working. The external structures between the Council and the Commission were overlapped. During the first years, it worked well because of the good relationship between the people in charge, but as one official from the Commission stressed it was perceived that there was always the risk that “things would fall between the chairs, and nobody would catch the ball.”²⁹²

Therefore, it was commonly agreed within the external action group, as one of the EU Parliament officials highlighted, that this situation needed to be overcome.²⁹³ In short, for the EU to be effective as a global player, it was necessary to establish some coherent and consistency between the community rules and the CFSP. The above mentioned EU Parliament official also pointed out: “The EU needed to have a person and a structure that ensured that these tools, these instruments, these programmes, and these policies came together and made a coherent role in our relations with a region or with a country.”²⁹⁴ However, despite the fact that it was clear that the institutional structure of the CFSP and external action needed to be improved, there were differences of opinion about how it should be strengthened.

Jean Luc Dehane, the chairman of the External Action Working group, was in charge of starting the debate in the Presidium about how the EU representation abroad could be stronger. It presented four options that would lead to the reinforcement of the CFSP. The first option, only supported by

²⁹⁰ European Convention Secretariat. Working Group VII on "External Action". Summary of the meeting held on 24-25 September 2002. Brussels, 1 October 2002; CONV 307/02. Quotation, 69:7.

²⁹¹ Laeken Declaration on the future of the European Union, 15 December 2001.

²⁹² Interviewee 5, CHL_2015, Quotation: 5:5.

²⁹³ Interviewee 23, JF_2015, Quotation: 23:12.

²⁹⁴ Interviewee 25, SG_2015, Quotation: 25:2.

Spain, recommended strengthening the role and enhancing the synergy between the Commissioner of RELEX and the HR but keeping their functions separated. The second option recommended fully merging those two figures inside the Commission. This was the preferred option for the EU Commission and the EU Parliament. The third option recommended the establishment of a double-hatted figure appointed by the President of the European Council after approval from the President of the European Commission and endorsement by the EU Parliament. This new figure would be vice-president of the Commission who, at the same time, will be accountable to the European Council on the CFSP. This third option was the preferred one among the member states. The last option, only supported by France, suggested the creation of a post of “Ministry of Foreign Affairs” that would be under the authority of the President of the European Council and that would merge the figures of the HR and Commissioner of RELEX.²⁹⁵

Even though the third option was the most favoured by the majority of the member states, including the UK, their representatives expressed its doubts. Of particular concern was the double accountability of the HR/VP, the chairing of the external action council, and the application of collegiality.²⁹⁶ In contrast, the German representative asserted that this double-hatted post could be a great idea to overcome the communitarization of its configuration.²⁹⁷ The main purpose of this third option was to combine the mandate of the HR and the mandate of the Commissioner for external action. That is how the double hatted position was created. As one French diplomat emphasized, the Commission and the EU Parliament wanted to create in the future the new figure of the Ministry of Foreign Affairs inside the Commission²⁹⁸ whereas the member states did not want it. Member states did not want to lose their sovereignty in foreign affairs.

The next step was, of course, to create a structure that would support this new figure. As a member of the EU Parliament from UK confirmed, it was part

²⁹⁵ European Convention Secretariat. Working Group VII on "External Action. Examination of the revised draft Final Report circulated on 22 November; Brussels, 28 November 2002, Quotation: 77:2.

²⁹⁶ Working Group VII on External Action. *Task Force Future of the Union and institutional questions*. Meeting of 3 and 4 December 2002. Brussels, 5 December 2002 TF-AU/1 (2002) JFBR D/190496. Quotation: 71:44

²⁹⁷ Working Group VII on External Action. *Task Force Future of the Union and institutional questions*. Meeting of 3 and 4 December 2002. Brussels, 5 December 2002 TF-AU/1 (2002) JFBR D/190496. Quotation: 71:45

²⁹⁸ Interviewee 11, EP_2018, Quotation: 11:5.

of the package deal,²⁹⁹ although not exempted from arguments. One of the members of the Convention Secretariat stressed that, at that time, the external action and Foreign Policy of the EU was very split between the council secretariat, the policy unit, RELEX, and the member states and their national diplomatic services. Therefore, the question was: with whom should the HR/VP work? Finally, the idea of creating an external action service, a diplomatic body at the supra-state level, came up. During the Convention, this new supra-state diplomatic administration was called the Ministry of Foreign Affairs, but, during the Lisbon negotiations, this name was vetoed and, finally, it was decided to call it the EEAS.³⁰⁰

At the time of the Convention, the greatest discussions were related to the post of HR/VP, but they had also a direct impact on the creation and design of the EEAS, specifically the institutional placement of the EEAS. Officials from the Commission agreed on the fact that, while the EU institutions wanted the EEAS embedded into the EU institutional framework, the member states fought to have the EEAS as a separate entity far from the control of the Commission.³⁰¹ As a Commission civil servant and a diplomat from a member state emphasized, the logic of the EU member states was that the EEAS should respect the structure of the HR/VP³⁰²—in the middle between the EU Council and the Commission—because, as an EU Parliament official stressed, it would be at its service.³⁰³

The discussions about the EEAS staff composition followed the same line of argument as its institutional placement. The fact that the EEAS was composed of three different staff sources came from the experience of the Secretariat of the European Convention, which was a success while composed by members that came from different origins: EU institutions and member states. One French diplomat notes that having officials from the member states in an EU institution is an extraordinary element, but it was indispensable in order to have the member states committed to it.³⁰⁴ In addition, he stressed that having national diplomats in the EEAS was also essential because the EEAS

²⁹⁹ Interviewee 27, AD_2016, Quotation: 27:4.

³⁰⁰ Interviewee 12, MVDH_2016, Quotation: 12:33.

³⁰¹ Interviewee 5, CHL_2015, Quotation: 5:4; Interviewee 6, HS_2015, Quotation: 6:4.

³⁰² Interviewee 6, HS_2015, Quotation: 6:9; Interviewee 34, OR_2016, Quotation: 34:17; Interviewee 46, HC_2016, Quotation: 46:24.

³⁰³ Interviewee 23, JF_2015, Quotation: 23:17.

³⁰⁴ Interviewee 11, EP_2018, Quotation: 11:3.

would deal with political issues, not only technical ones, and the people from the EU institutions do not have the necessary skills.³⁰⁵ Finally, this French diplomat confirmed that the final compromise was to include one third of the personal from the Commission, one third from the Secretary General of the Council, and one third from the member states.³⁰⁶

In the beginning, the idea was that the EEAS will not have permanent staff as all of them should rotate. The people that came from the Commission would be seconded three or four years to the EEAS, and then they would return to the Commission. The people from the diplomatic services of the member states would go to the EEAS and then go back to their national diplomatic services and the same for the Council Secretariat. Finally, the ones that would rotate are the national diplomats, and the EU officials would be the only permanent staff of the EEAS. It was not technically possible to allow the EU officials to rotate. As one member of the Convention Secretariat stressed, the EEAS was created in combination with the double hatted mandate of the HR and the DG RELEX commissioner but also with the provision that the presidency would stop rotating and then there would be fixed presidencies. The final intention was to bring more continuity.³⁰⁷ In addition, one French diplomat stressed that the idea was also to have all those people represented in the EU delegations abroad combining their political and technical expertise. This would also lead to a mixture of external action and foreign policy.³⁰⁸

The creation of the EEAS was not welcomed by all member states at the very beginning. In words of a German diplomat, Germany, represented by Joschka Fischer, was one of its major supporters and sponsors.³⁰⁹ On the contrary, despite the fact that an UK diplomat stressed that the UK also wanted to improve the EU external action because it cost a lot of money³¹⁰, a German diplomat confirmed that the UK was the member state that was more against this idea.³¹¹ France was not completely opposed but showed its resistance.

In words of a German diplomat, the creation of the EEAS was strongly supported by Germany since the very beginning and, by being tenacious, by

³⁰⁵ Interviewee 11, EP_2018, Quotation: 11:6.

³⁰⁶ Interviewee 11, EP_2018, Quotation: 11:3.

³⁰⁷ Interviewee 12, MVDH_2016, Quotation: 12:38.

³⁰⁸ Interviewee 11, EP_2018, Quotation: 11:6.

³⁰⁹ Interviewee 18, QW_2015, Quotation:18:1; Interviewee 36, PS_2016: Quotation, 36:1.

³¹⁰ Interviewee 46, HC_2016, Quotation: 46:9.

³¹¹ Interviewee 38, TO_2016, Quotation: 38:8.

contributing strong arguments, by lobbying, and by making concessions in other fields (that Germany necessarily did not like very much), they fought for this initiative, and they made it happen.³¹² It also follows that at that time Joschka Fisher strongly supported this idea of the double hatted position and of the EEAS because he was convinced that there was a real necessity to strengthen the presence of the EU worldwide. It is possible to say that he also found a personal motivation in the creation of that HR/VP post, as he may have pictured himself as the double hatted figure. This German diplomat confirms that it was not a secret during the Convention that he liked this initiative.³¹³

A member of the Convention Secretariat and a researcher pointed out that Dehane and Brok were the key figures behind the creation of the EEAS. They were very much in favour of it, and they worked very hard to facilitate this idea. Brok insisted on the EEAS being supranational, which means that it should be part of the Commission, but he realized the difficulty of this option. Brok played a relevant role behind the scenes.³¹⁴ In addition, a member of the Convention Secretariat and a French civil servant confirmed that Michael Barnier, Commission representative, was also very eager in defending the creation of the EEAS,³¹⁵ contrary to the position of his country. As one French diplomat and one member of the French National Parliament stressed, France was quite suspicious because this field was very close to the member states sovereignty.³¹⁶ In words of a French diplomat, Dominique de Villepin, the French representative, was not an enthusiast of the EEAS.³¹⁷

After long arguments, Chairman Dehane wrote the conclusions, noting that there was a broad agreement about the principle of one administration, one budget (except for military issues), and one external EU representation.³¹⁸ The creation of the EEAS was one element of the package deal that led to the reinforcement of the CFSP and an external action institutional framework. As officials from the Secretary General of the Council stressed, during the Convention, only the broad elements related to the institutional placement

³¹² Interviewee 38, TO_2016, Quotation: 38:13.

³¹³ Interviewee 38, TO_2016, Quotation: 38:27.

³¹⁴ Interviewee 49, BC_2016, Quotation: 49:20; Interviewee 60; GM_2018: Quotation: 116:30.

³¹⁵ Interviewee 60; GM_2018, Quotation: 116:50; Interviewee 15, PV_2015 & 2018: 119:4.

³¹⁶ Interviewee 61, PL_2018, Quotation: 118:7; Interviewee 15, PV_2015 & 2018: 119:11.

³¹⁷ Interviewee 15, PV_2015 & 2018, 119:11.

³¹⁸ Working Group VII on External Action. *Task Force Future of the Union and institutional questions*. Meeting of 27 November 2002. Brussels, 28 November 2002 TF-AU/1 (2002) JFBR D/190480. Quotation: 78:36.

were outlined—neither inside the Commission nor inside the EU Council³¹⁹—and staff composition which should necessary include EU national diplomats.³²⁰ The debates regarding its specific design were left open for further discussions until the Lisbon Treaty was signed.

D. Alliances & strategies to achieve the main goals of the actors

Member states and EU institutions followed different strategies to find compromises and to build alliances in order to achieve their preferences/demands. In words of officials from the Secretary General of the Council, what was truly discussed was the creation of the post of the Ministry of Foreign Affairs,³²¹ and the EEAS was part of the package deal. The agreement at that time was to create an administrative body that would be composed of staff coming from three sources, as I have already highlighted: the Commission, the Secretary General of the Council, and the member states. The EEAS organization was not under discussion during the Convention. France and Germany usually started negotiations at EU level from completely divergent positions, and then they worked together in order to find a sort of consensus among them. As a French diplomat pointed out, regularly after this consensus was reached, the other member states found it very useful because it was the basis for uniting the positions of different countries around it.³²²

In the case of the EU Convention, things were different. At the beginning of 2003, Germany and France launched a common proposal regarding the topics under discussion during the Convention in the aim of coming up with a stronger position. Their domestic positions were clear, but they had to reach a compromise in order to achieve their most desired goals. Both countries agreed on the creation of the post of Minister of Foreign Affairs, which, as it has been already stressed, would perform the task of both the HR of the Council and the RELEX Commissioner. As a German diplomat pointed out, Germany fought hard for the extension of qualified majority voting to foreign policy, which was finally accepted by France as a concession to Germany, but only if military and security aspects were left out. It was also stressed that one

³¹⁹ Interviewee 57, TB&AB_2015, Quotation: 57:53.

³²⁰ Interviewee 57, TB&AB_2015, Quotation: 57:8.

³²¹ Interviewee 57, TB&AB_2015, Quotation: 57:11.

³²² Interviewee 15, PV_2015 & 2018, Quotation: 119:29.

of the major preferences from France was to create the post of the long-term president of the European Council in order to bring more stability to the work of the EU Council. However, Germany was not very convinced about it because they thought that by creating the permanent post of the president of the EU Council the Commission would be weakened.³²³ Nevertheless, as a German diplomat confirmed, Germany was ready to accept this French requirement but only in the case that France agreed to the German request that the EU Commission president should be elected by the EU Parliament.³²⁴

At the early stages of the negotiations, the UK was opposed to the idea of creating the post of Minister of Foreign Affairs. Jack Straw, UK Foreign Affairs Ministry, highlighted this point by stressing that the British considered that, in order to achieve consistency, it would be enough to reinforce the role of the HR and to improve the coordination with the External Commissioner (Menon, 2004, pp. 13-14). The positions from the different countries were quite divergent. But in the end, they had to reach a compromise. The UK was completely opposed to the idea of extending qualified majority voting to foreign policy, and they were not convinced about the creation of the EEAS. However, the UK supported the creation of the post of the permanent President of the EU Council. Considering this situation, a German diplomat confirmed that Germany decided to give up on its preference for the extension of qualified majority voting on external action, in order to make the UK agree on the creation of the EEAS. Germany thought that perhaps the member states were not yet ready to introduce qualified majority voting in foreign policy, so, they agreed to assume this cost to their preferences in order to reinforce the institutional architecture of EU external action.³²⁵

The German strategy, as was stressed by one of its diplomats, was to work very closely with the EU institutions and France as its allies and then with the UK in order to reach a compromise.³²⁶ Germany also had to convince the Commission and the EU Parliament, since they would prefer to create this Ministry of Foreign Affairs and the diplomatic service, the EEAS, inside the institutional structure of the EU, primarily inside the Commission. However,

³²³ Interviewee 38, TO_2016, Quotation: 38:10.

³²⁴ Contribution Franco-Allemande a la Convention Europeenne sur l'architecture institutionnelle de l'union; Paris et Berlin, le 15 Janvier 2003; <https://goo.gl/pGP65u>. Accessed 30 October 2018; Participant 38, personal communication 2016.

³²⁵ Interviewee 38, TO_2016, Quotation: 38:8.

³²⁶ Interviewee 35, AD_2016, Quotation: 35:5.

they had to agree on the terms established by the EU member states, as it would be the only way to strengthen the EU as a whole, which was their major priority. The package deal here was that the UK was ready to accept the French requirement of creating the permanent post of the EU Council, to which Germany had already agreed in order to have France on board in the creation of the EEAS. Then, major concessions were given to the UK, as it was the most contrary actor. Therefore, as a German diplomat stressed, this is why Germany decided to give up on the extension of qualified majority voting in order to make the UK agree to the creation of the EEAS.³²⁷

One official from the EU Parliament emphasizes that Elmar Brok (member of the EU Parliament and EU Parliament representative during the negotiations) and Germany worked very closely together.³²⁸ This idea is confirmed by an official from the Secretary General of the Council who stressed that Germany and Brok worked together in order to create the post of the HR/VP by merging these two areas of work.³²⁹ Germany thought that merging these two posts was a way to prevent the communitarization of foreign policy.³³⁰ The chairman of the external action group, Dehaene, as it is perceived by one researcher, played a very relevant role in facilitating this idea about the EEAS.³³¹ The national parliamentarians were also, in the words of an official from the Convention Secretariat, a great asset in the hands of some member states, specially the small ones.³³² In this sense, from the point of view of a member of the EU Parliament, the role of the EU political parties was quite relevant in reaching a common position between the EU and national parliaments. On the ground basis, they shared a point of view, so it was favorable to their interests to work together. The EU Parliament also worked quite close to the Commission.³³³ From the perspective of a French diplomat, the EU Parliament, and specially Brok, thought that this was a great opportunity for the EU Parliament to have an anchor in foreign policy.³³⁴

³²⁷ Interviewee 38, TO_2016, Quotation: 38:8.

³²⁸ Interviewee 20, EP_2015, Quotation: 20:25.

³²⁹ Interviewee 55, LS_2015, Quotation: 55:2.

³³⁰ Working Group VII on External Action. *Task Force Future of the Union and institutional questions*. Meeting of 3 and 4 December 2002. Brussels, 5 December 2002 TF-AU/1 (2002) JFBR D/190496. Quotation: 71:45.

³³¹ Interviewee 49, BC_2016, Quotation: 49:30.

³³² Interviewee 60; GM_2018: Quotation 116:4.

³³³ Interviewee 26, CC_2016: Quotation: 26:14.

³³⁴ Interviewee 15, PV_2015 & 2018: Quotation: 119:84.

As an official from the Convention Secretariat stressed, the EU Convention was characterized overall by being biased towards a federalist approach. There was significant political weight behind the Convention process. The smaller member states saw in the Convention institutional setting an opportunity to get their views in the process in a more effective way. In so doing, they counted on the alliance of the EU Parliament. The EU Parliament and the Commission, but particularly the EU Parliament, was very effective in taking advantage of this process to achieve its demands. Actually, in some instances, it was unsettled, a sort of unspoken tacit alliance between the smaller member states and the EU Parliament to get their views across.³³⁵ It also follows that Germany was also an ally of the small member states because it was always in between the small and the big member states.³³⁶ As a German diplomat perceived, the EU Parliament and the Commission played a big role in shaping the Convention debates.³³⁷

VI.3 From the Convention to the Quadrilogue: the Swedish presidency

The Convention on the Future of Europe ended with the text of a Constitution for Europe, which included the creation of the post of Ministry of Foreign Affairs and the creation of a diplomatic service for the EU, the EEAS. This text had to be ratified by the member states following their domestic constitutional processes for international treaties, either national parliament ratification or referendum. This text was finally rejected in the ratification process of the Netherlands and France, and it did not finally enter into force. Afterwards, this text drawn during the Convention was transformed in the current Lisbon Treaty, however, some changes were included. Especially interesting for this thesis is that it was impossible to create a post with such a title as “Minister of Foreign Affairs” because these “constitutional” or “state” elements were the reason France and the Netherlands rejected the Constitutional Treaty. As a French diplomat reminded, foreign policy is a very sensitive topic close to the sovereignty of nation states.³³⁸ Finally, the title chosen was High Representative of the Union for Foreign Affairs and Security Policy. Officials

³³⁵ Interviewee 60; GM_2018: Quotation: 116:5.

³³⁶ Interviewee 60; GM_2018: Quotation: 116:47.

³³⁷ Interviewee 35, AD_2016: Quotation: 35:18.

³³⁸ Interviewee 61, PL_2018, Quotation: 118:6.

from the Secretary General of the Council note that another two elements were attached to the final act: the declarations number 13³³⁹ and 14³⁴⁰ through which the UK wanted to ensure sovereignty and respect for the national foreign policies of the member states.³⁴¹

One official from the Commission perceived that the UK was completely opposed to the idea that the EU could speak for the UK abroad because they want this to be done by the UK.³⁴² France, the other member state that is a permanent member of the United Nations Security Council, shared the same thinking. However, whereas for France was enough to make clear during the Convention bargaining that this topic was out of the discussions, the UK wanted to include this in the text of the Treaty. That is why they decided to add the above-mentioned 13 and 14 declarations in the Treaty. At the same time, during the Convention negotiations, the necessity that the EU had to speak with one message was strongly emphasized, even if through different voices, in the international forums of discussion in order to gain international influence.³⁴³

³³⁹ 13. Declaration concerning the common foreign and security policy. The Conference underlines that the provisions in the Treaty on European Union covering the Common Foreign and Security Policy, including the creation of the office of High Representative of the Union for Foreign Affairs and Security Policy and the establishment of an External Action Service, do not affect the responsibilities of the Member States, as they currently exist, for the formulation and conduct of their foreign policy nor of their national representation in third countries and international organisations. The Conference also recalls that the provisions governing the Common Security and Defence Policy do not prejudice the specific character of the security and defence policy of the Member States. It stresses that the European Union and its Member States will remain bound by the provisions of the Charter of the United Nations and, in particular, by the primary responsibility of the Security Council and of its Members for the maintenance of international peace and security.

³⁴⁰ 14. Declaration concerning the common foreign and security policy. In addition to the specific rules and procedures referred to in paragraph 1 of Article 24 of the Treaty on European Union, the Conference underlines that the provisions covering the Common Foreign and Security Policy including in relation to the High Representative of the Union for Foreign Affairs and Security Policy and the External Action Service will not affect the existing legal basis, responsibilities, and powers of each Member State in relation to the formulation and conduct of its foreign policy, its national diplomatic service, relations with third countries and participation in international organisations, including a member state's membership of the Security Council of the United Nations. The Conference also notes that the provisions covering the Common Foreign and Security Policy do not give new powers to the Commission to initiate decisions nor do they increase the role of the European Parliament. The Conference also recalls that the provisions governing the Common Security and Defence Policy do not prejudice the specific character of the security and defence policy of the member states.

³⁴¹ Interviewee 57, TB&AB_2015, Quotation: 57:13.

³⁴² Interviewee 7, JK_2015, Quotation: 7:44.

³⁴³ European Convention Secretariat. Working Group VII on "External Action". Summary of the meeting held on 8 October 2002. Brussels, 11 October 2002. WG VII. CONV 342/02. Quotation: 68:12

That is why during the Convention it was stressed that the new post, at that time the Ministry of Foreign Affairs, would be essential in that matter.³⁴⁴ In short, it was agreed:

Member States should enhance the co-ordination of their positions in international organisations and conferences and when there is an agreed position of the Union, the Union should have, wherever appropriate a single spokesperson (the person holding the function of HR, in particular in political dialogue meetings).³⁴⁵ Finally, after the changes introduced in the Lisbon treaty, the House of Commons concluded that “the Lisbon Treaty provision for the new High Representative to speak at the United Nations Security Council will make little difference to current practice. It will not undermine the position of the UK in the United Nations system nor the UK's representation and role as a Permanent Member of the Security Council.³⁴⁶

The Lisbon treaty was signed in December 2007, but it did not enter into force until December 2009. The real negotiations regarding the EEAS started within the Swedish presidency in the second half of 2009 after it became clear that the Irish would ratify the Treaty of Lisbon. The Treaty did not clarify anything regarding the configuration of the EEAS. It only stressed that its staff should come from three different sources: the Commission, the Secretary General of the Council, and the diplomatic services of the member states.³⁴⁷ The Swedish did a lot of work in the initial months of the presidency before the HR was nominated in October 2009. This is relevant as the decision proposal had to come from her. However, the majority of the work was already done by the Council under the already mentioned Swedish presidency. The Council

³⁴⁴ European Convention Secretariat. Working Group VII on "External Action". Summary of the meeting held on 8 October 2002. Brussels, 11 October 2002. WG VII. CONV 342/02. Quotation: 68:17

³⁴⁵ Convention of the future of Europe–Working Group VII "External Action"–Exchange of views with Mr Dehaene, Chairman of the WG on the report "External Action." Quotation: 96:10

³⁴⁶ House of Commons. Foreign Affairs, Third Report. Conclusions and Recommendations. Prepared 20 January 2008 <https://goo.gl/RKKsHo>; Accessed 29th October 2018.

³⁴⁷ 27.3 TEU: “In fulfilling his mandate, the High Representative shall be assisted by a European External Action Service. This service shall work in cooperation with the diplomatic services of the Member States and shall comprise officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services of the Member States. The organization and functioning of the European External Action Service shall be established by a decision of the Council. The Council shall act on a proposal from the High Representative after consulting the European Parliament and after obtaining the consent of the Commission.

Secretariat was the one that prepared the draft.³⁴⁸ When the Spanish presidency started its work in January 2010, the proposal of the decision about the EEAS was already pretty much done. This proposal was supposed to be decided by unanimity under the Council after proposal made by the HR/VP. As a Spanish diplomat confirmed, this process was not meant to follow a co-decision procedure that needed EU Parliament approval,³⁴⁹ as was finally the case.

The Swedish presidency's working method was characterized, as an Ashton Cabinet official stresses, by bilateral meetings between the presidency and each member state.³⁵⁰ However, those were very much informal bargaining processes, not a formal negotiation, that led to a first paper. As an official from the Commission established, that paper was about setting parameters that prepared the ground for the negotiation in the first half of 2010 when the EEAS was truly established such as some of the issues regarding the functional autonomy or the budget management, de facto, being determined by the preparative process.³⁵¹

VI.4 The Quadrilogue: new forum for decision making

Even though the negotiations about the setting up of the EEAS had already started during the Swedish presidency in Summer-Autumn 2009, it was not until January 2010 - under the Spanish presidency - that the Quadrilogue negotiations begun. In words of an official from the EU Parliament, the negotiations regarding the design of the EEAS were a very intensive process that lasted a bit more than six months. The final decision was finally adopted in July 2010.³⁵²

A. Composition and formula: what are the available choices?

One member of the Ashton cabinet ensures that the Quadrilogue was a unique institutional setting of decision making because for the first time the

³⁴⁸ Interviewee 54, JC_2015, Quotation: 54:13; Interviewee 30, MW_2015: Quotation: 30:9.

³⁴⁹ Interviewee 42, JA_2015, Quotation: 42:2.

³⁵⁰ Interviewee 2, PS_2016, 2:1.

³⁵¹ Interviewee 5, CHL_2015, 5:17.

³⁵² Interviewee 20, EP_2015, 20:2.

Commission, the Council Secretariat, the EU Parliament with the three rapporteurs, and the HR/VP were sit at the same bargaining table.³⁵³ The involvement of the EU institutions in this process was the result of changes introduced in the Lisbon Treaty when the EU institutions gained more power, specially the EU Parliament.³⁵⁴ After the Lisbon Treaty, the EU Parliament obtained more prerogatives in foreign policy, particularly control on policy implementation by the executive.

The HR/VP was the most innovative piece in this new system of decision-making. The HR/VP was named to participate in the EEAS Quadrilogue negotiations in November 2009. She was one important part of the discussions due to the EEAS was going to be its service. As a Spanish diplomat stresses the HR/VP in her capacity as Vice-President of the Commission was the one in charge of presenting a proposal about the EEAS decision.³⁵⁵ The HR/VP had very clear her political priorities; in words of a EEAS official, one of them was the relationship with the neighbourhood, East and South, the more for more principle; and the other one the relationship with what she called the strategic partners.³⁵⁶

Once again, during the Quadrilogue negotiations the role of the EU institutions was determinant. A Spanish diplomat confirmed that they had a huge impact on the development of the negotiations.³⁵⁷ At the beginning the role of the EU Parliament was supposed to be only advisory,³⁵⁸ but finally the EU Parliament transformed the decision into a co-decision procedure.³⁵⁹ In addition, from a researcher point of view, one of the main purposes of the EU Parliament was to introduce a federalist view to the decision drafted by the Council during the Swedish presidency.³⁶⁰ The EU Parliament did not like that the negotiations, during the Swedish presidency, were only driven by the member states and the Council. They fought for the EU institutions also being at the negotiation's table because they had competences that were going to be affected.

³⁵³ Interviewee 1, JM_2016, 1:14

³⁵⁴ Nouvelle-Europe.eu, How the European Parliament had its "say" on the EEAS on 7 November 2010. <https://goo.gl/sNaJaL>. Accessed 29th October 2018.

³⁵⁵ Interviewee 42, JA_2015, Quotation: 42:7.

³⁵⁶ Interviewee 16, LB_2015, Quotation: 16:1.

³⁵⁷ Interviewee 42, JA_2015, Quotation: 42:4.

³⁵⁸ Nouvelle-Europe.eu, How the European Parliament had its "say" on the EEAS on 7 November 2010. <https://goo.gl/sNaJaL> Accessed 29th October 2018.

³⁵⁹ Interviewee 22, GM_2016, Quotation: 22:11.

³⁶⁰ Interviewee 52, RW_2016, Quotation: 52:8.

B. Quadrilogue negotiations: Spanish presidency & the COREPER

One official from the Ashton cabinet confirms that the Spanish Presidency played a major role during the Quadrilogue negotiations since they were in charge of both chairing the discussions and coordinating the different positions. The role of the Spanish presidency was similar to the one of the chairmen of the Convention. The EEAS was the major institutional priority for the Spanish presidency. They wanted to achieve an agreement on its decision.³⁶¹ The role of the Spanish presidency was not to fight for a specific item but to be the ones that reached a compromise. One of its diplomats insisted on the fact that they wanted it to become a success, and they worked very hard to achieve it.³⁶²

In so doing, a French diplomat perceived that the Spanish presidency played a major role in making the right arbitrations and in finding the right compromise. Spain was in the middle of the Commission, the EU Parliament, the member states, and Catherine Ashton, the appointed HR/VP.³⁶³ A Spanish diplomat confirmed that the dynamic during the negotiations was to celebrate bilateral meetings between the Spanish Presidency and the Secretary General of the Council and the different member states in order to reach a compromise. They started from a list of topics to be discussed and the purpose was to find a point of common agreement in order to reach the best deal for everyone. The Spanish presidency also had to deal with the Commission, the EU Parliament, or the HR/VP, as everyone had their own demands.³⁶⁴

Diplomats from nation states and one official from the Commission confirmed that the decision was entirely negotiated within the COREPER where the member states representatives led the discussions; the Ambassador's permanent representative usually prepared by the Antici.³⁶⁵ Officials from the Secretary General of the Council emphasized that the Ministers did not have any real interest.³⁶⁶ Working groups were not involved, either. It was mainly in the hands of the diplomats because of the short time available. The negotiation process was understood as a sort of task force way of negotiation

³⁶¹ Interviewee 1, JM_2016: 1:3; Interviewee 66, CB_2018, Quotation: 124:17.

³⁶² Interviewee 66, CB_2018, Quotation: 124:17.

³⁶³ Interviewee 15, PV_2015 & 2018, Quotation: 119:22.

³⁶⁴ Interviewee 66, CB_2018, Quotation: 124:20.

³⁶⁵ Interviewee 68, GF_2018, Quotation: 126:32; Interviewee 46, HC_2016, Quotation: 46:19; Interviewee 7, JK_2015, Quotation: 7:1.

³⁶⁶ Interviewee 57, TB&AB_2015, Quotation: 57:26.

because the decision needed to be achieved in six months, which meant that the member states plus the Commission and the EU Parliament had to agree on it. The diplomats were also understood to be a big interest group in this decision because they felt that their future could be in jeopardy. A French diplomat points out that member states diplomats wanted to be in control of the negotiations in order to ensure that this new body would not become a major threat for their interests.³⁶⁷

One official from the Commission stressed the perception confirmed by one German diplomat that member states diplomats saw the EEAS as their future,³⁶⁸ and they did not want to leave it to the Commission or the HR/VP. In this sense, one official from the Commission asserted that they were the ones more interested in having as many national diplomats within the EEAS as possible in order to spend a specific amount of years there and then go back to their national diplomatic services.³⁶⁹ German and French diplomats confirmed that the different member states were seeing at their breakdowns within their own diplomatic services, looking at what the EEAS could offer to them. In some cases, the younger diplomats were the ones who saw the EEAS as a job opportunity; in other cases, the senior diplomats were the most interested.³⁷⁰

The member states representatives defended their position, but at the same time, they also had to take into account the demands from the EU institutions as well as the instructions from the capitals. Nevertheless, the EEAS was very much negotiated by the people in Brussels, who were the 28 permanent representatives, their ANTICIS, the Commission, the Council at the level of the Secretary Generals, and the EU Parliament. A French diplomat asserted that the member states and the Council were fighting for a more intergovernmental approach towards the final design of the EEAS, whereas the EU Parliament delegation, headed by Elmar Brok, pushed in the opposite direction. The EU Parliament worked for as much of a European dimension within the EEAS as possible.³⁷¹

³⁶⁷ Interviewee 15, PV_2015 & 2018, Quotation: 119:83.

³⁶⁸ Interviewee 68, GF_2018, Quotation:126:33; Interviewee 7, JK_2015, Quotation: 7:14

³⁶⁹ Interviewee 7, JK_2015, Quotation: 7:15.

³⁷⁰ Interviewee 68, GF_2018, Quotation:126:33; Interviewee 11, EP_2018, Quotation:11:27.

³⁷¹ Interviewee 15, PV_2015 & 2018, Quotation: 119:84.

C. EU Institutions part of the bargaining

The most remarkable thing regarding the development of the Quadriologue negotiations was the role of the EU institutions, especially the EU Parliament. As has been already detailed, the negotiations were bargained in four parts: the Secretary of the Council, the Commission, the EU Parliament, and the HR/VP. In words of an official from the Ashton cabinet, all of them were fully involved and working at the same level as the other ones. The compromise was reached among the four parts.³⁷²

Several interviews coincided in highlighting the fact that the EU Parliament succeeded in its aim of changing the EEAS negotiations procedure into a co-decision where it had veto right. The role of the EU Parliament was initially thought to be only consultative; however, it reached its goal through the financial and staff regulations as an agreement in those specific areas that needed consent from the EU Parliament.³⁷³ Following this argument, one official from the Ashton Cabinet confirmed that the EU Parliament had an enormous influence on the way the whole package actually shaped up.³⁷⁴ Both the Commission and the EU Parliament were part of the day-to-day discussions. At the same time, one UK diplomat confirmed that the EU Parliament was not usually part of the COREPER meetings unless by invitation; however, during the EEAS negotiations, the EU Parliament was allowed to express its opinion on its particular sphere of interest.³⁷⁵ The presence of the EU Parliament in those negotiations was particularly relevant, in words of an official from the Ashton cabinet, because it was necessary to talk about budget and staff regulations, fields that needed of EU Parliament approval. This provoked very intensive negotiations with the EU Parliament.³⁷⁶

The EU Parliament role during the Quadriologue negotiations was to limit the “damage” because some of its requirements did not prosper after the failure of the Constitutional text, for instance, the creation of the “Minister of Foreign Affairs” with the title of minister or an EEAS more communitarian than it ended up being. One official from the EU Parliament confirmed that the EU Parliament aimed to play a determining role during the EEAS decision

³⁷² Interviewee 2, PS_2016, Quotation: 2:6.

³⁷³ Interviewee 42, JA_2015, Quotation: 42:2; Interviewee 23, JF_2015, Quotation: 23:10; Interviewee 2, PS_2016, Quotation: 2:5.

³⁷⁴ Interviewee 2, PS_2016, Quotation: 2:6.

³⁷⁵ Interviewee 47, KJ_2016, Quotation: 47:28.

³⁷⁶ Interviewee 2, PS_2016, Quotation: 2:5.

negotiations in order to reach its goals. First, it wanted to limit the impact of the diplomats of the member states in the EEAS and, secondly, it wanted to make the EEAS responsible in terms of expenditure. Last but not least, the EU Parliament also wanted the key staff's appointments to pass a hearing.³⁷⁷ What the EU Parliament aimed for was, as was stressed by one of its officials, to make sure that the person in charge of heading an EU delegation had the preparation and the quality to represent the EU abroad, meaning if they could play a political role. The EU delegations are not supposed to only play a technical role anymore but a very much political one. Therefore, the EU Parliament wanted to make sure of the appropriateness of the people that would be leading the EU delegations, as they will have to deal with political issues and sensitivities.³⁷⁸

As one German diplomat commented, apart from the EU Parliament, the Commission also played a relevant role during the negotiations, but it was more sceptical about the whole process.³⁷⁹ The Commission was not very engaged with the idea of the EEAS being a separated body. However, as a Spanish diplomat stressed, the Commission commitment to the EEAS is extremely relevant because, for the EEAS to work, it is necessary that the Commission put at the disposal of the new institutional body all available resources. This means not only financial resources, which are relevant, but also staff or buildings.³⁸⁰

During the Quadrilogue negotiations, the Commission was represented by Catherine Day, the Secretary General of the Commission at that time. In words of an UK diplomat, Catherine Day played a remarkable and extremely active role in leading the negotiations in the COREPER. It also followed that the Commission was in a difficult situation because they were about to lose part of their administration on behalf of the EEAS. At the same time, they had to guide the negotiations by instructing the member states about what is possible and not possible to do in line with the EU legislation and internal procedures in terms of staff and budget regulations. This UK diplomat confirmed the Commission claim that member states came up with ideas that were impossible to implement according to the EU legislation and the

³⁷⁷ Interviewee 23, JF_2015, Quotation: 23:10.

³⁷⁸ Interviewee 20, EP_2015, Quotation: 20:37.

³⁷⁹ Interviewee 35, AD_2016, Quotation: 35:12.

³⁸⁰ Interviewee 42, JA_2015, Quotation: 42:4.

Commission had to say no and to explain why those suggestions were not possible. The Commission had a quite valuable educational role,³⁸¹ while, of course, they had their own position. This UK diplomat assured that it was a complicated exercise.³⁸²

In words of a Commission official, the HR/VP and its team also played a relevant role in the course of the negotiations. The decision was prepared by the HR herself in dialog with the member states but also with the Commission and the EU Parliament. However, she prepared the original decision supported, of course, by her staff, which was then a subject of the resolution of the EU Parliament and of the decision on the Council. This was done in a way in which the original proposal already took on board many of the remarks from the different institutional actors, not just the member states, but also the EU Parliament and the Commission. This Commission official confirmed that although there were further bargains and complains, the proposal of the EEAS decision already took into account the concerns of the different actors.³⁸³

In the words of an EU Parliament official, what is relevant in terms of the success of the role of the EU institutions in the design of the EEAS is the fact that, although the EEAS is a sui generis structure, at the same time, it was clearly linked to the Commission through the figure of the HR/VP, and it was clearly accountable to the EU Parliament. In addition, the decision about the establishment of the EEAS needed EU Parliament approval, which meant that the EU Parliament achieved de facto veto power.³⁸⁴ The EU Parliament was one of the biggest winners. As one of its officials highlighted, it managed to break the barrier between the two worlds and bring them under one umbrella through the declaration of political accountability.³⁸⁵

D. EU Institutions key strategic actors

The High Representative was the one in charge of presenting a proposal about the EEAS decision. The role of the EU Parliament during this stage of the negotiations was supposed to be very limited as it was solely meant to play an

³⁸¹ Interviewee 46, HC_2016: Quotation, 46:25; Interviewee 8, TM_2015, Quotation: 8:9.

³⁸² Interviewee 46, HC_2016, Quotation:46:25.

³⁸³ Interviewee 6, HS_2015, Quotation: 6:3.

³⁸⁴ Interviewee 20, EP_2015, Quotation: 20:5.

³⁸⁵ Interviewee 25, SG_2015, Quotation: 25:10.

advisory role. However, as it has been already highlighted, diplomats from Spain and Germany stressed that the main strategy of the EU Parliament was to use its power of co-decision over the EU budget and staff regulations to improve its power within the EEAS negotiations.³⁸⁶ In so doing, one official from the EU Parliament confirmed that they made a package deal which consisted that the EU Parliament cease to exercise its right of veto in staff regulation and financial regulation if the final decision is changed into a co-decision. Finally, it was co-decision on everything. This official from the EU Parliament also stressed that, after the role of the EU Parliament had been upgraded, the actors' part of the Quadriologue collaborated on the text of the decision as a co-decision procedure.³⁸⁷

From the beginning of the negotiations, the EU Parliament was very keen to ensure that the budget of the EEAS was fully part of the EU budget, and therefore, the EEAS was part of the Commission budget. As one EU Parliament official confirmed, even though the EEAS budget was placed in a different chapter, all the procedures that applied to the Commission budget also applied to the EEAS budget. The same applies to the budgetary control element of all the functioning of the service.³⁸⁸ The EU Parliament also worked with the Commission in order to achieve its purposes. Even though one official from the EU Parliament stressed that the Commission did not play what is its traditionally role, which is facilitating a compromise.³⁸⁹ In words of a French diplomat, the Secretary General of the Council also had many interests, and they wanted them to be protected. It also followed that, among other things, they wanted to have a say on the working groups or in the number of people that they had to transfer to the EEAS.³⁹⁰ As an UK diplomat noted, the discussions during the Quadriologue were bidirectional between the EU member states and the EU institutions.³⁹¹

The interests of the EU institutions and the member states were mostly divergent; as an example, the member states wanted as many diplomats as possible within the EEAS, whereas the EU institutions wanted to limit its

³⁸⁶ Interviewee 42, JA_2015, Quotation: 42:3; Interviewee 29, AD_2015, Quotation: 29:6.

³⁸⁷ Interviewee 20, EP_2015, Quotation: 20:10.

³⁸⁸ Participant 20, EP_2015, Quotation: 20:29; EU Parliament, draft report on the draft Council decision establishing the organisation and functioning of the European External Action Service (08029/2010 – C7-0090/2010 – 2010/0816(NLE)); ATLAS.TI, quotation: 131:2.

³⁸⁹ Interviewee 25, SG_2015, Quotation: 25:12.

³⁹⁰ Interviewee 62, PV_2015 & 2018, Quotation: 119:81.

³⁹¹ Interviewee 47, KJ_2016, Quotation: 47:38.

number as much as possible. Both member states and EU institutions wanted control over the EEAS. In addition, as one official from the Commission perceived, the EU Parliament wanted the HR/VP to be accountable to it.³⁹² This protocol of accountability from the EEAS towards the EU Parliament was an idea that came from Elmar Brock and Guy Verhofstadt, EU Parliament representatives, who, in words of an EU Parliament official, wanted the HR/VP to be accountable to the EU Parliament.³⁹³ This includes the consultation on main aspects and basic choices of the CFSP. The EU Parliament was also allowed to request a hearing with the new heads of delegation before their appointment.³⁹⁴ The member states worked together in order to limit the impact of the EU institutions and, particularly, the EU Parliament.

Although the major divisions at the time of the Quadrilogue negotiations were among the member states on one side and the EU institutions on the other, there also were divisions between small and big member states. For example, they were divided regarding consular prerogatives within the EU delegations. One official from the Secretary General of the Council perceived that this prerogative would be very useful for the small member states who did not have a worldwide external representation.³⁹⁵ Nevertheless, as it has already been highlighted in the previous chapter, big member states did not want the EU delegations to have a say in consular matters.

The major preoccupation of the member states was to control the EEAS as much as possible, mostly through staffing. Here there was also a division between small and big member states because the small member states were worried about the big states being in a better position to fill the best posts, so, they fought hard to include a geographical balance. They pushed for a gender balance as well. These two elements were thought, in the words of officials from the Secretary General of the Council, to create a safe belt for the small member states.³⁹⁶ In this regard, the EU Parliament was an ally of the small

³⁹² Interviewee 7, JK_2015, Quotation: 7:22.

³⁹³ Interviewee 20, EP_2015, Quotation: 20:28.

³⁹⁴ Draft declaration by the High Representative on political accountability. Official Journal of the European Union. 2010/C 210/01.

³⁹⁵ Interviewee 53, CG_2016, Quotation: 53:6.

³⁹⁶ Interviewee 57, TB&AB_2015, Quotation: 57:27.

member states, as they also worked very hard in ensuring geographical and gender balance within the EEAS.³⁹⁷

The EU Parliament affected the preferences from the member states. The main objective of the EU Parliament, as one of its officials stressed, was to restrict the power of the member states in the EEAS. In terms of staff, the EU Parliament wanted to limit the presence of national diplomats into the EEAS by making sure that the staff coming from the EU institutions will be at least of 60% of the total number of the EEAS staff.³⁹⁸ In the words of an EU Parliament official, this was one of the major discussions during the negotiations.³⁹⁹ In this sense, one diplomat from France perceived that the EU civil servants wanted to have guarantees that the people that would come from outside will not deprive them of their dream positions.⁴⁰⁰

In the case of the Commission, as one of its officials stressed, its best resource in order to influence the negotiations was to know how the internal procedures work. In addition, they also emphasized the facts that they were the ones in charge of the external action competence, and the HR is also VP of the Commission regarding the area of external action.⁴⁰¹ The strategy of the EU institutions, particularly the EU Parliament and the Commission was to work together in areas that were of common interest, for instance on EEAS budgetary control. Since the EEAS budget is part of the EU budget, this meant that it was automatically part of the Commission budget and directly accountable to the EU Parliament.

The draft of the decision was initially prepared by Paul Christofersen, part of the team of the HR, and Christian Leffler, part of the team of the Commission. At that time, the EU Parliament was not already there and Elmar Brock insisted that there should at least be an observer from the EU Parliament side. Finally, as confirmed by one of its officials, the EU Parliament obtained access to the draft and the documents. Therefore, the EU Parliament was present at

³⁹⁷ EU Parliament, draft report on the draft Council decision establishing the organisation and functioning of the European External Action Service (08029/2010 – C7-0090/2010 – 2010/0816(NLE)); Quotation: 131:3.

³⁹⁸ EU Parliament, draft report on the draft Council decision establishing the organisation and functioning of the European External Action Service (08029/2010 – C7-0090/2010 2010/0816(NLE)); Quotation: 131:4.

³⁹⁹ Interviewee 23, JF_2015, Quotation: 23:10.

⁴⁰⁰ Interviewee 11, EP_2018, Quotation: 11:30.

⁴⁰¹ Interviewee 5, CHL_2015, Quotation: 5:16.

all stages.⁴⁰² The EU Parliament did obtain influence in the sense that it negotiated an institutional agreement on access to information and to consultation on foreign affairs that was quite far reaching.⁴⁰³ Probably it obtained more rights of consultation than many member states parliaments enjoyed over external policy, so, as one official from the Ashton cabinet stressed, it was a deal when you lose in some areas but win in others.⁴⁰⁴ Regarding the Commission, one of its officials confirmed that the negotiations were led by the President of the Cabinet and Catherine Day, supported by the human resources team in order to give a correct response to the staff issue, which was quite complicated.⁴⁰⁵ Finally, in the case of the member states everything was left in the hands of the diplomats within the COREPER.

Theoretical conclusion

Throughout this chapter I have shown that after forming their preferences at domestic level, member states bargained those at the supra-state level. The innovation regarding the setting up of the EEAS was the institutional framework in which those preferences were negotiated. The Convention and the Quadrilogue had an enormous influence on the results, as they were determinant in driving the process and drawing the conclusions. This new institutional framework also allowed the EU institutions to take part in the bargaining. Under these new institutional settings, EU institutions were conceived as actors that were part of the negotiation table who could bargain their own demands with the preferences of the member states. Therefore, it is possible to say that liberal intergovernmentalism needed to be updated by highlighting the relevant role of the institutions during the grand bargain negotiations at EU level. They bargained their demands with the preferences of the member states while sitting at the same bargaining table; therefore, they were able to influence the member states' strategies in order to pursue their domestic preferences.

Liberal intergovernmentalism stresses that bargaining at supra-state level is intergovernmental and is characterized by three core elements. First,

⁴⁰² Interviewee 20, EP_2015, Quotation: 20:9.

⁴⁰³ Draft declaration by the High Representative on political accountability. Official Journal of the European Union. 2010/C 210/01.

⁴⁰⁴ Interviewee 2, PS_2016: Quotation, 2:22.

⁴⁰⁵ Interviewee 7, JK_2015: Quotation, 7:45.

bargaining takes place among member states and under conditions of unanimity voting and veto power. Second, member states bargain their preferences under conditions of full information. Finally, the transaction costs of such intergovernmental bargaining are low (Moravcsik, 1993, p. 499). During the negotiations of the EEAS, those elements were not at the centre of the negotiations. At this time, the institutional framework was especially determinant of the outcomes. This thesis can conclude that grand bargain negotiations are not necessarily restricted to intergovernmental conferences because they can also be bargained in broader open forums of discussion, as it was the case of the Convention or the Quadrilogue.

This thesis embraces the rational assumption shared by both liberal intergovernmentalism and rational choice institutionalism that preferences are fixed. Throughout the chapter, we have shown that the preferences of the different actors during the whole process did not change (Moravcsik, 1999, p. 61); what changed were the strategies that they followed in order to get what they wanted or at least not to lose too much. What is determinant here is the way in which the bargaining framework was defined and which actors were involved. The decision about the creation of the EEAS was taken at one specific point, and, after that, the main goal of the different actors involved was to make the most of it.

In addition, although the biggest member states were not the only ones driving the negotiations and the EU institutions played a relevant role on it, the asymmetries of power were still relevant, and they were in a better position to achieve their preferences. Therefore, the demands of the EU institutions were still subjected to the common ground in the member states' preferences, even though they can find allies in the small member states and Germany. Still, at the end of the day, package deals were the best way to achieve a common solution, and the actors more interested in the agreement would be the ones that would have to give more side payments (Moravcsik, 1998, p. 66).

The EU institutions—the Commission and the EU Parliament—were allies on the majority of points under discussion;⁴⁰⁶ they functioned as a differentiated block as did the big member states. The small member states were the allies of the big member states in some specific issues and the allies of the EU

⁴⁰⁶ Interviewee 27, AD_2016, Quotation: 27:18; Interviewee 20, EP_2015: Quotation: 20:26.

institutions regarding others. This was also the case of Germany during the Convention negotiations. Germany was, among the biggest member states, the country most favorable to the creation of the EEAS, and it had to give up on some of its preferences in order to make the other actors agree.

The position and strategies of the member states and EU institutions were different between the Convention and the Quadrilogue. During the Convention negotiations, there was heated discussion, and the member states were more divided in their preferences. In contrast, at the time of the Quadrilogue negotiations, big member states shared more or less the same preoccupation, controlling the EEAS as much as possible. The division was among the big and the small member states regarding some specific issues. For instance, whereas the small member states wanted the EU delegations to be in charge of consular services, the big states were opposed to this idea.⁴⁰⁷ The other important element for the small member states was to guarantee that the distribution of EEAS posts would ensure a good geographical balance.⁴⁰⁸ The negotiations were point-to-point cases.⁴⁰⁹ Overall, member states worked as a block facing the EU institutions. The role played by the EU institutions was to protect the community side of the service as much as possible. Therefore, while they had to adapt their strategy to the different circumstances, they fought for the same purpose during the two stages.

Finally, the institutional frameworks of the Convention and the Quadrilogue were essential in establishing the rules of the game in terms of their composition and procedures. Both the Secretariat of the Convention and the Spanish Presidency were key in achieving a consensus. The institutional setting is determinant in the way in which negotiations are carried out. The people involved also made a difference. Last but not least, the fact that the EU institutions were part of the negotiation table is the definitive evidence that the EU grand negotiations are not restricted only to member states. I could also show that the EU institutions had their own demands and they were able to bargain them with the member states preferences. This implies that the strategies that the EU member states followed in achieving their goals had to be adapted to the new circumstances. Liberal intergovernmentalism needed to be updated in this part of the mechanism because the member states were not

⁴⁰⁷ Interviewee 53, CG_2016, Quotation: 53:6.

⁴⁰⁸ Interviewee 57, TB&AB_2015, Quotation: 57:27.

⁴⁰⁹ Interviewee 68, GF_2018: Quotation, 126:31.

the single ones that dictate the path and scope of the EU process of integration.

Chapter VII:

INSTITUTIONAL CHOICE

*We can now move forward to build a modern, effective and distinctly European service for the 21st century. The reason is simple: Europe needs to shape up to defend better our interests and values in a world of growing complexity and fundamental power shifts.*⁴¹⁰

Council of the European Union.

As liberal intergovernmentalism establishes, after defining the preferences at domestic level and after bargaining them at the supra-state level, in the final step of the process, member states—and this thesis adds EU institutions—reached a decision. Regarding this specific inquiry, member states and EU institutions decided to create a supra-state diplomatic institution, the EEAS. In so doing, liberal intergovernmentalism and rational choice institutionalism assume functionalist and cost-benefit behaviour. The decision to create the EEAS is based on the advantages that this new body brings to the member states and EU institutions such as EU delegations having another tool in their diplomatic toolbox or the possibility of acting in international conflicts through a more “neutral” organization.

The main claim of this thesis is that member states decided to create the EEAS because doing so is in their own benefit. Following liberal intergovernmentalism, this inquiry also assumes that the advantages of the creation of this diplomatic supra-state body are more obvious for small member states, and that is why this thesis focuses on the big ones. Nevertheless, both big and small member states received an advantage from the creation of the EEAS. Whereas small states obtained presence, large ones procured influence. The outcome will reflect the bargaining power of member states but also, and this is the major purpose of this inquiry, to what extent the EU institutions also had the capacity to shape the final decision.

⁴¹⁰ Council of the European Union, “Council establishes the European External Action Service,” 12589/10, PRESSE 218, Brussels, 26 July 2010.

Liberal intergovernmentalism stresses that this decision is based on the member states' willingness to ensure the credibility of commitments due to uncertainty about the future and/or possible domestic opposition. The creation of EU institutions is understood by liberal intergovernmentalism, not as a way to advance EU integration, but as a method to protect member states' interests (Moravcsik, 1998, p. 73). Rational choice institutionalism applies principal agent theory by stressing that what motivates EU member states to reach an agreement in pooling/yielding sovereignty is to reduce the transaction costs which, following Epstein & O' Halloran (1999) and Huber & Shipan (2003), means reducing uncertainty and establishing a stable structure to facilitate interactions.

Rational choice institutionalism also pays greater attention to the control that the principals exercise over the agents in order to make sure that the agent will not work contrary to the interests of its principals (Pollack, 1996, 1997, 2003; see also Tallberg, 2000 and Franchino, 2007). Throughout this chapter, I aim to show that both ensuring the credibility of commitments and reducing transaction costs are two key elements for pooling/yielding sovereignty. Member states will pay great attention to the sovereignty costs since the CFSP is a very sensitive policy for them. Therefore, if member states think that the sovereignty cost are too high, they will simply not delegate, or they will do it on behalf of an agent that is easy to control. EU foreign policy is common but not single. Member states want to keep their own foreign policy because it is very close to their sovereignty. Because of that, member states will also prefer to create a structure that is easy to control. As we have already highlighted in previous chapters, the areas of greatest discussion during the decision negotiations were related to staff, budget, and control. Red lines from big member states and EU institutions were equally protected since the final decision was taken under a co-decision procedure.

Finally, member states and EU institutions found a compromise through a package deal; member states and EU institutions are flexible in areas of less relevance for them in obtaining their priorities. The decision was taken by consensus since veto power was not allowed, and the preferences of the big member states and the EU institutions were meant to be the ones which prevailed. Finally, control, in its broader sense, would be the key in order to create this supra-state diplomatic body. Throughout this chapter, I looked for

evidence that confirms that the EU institutions impacted the final decision, especially in terms of limiting the power of the member states and introducing elements of control/ accountability into the EEAS.

VII.1 Enhancing the external action of the EU and CFSP

Before the Lisbon Treaty came into force, the external representation of the EU was split between the Commission in charge of external action and budget on one hand and the HR and the Ministers of Foreign Affairs in charge of the classical diplomacy on the other. Several interviews confirmed that, among the member states' representatives at the Convention, it was clear that, in order to improve the EU capacity in foreign and external action policy, it was necessary to pool resources and join efforts.⁴¹¹ It is agreed that member states understood that Europe needed to have an impact on the external world, and, in so doing, it was necessary to bring the EU resources together.⁴¹² As it was pointed out by one of the drafters of the Convention text, this meant to build a new framework where the different parts of the external action of the EU such as trade or development were aware of what the CFSP was doing. The whole point was not to add more competences or tasks, which meant not to yield more sovereignty in foreign policy but to perform foreign policy in a more coherent way.⁴¹³

During the Convention, member states agreed on the fact that, when the EU speaks with one message, it is much more influential. Member states were aware of the necessity of having one single representation from the EU to the world. Then, the discussions were about how to improve the situation and who should be in charge of such single representation.⁴¹⁴ In order to overcome this challenge and after intense negotiations, at the time of the Convention, member states and EU institutions decided to create the post of HR/VP. Its main tasks were setting the agenda, managing the discussions, and building

⁴¹¹ Interviewee 12, MVH_2016, Quotation: 12:6; Interviewee 49, BC_2016, Quotation: 49:2; Interviewee 57, TB&AB_2015, Quotation: 57:8.

⁴¹² Interviewee 49, BC_2016, Quotation: 49:30; Interviewee 46, HC_2016, Quotation: 46:13 Working Group VII on External Action. Summary of the meeting held on 8 October 2002. Brussels, 11 October 2002. CONV 342/02.

⁴¹³ Interviewee 57, TB&AB_2015, Quotation: 57:45.

⁴¹⁴ Working Group VII on External Action. *Task Force Future of the Union and institutional questions*. Meeting of 29 October 2002. Brussels, 30 October 2002. TF-AU/1 (2002) JFBR D/190419. Quotation: 60:9.

compromises⁴¹⁵ in addition to, as stressed by one German diplomat, chairing the Council of the European Union in its formation of Foreign Affairs, which brought more continuity to the CFSP, and being the vice-president of the Commission, which brought more coherence.⁴¹⁶ Therefore, in the words of one of the drafters of the Convention text, the creation of the double hatted HR/VP post is the solution that member states and EU institutions brought with the aim of providing more coherence, consistence, and continuity to the CFSP. In so doing, the main idea was to use the economic power of external action to enhance the political power of the CFSP.⁴¹⁷

As has been already highlighted in the previous chapter, the decision to create the EEAS is directly linked to the creation of the HR/VP. It is commonly agreed that, after creating the post of HR/VP, it was necessary to support it with an administrative body.⁴¹⁸ Article 27.3 of the Treaty of Lisbon defined the EEAS as a functionally autonomous body of the EU under the authority of the High Representative. In Article 21.3 of the Treaty of Lisbon, it was highlighted that the main aim of the EEAS was to ensure consistency between the different areas of its external action and between those areas and other policies. In so doing, the Council and the Commission would work together, assisted by the HR/VP. As one French diplomat commented, the double hatted structure of the HR/VP was the consequence of the necessity to reach an institutional balance which was also translated in the design of the EEAS.⁴¹⁹ In words of a Commission official, the EEAS should be a combination of the hybrid nature of the HR/VP, which means uniting two worlds: community and intergovernmental. That is why the EEAS should not be a totally community institution; it should also include state diplomats among its staff members.⁴²⁰

Finally, the creation of the EEAS was a package deal between the biggest member states and the EU institutions. The institutional setting in which negotiations were carried out and the EU institutions were determinant in reaching an agreement on its creation. However, everything related to its design was open to further discussions. As we have already very much

⁴¹⁵ Working Group VII on External Action. *Task Force Future of the Union and institutional questions*. Meeting of 27 November 2002. Brussels, 28 November 2002 TF-AU/1 (2002) JFBR D/190480. Quotation: 77:5.

⁴¹⁶ Interviewee 36, PSONTB_2016, Quotation: 36:2.

⁴¹⁷ Interviewee 24, MJ_2015, Quotation: 24:4.

⁴¹⁸ Interviewee 5, CL_2015, Quotation: 5:5; Interviewee 15, PV_2015 & 2018, Quotation: 119:14; Interviewee 24, MJ_2015, Quotation: 24:4.

⁴¹⁹ Interviewee 15, PV_2015 & 2018, Quotation: 119:37.

⁴²⁰ Interviewee 6, HS_2015, Quotation: 6:9.

highlighted, at the time of the Convention, only one thing was put on the table, that the EEAS should be composed of staff coming from three different sources: member states, the Commission, and the Council Secretariat.

VII.1.2 More benefits than costs

This thesis is based on the liberal intergovernmentalism and rational choice institutionalism functionalist thinking that claims that the decision about setting up the EEAS is based on the benefits that creating such institutional body bring to the member states. However, creating an institutional body at supra-state level not only brings benefits but also costs, especially in terms of sovereignty. Foreign policy is a very delicate area for the member states. That is why they have decided to create an autonomous body that is easy to control such as the EEAS which limits the autonomy of the member states and has no authority over important decisions. Big member states agreed to the EEAS creation, but they went through a careful test of the benefits and the sovereignty costs that it might provoke, especially in the case of France and the UK, the two member states that played a major autonomous role in foreign policy. EU institutions had to give up in their preference for including the EEAS inside the Commission because it was a red line for the member states. In this sense, the EEAS was designed as another diplomatic tool in the hands of member states, a complement to their national forces. In addition, the EEAS also brought them the possibility of increasing their presence worldwide and saving costs through the use of EU delegations. Last but not least, the EEAS was also a great “neutral” instrument to use in international conflicts when proceeding bilaterally would increase the risk of defeat.

A. What about the biggest ones?

Germany, as we have detailed throughout this thesis, had a great interest in strengthening EU external action and the CFSP, mainly because it is the only one among the three biggest member states that is in a weaker position regarding the CFSP. It is the only one who is not permanent member of the United Nations Security Council and who does not possess a powerful military. Because of that, as it was perceived by a Commission official, in

terms of foreign policy, Germany needs the EU more than the other big member states do.⁴²¹

Although Germany is a big member state in the EU, in words of a German diplomat, its interests would be better promoted in the today's globalized world through a stronger voice. The EU has common interests that need to be protected together because a single country is unable to defend them. That is why Germany was ready to share its sovereignty in the field of foreign policy. For them, it was not a zero-sum game but a positive sum game.⁴²² It is in the interest of Germany, as stressed by one of its diplomats, to be efficient and to have an impact on root policies and root politics. It also follows that the main focus of the German foreign policy was to have an efficient European voice in the world; it is not about maintaining national sovereignty in foreign policy.⁴²³

As one German diplomat asserts, the German purpose was to strengthen the CFSP.⁴²⁴ Germany asserted, in words of one of its diplomats, that in this globalized world, it is very important that the EU is perceived as a political actor.⁴²⁵ In France, they also understood the EEAS as an opportunity to upgrade the political dimension of EU foreign policy. In addition, they were among those who proposed the HR as Foreign Minister, which would indicate that the position of the HR was very closely linked to the position of the European Council. As perceived by one researcher, France saw in the strengthening of the CFSP a clear advantage but one over which the member states must have a clear control.⁴²⁶

In order to agree to the EEAS, France measured the added value that this new body would bring. In words of one of its diplomats, France realized the fact that, even if it is a big member state, it is still weak. In addition, speaking with the voice of 28 member states is much stronger than speaking alone.⁴²⁷ For France, as stressed by one of its diplomats, there was always this idea of using the EU as a force multiplier of national power. France always looked at the process of EU integration as a way of making Europe but without unmaking France. This means that France should not disappear, it should not

⁴²¹ Interviewee 6, HS_2015, Quotation: 6:15.

⁴²² Interviewee 38, TO_2016, Quotation: 38:14; Interviewee 35, AD_2016, Quotation: 35:13.

⁴²³ Interviewee 38, TO_2016, Quotation: 38:16.

⁴²⁴ Interviewee 37, PH_2016, Quotation: 37:1.

⁴²⁵ Interviewee 38, TO_2016, Quotation: 38:20.

⁴²⁶ Interviewee 51, GG_2016, Quotation: 51:9.

⁴²⁷ Interviewee 33, NS_2016, Quotation: 33:14.

disintegrate in the EU system, but what France should do is to use the EU level to reinforce its own influence/capacity in the world.⁴²⁸

The UK also wanted to improve the efficiency of the CFSP but, as stressed by one of its diplomats, at the same time keeping its intergovernmental nature.⁴²⁹ The UK was open to discussing the proposal to reinforcing the link between the Commission and the HR,⁴³⁰ probably, as perceived by one Commission official, as a counterbalance to the Commission,⁴³¹ even as the UK found several benefits in strengthening the CFSP such as the pooling of resources and expertise. In addition, the UK understood, in words of one of its diplomats, that even if they have a worldwide diplomatic network, there are some parts of the world where the UK is not particularly influential, and the EU delegations can represent a great advantage in those areas. The UK understood the new CFSP instruments as a way of multiplying its influence on the global stage.⁴³²

Another advantage highlighted by one of the UK diplomats is that the EU could play a more neutral role in some parts of the world where the EU member states might have a deep interest. Therefore, in some circumstances, it might be more efficient to act as the EU rather than member states acting directly.⁴³³ In words of an UK diplomat, the biggest added value of the EEAS was the possibility to achieve more cohesion and coherence by bringing external action and the CFSP together.⁴³⁴ In addition to that, a UK diplomat stressed that they saw in the EEAS an opportunity to be more influential and to persuade the other member states to accept the British line. The UK is very good at providing paper positions that introduce their point of view into the system. In so doing the UK wanted to occupy the highest positions within the EEAS.⁴³⁵

⁴²⁸ Interviewee 63, ML_2018, Quotation: 120: 27.

⁴²⁹ Interviewee 46, HC_2016, Quotation:46:13.

⁴³⁰ Working Group VII on External Action. *Task Force Future of the Union and institutional questions*. Meeting of 29 October 2002. Brussels, 30 October 2002 TF-AU/1 (2002) JFBR D/190419. Quotation: 60:9.

⁴³¹ Interviewee 10, WS_2016, Quotation: 10:18.

⁴³² Interviewee 44, CR_2016, Quotation: 44:1.

⁴³³ Interviewee 47, KJ_2016, Quotation: 47:23.

⁴³⁴ Interviewee 46, HC_2016, Quotation: 46:13.

⁴³⁵ Interviewee 45, FC_2017, Quotation: 45:9.

B. The EEAS: another tool for member states'

One of the principal reasons that member states agreed to the creation of the EEAS is because it would not prevent the member states from having their own foreign policy. Member states agreed about the necessity to strengthen their power in the global arena, but, at the same time, they wanted to preserve their sovereignty and make sure that they could drive their own foreign policy. Declarations 13 and 14, highlighted in the previous chapter, are a great example of this goal. In words of an EU Commission official, the main purpose was not to replace the EU member states' foreign policy but to make EU foreign policy and external action more coherent and to achieve common goals.⁴³⁶ Several interviewees agreed on the fact that member states understand the EEAS as another tool in their hands.⁴³⁷ As stressed by one UK diplomat, the EEAS is just another element that the member states can use to pursue their interest in foreign policy,⁴³⁸ and therefore, as a French diplomat explained, a complement to national diplomacies.⁴³⁹ There was a division in this regard because some member states wanted to prioritize their national power over the EEAS while others preferred to drive their foreign policy completely through the EEAS. However, as one member of the Ashton cabinet stressed, even the most reticent state felt that there was a role for the EEAS to play as a complement to their national services.⁴⁴⁰

The EEAS functions, in words of a Commission official, as a force multiplier of member states power and actions.⁴⁴¹ Even if member states were interested in what the EEAS could offer in terms of amplifier of power, they wanted to control it. In so doing, as stressed by one French diplomat, putting their own nationals inside the structure was a good starting point. It was also the key to using the EEAS as a tool because they could get their point of view as a nation state into the system and, consequently, influence EU outcomes.⁴⁴² As one French diplomat perceived, big member states such as France wanted to make sure that the EEAS was serving their interests.⁴⁴³ One Commission official

⁴³⁶ Interviewee 6, HS_2015, Quotation: 6:18.

⁴³⁷ Interviewee 15, PV_2015 & 2018, Quotation: 15:30; Interviewee 33, NS_2016, Quotation: 33:8; Interviewee 69, personal communication 2018; Interviewee 68, FM_2018, Quotation: 127:51; Interviewee 70, CK_2018, Quotation: 128: 12.

⁴³⁸ Interviewee 46, HC_2016, Quotation: 46:15.

⁴³⁹ Interviewee 65, CR_2018, Quotation: 123: 11.

⁴⁴⁰ Interviewee 1, JM_2016, Quotation:1:10 & 1:11.

⁴⁴¹ Interviewee 9, PCH_2015, Quotation: 9:9.

⁴⁴² Interviewee 11, EP_2018, Quotation: 11:9.

⁴⁴³ Interviewee 50, VP_2016, Quotation: 50:4.

stressed that the EEAS was also an asset for the work of the Commission in helping it gain more impact.⁴⁴⁴ The EEAS was, in words of a Spanish diplomat, a valuable instrument for strengthening the CFSP and the external action of the EU. The EEAS was an instrument that would work to serve the purposes of the EU institutions and member states.⁴⁴⁵

C. EU delegations: presence worldwide

The major benefit from the creation of the EEAS was to gain more power in the EU global arena, to speak with one message even though through different voices. In so doing, several Convention representatives agreed on the fact that the EU delegations are a great asset. Member states saw in the change from Commission delegations to EU delegations one of the biggest advantages of the EEAS.⁴⁴⁶ In words of an Ashton Cabinet official, delegations are where the EEAS adds more value by having people on the ground, reporting and delivering EU policy around the world.⁴⁴⁷ As stressed by one Commission official, the delegation is the face of the EU. The delegation is a permanent focal point and coordination point, bringing together the national embassies in order to create a coherent European approach in each country. It also follows that having national diplomats in the delegations along with people from the EU institutions is what made a big difference. The Commission services possessed a lot of technical competences but much less diplomatic experience, which is the great added value of having member states diplomats within the EU delegations.⁴⁴⁸

Having member states diplomats working at both EEAS headquarters and in EU delegations also helped to make the EU member states more engaged and committed to the EEAS. One official from the Ashton cabinet and another one from the Commission perceived that the EU delegations abroad were also very useful for some member states after the financial crisis because member states could reorganize their presence abroad and, at least, have the option of

⁴⁴⁴ Interviewee 6, HS_2015, Quotation: 6:29.

⁴⁴⁵ Interviewee 42, JA_2015, Quotation: 42:16.

⁴⁴⁶ Interviewee 55, LS_2015, Quotation: 55:15; Interviewee 7, JK_2015: Quotation: 7:6; Interviewee 11, EP_2018, Quotation: 11:14; Interviewee 54, JC_2015, Quotation: 54:6.

⁴⁴⁷ Interviewee 1, JM_2016, Quotation: 1:12.

⁴⁴⁸ Interviewee 5, CL_2015, Quotation: 5:24.

saving money from their national budget.⁴⁴⁹ This is an advantage, in words of an EEAS official, even for the big member states because they are not present in every single corner of the world. The EU delegations present the opportunity for the member states to send their national diplomats everywhere, and, as a consequence, member states have the option of not opening an embassy in parts of the world that are not essential to their national interest.⁴⁵⁰ As pointed out by one Commission official, acting together implies fewer costs and a bigger global impact.⁴⁵¹

Another great innovation that the EU delegations brought was a possibility for the member states to have an impact, even a small one, on development funds. As confirmed by one Commission official, despite the fact that decisions about money are in the hands of the Commission, programming is in the hands of the EEAS.⁴⁵² This means that the EEAS can impact where the funds are invested. In words of an UK diplomat, the EU development funds are also a great diplomatic tool, even for the big member states.⁴⁵³ In addition, as stressed by one official from the Secretary General of the Council, the change from Commission delegations to EU delegations would offer the chance to connect those development funds with the priorities of member states in the CFSP, which will make them more useful. It also followed that the EU had so far been seen from the outside more as an NGO than an entity with political power.⁴⁵⁴ In addition, as one official from the Ashton cabinet stressed, the EU delegations have at their disposal elements that the EU embassies no longer have such as community policies like trade, which is a great tool in order to strengthen alliances with, for example, emerging countries.⁴⁵⁵

The member states' approach to the EU delegations was very pragmatic. The member states had different approaches. In the words of an official from the Ashton cabinet, the major asset was the creation of a worldwide network of EU

⁴⁴⁹ "I think some member states saw an opportunity because post financial crises resources were very tight, so they saw the opportunity in being able to draw the reporting and this kind of things. The approach was that we were creating a network of delegations that we transformed from commission delegations in EU delegations, and probably, economic and political reporting we took the decision that was going to be shared with the member states. But they all saw the opportunity of re-collocation with the member states. So, they wanted just to reduce or they wanted to have one somewhere very much pragmatically": Participant 1, JM_2016, Quotation: 1:10 ; Participant 9, PCH_2015, Quotation: 9:9.

⁴⁵⁰ Interviewee 19, FFS_2016, Quotation: 19:4.

⁴⁵¹ Interviewee 9, PCH_2015, Quotation: 9:9.

⁴⁵² Interviewee 3, JL_2016, Quotation: 3:3.

⁴⁵³ Interviewee 45, FC_2017, Quotation: 45:24.

⁴⁵⁴ Interviewee 57, TB&AB_2015, Quotation: 57:46; Participant 53, CG_2016, Quotation: 53:26

⁴⁵⁵ Interviewee 2, PS_2016, Quotation: 2:24.

delegations able to contribute economic and political reporting but also re-collocation with the member states. A variety of options were open for the different member states.⁴⁵⁶ Even for the big member states such as France, as stressed by one of its diplomats, the EEAS and its delegations abroad were important in terms of pooling and sharing information but also in being more coherent in what the EU does in a third country.⁴⁵⁷

As we have already detailed, more coherence in the CFSP was one of the major reasons for the member states to agree on the creation of the EEAS. The second aspect that is a really an added value was, as stressed by one French diplomat, that the EEAS brings the member states an overall view. In other words, when the EU decides to deal with a crisis in a country, it needs to have the big picture in terms of what the EU relationship is with this country. This is done both in the Council and in the Commission. The role of the EEAS is to bring all of this together, to make it make sense, and to make it work. It is much easier for the member states to ask to the EEAS to come and explain what the EU is doing in a particular country. The task of the EEAS is to pick up all the pieces in the system and to bring them together for the member states. In so doing, the EU delegations are a plus because now member states have someone who can speak in their name, who has more visibility and, at some point, more credibility, and who is working on their behalf and fighting for their interests.⁴⁵⁸

D. A powerful “neutral” international actor

Another great advantage for the member states, especially the big ones, in the creation of the EEAS—apart from the strength that 28 member states can bring—is that the EEAS allows the member states to have a neutral interlocutor able to drive international “conflicts” on the member states’ behalf. As one French diplomat stressed, this is particularly useful in the case of the ex-colonies.⁴⁵⁹ As the big member states diplomats emphasized, the main point that made the biggest member states agree to the creation of the EEAS is the fact that it does not prevent the member states from conducting their own

⁴⁵⁶ Interviewee 1, JM_2016, Quotation: 1:10.

⁴⁵⁷ Interviewee 33, NS_2016, Quotation: 33:12.

⁴⁵⁸ Interviewee 15, PV_2015 & 2018, 15:26.

⁴⁵⁹ Interviewee 32, LP_2016, Quotation: 32:22.

foreign policy. The EEAS is a perfect complement to national diplomatic strategies because it can give them more strength and multiply their effect on the international scene.⁴⁶⁰ In words of an UK diplomat, the big member states also have with greater resources than the other member states, but, even for them, it is sometimes better to act through the EEAS.⁴⁶¹ It is clear that if the member states have a stronger chance of obtaining what they want by working through supra-state institutions, they will do it. As one researcher pointed out, member states will also choose to act through supra-state institutions in the case they feel that there is no other option. Otherwise they will try to do themselves.⁴⁶²

Even though sometimes member states prefer to act through supra-state institutions because that brings benefits to them such as a more neutral approach; usually they decide to act through supra-state institutions only because that is the only chance that they have to have an international impact. As stressed by one Commission official, member states usually look at what gives them more impact. Therefore, if member states think they can gain more action through the EU, they go that route, otherwise, if they think that they can go it alone, they will go it alone. Member states are pragmatic.⁴⁶³ Member states look at the EEAS more as an opportunity than as an obstacle.

VII.2 A new body for a new era

The creation of the EEAS is based not only on the functions that it can perform on the member states' and EU institutions' behalf. Liberal intergovernmentalism and rational choice institutionalism have other reasons to explain institutional choice such as ensuring the credibility of commitments or reducing transaction costs.

VII.2.1 Credibility of commitments

Liberal intergovernmentalism explains institutional choice as a way to ensure the credibility of the commitments of member states. It also stresses that,

⁴⁶⁰ Interviewee 33, NS_2016, Quotation: 33:14; Interviewee 45, FC_2017, Quotation: 45:6.

⁴⁶¹ Interviewee 45, FC_2017, Quotation, 45:6.

⁴⁶² Interviewee 48, SB_2015, Quotation, 48:19.

⁴⁶³ Interviewee 6, HS_2015, Quotation: 6:16.

when the balance between cost and benefits is uncertain, member states prefer to create hybrid institutional solutions (Moravcsik, 1999, p. 77). The creation of the EEAS can be understood as a way to avoid future domestic opposition to what has been agreed. The momentum was unique and member states and EU institutions felt that they had to advance in this policy area due to the uncertainty about the future regarding both the globalized world and inside the EU in terms of the great enlargement and the difficulty that adding new members could bring in reaching consensus.

It was necessary to secure the commitments because only by creating a strong and united EU would member states will be able to ensure their capacity to deal with current and future global challenges.⁴⁶⁴ The pro-European atmosphere during the Convention was also a determining factor that pushed member states and EU institutions to advance as much as possible in the CFSP integration. Ensuring what had been agreed was also essential for the EU institutions, especially regarding the final design of the EEAS. Thus, limiting the member states' presence in the EEAS and binding its accountability in terms of budget were essential for the EU institutions to agree on the final deal.

VII.2.2 Transaction costs

On the other hand, rational choice institutionalism explains institutional choice as a way of reducing transaction costs. It asserts that institutions are very useful in facilitating interactions and the conclusion of agreements. Therefore, in words of a national expert seconded to the EEAS, another element that encouraged member states and EU institutions to advance in the CFSP integration was the necessity for long term planning and continuous execution. The EEAS was essential in achieving a more structured and long term CFSP.⁴⁶⁵ The seconded national expert added that this process was going to be more problematic after the great enlargement of 2004. That is why member states and EU institutions decided that it was the right time to reinforce EU instruments in the CFSP and external action. It was necessary to create a stronger institutional structure able to work on a long-term scale and

⁴⁶⁴ Convención Europea. Resumen de la sesión plenaria. Bruselas 11 y 12 de julio de 2002. EU CONV 200/02. Bruselas 16 de julio de 2002.

⁴⁶⁵ Interviewee 17, PSH_2015, Quotation: 17:11.

able to bring a common view from the 28 member states. The EEAS was a powerful tool of convergence between the member states' point of view.⁴⁶⁶ As stressed by one EU Parliament official, the institutional divisions and the division of pillars between the Commission and the Council were obstacles to a more effective EU foreign policy.⁴⁶⁷

VII.3 EEAS design based on control

Rational choice institutionalism also stresses that, after member states decide to create an institutional body at the supra-state level, the next step is to introduce mechanisms of control. As this thesis has already highlighted, creating a supra-state body not only brings benefits but also costs. That is why applying control mechanisms are an essential part of its design. As has been explained in detail, the EU member states and the EU institutions agreed to the creation of the EEAS during the Convention, but everything related to its final design was open to further discussions. It was not until the Treaty of Lisbon came into force that the Quadrilogue negotiations, whose purpose was to administratively configure the EEAS, began. The result was the decision that led to the creation of the service. Finally, the consensus was only possible through a package deal between member states and EU institutions. At this time, it was the EU Parliament that conditioned its consent to the staff and budget regulations to change the final decision into a co-decision procedure. EU institutions limited the number of national diplomats inside the EEAS. They also ensured that the EEAS budget would remain part of the EU budget, and therefore accountable to the EU Parliament. Finally, they ensured the accountability of the HR/VP and the right to check the suitability of the EEAS key positions.

Related to the control of the service, one of the most intense debates during the EEAS negotiations was about the institutional placement of the EEAS. The battle was between keeping the EEAS a more community or intergovernmental organization. Having the EEAS inside the EU institutional architecture was a preference from the EU institutions but also a red line for the member states which wanted to keep the CFSP intergovernmental. Finally, member states

⁴⁶⁶ Interviewee 17, PSH_2015, Quotation: 17:6.

⁴⁶⁷ Interviewee 21, GQ_2015, Quotation: 21:5.

and EU institutions agreed to create an autonomous body in the middle of the Commission and the Council as it is reflected in Article 1.2 of the EEAS decision: “The EEAS, which has its headquarters in Brussels, shall be a functionally autonomous body of the European Union, separate from the General Secretariat of the Council and from the Commission with the legal capacity necessary to perform its tasks and attain its objectives.”⁴⁶⁸

During the Quadrilogue negotiations, the interests of the member states mostly converged and were confronted by demands from the EU institutions. In a nutshell, the major discussions were essentially about how to control this new diplomatic body: through staff, budget, and some specific mechanisms of ex-ante and ex-post control. In terms of staff, member states fought for as many national diplomats in the EEAS as possible while the EU institutions wanted to limit their presence. Regarding the budget, the member states wanted to ensure EEAS autonomy while the EU institutions wanted to control the budget and guarantee supervision by the EU Parliament. Finally, both member states and EU institutions wanted to follow the work of the EEAS closely in order to keep it under tight control. In so doing, they introduced specific procedures of control.

VII.3.1 Staff

Staff was one of the most difficult discussions regarding the setting up of the EEAS. There were great differences of opinion between member states and EU institutions. Member states were very interested in including their diplomats inside the EEAS because, for them, it was the best way possible to control the EEAS. However, for the EU institutions and especially for the EU Commission, it was difficult to accept that the diplomats of nation states would be inside the EEAS. Finally, it was a red line from the member states’ side that EU institutions had to accept.⁴⁶⁹ However, in the words of an EU Parliament official, the EU institutions fought firmly and achieved a result that at least 60% of the personnel would come from the EU institutions.⁴⁷⁰ Nevertheless, even if the EU Parliament wanted to limit the presence of nation states’

⁴⁶⁸ COUNCIL DECISION of 26 July 2010 establishing the organisation and functioning of the European External Action Service (2010/427/EU).

⁴⁶⁹ Interviewee 7, JK_2015, Quotation: 7:15.

⁴⁷⁰ Interviewee 25, SG_2015, Quotation: 25:14.

diplomats inside the EEAS, in words of an EU Parliament official, they understood that diplomats have valuable experience in foreign policy that the civil servants from the EU institutions do not have, and this foreign policy experience is essential in the daily work of the delegations. In addition, the diplomatic presence of member states would also ensure a major commitment by the member states.⁴⁷¹

Another element of discussion was, as highlighted by a drafter of the Convention text and one Spanish diplomat, to limit the presence of the diplomats of member states at the highest positions of the EEAS, both at the headquarters and in EU delegations. EU institutions wanted to limit the presence of EU diplomats as head of EU delegation⁴⁷² mostly because they would have to deal with financial resources, and those resources are the Commission money. Finally, as one French diplomat pointed out, the EU member states and the Commission reached a compromise where heads of EU delegation would have to get the green light from the Commission itself to be accepted as guardians of the Commission budget.⁴⁷³ One Commission official confirms that the head of delegation is double hatted, as is the case of the HR/VP.⁴⁷⁴ In words of a French diplomat, the Commission had to accept the presence of EU diplomats as head of EU delegations because it was understood that it is precisely as head of a EU delegation where the national diplomat's expertise and experience can be of major added value.⁴⁷⁵ In addition, the Commission, as stressed by one of its officials, had also to accept, not without resistance, that it would lose part of its personnel in favour of the EEAS.⁴⁷⁶

VII.3.2 Budget

If staff was understood by the member states as their best resource for controlling the EEAS, in the case of the EU institutions, the budget was its greatest chance to get their insights into the EEAS final design. Therefore, the major claim by the EU institutions, as stressed by one Commission official,

⁴⁷¹ Interviewee 23, JF_2015, Quotation: 23:18.

⁴⁷² Interviewee 24, MJ_2015, Quotation: 24:6; Interviewee 28, JB_2016, Quotation: 28:6.

⁴⁷³ Interviewee 15, PV_2015 & 2018, Quotation: 119:79.

⁴⁷⁴ Interviewee 8, MTM_2015, Quotation:8:6.

⁴⁷⁵ Interviewee 15, PV_2015 & 2018, Quotation: 119:79.

⁴⁷⁶ Interviewee 7, JK_2015, Quotation: 7:17.

was that budget should remain in their hands. The EEAS budget was part of the EU budget which meant it is Commission budget. It needed to remain like this because the Commission is the one accountable to the EU Parliament and the Court of Auditors. Finally, the EEAS had the capacity to decide, but it was the Commission who implemented.⁴⁷⁷ As highlighted by one Commission official, the EU budget was executed by the Commission whereas the EEAS is only responsible for setting the priorities and establishing the programming.⁴⁷⁸ One thing that the Commission achieved, as confirmed by one of its officials, was that the EEAS was not allowed to implement.⁴⁷⁹

As it has already been detailed, EU delegations are a great asset for the creation of the EEAS also in budgetary terms. As stressed by one Commission official, working together implies more effectiveness and influence but also implies fewer costs, which is a great advantage for the member states, especially if we take the financial crisis into account.⁴⁸⁰ As one EU Parliament official stressed, the EU Parliament and the Commission worked punctually together in order to achieve their common goals. As an example, they insisted that the EEAS budget, because it is part of the Commission budget, would be subject to all control procedures that applied to the Commission budget.⁴⁸¹ The EEAS is accountable to the EU Parliament in budgetary terms, and this was precisely, as perceived by one German diplomat, the key for the EU Parliament to achieve its demands.⁴⁸² On the other hand, one French diplomat stressed that the principal goal of the Commission was to have the final say over the EU budget, and that this was accomplished with the help of the EU Parliament.⁴⁸³

VII.4.3 Control

At the time of the creation of the EEAS, it was perceived by the Secretary General of the Council that the big member states, the ones that could drive their own foreign policy, did not want to share all their means in external

⁴⁷⁷ Interviewee 7, JK_2015, Quotation: 7:20.

⁴⁷⁸ Interviewee 9, PCH_2015, Quotation: 9:19.

⁴⁷⁹ Interviewee 9, PCH_2015, Quotation: 9:19.

⁴⁸⁰ Interviewee 9, PCH_2015, Quotation: 9:9.

⁴⁸¹ Interviewee 20, EP_2015, Quotation: 20:27.

⁴⁸² Interviewee 29, AD_2015, Quotation: 29:6.

⁴⁸³ Interviewee 15, PV_2015 & 2018, 119:57.

action and the CFSP with the other member states.⁴⁸⁴ As a researcher pointed out, when member states create something at the EU level, it is clear that, in the long term, it will absorb some power and influence from the national level even if they design the EEAS in a way that cannot go any further than what member states allow it to go.⁴⁸⁵

The EEAS will have an impact in the long term because the EEAS is meant to absorb the external representation of the EU member states in order to fight for the common interests. The idea is that the EU member states will have more and more interests in common. As I have already detailed in the previous chapters, in words of a national expert seconded to the EEAS, the organization will provide the member states with greater analysis ability, greater capacity to observe reality, and stronger relationships with other international players than those of the individual national services.⁴⁸⁶ As stressed by one French diplomat, they knew that if they wanted to be stronger, most of their foreign policy should be done together, and, therefore, they should place more importance on the European dimension of the foreign policy.⁴⁸⁷ That is why they finally agreed to the strengthening of the CFSP but, at the same time, implemented procedures to control it.

Although member states and EU institutions used staff and budget as a way to control the future actions of the EEAS, they also looked carefully at establishing specific elements that would help them to limit the power of the EEAS. Overall, controlling the new diplomatic body as much as possible was, in the words of a German diplomat, the common purpose of both EU institutions and member states. The principal ex-ante control that member states established was that the decision making procedure was still unanimity, so there is not so much that the EEAS could do without the consent of the member states.⁴⁸⁸ As one official from the EU Parliament confirmed, member states wanted to make sure that the CFSP decision making is not comunitarized.⁴⁸⁹

As a German diplomat pointed out, the EEAS and the HR/VP could have an impact on the member states particularly through the formulation of

⁴⁸⁴ Interviewee 14, RF_2015, Quotation: 14:15.

⁴⁸⁵ Interviewee 48, SB_2015, Quotation: 48:17.

⁴⁸⁶ Interviewee 17, PSH_2015, Quotation: 17:6.

⁴⁸⁷ Interviewee 15, personal communication 2015 & 2018, Quotation:15:16.

⁴⁸⁸ Interviewee 34, OR_2016, Quotation: 34:15.

⁴⁸⁹ Interviewee 21, GQ_2015, Quotation: 21:40.

proposals or by shaping and influencing discussions.⁴⁹⁰ But the HR/VP also played a moderate role because they knew that they need the member states on board. As I have discussed in detail, a German diplomat stressed that the major motivation of the member states and EU institutions was to have a stronger EU voice.⁴⁹¹ However, as mentioned above, as a matter of great concern between member states and EU institutions, one EU Parliament official stressed that member states were conscious of the necessity to keep an eye on the EEAS, and that is why they wanted to fill the highest positions.⁴⁹² Appointing the diplomats of member states to fill the highest positions in the EEAS was also a powerful ex-ante control mechanism. However, as stressed by one German diplomat, member states were still concerned about how far the EEAS could go in the exercise of its competences.⁴⁹³ That is why they also applied ex-post control mechanisms. In so doing, in the words of a UK diplomat, the chairing of the working groups was the object of very intense negotiations about whether they should be chaired by the rotating presidency or by a permanent chair in the hands of the EEAS.⁴⁹⁴

Here France, as stressed by one of its diplomats, was especially interested in limiting the number of working groups chaired by the EEAS.⁴⁹⁵ One of the major purposes of France, as confirmed by one of its diplomats, was to keep the number of working groups chaired by the EEAS to the minimum possible. France accepted—not without resistance—that the EEAS would chair the Political and Security Committee and the geographical working groups. France insisted that the other ones should be kept under the chair of the rotating presidency.⁴⁹⁶ In this sense, one of the priorities for Germany, stressed by one of its diplomats, was that the Political and Security Committee should be chaired by the EEAS. Germany thought that only under this circumstance would it be possible to add more coherence and efficiency to EU external policy making.⁴⁹⁷ The final agreement regarding working groups was, in the words of an official from the Secretary General of the Council, that the Council of the European Union in its formation of Foreign Affairs would be presided over by

⁴⁹⁰ Interviewee 34, OR_2016, Quotation: 34:12.

⁴⁹¹ Interviewee 38, TO_2016, Quotation: 38:16.

⁴⁹² Interviewee 22, GM_2016, Quotation: 22:29.

⁴⁹³ Interviewee 38, TO_2016, Quotation: 38:18.

⁴⁹⁴ Interviewee 44, CHR_2016, Quotation: 44:6.

⁴⁹⁵ Interviewee 59, FD_2018, Quotation: 115:23; Interviewee 15, PV_2015 & 2018, Quotation: 119:69.

⁴⁹⁶ Interviewee 15, PV_2015 & 2018, Quotation: 119:69 & Quotation: 119:70.

⁴⁹⁷ Interviewee 68, GF_2018, Quotation: 126:29.

the HR/VP, the COREPER would be presided over by the rotating presidency, and RELEX and the Political and Security Committee would be presided over by the EEAS.⁴⁹⁸

As stressed by EU Parliament officials, accountability was also essential to their demands.⁴⁹⁹ The HR/VP is politically accountable to the EU Parliament because of its role as vice-president of the Commission. However, as one of its officials pointed out, the EU Parliament wanted to introduce another element of control which consisted of a declaration of political accountability.⁵⁰⁰ The EU Parliament wanted, in words of one of its officials, the heads of EU delegation to pass a hearing before they were appointed.⁵⁰¹ Finally, the EU Parliament has no power of decision over the ambassador nominations of the EU delegation.

Theoretical Conclusion

Throughout this chapter, we showed that, after forming their preferences at the domestic level and after member states and EU institutions bargained those preferences at the supra-state level, both member states and EU institutions reached a decision, in this case, the creation of a diplomatic institution at the EU level, the EEAS. This decision was based on a cost-benefit analysis because they would only create a new institutional body if doing so brings benefits to them. The benefits are the functions that the EEAS would perform and that would be of added value for both EU member states and EU institutions.

Clearly, the major finality was to achieve more coherence, consistence, and continuity for the CFSP and EU external action in the global arena. In so doing, it is clear that the EU delegations abroad are one of the greatest added values of the EEAS. The EEAS and the EU delegations are very useful tools in the hands of the EU member states as a complement to their own national foreign policy strategies. The possibility for member states to keep their own foreign policy was essential for their agreement to the EEAS. Thus, the benefits that creating a new diplomatic tool at their disposal outweighed the

⁴⁹⁸ Interviewee 57, TB&AB_2015, Quotation: 57:61.

⁴⁹⁹ Interviewee 20, EP_2015, Quotation: 20:28; Interviewee 23, JF_2015, Quotation: 23:15.

⁵⁰⁰ Interviewee 21, GQ_2015, Quotation: 21:35.

⁵⁰¹ Interviewee 20, EP_2015, Quotation: 20:37.

costs that the unintended consequences of creating such a new diplomatic body could provoke.

Despite the advantages that the creation of the EEAS could produce, its creation required a great deal of discussion. The final agreement was only possible to achieve through a package deal. The actors that were more interested in the agreement had more side payments than the ones who were more reticent. Regarding the Convention negotiations, Germany and the EU institutions were clearly the ones that were more interested in strengthening EU foreign policy and external action. Afterwards, during the Quadriologue negotiations, the major battle was between the EU institutions on one side and the member states on the other.

At this time, the EU institutions, particularly the EU Parliament, was the one who fought the most to reach its goals. The bargaining power of the EU Parliament and the institutional architecture in which the bargaining was carried out defined the negotiations and the final package deal. The formula of the Convention and the Quadriologue were essential in creating the EEAS. The final agreement during both the Convention and the Quadriologue is the perfect reflection of the major preferences from both the big member states and EU institutions.

Both member states and EU institutions were very interested in controlling this new body as much as possible, both ex-ante and ex-post. Control was the essential element of the discussion during the Quadriologue negotiations. In so doing, staff and budget were key tools that both EU institutions and member states used to influence the EEAS outcomes. Then, member states used their requirements for staff to put their people in the highest positions in order to spread their views more easily inside the structure and to set the EEAS agenda. In the case of the EU institutions, they used the budget to limit the margin for manoeuvring of the EEAS. The EU Parliament used their power over budget and staff regulations to be able to shape the negotiations and to increase its power in foreign policy. Another great discussion in this regard was regarding the chairs of the working groups related to foreign policy and external action. Here the division was between more community on one side and more intergovernmentalism on the other.

It is possible to conclude by the above discussion that the final deal, the creation of the EEAS, was the reflection of the member states' and EU institutions' willingness to create a stable structure that could facilitate the interaction among the different actors in foreign policy. Both EU member states and EU institutions were thinking about the future great enlargement and the possible changes in the pro-European atmosphere in which the negotiations were carried out. They wanted to make sure that the developments agreed upon were locked in despite future possible domestic opposition, and that they could deal with a structure that facilitated interaction and the conclusion of agreements. However, keeping this new body under tight control was essential for member states and EU institutions in reaching an agreement. Foreign policy is still very sensitive for member states. They do not want to lose their autonomy to pursue their own interests. In addition, EU institutions are very interested in influencing the CFSP.

Chapter VIII:

FINAL CONCLUSION

Nothing is possible without men, but nothing lasts without institutions.

Attributed to Jean Monnet

The main objective of this thesis was to examine the process of the configuration of the EEAS, and, from this concrete example, contribute to the literature on institution building in regional/international organizations. In short, the main goal of this thesis was to answer this question: why do big member states decide to create a supra-state diplomatic institution? This thesis argues that big member states would decide to create a supra-state diplomatic institution only in the case that such an institution would bring benefits to them. Foreign policy is the intergovernmental area most linked to the sovereignty of the member states and, thus, this policy provides an excellent case for re-examining the intergovernmental theories of EU integration, in short, liberal intergovernmentalism. The relevance of the study relies on the power that supra-state institutions have to model the behaviour of actors. This thesis' main claim is that institutions matter. Institutions can condition outcomes; that is why it is extremely relevant to pay attention to their process of configuration.

In order to explain the reasons member states create supra-state institutions, I utilized the three-step model on which liberal intergovernmentalism is based: domestic preference formation, intergovernmental bargaining, and institutional choice. In addition, since the main claim of this thesis is that institutions matter, I added the premises of the rational choice institutionalism approach in order to demonstrate that EU institutions are also important actors with their own demands that can condition the strategies that member states follow in pursuit of their domestic preferences and therefore inform the final outcome. In addition, this thesis also adopted the second meaning of institutions on which new institutionalism is based: institutions as sets of rules and norms. The institutional settings in which negotiations were carried out, the Convention and the Quadriologue, were

essential in driving the discussions and in achieving a final outcome. In order to test this theory, I focused on the biggest member states of the EU: the UK, France, and Germany and also on the EU institutions, particularly the EU Parliament and the Commission.

V.III.1 Domestic preference formation

The first step that liberal intergovernmentalism points out in the process of supra-state institutions building is domestic preference formation. This thesis assumes the liberal intergovernmentalism claim that the process of preference formation is exogenous, a view also shared by rational choice institutionalism. Liberal intergovernmentalism explains this first step using liberal theory. In this first stage, the main purpose of this thesis was to elucidate whether the preferences of the member states were domestic and whether they were mainly governmentally shaped or if, as liberal theory asserts, other domestic actors were also involved in their definition. Finally, I also aimed to elucidate the final motivation for member states in the definition of their preferences. That being said, this thesis showed that the biggest EU member states' preference formation regarding the setting up of the EEAS was domestic—following geopolitical purposes—and mainly government-led. Furthermore, this thesis also confirmed that the EU institutions, namely, the EU Parliament and the Commission, also had their own demands.

After a deep examination of the process that the UK, France, and Germany followed in order to form their preferences regarding the process of configuration of the EEAS, this thesis verified its premise that the process of preference formation is exogenous and domestic. The preferences of big member states were directly connected to their national goals and in clear harmony with their historical approach towards the EU process of integration and, specifically, the CFSP. Another key element that liberal intergovernmentalism highlights, following liberal theory, is that domestic groups of interest are deeply involved in the process of preference formation. This thesis concluded by emphasizing that, because foreign policy is very close to the sovereignty of member states, the autonomy of the government is greater whereas the participation of interest groups is more limited than in the case of economic integration over which liberal intergovernmentalism is mostly

applied. Nevertheless, there are differences depending on the country being examined. As Moravcsik (1993, p. 495) highlighted, the autonomy of the government in shaping the domestic preferences is especially powerful when it comes to political, institutional, or distributional policies. The diplomatic corps was understood as the single group of interest that clearly influenced the final decision in all cases because they saw the EEAS as their future.

The last premise of liberal intergovernmentalism in this first stage, preference formation, is that economic rather than geopolitical motivations are what made member states agree to further the process of EU integration. However, Moravcsik (1998, p. 28) nuances this statement when it comes to foreign policy. Within this political area, economic motivations might not be the most relevant. In the case of the EEAS, this thesis concludes that economic motivations were not decisive for the member states in agreeing on the creation of the EEAS. The major motivation for member states was to achieve more coherence, consistence, and continuity in the CFSP. Therefore, geopolitical purposes were more relevant than economic ones. Finally, I conclude by stressing that this thesis could also show that the EU institutions, the EU Parliament and the Commission, had their own demands linked to their traditional view regarding the process of EU integration. They worked to keep the EEAS as community as possible. The EU Parliament thought that the creation of the EEAS would be a great opportunity to have a say in the CFSP.

V.III.2 Supra-state bargaining

The second stage that liberal intergovernmentalism establishes in the process of institutional building is intergovernmental bargaining, which is based on unanimity voting and veto power. Liberal intergovernmentalism stresses that member states are the ones that drive the process of intergovernmental bargaining where asymmetric interdependence between actors is what determines their power in the negotiations. However, in this second stage, this thesis shows the power that EU institutions have to affect the final outcomes, both as actors with their own demands and as sets of rules and norms that condition the behaviour of actors.

So far, treaty change has always been bargained through intergovernmental conferences where member states were the only ones allowed to bargain their preferences. In the case of the EEAS, the preference bargaining at the supra-state level took place in two innovative institutional settings: the Convention and the Quadrilogue. This thesis confirms the power of institutions as sets of rules and norms that have the capability to establish the rules of the game and, therefore, impact the final outcomes. During the setting up of the EEAS, the Convention and the Quadrilogue had enormous power in driving the discussions and drawing conclusions.

Both the Secretariat of the Convention and the chairmen of the working groups during the Convention negotiations as well as the Spanish presidency during the Quadrilogue were fundamental in achieving a final deal. They were the ones that presented the available choices and wrote the conclusions. The Convention and the Quadrilogue also allowed the EU institutions to take part at the negotiation table. Then, after examining the negotiations, this thesis also concluded that EU institutions are actors with their own demands that can impact the final outcomes by altering the strategies that member states follow in the pursuit of their domestic objectives. In addition, the institutional settings in which negotiations are carried out also have an impact on the results. This thesis also concluded that compromises were reached through package deals at both stages, and concessions and side payments were bigger for the actors who were more interested in the creation of the EEAS. Finally, since grand bargain negotiations are not restricted only to member states, I decided to change the name of the second step of liberal intergovernmentalism from intergovernmental bargaining to supra-state bargaining.

V.III.3 Institutional choice

Liberal intergovernmentalism stresses that the last step in the process of supra-state institution building is institutional choice. Regarding this last stage, liberal intergovernmentalism and rational choice institutionalism agree on the fact that member states decide to create a new body thinking about the functions that it will perform to their advantage. In addition, the reason that liberal intergovernmentalism gives for member states agreeing to create supra-state institutions is that such a move ensures the credibility of member states'

commitments due to possible future domestic opposition. Furthermore, rational choice institutionalism points out that what motivates institutional choice is the possibility of reducing the transaction costs. It also stresses that establishing mechanisms of control is an essential part of any process of pooling/delegation. That being said, this thesis shows that the major motivation for member states in the creation of supra-state institutions are the functions that the new body will perform on their behalf. Other advantages are to ensure the credibility of what has been agreed and also to minimize the costs of running the system. Last but not least, the exertion of control has been the primary preoccupation for both member states and EU institutions.

In this last stage in the process of institutions building, this thesis confirms the assumption of liberal intergovernmentalism and rational choice institutionalism that big member states and EU institutions followed a functionalist and cost-benefit analysis and that they decided to create the EEAS because doing so was to their own benefit. This means that they thought about the functions that the EEAS would perform and that these functions would be of added value for them. In so doing, the first major interest of member states and EU institutions was to improve the coherence, consistency, and continuity of the CFSP. However, the creation of a supra-state body brings not only benefits but also costs, particularly in terms of sovereignty. Member states are pragmatic. They will agree to work through supra-state institutions if they think that they have a major chance to get what they want; otherwise, they will go alone.

As liberal intergovernmentalism stresses, apart from the functions that the EEAS can perform on the member states' behalf, member states and EU institutions agreed to its creation as a way of ensuring the credibility of commitments in case of future domestic opposition. Two key elements were the uncertainty of the global world and the future great enlargement of the EU in 2004. In the case of the EU institutions, it was essential to ensure a limited presence of member states diplomats inside the EU and to guarantee the accountability of the EEAS budget. The creation of the EEAS was also relevant in order to reduce transaction costs, as it is pointed out by rational choice institutionalism. Creating a stable structure that eases the dialogue and the conclusion of agreements is essential in the CFSP, especially when thinking

about the great enlargement, after which reaching an agreement would be much more difficult.

Finally, the key for member states and EU institutions to agree on the creation of the EEAS was the exertion of control. The major preoccupation of member states and EU institutions was to control the EEAS. As rational choice institutionalism emphasizes, delegation and control are two sides of the same coin. This thesis concluded by affirming that member states have effectively decided to create a supra-state diplomatic institution in thinking about the benefits that this body brings to them. However, the major preoccupation of member states and EU institutions has been to exert control. That is why they paid particular attention to designing mechanisms that would allow them to limit this body's autonomy. Finally, member states and EU institutions decided to create the EEAS as a way of ensuring the credibility of what has been agreed and to reduce the costs of ruling the system, particularly thinking about the great enlargement of 2004 and the uncertainty of the global scenario.

V.III.4 This study's main contributions

To sum up, this dissertation makes a substantial contribution to the literature of institutions building in regional/international organizations by updating liberal intergovernmentalism. The main contribution of this thesis is that liberal intergovernmentalism needs to be renewed by stressing that member states are not the only relevant actors during grand bargain negotiations; institutions also matter, both as actors and sets of rules and norms that can outline final outcomes. This thesis took the rational choice institutionalism approach in order to emphasize the power of EU institutions as actors with their own demands that affect final decisions by shaping the strategies that member states follow in the pursuit of their domestic goals as well as a set of rules and norms that condition the behaviour of actors by presenting the available choices and drawing conclusions.

This thesis demonstrated that the two-step model on which liberal intergovernmentalism is based was the one followed in the process of the configuration of the EEAS. Thus, after forming their preferences at the

domestic level member states—and this thesis adds EU institutions—sat at the same bargaining table at the supra-state level in order to achieve their goals. During this second stage in the process of institutions building, supra-state bargaining, this thesis shows that the institutional setting in which negotiations are carried out are decisive to the outcomes. Institutions are the ones in charge of establishing the rules of the game. In the case of the setting up of the EEAS, preferences were bargained in two innovative institutional settings: the Convention and the Quadrilogue. Both of them had an enormous influence on the outcomes because they were in charge of presenting the available options and outlining the conclusions. Those innovative institutional settings also allowed the EU institutions to take part in the negotiations. Accordingly, this thesis also showed that the EU member states were not the only important actors in this process, concluding that EU institutions were also relevant actors that had the power to express their own demands during the negotiations, to condition the strategies that member states followed in the pursuit of their domestic preferences, and, therefore, impact the final outcomes.

Nevertheless, this thesis also confirmed that asymmetries of power still matter. The final outcome was the reflection of the major preferences from the biggest member states and the demands from the EU institutions, although the second are still subject to the preferences of the biggest member states. Moreover, this thesis concluded that preferences remained fixed during the whole process; what changed were the strategies that the different actors followed to pursue them. Usually, EU institutions worked together, but there were also alliances between them and some member states such as the small states and Germany. In addition, the actors who were more interested in the creation of the EEAS had to give more concessions to the ones that were not convinced in order to reach a consensus. This thesis confirmed that the actors who were more interested in achieving an agreement were the ones that had to give more side payments, in short, Germany and the EU Parliament. Finally, this thesis corroborated the conclusion that package deals are essential in order to achieve a final deal. This was the case during both the Convention and the Quadrilogue negotiations.

This thesis also contributes to the process of preference formation. Liberal intergovernmentalism and rational choice institutionalism share the

assumption that preference formation is exogenous. More specifically, liberal intergovernmentalism stresses that member states follow a liberalist process of domestic preference formation. This thesis stresses that, in the case of the EEAS configuration, the process of preference formation of the biggest member states of the EU was exogenous and domestic. Each member state followed a different process of preference formation following its domestic constitutional rules. However, this thesis concludes that foreign policy is an area close to the sovereignty of member states and therefore the participation of groups of interest is more limited. In this field, preference formation is a governmental process. Nevertheless, there are differences depending on the autonomy of the particular country. The UK was obliged to take into account the UK Parliament reports before coming up with a position while France and Germany were not. Overall, the main actors involved were the government, including all interested ministers, and the diplomatic corps.

In addition, member states' preferences followed perfectly their historical approach towards the process of EU integration and the CFSP in particular. On the other hand, this thesis stresses that, contrary to the general liberal intergovernmentalism claim that economy is what drives the process of EU integration, economic interests were not the ones that encouraged member states to create the EEAS. Moravcsik also understands that foreign policy is a complex area where economic motivations are not necessarily the most relevant (1998, p. 28). This thesis concludes that economic motivations were not decisive in the final decision about creating this diplomatic body, but it was the desire to improve the coherence, consistency, and continuity in the CFSP. In this case, geopolitical goals overstepped the economic ones. At the same time, this thesis shows that EU institutions also had their own demands linked to their documented approach towards the EU process of integration. In short, they fought to keep the EEAS as much community as possible.

The last contribution of this thesis, but not the least, is related to the final motivation that member states and EU institutions have to choose delegation. In order to emphasize the capacity of EU institutions to condition the final choices, I assumed the specificities of rational choice institutionalism. This theoretical approach explains delegation through principal agent theory which is based on the balance between the desired benefits and the expected costs. Here, this thesis confirms its major assumption that big member states create

supra-state's institutions thinking about the benefits that they can bring to themselves, i.e., the functions that the new body will perform on their behalf. In the case of the creation of the EEAS, the EU delegations were understood as a great asset in complementing their foreign policy strategies. Keeping its own foreign policy was the major red line for the member states, especially the UK. This thesis concludes that the final design of the EEAS was the reflection of the preferences of the biggest member states and the demands of the EU institutions.

Member states and EU institutions found in the creation of the EEAS a perfect structure that both facilitates interaction and ensures future compliance of what has been agreed, especially thinking about the great enlargement and the possible changes in the pro-integration attitude of governments. However, as rational choice institutionalism stresses, the creation of a new institutional body brings not only benefits but also costs. Therefore, this thesis concludes that what really mattered to member states and EU institutions was to establish mechanisms of control, both ex-ante and ex-post. In so doing, member states found in the staffing of the EEAS the perfect way to keep an eye on the new organization at the same time that they could provide their own insights. In the case of the EU institutions, they mainly used the budget as a way to keep the EEAS accountable to them.

V.III.5 Limitations of the study and future research

The major limitation in this analysis of the creation of the EEAS in order to generalize its conclusions is the fact that it is the first time that treaty change was carried out at the supra-state level within two innovative institutional settings: the Convention and the Quadrilogue. Those were essential to EU institutions playing a decisive role in shaping the final outcomes. Treaty change negotiations are usually carried out within intergovernmental conferences where the only protagonists are member states. EU institutions have gained competences through treaties, and now they are in a better position to be able to defend their demands. However, the future participation and thus the capacity of EU institutions to outline grand bargain negotiations would depend on the institutional framework within which member states

chose to negotiate treaty changes. Thus, this thesis can generalize its major conclusion that institutions matter.

Another limitation of this study is the fact that foreign policy is a particular field of research. It is the most intergovernmental area, very close to the sovereignty of member states. That is why its institutionalization at the EU level is more delicate than for other political fields. Regarding the first step of the three-step model on which liberal intergovernmentalism is based, preference formation, foreign policy is an area mainly linked to the government; civil society is not involved. Therefore, the participation of groups of interest is limited. In the case of the creation of the EEAS, only the diplomatic corps could be understood as a group of interest. Even though I could still find differences in the participation of different domestic actors, I feel that foreign policy is more limited than what would be the case if the area of research was different. In addition, as Moravcsik, (1998, p. 28) also stresses, foreign policy is an area where economic motivation, that might lead integration in other fields, is more restricted. Regarding this area of research, geopolitical reasons are the most relevant. What this thesis can generalize is the fact that preferences are exogenous and follow domestic purposes.

Finally, another limitation of this study in order to fully be able to generalize its conclusions is the fact that the EEAS creation was not a full delegation. EU member states still preserved their capacity to pursue their own foreign policy. Member states understood the EEAS as another tool in their hands. However, this thesis can confirm that member states and EU institutions decided to create a new body in thinking about the functions that it would perform on their behalf and that the major preoccupation is to control the new body as much as possible. What I can generalize is the fact that the creation of a new body is based on ensuring what has been agreed and on helping to reduce the costs of running the system. Finally, control is essential in any process of supra-state institution building.

V.III.6 Future research

Since 2019 is the 10th anniversary of the entry into force of the Treaty of Lisbon, it is the perfect time to analyse how the EEAS has so far impacted

both EU foreign policy and the national diplomatic services. Was the EEAS fit for its purpose? Have the dynamics of the CFSP changed? How is its relationship with the diplomatic services of the EU member states? Do member states take advantage of the EEAS? Such research would allow us to assess how effectively the EU member states are taking advantage of the EEAS and if the way in which they designed the EEAS is helping them to achieve their domestic goals.

Another line of research is that, currently, the EU project has been challenged by Brexit as well as by Eurosceptic/populist forces that appeared after the Euro-crisis. Due to this new scenario, scholars have started to pay attention to the process of disintegration instead of integration. Therefore, if we take into account that disintegration has appeared as an option for member states, it would be necessary to deeply analyse what motivates member states to exit the EU. It would also be necessary to look at the institutional setting in which those exit negotiations are carried out and to assess the roles of the EU institutions and member states. Following this research, it would be useful to examine the chances a member state has to achieve an advantageous exit deal linked to its domestic goals.

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ANEX I: Official documents

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ANEX II: Code List

Proyecto (Interviews EEAS Negotiations 13.03.18)

Informe creado por USUARIO en 24/02/2019

Informe de códigos

Todos los (329) códigos

● 001. Nation States Preferences

Comentario: por USUARIO

Everything related to the preferences from the member states during the negotiations of the setting up of the EEAS: from the Convention on the future of Europe all through the swedish presidency until the Quadrilogue

0 Códigos

● 001.1 UK Preferences

Comentario: por USUARIO

*what UK wanted related to the EEAS
Also its role during the Convention and Quadrilogue negotiations*

0 Códigos

● 001.1.1 UK Pref seen from UK

Comentario: por USUARIO

UK wanted related to EEAS seen from UK

0 Códigos

● 001.1.2 UK Pref seen from GR

Comentario: por USUARIO

UK wanted related to EEAS seen from GR

0 Códigos

● 001.1.3 UK Pref seen from FR

Comentario: por USUARIO

| *UK wanted related to EEAS seen from FR*

0 Códigos

● **001.1.4 UK Pref seen from EP**

Comentario: por USUARIO

| *UK wanted related to EEAS seen from EP*

0 Códigos

● **001.1.5 UK Pref seen from EU COM**

Comentario: por USUARIO

| *UK wanted related to EEAS seen from EU COM*

0 Códigos

● **001.1.6 UK Pref seen from EU SCC**

Comentario: por USUARIO

| *UK wanted related to EEAS seen from EU SCC*

0 Códigos

● **001.1.7 UK Pref seen from RESEARCHERS**

Comentario: por USUARIO

| *UK wanted related to the EEAS seen from Researchers*

0 Códigos

● **001.2 GR Preferences**

Comentario: por USUARIO

| *What GR wanted related to the EEAS*
| *Also its role during the Convention and Quadrilogue negotiations*

0 Códigos

● **001.2.1 GR Pref seen from UK**

Comentario: por USUARIO

| *GR wanted related to EEAS seen from UK*

0 Códigos

● **001.2.2 GR Pref seen from GR**

Comentario: por USUARIO

| *GR wanted related to EEAS seen from GR*

0 Códigos

● **001.2.3 GR Pref seen from FR**

Comentario: por USUARIO

| *GR wanted related to EEAS seen from FR*

0 Códigos

● **001.2.4 GR Pref seen from EP**

Comentario: por USUARIO

| *GR wanted related to EEAS seen from EP*

0 Códigos

● **001.2.5 GR Pref seen from EU COM**

Comentario: por USUARIO

| *GR wanted related to EEAS seen from EU COM*

0 Códigos

● **001.2.6 GR Pref seen from EU SGC**

Comentario: por USUARIO

| *GR wanted related to EEAS seen from EU SGC*

0 Códigos

● **001.2.7 GR Pref seen from RESEARCHER**

Comentario: por USUARIO

| *GR wanted related to the EEAS seen from Researchers*

0 Códigos

● 001.3 FR Preferences

Comentario: por USUARIO

| *What FR wanted related to the EEAS*

| *Also its role during the Convention and Quadrilogue negotiations*

0 Códigos

● 001.3.1 FR Pref seen from UK

Comentario: por USUARIO

| *FR wanted related to EEAS seen from UK*

0 Códigos

● 001.3.2 FR Pref seen from GR

Comentario: por USUARIO

| *FR wanted related to EEAS seen from GR*

0 Códigos

● 001.3.3 FR Pref seen from FR

Comentario: por USUARIO

| *FR wanted related to EEAS seen from FR*

0 Códigos

● 001.3.4 FR Pref seen from EP

Comentario: por USUARIO

| *FR wanted related to EEAS seen from EP*

0 Códigos

● 001.3.5 FR Pref seen from EU COM

Comentario: por USUARIO

| *FR wanted related to EEAS seen from EU COM*

0 Códigos

● 001.3.5 FR Pref seen from EU SGC

Comentario: por USUARIO

| *FR wanted related to EEAS seen from EU SGC*

0 Códigos

● 001.3.7 FR Pref seen from RESEARCHER

Comentario: por USUARIO

| *FR wanted related to the EEAS seen from Researchers*

0 Códigos

● 001.4 Small member states pref

Comentario: por USUARIO

| *Small member states preferences to the EEAS*
| *Also small member states as a differentiated group*

0 Códigos

● 001.4.1 Small member states pref seen from UK

Comentario: por USUARIO

| *Small member states wanted related to EEAS seen from UK*

0 Códigos

● 001.4.2 Small member states pref seen from GR

Comentario: por USUARIO

| *Small member states wanted related to EEAS seen from GR*

0 Códigos

● 001.4.3 Small member states pref seen from FR

Comentario: por USUARIO

| *Small member states wanted related to EEAS seen from FR*

0 Códigos

● 001.4.4 Small member states pref seen from EP

Comentario: por USUARIO

| *Small member states wanted related to EEAS seen from EP*

0 Códigos

● 001.4.5 Small member states pref seen from EU COM

Comentario: por USUARIO

| *Small member states wanted related to EEAS seen from EU COM*

0 Códigos

● 001.4.6 Small member states pref seen from EU SGC

Comentario: por USUARIO

| *Small member states wanted related to EEAS seen from EU SGC*

0 Códigos

● 001.5 Other countries pref

Comentario: por USUARIO

| *Candidate countries/Third countries preferences*

0 Códigos

● 001.5.1 Other countries pref seen from UK

Comentario: por USUARIO

| *Other countries wanted related to EEAS seen from UK*

0 Códigos

● 001.5.2 Other countries pref seen from GR

Comentario: por USUARIO

| *Other countries wanted related to EEAS seen from GR*

0 Códigos

● 001.5.3 Other countries pref seen from FR

Comentario: por USUARIO

| *Other countries wanted related to EEAS seen from FR*

0 Códigos

● 001.5.4 Other countries pref seen from EP

Comentario: por USUARIO

| *Other countries wanted related to EEAS seen from EP*

0 Códigos

● 001.5.5 Other countries pref seen from EU COM

Comentario: por USUARIO

| *Other countries wanted related to EEAS seen from EU COM*

0 Códigos

● 001.5.6 Other countries pref seen from EU SGC

Comentario: por USUARIO

| *Other countries wanted related to EEAS seen from EU SGC*

0 Códigos

● 002. EU Institutions Demands

Comentario: por USUARIO

| *Everything related to what the EU institutions wanted related to the setting up of the EEAS*

0 Códigos

● 002.1 EU Parliament Demands

Comentario: por USUARIO

| *EP demands towards the EEAS*

0 Códigos

● 002.1.1 EP Demands seen from UK

Comentario: por USUARIO

| *EU Parliament wanted related to EEAS seen from UK*

0 Códigos

● 002.1.2 EP Demands seen from GR

Comentario: por USUARIO

| *EU Parliament wanted related to EEAS seen from GR*

0 Códigos

● 002.1.3 EP Demands seen from FR

Comentario: por USUARIO

| *EU Parliament wanted related to EEAS seen from FR*

0 Códigos

● 002.1.4 EP Demands seen from EP

Comentario: por USUARIO

| *EU Parliament wanted related to EEAS seen from EP*

0 Códigos

● 002.1.5 EP Demands seen from EU COM

Comentario: por USUARIO

| *EU Parliament wanted related to EEAS seen from EU COM*

0 Códigos

● 002.1.6 EP Demands seen from EU SGC

Comentario: por USUARIO

| *EU Parliament wanted related to EEAS seen from EU SGC*

0 Códigos

● 002.2 EU Commission Demands

Comentario: por USUARIO

| *Commission towards the EEAS*

0 Códigos

● 002.2.1 EU Com Demands seen from UK

Comentario: por USUARIO

| *EU Commission wanted related to EEAS seen from UK*

0 Códigos

● 002.2.2 EU Com Demands seen from GR

Comentario: por USUARIO

| *EU Commission wanted related to EEAS seen from GR*

0 Códigos

● 002.2.3 EU Com Demands seen from FR

Comentario: por USUARIO

| *EU Commission wanted related to EEAS seen from FR*

0 Códigos

● 002.2.4 EU Com Demands seen from EP

Comentario: por USUARIO

| *EU Commission wanted related to EEAS seen from EP*

0 Códigos

● 002.2.5 EU Com Demands seen from EU COM

Comentario: por USUARIO

| *EU Commission wanted related to EEAS seen from EU COM*

0 Códigos

● 002.2.6 EU Com Demands seen from EU SGC

Comentario: por USUARIO

| *EU Commission wanted related to EEAS seen from EU SGC*

0 Códigos

● 003. Budget

Comentario: por USUARIO

| *The budget considerations during the negotiations*

0 Códigos

● 003.1 UK Budget Preferences

Comentario: por USUARIO

| *UK Preferences regarding budget and EEAS*

0 Códigos

● 003.1.1 UK Budget Pref seen from UK

Comentario: por USUARIO

| *UK wanted related to EEAS budget seen from UK*

0 Códigos

● 003.1.2 UK Budget Pref seen from GR

Comentario: por USUARIO

| *UK wanted related to EEAS budget seen from GR*

0 Códigos

● 003.1.3 UK Budget Pref seen from FR

Comentario: por USUARIO

| *UK wanted related to EEAS budget seen from FR*

0 Códigos

● 003.1.4 UK Budget Pref seen from EP

Comentario: por USUARIO

| *UK wanted related to EEAS budget seen from EP*

0 Códigos

● 003.1.5 UK Budget Pref seen from EU COM

Comentario: por USUARIO

| *UK wanted related to EEAS budget seen from EU COM*

0 Códigos

● 003.1.6 UK Budget Pref seen from EU SGC

Comentario: por USUARIO

| *UK wanted related to EEAS budget seen from EU SGC*

0 Códigos

● 003.2 GR Budget Preferences

Comentario: por USUARIO

| *GR Preferences regarding budget and EEAS*

0 Códigos

● 003.2.1 GR Budget Pref seen from UK

Comentario: por USUARIO

| *GR wanted related to EEAS budget seen from UK*

0 Códigos

● 003.2.2 GR Budget Pref seen from GR

Comentario: por USUARIO

| *GR wanted related to EEAS budget seen from GR*

0 Códigos

● 003.2.3 GR Budget Pref seen from FR

Comentario: por USUARIO

| *GR wanted related to EEAS budget seen from FR*

0 Códigos

● 003.2.4 GR Budget Pref seen from EP

Comentario: por USUARIO

| *GR wanted related to EEAS budget seen from EP*

0 Códigos

● 003.2.5 GR Budget Pref seen from EU COM

Comentario: por USUARIO

| *GR wanted related to EEAS budget seen from EU COM*

0 Códigos

● 003.2.6 GR Budget Pref seen from EU SGC

Comentario: por USUARIO

| *GR wanted related to EEAS budget seen from EU SGC*

0 Códigos

● 003.3 FR Budget Preferences

Comentario: por USUARIO

| *FR Preferences regarding budget and EEAS*

0 Códigos

● 003.3.1 FR Budget Pref seen from UK

Comentario: por USUARIO

| *FR wanted related to EEAS budget seen from UK*

0 Códigos

● 003.3.2 FR Budget Pref seen from GR

Comentario: por USUARIO

| *FR wanted related to EEAS budget seen from GR*

0 Códigos

● 003.3.3 FR Budget Pref seen from FR

Comentario: por USUARIO

| *FR wanted related to EEAS budget seen from FR*

0 Códigos

● 003.3.4 FR Budget Pref seen from EP

Comentario: por USUARIO

| *FR wanted related to EEAS budget seen from EP*

0 Códigos

● 003.3.5 FR Budget Pref seen from EU COM

Comentario: por USUARIO

| *FR wanted related to EEAS budget seen from EU COM*

0 Códigos

● 003.3.6 FR Budget Pref seen from EU SCG

Comentario: por USUARIO

| *FR wanted related to EEAS budget seen from EU SGC*

0 Códigos

● 003.4 EU Parliament Budget Preferences

Comentario: por USUARIO

| *EP Preferences regarding budget and EEAS*

0 Códigos

● 003.4.1 EU Parliament Budget Dem seen from UK

Comentario: por USUARIO

| *EU Parliament wanted related to EEAS budget seen from UK*

0 Códigos

● 003.4.2 EU Parliament Budget Dem seen from GR

Comentario: por USUARIO

| *EU Parliament wanted related to EEAS budget seen from GR*

0 Códigos

● 003.4.3 EU Parliament Budget Dem seen from FR

Comentario: por USUARIO

| *EU Parliament wanted related to EEAS budget seen from FR*

0 Códigos

● 003.4.4 EU Parliament Budget Dem seen from EP

Comentario: por USUARIO

| *EU Parliament wanted related to EEAS budget seen from EP*

0 Códigos

● 003.4.5 EU Parliament Budget Dem seen from EU COM

Comentario: por USUARIO

| *EU Parliament wanted related to EEAS budget seen from EU COM*

0 Códigos

● 003.4.6 EU Parliament Budget Dem seen from EU SGC

Comentario: por USUARIO

| *EU Parliament wanted related to EEAS budget seen from EU SGC*

0 Códigos

● 003.5 EU Commission Budget Preferences

Comentario: por USUARIO

| *EU Commission Preferences regarding budget and EEAS*

0 Códigos

● 003.5.1 EU Com Budget Dem seen from UK

Comentario: por USUARIO

| *EU Commission wanted related to EEAS budget seen from UK*

0 Códigos

● 003.5.2 EU Com Budget Dem seen from GR

Comentario: por USUARIO

| *EU Commission wanted related to EEAS budget seen from GR*

0 Códigos

● 003.5.3 EU Com Budget Dem seen from FR

Comentario: por USUARIO

| *EU Commission wanted related to EEAS budget seen from FR*

0 Códigos

● 003.5.4 EU Com Budget Dem seen from EP

Comentario: por USUARIO

| *EU Commission wanted related to EEAS budget seen from EP*

0 Códigos

● 003.5.5 EU Com Budget Dem seen from EU COM

Comentario: por USUARIO

| *EU Commission wanted related to EEAS budget seen from EU COM*

0 Códigos

● 003.5.6 EU Com Budget Dem seen from EU SGC

Comentario: por USUARIO

| *EU Commission wanted related to EEAS budget seen from EU SGC*

0 Códigos

● 004. Staff

Comentario: por USUARIO

| *General thoughts about staff related to the setting up of the EEAS*

0 Códigos

● 004.1 UK Staff Preferences

Comentario: por USUARIO

| *UK Preferences regarding staff and the EEAS*

0 Códigos

● 004.1.1 UK Staff Pref seen from UK

Comentario: por USUARIO

| *what UK wanted related to the EEAS Staff seen from UK*

0 Códigos

● 004.1.2 UK Staff Pref seen from GR

Comentario: por USUARIO

| *what UK wanted related to the EEAS Staff seen from GR*

0 Códigos

● 004.1.3 UK Staff Pref seen from FR

Comentario: por USUARIO

| *what UK wanted related to the EEAS Staff seen from FR*

0 Códigos

● 004.1.4 UK Staff Pref seen from EP

Comentario: por USUARIO

| *what UK wanted related to the EEAS Staff seen from EP*

0 Códigos

● 004.1.5 UK Staff Pref seen from EU COM

Comentario: por USUARIO

| *what UK wanted related to the EEAS Staff seen from EU COM*

0 Códigos

● 004.1.6 UK Staff Pref seen from EU SGC

Comentario: por USUARIO

| *what UK wanted related to the EEAS Staff seen from EU SGC*

0 Códigos

● 004.2 GR Staff Preferences

Comentario: por USUARIO

| *GR Preferences regarding staff and the EEAS*

0 Códigos

● 004.2.1 GR Staff Pref seen from UK

Comentario: por USUARIO

| *what GR wanted related to the EEAS Staff seen from UK*

0 Códigos

● 004.2.2 GR Staff Pref seen from GR

Comentario: por USUARIO

| *what GR wanted related to the EEAS Staff seen from GR*

0 Códigos

● 004.2.3 GR Staff Pref seen from FR

Comentario: por USUARIO

| *what GR wanted related to the EEAS Staff seen from FR*

0 Códigos

● 004.2.4 GR Staff Pref seen from EP

Comentario: por USUARIO

| *what GR wanted related to the EEAS Staff seen from EP*

0 Códigos

● 004.2.5 GR Staff Pref seen from EU COM

Comentario: por USUARIO

| *what GR wanted related to the EEAS Staff seen from EU COM*

0 Códigos

● 004.2.5 GR Staff Pref seen from EU SGC

Comentario: por USUARIO

| *what GR wanted related to the EEAS Staff seen from EU SGC*

0 Códigos

● 004.3 FR Staff Preferences

Comentario: por USUARIO

| *FR Preferences regarding staff and the EEAS*

0 Códigos

● 004.3.1 FR Staff Pref seen from UK

Comentario: por USUARIO

| *what FR wanted related to the EEAS Staff seen from UK*

0 Códigos

● 004.3.2 FR Staff Pref seen from GR

Comentario: por USUARIO

| *what FR wanted related to the EEAS Staff seen from GR*

0 Códigos

● 004.3.3 FR Staff Pref seen from FR

Comentario: por USUARIO

| *what FR wanted related to the EEAS Staff seen from FR*

0 Códigos

● 004.3.4 FR Staff Pref seen from EP

Comentario: por USUARIO

| *what FR wanted related to the EEAS Staff seen from EP*

0 Códigos

● 004.3.5 FR Staff Pref seen from EU COM

Comentario: por USUARIO

| *what FR wanted related to the EEAS Staff seen from EU COM*

0 Códigos

● 004.3.6 FR Staff Pref seen from EU SGC

Comentario: por USUARIO

| *what FR wanted related to the EEAS Staff seen from EU SGC*

0 Códigos

● 004.4 EU Parliament Staff Demands

Comentario: por USUARIO

| *EU Parliament Demands regarding staff and the EEAS*

0 Códigos

● 004.4.1 EP Staff Dem seen from UK

Comentario: por USUARIO

| *what EP wanted related to the EEAS Staff seen from UK*

0 Códigos

● 004.4.2 EP Staff Dem seen from GR

Comentario: por USUARIO

| *what EP wanted related to the EEAS Staff seen from GR*

0 Códigos

● 004.4.3 EP Staff Dem seen from FR

Comentario: por USUARIO

| *what EP wanted related to the EEAS Staff seen from FR*

0 Códigos

● 004.4.4 EP Staff Dem seen from EP

Comentario: por USUARIO

| *what EP wanted related to the EEAS Staff seen from EP*

0 Códigos

● 004.4.5 EP Staff Dem seen from EU COM

Comentario: por USUARIO

| *what EP wanted related to the EEAS Staff seen from EU COM*

0 Códigos

● 004.4.6 EP Staff Dem seen from EU SGC

Comentario: por USUARIO

| *what EP wanted related to the EEAS Staff seen from EU SGC*

0 Códigos

● 004.5 EU Commission Staff Demands

Comentario: por USUARIO

| *EU Commission Demands regarding staff and the EEAS*

0 Códigos

● 004.5.1 EU Com Staff Dem seen from UK

Comentario: por USUARIO

| *what EU Com wanted related to the EEAS Staff seen from UK*

0 Códigos

● 004.5.2 EU Com Staff Dem seen from GR

Comentario: por USUARIO

| *what EU Com wanted related to the EEAS Staff seen from GR*

0 Códigos

● 004.5.3 EU Com Staff Dem seen from FR

Comentario: por USUARIO

| *what EU Com wanted related to the EEAS Staff seen from FR*

0 Códigos

● 004.5.4 EU Com Staff Dem seen from EP

Comentario: por USUARIO

| *what EU Com wanted related to the EEAS Staff seen from EP*

0 Códigos

● 004.5.5 EU Com Staff Dem seen from EU COM

Comentario: por USUARIO

| *what EU Com wanted related to the EEAS Staff seen from EU COM*

0 Códigos

● 004.5.6 EU Com Staff Dem seen from EU SGC

Comentario: por USUARIO

| *what EU Com wanted related to the EEAS Staff seen from EU SGC*

0 Códigos

● 005. Control

Comentario: por USUARIO

| *Member states control*

0 Códigos

● 005.1 UK Control Preferences

Comentario: por USUARIO

| *UK Preferences about controlling the EEAS outcomes*

0 Códigos

● 005.1.1 UK Control Pref seen from UK

Comentario: por USUARIO

| *what UK wanted related to the EEAS Control seen from UK*

0 Códigos

● 005.1.2 UK Control Pref seen from GR

Comentario: por USUARIO

| *what UK wanted related to the EEAS Control seen from GR*

0 Códigos

● 005.1.3 UK Control Pref seen from FR

Comentario: por USUARIO

| *what UK wanted related to the EEASControl seen from FR*

0 Códigos

● 005.1.4 UK Control Pref seen from EP

Comentario: por USUARIO

| *what UK wanted related to the EEAS Control seen from EP*

0 Códigos

● 005.1.5 UK Control Pref seen from EU COM

Comentario: por USUARIO

| *what UK wanted related to the EEAS Control seen from EU COM*

0 Códigos

● 005.1.6 UK Control Pref seen from EU SGC

Comentario: por USUARIO

| *what UK wanted related to the EEAS Control seen from EU SGC*

0 Códigos

● 005.2 GR Control Preferences

Comentario: por USUARIO

| *GR Preferences about controlling the EEAS outcomes. Also what Germany thinks about the control of the EEAS*

0 Códigos

● 005.2.1 GR Control Pref seen from UK

Comentario: por USUARIO

| *what GR wanted related to the EEAS Control seen from UK*

0 Códigos

● 005.2.2 GR Control Pref seen from GR

Comentario: por USUARIO

| *what GR wanted related to the EEAS Control seen from GR*

0 Códigos

● 005.2.3 GR Control Pref seen from FR

Comentario: por USUARIO

| *what GR wanted related to the EEAS Control seen from FR*

0 Códigos

● 005.2.4 GR Control Pref seen from EP

Comentario: por USUARIO

| *what GR wanted related to the EEAS Control seen from EP*

0 Códigos

● 005.2.5 GR Control Pref seen from EU COM

Comentario: por USUARIO

| *what GR wanted related to the EEAS Control seen from EU COM*

0 Códigos

● 005.2.6 GR Control Pref seen from EU SGC

Comentario: por USUARIO

| *what GR wanted related to the EEAS Control seen from EU SGC*

0 Códigos

● 005.3 FR Control Preferences

Comentario: por USUARIO

| *FR Preferences about controlling the EEAS outcomes*

0 Códigos

● 005.3.1 FR Control Pref seen from UK

Comentario: por USUARIO

| *what FR wanted related to the EEAS Control seen from UK*

0 Códigos

● 005.3.2 FR Control Pref seen from GR

Comentario: por USUARIO

| *what FR wanted related to the EEAS Control seen from GR*

0 Códigos

● 005.3.3 FRControl Pref seen from FR

Comentario: por USUARIO

| *what FR wanted related to the EEAS Control seen from FR*

0 Códigos

● 005.3.4 FR Control Pref seen from EP

Comentario: por USUARIO

| *what FR wanted related to the EEAS Control seen from EP*

0 Códigos

● 005.3.5 FR Control Pref seen from EU COM

Comentario: por USUARIO

| *what FR wanted related to the EEAS Control seen from EU COM*

0 Códigos

● 005.3.6 FR Control Pref seen from EU SGC

Comentario: por USUARIO

| *what FR wanted related to the EEAS Control seen from EU SGC*

0 Códigos

● 005.4 EU Parliament Control Demands

Comentario: por USUARIO

| *EU Parliament Demands about controlling the EEAS outcomes*

0 Códigos

● 005.4.1 EP Control Demands seen from UK

Comentario: por USUARIO

| *what EP wanted related to the EEAS Control seen from UK*

0 Códigos

● 005.4.2 EP Control Demands seen from GR

Comentario: por USUARIO

| *what EP wanted related to the EEAS Control seen from GR*

0 Códigos

● 005.4.3 EP Control Demands seen from FR

Comentario: por USUARIO

| *what EP wanted related to the EEAS Control seen from FR*

0 Códigos

● 005.4.4 EP Control Demands seen from EP

Comentario: por USUARIO

| *what EP wanted related to the EEAS Control seen from EP*

0 Códigos

● 005.4.5 EP Control Demands seen from EU COM

Comentario: por USUARIO

| *what EP wanted related to the EEAS Control seen from EU COM*

0 Códigos

● 005.4.6 EP Control Demands seen from EU SGC

Comentario: por USUARIO

| *what EP wanted related to the EEAS Control seen from EU SGC*

0 Códigos

● 005.5 EU Commission Control Demands

Comentario: por USUARIO

| *EU Commission Demands about controlling the EEAS outcomes*

0 Códigos

● 005.5.1 EU Com Control Demands seen from UK

Comentario: por USUARIO

| *what EU Com wanted related to the EEAS Control seen from UK*

0 Códigos

● 005.5.2 EU Com Control Demands seen from GR

Comentario: por USUARIO

| *what EU Com wanted related to the EEAS Control seen from GR*

0 Códigos

● 005.5.3 EU Com Control Demands seen from FR

Comentario: por USUARIO

| *what EU Com wanted related to the EEAS Control seen from FR*

0 Códigos

● 005.5.4 EU Com Control Demands seen from EP

Comentario: por USUARIO

| *what EU Com wanted related to the EEAS Control seen from EP*

0 Códigos

● 005.5.5 EU Com Control Demands seen from EU COM

Comentario: por USUARIO

| *what EU Com wanted related to the EEAS Control seen from EU COM*

0 Códigos

● 005.5.6 EU Com Control Demands seen from EU SGC

Comentario: por USUARIO

| *what EU Com wanted related to the EEAS Control seen from EU SGC*

0 Códigos

● 006. Red Lines

Comentario: por USUARIO

| *Very relevant point beyond which a specific actor would not negotiate. When I codify some specific piece of text like "red lines" y do not also add National Preferences as another code.*

0 Códigos

● 006.1 UK Red Lines

Comentario: por USUARIO

| *Point beyond which UK would not negotiate*

0 Códigos

● 006.1.1 UK Red Lines seen from UK

Comentario: por USUARIO

| *Point beyond which UK would not negotiate seen from UK*

0 Códigos

● 006.1.2 UK Red Lines seen from GR

Comentario: por USUARIO

| *Point beyond which UK would not negotiate seen from GR*

0 Códigos

● 006.1.3 UK Red Lines seen from FR

Comentario: por USUARIO

| *Point beyond which UK would not negotiate seen from FR*

0 Códigos

● 006.1.4 UK Red Lines seen from EP

Comentario: por USUARIO

| *Point beyond which UK would not negotiate seen from EP*

0 Códigos

● 006.1.5 UK Red Lines seen from EU COM

Comentario: por USUARIO

| *Point beyond which UK would not negotiate seen from EU COM*

0 Códigos

● 006.1.6 UK Red Lines seen from EU SGC

Comentario: por USUARIO

| *Point beyond which UK would not negotiate seen from EU SGC*

0 Códigos

● 006.1.7 UK Red Lines seen from Researches

Comentario: por USUARIO

| *Point beyond which UK would not negotiate seen from researchers*

0 Códigos

● 006.2 GR Red Lines

Comentario: por USUARIO

| *Point beyond which GR would not negotiate*

0 Códigos

● 006.2.1 GR Red Lines seen from UK

Comentario: por USUARIO

| *Point beyond which GR would not negotiate seen from UK*

0 Códigos

● 006.2.2 GR Red Lines seen from GR

Comentario: por USUARIO

| *Point beyond which GR would not negotiate seen from GR*

0 Códigos

● 006.2.3 GR Red Lines seen from FR

Comentario: por USUARIO

| *Point beyond which GR would not negotiate seen from FR*

0 Códigos

● 006.2.4 GR Red Lines seen from EP

Comentario: por USUARIO

| *Point beyond which GR would not negotiate seen from EP*

0 Códigos

● 006.2.5 GR Red Lines seen from EU COM

Comentario: por USUARIO

| *Point beyond which GR would not negotiate seen from EU COM*

0 Códigos

● 006.2.6 GR Red Lines seen from EU SGC

Comentario: por USUARIO

| *Point beyond which GR would not negotiate seen from EU SGC*

0 Códigos

● 006.3 FR Red Lines

Comentario: por USUARIO

| *Point beyond which FR would not negotiate*

0 Códigos

● 006.3.1 FR Red Lines seen from UK

Comentario: por USUARIO

| *Point beyond which FR would not negotiate seen from UK*

0 Códigos

● 006.3.2 FR Red Lines seen from GR

Comentario: por USUARIO

| *Point beyond which FR would not negotiate seen from GR*

0 Códigos

● 006.3.3 FR Red Lines seen from FR

Comentario: por USUARIO

| *Point beyond which FR would not negotiate seen from FR*

0 Códigos

● 006.3.4 FR Red Lines seen from EP

Comentario: por USUARIO

| *Point beyond which FR would not negotiate seen from EP*

0 Códigos

● 006.3.5 FR Red Lines seen from EU COM

Comentario: por USUARIO

| *Point beyond which FR would not negotiate seen from EU COM*

0 Códigos

● 006.3.6 FR Red Lines seen from EU SGC

Comentario: por USUARIO

| *Point beyond which FR would not negotiate seen from EU SGC*

0 Códigos

● 006.4 EU Parliament Red Lines

Comentario: por USUARIO

| *Point beyond which the EP would not negotiate*

0 Códigos

● 006.4.1 EP Red Lines seen from UK

Comentario: por USUARIO

| *Point beyond which EU Parliament would not negotiate seen from UK*

0 Códigos

● 006.4.2 EP Red Lines seen from GR

Comentario: por USUARIO

| *Point beyond which EU Parliament would not negotiate seen from GR*

0 Códigos

● 006.4.3 EP Red Lines seen from FR

Comentario: por USUARIO

| *Point beyond which EU Parliament would not negotiate seen from FR*

0 Códigos

● 006.4.4 EP Red Lines seen from EP

Comentario: por USUARIO

| *Point beyond which EU Parliament would not negotiate seen from EP*

0 Códigos

● 006.4.5 EP Red Lines seen from EU COM

Comentario: por USUARIO

| *Point beyond which EU Parliament would not negotiate seen from EU COM*

0 Códigos

- **006.4.6 EP Red Lines seen from EU SGC**

Comentario: por USUARIO

| *Point beyond which EU Parliament would not negotiate seen from EU SGC*

0 Códigos

- **006.5 EU Commission Red Lines**

Comentario: por USUARIO

| *Point beyond which the COMM would not negotiate*

0 Códigos

- **006.5.1 EU Com Red Lines seen from UK**

Comentario: por USUARIO

| *Point beyond which EU Commission would not negotiate seen from UK*

0 Códigos

- **006.5.2 EU Com Red Lines seen from GR**

Comentario: por USUARIO

| *Point beyond which EU Commission would not negotiate seen from GR*

0 Códigos

- **006.5.3 EU Com Red Lines seen from FR**

Comentario: por USUARIO

| *Point beyond which EU Commission would not negotiate seen from FR*

0 Códigos

- **006.5.4 EU Com Red Lines seen from EP**

Comentario: por USUARIO

| *Point beyond which EU Commission would not negotiate seen from EP*

0 Códigos

● 006.5.5 EU Com Red Lines seen from EU COM

Comentario: por USUARIO

| *Point beyond which EU Commission would not negotiate seen from EU COM*

0 Códigos

● 006.5.6 EU Com Red Lines seen from EU SGC

Comentario: por USUARIO

| *Point beyond which EU Commission would not negotiate seen from EU SGC*

0 Códigos

● 007. EU Institutions Role

Comentario: por USUARIO

| *What was the role of the EU institutions during the negotiation fora? Particularly EU Convention and Quadriologue
Relevant role of EU institutions as part of the table of negotiations. The EU insitutions were also part of the final decision. The decision is finally taken by co-decision. A compromisse between MS and EU institutions is needed.*

0 Códigos

● 007.1 EU Institutions Role seen from UK

Comentario: por USUARIO

| *EU Institutions relevant role; part of negotiations' table (Great Impact of EU institution): seen from UK*

0 Códigos

● 007.2 EU Institutions Role seen from GR

Comentario: por USUARIO

| *EU Institutions relevant role; part of negotiations' table (Great Impact of EU institution): seen from GR*

0 Códigos

● 007.3 EU Institutions Role seen from FR

Comentario: por USUARIO

EU Institutions relevant role; part of negotiations' table (Great Impact of EU institution): seen from FR

0 Códigos

● 007.4 EU Institutions Role seen from EU Parliament

Comentario: por USUARIO

EU Institutions relevant role; part of negotiations' table (Great Impact of EU institution): seen from EP

0 Códigos

● 007.5 EU Institutions Role seen from EU Commission

Comentario: por USUARIO

EU Institutions relevant role; part of negotiations' table (Great Impact of EU institution): seen from COM

0 Códigos

● 007.6 EU Institutions Role seen from EU SGC

Comentario: por USUARIO

EU Institutions relevant role; part of negotiations' table (Great Impact of EU institution): seen from SGC

0 Códigos

● 008. Nation States Role

Comentario: por USUARIO

Member states overcome EU inst demands. Nation states are the drivers of the negotiations. EU institutions played a minimum role.

0 Códigos

● 008.1 Nation States Role Seen from UK

Comentario: por USUARIO

Member states overcome EU inst demands (Minimum impact of EU institutions): seen from UK

0 Códigos

● 008.2 Nation States Role Seen from GR

Comentario: por USUARIO

*Member states overcome EU inst demands (Minimum impact of EU institutions):
seen from GR*

0 Códigos

● 008.3 Nation States Role Seen from FR

Comentario: por USUARIO

*Member states overcome EU inst demands (Minimum impact of EU institutions):
seen from FR*

0 Códigos

● 008.4 Nation States Role Seen from EP

Comentario: por USUARIO

*Member states overcome EU inst demands (Minimum impact of EU institutions):
seen from EP*

0 Códigos

● 008.5 Nation States Role Seen from Com

Comentario: por USUARIO

*Member states overcome EU inst demands (Minimum impact of EU institutions):
seen from COM*

0 Códigos

● 008.6 Nation States Role Seen from SGC

Comentario: por USUARIO

*Member states overcome EU inst demands (Minimum impact of EU institutions):
seen from SGC*

0 Códigos

● 009. Why the EEAS

Comentario: por USUARIO

Elements for accepting the EEAS, its advantages. Which was the first motivation for having created such body.

0 Códigos

● 009.1 Why the EEAS Seen from UK

Comentario: por USUARIO

Elements for accepting the EEAS, its advantages seen from UK

0 Códigos

● 009.2 Why the EEAS Seen from GR

Comentario: por USUARIO

Elements for accepting the EEAS, its advantages seen from GR

0 Códigos

● 009.3 Why the EEAS Seen from FR

Comentario: por USUARIO

Elements for accepting the EEAS, its advantages seen from FR

0 Códigos

● 009.4 Why the EEAS Seen from EP

Comentario: por USUARIO

Elements for accepting the EEAS, its advantages seen from EP

0 Códigos

● 009.5 Why the EEAS Seen from COM

Comentario: por USUARIO

Elements for accepting the EEAS, its advantages seen from COM

0 Códigos

● 009.6 Why the EEAS Seen from SGC

Comentario: por USUARIO

Elements for accepting the EEAS, its advantages seen from SGC

0 Códigos

● 010. Elite Opinion

Comentario: por USUARIO

It refers to the opinion/preferences of the third sector/national parliamentarians/national diplomats who are not official government representatives from: UK, GR, FR. Also are included pieces that refer to the participation of the people already mentioned in the formation of national/government preferences.

0 Códigos

● 010.1 Diplomats preferences

Comentario: por USUARIO

Diplomats preferences as a differentiated elite group

0 Códigos

● 010.1.1 Diplomats preferences Seen from EP

Comentario: por USUARIO

Diplomats preferences as a differentiated elite group seen from EP

0 Códigos

● 010.1.2 Diplomats preferences Seen from COM

Comentario: por USUARIO

Diplomats preferences as a differentiated elite group seen from COM

0 Códigos

● 010.1.3 UK Diplomats preferences

Comentario: por USUARIO

Diplomats preferences as a differentiated UK elite group

0 Códigos

● 010.1.4 GR Diplomats preferences

Comentario: por USUARIO

Diplomats preferences as a differentiated GR elite group

0 Códigos

● 010.1.5 FR Diplomats preferences

Comentario: por USUARIO

| *Diplomats preferences as a differentiated FR elite group*

0 Códigos

● 010.2 National Parliament Preferences

Comentario: por USUARIO

| *MPs preferences as a differentiated elite group. Also the different ways in which they participated from the negotiations.
In addition, their statures regarding the CFSP, the HR/VP and the EEAS and their point of view about the negotiations.*

0 Códigos

● 010.2.1 National Parliament Preferences Seen from EP

Comentario: por USUARIO

| *MPs Preferences as a differentiated elite group seen from EP*

0 Códigos

● 010.2.2 National Parliament Preferences Seen from COM

Comentario: por USUARIO

| *MPs Preferences as a differentiated elite group seen from COM*

0 Códigos

● 010.2.3 UK National Parliament preferences

Comentario: por USUARIO

| *UK MPs Preferences as a differentiated elite group*

0 Códigos

● 010.2.4 GR National Parliament Preferences

Comentario: por USUARIO

| *GR MPs Preferences as a differentiated elite group*

0 Códigos

● **010.2.5 FR National Parliament Preferences**

Comentario: por USUARIO

| *FR MPs Preferences as a differentiated elite group*
| *In addition, its statements and point of view about the negotiations/agreements*

0 Códigos

● **010.3 Third Sector Preferences**

Comentario: por USUARIO

| *NGOs preferences as a differentiated group of interest*

0 Códigos

● **010.3.1 Third Sector Preferences seen from EP**

Comentario: por USUARIO

| *NGOs preferences as a differentiated group of interest seen from EP*

0 Códigos

● **010.3.2 Third Sector Preferences seen from EP**

Comentario: por USUARIO

| *NGOs preferences as a differentiated group of interest seen from COM*

0 Códigos

● **010.3.3 UK Third Sector Preferences**

Comentario: por USUARIO

| *UK NGOs preferences as a differentiated group of interest*

0 Códigos

● **010.3.4 GR Third Sector Preferences**

Comentario: por USUARIO

| *GR NGOs preferences as a differentiated group of interest*

0 Códigos

● 010.3.5 FR Third Sector Preferences

Comentario: por USUARIO

| *FR NGOs preferences as a differentiated group of interest*

0 Códigos

● 011. Convention Formula

Comentario: por USUARIO

| *Convention formula impact in the creation of the EEAS.
The convention as a new and particular forum of discussion
Also in the whole development of the negotiation forum*

0 Códigos

● 011.1 Convention Formula seen from UK

Comentario: por USUARIO

| *Convention formula impact in the creation of the EEAS seen from UK*

0 Códigos

● 011.2 Convention Formula seen from GR

Comentario: por USUARIO

| *Convention formula impact in the creation of the EEAS seen from GR*

0 Códigos

● 011.3 Convention Formula seen from FR

Comentario: por USUARIO

| *Convention formula impact in the creation of the EEAS seen from FR*

0 Códigos

● 011.4 Convention Formula seen from EP

Comentario: por USUARIO

| *Convention formula impact in the creation of the EEAS seen from EP*

0 Códigos

● 011.5 Convention Formula seen from COM

Comentario: por USUARIO

| *Convention formula impact in the creation of the EEAS seen from COM*

0 Códigos

● 011.6 Convention Formula seen from SGC

Comentario: por USUARIO

| *Convention formula impact in the creation of the EEAS seen from SGC*

0 Códigos

● 012. Consequences from EEAS

Comentario: por USUARIO

| *Future consequences of creating the EEAS*

0 Códigos

● 012.1 UK Consequences From EEAS

Comentario: por USUARIO

| *Future consequences of creating the EEAS seen from UK*

0 Códigos

● 012.2 GR Consequences From EEAS

Comentario: por USUARIO

| *Future consequences of creating the EEAS seen from GR*

0 Códigos

● 012.3 FR Consequences From EEAS

Comentario: por USUARIO

| *Future consequences of creating the EEAS seen from FR*

0 Códigos

● 012.4 EP Consequences From EEAS

Comentario: por USUARIO

| *Future consequences of creating the EEAS seen from EP*

0 Códigos

● 012.5 Com Consequences From EEAS

Comentario: por USUARIO

| *Future consequences of creating the EEAS seen from COM*

0 Códigos

● 012.6 SGC Consequences From EEAS

Comentario: por USUARIO

| *Future consequences of creating the EEAS seen from SGC*

0 Códigos

● 013. EEAS Tool

Comentario: por USUARIO

| *The EEAS consider as another diplomatic tool within the national diplomatic strategy.*

0 Códigos

● 013.1 UK EEAS as Tool

Comentario: por USUARIO

| *The EEAS consider as another diplomatic tool within the national diplomatic strategy seen from UK*

0 Códigos

● 013.2 GR EEAS as Tool

Comentario: por USUARIO

| *The EEAS consider as another diplomatic tool within the national diplomatic strategy seen from GR*

0 Códigos

● 013.3 FR EEAS as Tool

Comentario: por USUARIO

The EEAS consider as another diplomatic tool within the national diplomatic strategy seen from FR

0 Códigos

● 013.4 EP EEAS as Tool

Comentario: por USUARIO

The EEAS consider as another diplomatic tool within the national diplomatic strategy seen from EP

0 Códigos

● 013.5 COM EEAS as Tool

Comentario: por USUARIO

The EEAS consider as another diplomatic tool within the national diplomatic strategy seen from COM

0 Códigos

○ Big member states

Comentario: por USUARIO

what they want acting as a block. What they achieved. Their similarities acting as a differentiated group of member states which have specific characteristics. Also, their differences with the small member states in terms of preferences etc...

0 Códigos

○ CFSP Decision Making NO QMV

Comentario: por USUARIO

It will apply to all statements against the extension of QMV to CFSP

0 Códigos

○ CFSP COHERENCE-EFICIENCE

Comentario: por USUARIO

It will apply to the demands of improving the coherence-efficiency in CFSP

Also applies to the ideas related to the more efficient EU-CFSP after having created the EEAS

0 Códigos

CFSP Decision Making YES QMV

Comentario: por USUARIO

It will apply to all statements pushing for the extension of QMV to CFSP

0 Códigos

CFSP Decison Making

Comentario: por USUARIO

Should the QMV be extended to CFSP? Should we keep the unanimity?

0 Códigos

CFSP INTERGOVERNMENTAL

Comentario: por USUARIO

It refers to the debate about the elimination of the pillar structure of the EU and if the CFSP should be communitarized or it would be necessary to find a way to keep the intergovernmental specificities of the CFSP

0 Códigos

CFSP Working Groups CHAIR

Comentario: por USUARIO

It will apply to all the discussions regarding the chairing of the CFSP Council working groups.

0 Códigos

CFSP Working Groups Permanent

Comentario: por USUARIO

It will apply to all statements pushing for a stable chair of the CFSP Council working groups. They should be presided by the EEAS.

0 Códigos

○ CFSP Working Groups Rotating Presidency

Comentario: por USUARIO

It will apply to all statements pushing for a rotating chair of the CFSP Council working groups. They should be presided by the rotating presidency.

0 Códigos

○ Chairman Dehane Role

Comentario: por USUARIO

This applies to everything related to the role played by Dehane, the chairman of the External Action Working Group. Its proposals, influence on the decisions...

0 Códigos

○ Com Bargaining Process

Comentario: por USUARIO

It applies to everything related with the way in which the EU Commission preferences were formed

0 Códigos

● COM Strategy

Comentario: por USUARIO

What strategy the Commission followed to get what it wanted, its demands

0 Códigos

○ Consular services

Comentario: por USUARIO

It refers to the different perspectives regarding the appropriateness that the EU delegations work also on consular matters.

0 Códigos

● Convention Negotiations

Comentario: por USUARIO

Debates that took place at the time of the convention. The convention negotiations. What has been talked and agreed during under this specific forum of discussion.

In addition how the debates were developed, how the convention worked and its result

0 Códigos

● Convention Working group VII

Comentario: por USUARIO

What has being discussed in the Extenal Action Group? Influence from the Convention Praesidium and the external action working group over the results/negotiations. The role of the person who chaired the working group VII and its team: Dehane, Mayrem... In addition, the relevant role played by the Secretariat of the Convention/VII Group in driving the discussions

0 Códigos

○ Court of Justice involved in CFSP YES

Comentario: por USUARIO

It will apply to all statements pushing for the involvement of the Court of Justice in CFSP

0 Códigos

○ Development Policy

Comentario: por USUARIO

It refers to everything related to the EU development funds. If EU development should keep being part of the Commission or if it should be transferred to the EEAS.

0 Códigos

○ EEAS

Comentario: por USUARIO

It applies to what has been said in official documents/interviews about the EEAS itself.

0 Códigos

● EEAS Idea

Comentario: por USUARIO

How the idea about creating a supranational diplomatic body came out: when and from who. From where did the EEAS come.

0 Códigos

● **EEAS institutional placement**

Comentario: por USUARIO

Where the EEAS should be based? Should it be part of the Commission? Should it be part of the Council? Should it be a separated entity? Should it be an institution? Should it be an administrative body?

0 Códigos

● **EEAS working**

Comentario: por USUARIO

Everything that is related to the EEAS once its decision came into force and it started working

0 Códigos

● **EEAS working seen from MS**

Comentario: por USUARIO

Everything that is related to the EEAS once its decision came into force and it started working: seeing by member states

0 Códigos

● **EP Bargaining Process**

Comentario: por USUARIO

The internal process that was followed within the European Parliament in order to form their own demands. How they reached an agreement on the EU Parliament demands that will be defended during the negotiations

0 Códigos

● **EP Demands NOT achieved**

Comentario: por USUARIO

EU Parliament wanted related to EEAS seen from EP but which was NOT ACHIEVED

0 Códigos

● EP Role

Comentario: por USUARIO

Relevant role from the EP. Also its power of negotiation. Ex. finally it could change the procedure into a co-decision

0 Códigos

● EP Strategy to EEAS

Comentario: por USUARIO

The strategy that THE EUROPEAN PARLIAMENT Followed to get what it wanted, seen from the EP

0 Códigos

○ ESPAÑA

Comentario: por USUARIO

He codificado toda la entrevista de DASTIS como España. En otros casos este código se refiere a las aportaciones hechas por parte de representantes de preferencias españoles sobre las preferencias de España

0 Códigos

● EU COM Bargaining Process

Comentario: por USUARIO

The internal process that was followed within the European Commission in order to form their own demands. How they reached an agreement on the EU COM demands that will be defended during the negotiations

0 Códigos

● EU COM Role

Comentario: por USUARIO

The role played by the commission during the negotiations. The commission felt the necessity to keep the EEAS close to it in order not to lose so much power

0 Códigos

● EU Delegations COM

Comentario: por USUARIO

From Commission delegations to EU delegations. The impact of this change. How this was approached by MS and EU institutions. The assessment over the results of this change

0 Códigos

○ EU Diplomatic Academy

Comentario: por USUARIO

Statements about the possibility of creating a European Diplomatic Academy

0 Códigos

○ EU ROLE IN INTERNATIONAL INSTITUTIONS

Comentario: por USUARIO

It applies to the discussions if the EU should be represented by just one person/one voice within the International Organizations.

0 Códigos

○ European Interest

Comentario: por USUARIO

The negotiations that led to the creation of the EEAS were mainly driven by an European Interest. European bubble

0 Códigos

● FR Disagreements

Comentario: por USUARIO

Things that France did not like on the final decision but which were not red lines

0 Códigos

○ FR Strategy

Comentario: por USUARIO

What strategy FR followed to get what they wanted

0 Códigos

○ **FR-GR Contribution**

Comentario: por USUARIO

It applies to everything related to the alliance between France and Germany regarding the hot topics of the discussions. It also refers to the common papers, bilateral meetings, etc.

0 Códigos

○ **GR strategy**

Comentario: por USUARIO

What strategy GR followed to get what they wanted

0 Códigos

● **GR Strategy seen from EP**

Comentario: por USUARIO

The strategy that Germany Followed to get what it wanted, seen from EP

0 Códigos

○ **GR strategy seen from FR**

Comentario: por USUARIO

The strategy that Germany Followed to get what it wanted, seen from France

0 Códigos

● **GR Strategy seen from GR**

Comentario: por USUARIO

The strategy that Germany Followed to get what it wanted, seen from GR.

0 Códigos

○ **GR Strategy seen from SGC**

Comentario: por USUARIO

Point of view from the secretary general of the council regarding the strategy from Germany in making the UK accept the EEAS. It contradicts what has been said by one German diplomat.

0 Códigos

● HR appointment

Comentario: por USUARIO

Everything related to the election of the person nominated as first HR/VP

0 Códigos

● HR Role

Comentario: por USUARIO

HR role during the quadrilogue negotiations

0 Códigos

○ Humanitarian aid inside the COM

Comentario: por USUARIO

It refers to the position that Humanitarian Aid is not an instrument of foreign policy, and in addition it should keep being part of the Commission and not be moved to the EEAS.

0 Códigos

○ IGC 2004

Comentario: por USUARIO

References to the IGC 2004

0 Códigos

○ International agreements

Comentario: por USUARIO

International agreements and part of international institutions/organizations.

0 Códigos

○ MS prefer International Institutions

Comentario: por USUARIO

Under some specific cases, member states prefer to act through international/supaestate institutions because their role is more "neutral"

0 Códigos

● National Diplomats

Comentario: por USUARIO

How to have national diplomats in the EEAS is approached. What is their added value?

The benefits of having national diplomats within the EEAS structure.

0 Códigos

● National Interest

Comentario: por USUARIO

The member states followed a national/domestic interest in the negotiations of the EEAS

0 Códigos

● National Political Parties from UK

Comentario: por USUARIO

The oppinion from the national political parties about the EEAS different points of negotiations, or as the negotiation as a whole.

0 Códigos

● Neg_Diplomats

Comentario: por USUARIO

The quadrilogue negotiations were mainly driven by diplomats, at COREPER level, ambassadors+anticis

The diplomats felt that the negotiations of the EEAS will directly affect them, so, they were very preoccupied about its design and how they could diminish the impact or take advantage from this new administration

0 Códigos

○ Nice Treaty

Comentario: por USUARIO

References to the Treaty of Nice

0 Códigos

● Package Deal

Comentario: por USUARIO

The final agreement on the setting up of the EEAS was reached mainly because it was part of a broader package deal. You give something in exchange for something else. Making acceptance of one item dependent on the acceptance of another.

0 Códigos

○ Perm. president of Council

Comentario: por USUARIO

It only refers to a permanent president of the EU Council, in the aim of avoiding the fact of only having rotating presidencies. It is necessary to distinguish it from a President of the EU: Council+Commission suggested by Pierre Lequiller (National Assembly France)

0 Códigos

○ Permanent President of the Council NO

Comentario: por USUARIO

Statement contrary to the idea of a permanent president of the EU Council, in the aim of avoiding the fact of only having rotating presidencies

0 Códigos

○ Permanent President of the Council YES

Comentario: por USUARIO

Statements defending the idea of a permanent president of the EU Council, in the aim of avoiding the fact of only having rotating presidencies

0 Códigos

● Preferences at domestic level

Comentario: por USUARIO

It is highlighted that the preferences of the member states were formed at the domestic level. The evolution of the MS preferences was related to the domestic political characteristics. The design of the EEAS should represent something that suits the domestic preferences/necessities of the member states. The final preferences are the result from the bargaining of different domestic groups.

0 Códigos

○ Preferences MS+EU Inst

Comentario: por USUARIO

The approach of the negotiations from the member states and EU institutions. Sometimes MS and EU institutions agreed to defend the same positions.

0 Códigos

● Quadrilogue Negotiations

Comentario: por USUARIO

It applies to the general ideas about the quadrilogue negotiations, how they worked. What has been discussed.

0 Códigos

● SCG demands

Comentario: por USUARIO

Secretary General of the Council towards the EEAS. It includes the point of view from Solana, the HR at the time of the Convention, Mr. Boissieu, and different people part of the Council. Apart from the specific demands from the SGC it also includes the point of view from the different people within the Council who were part of the Convention negotiations.

0 Códigos

○ Secretariat of the CON role

Comentario: por USUARIO

This code applies to everything related to the role played by the EU Convention secretariat during the Convention bargainings as well as its composition, way of working, etc.

0 Códigos

○ Security and Defence

Comentario: por USUARIO

Everything related with Security and Defence policy during the negotiation debates

0 Códigos

● SGC Role

Comentario: por USUARIO

Role of the SGC during the negotiations that led to the creation of the EEAS

0 Códigos

○ Spanish presidency

Comentario: por USUARIO

This applies to everything related to the role, work, duties, management of the Spanish Presidency in 2010 regarding the Quadriologue negotiations

0 Códigos

● Swedish Presidency

Comentario: por USUARIO

First approach to the EEAS negotiations. What has been discussed about the EEAS during the Swedish presidency (second semester of 2009) before the HR/VP was appointed in November 2009 and the Quadriologue negotiations started under spanish presidency on 1st January 2010

0 Códigos

● The HR/VP post

Comentario: por USUARIO

*The real negotiations at the time of the Convention were mainly about the merger of the functions of the HR and the Relex Commissioner. How the merging of these two posts has been bargained and set up. The necessity to bring coherence to the EU foreign policy.
It also refers to the idea of giving more power, extend the functions of the HR post.*

0 Códigos

○ Trade Policy

Comentario: por USUARIO

| *Everything related with Trade Policy during the negotiation debates*

0 Códigos

● Treaty of Lisbon

Comentario: por USUARIO

| *From what has been agreed on the convention to the final agreement on the treaty of Lisbon*
Everything related to the negotiations and the changes agreed in the Lisbon Treaty.
What had to change from the constitutional treaty to get all member states on board.

0 Códigos

● UK strategy

Comentario: por USUARIO

| *What strategy UK followed to get what they wanted*

0 Códigos

○ Why the EEAS, seen from Researcher

Comentario: por USUARIO

| *Elements for accepting the EEAS, its advantages. The first motivation for member states/EU institutions in creating such body; seen from researchers.*

0 Códigos

ANEX III: Resumen en Castellano

El proceso de integración de la Unión Europea (UE) siempre ha sido objeto de profunda atención por parte de los académicos en el empeño de comprender el por qué los estados miembros aceptan cooperar a nivel supraestatal. Cada paso en el proceso de integración de la UE es una nueva oportunidad para avanzar en la explicación teórica sobre su institucionalización. El Servicio Europeo de Acción Exterior (SEAE) ha sido la principal innovación institucional aportada por el Tratado de Lisboa. Es el único ejemplo de una institución diplomática a nivel supraestatal y hasta ahora su proceso de configuración no ha sido objeto de una explicación teórica profunda.

Teniendo en cuenta que la política exterior es el área más intergubernamental de la UE, la creación del SEAE es la oportunidad perfecta para revisar las teorías intergubernamentales que explican el proceso de integración europea, en concreto, el intergubernamentalismo liberal. La pregunta que esta tesis pretende contestar es: ¿Por qué los estados miembros deciden crear una institución diplomática supraestatal? Esta tesis asume que los estados miembros son racionales y que deciden crear instituciones supraestatales pensando en los beneficios que estas les pueden reportar. El intergubernamentalismo liberal comparte este pensamiento racional y señala que lo que determina el resultado en cualquier proceso de construcción de instituciones a nivel supraestatal son las asimetrías de poder. Debido a ello, el intergubernamentalismo liberal destaca que los estados miembros más grandes de la UE son los que modulan las decisiones finales en cualquier proceso de negociación. Tradicionalmente, los grandes procesos de negociación se enmarcaban en conferencias intergubernamentales donde los estados miembros eran los actores más importantes. Esta es la razón por la cual el intergubernamentalismo liberal defiende que las instituciones de la UE no juegan ningún papel relevante en tales procesos.

Por el contrario, la mayor contribución de esta tesis es probar que las instituciones importan. En concreto, esta tesis se basa en la afirmación de que prestar atención al proceso de creación de las instituciones es esencial debido a que estas pueden afectar los resultados. Con el objetivo de superar esta limitación del intergubernamentalismo liberal utilizo la aproximación teórica de

institucionalismo de elección racional. El institucionalismo de elección racional me permite enfatizar la relevancia de las instituciones de la UE en los procesos de creación de instituciones a nivel supraestatal como actores que tienen sus propias demandas y por lo tanto pueden impactar las estrategias que los estados miembros siguen para alcanzar sus objetivos domésticos, condicionando los resultados finales. Pero también como conjuntos de reglas y normas que condicionan su comportamiento.

El rastreo de procesos en su versión de testar la teoría es la herramienta metodológica que utilicé para examinar el modelo de tres fases en el cual se basa el intergubernamentalismo liberal: formación de preferencias a nivel doméstico, negociación intergubernamental y elección institucional. Con este propósito analicé el proceso de creación del SEAE centrado particularmente la atención en los tres estados más grandes de la UE: Reino Unido, Francia y Alemania. La evidencia ha sido principalmente recopilada a través de entrevistas en profundidad y documentos oficiales. En relación a la primera etapa, formación de preferencias domésticas, esta tesis demuestra que este es un proceso exógeno donde los estados miembros siguen objetivos domésticos. Además, esta tesis confirma que la política exterior es un área donde el número de actores que interviene en el proceso de formación de preferencias - aunque constreñidos por el proceso constitucional de cada estado miembro - es más limitado que en otras áreas políticas, y principalmente restringido al gobierno. Finalmente, los intereses geopolíticos, en vez de los económicos son la motivación principal para los estados miembros a la hora de modelar sus preferencias domésticas.

En relación a la segunda fase, negociación intergubernamental, esta tesis prueba que las instituciones de la UE jugaron un papel esencial en el proceso de creación del SEAE como actores con sus propias demandas que tienen la capacidad de impactar las estrategias que los estados miembros siguen en alcanzar sus objetivos nacionales y, por lo tanto, modular los resultados finales; y como conjuntos de reglas y normas que condicionan el comportamiento. Esta tesis también confirma que los dos entramados institucionales en los que se desarrollaron las negociaciones que dieron lugar a la creación del SEAE, la Convención y el Cuadrilogo, jugaron un papel esencial en la conducción de las discusiones y en proporcionar un borrador de las conclusiones. Adicionalmente, las instituciones de la UE defendieron sus

propias demandas y siguieron sus estrategias para alcanzarlas. A pesar del hecho de que las demandas de las instituciones de la UE formaron parte de las discusiones, estas todavía están sometidas a las principales preferencias de los estados miembros más grandes.

Finalmente, en relación a la tercera fase, elección institucional, esta tesis corrobora que la motivación principal para los estados miembros y las instituciones de la UE en la creación de instituciones supraestatales son los beneficios que este nuevo cuerpo les proporciona. Además, ellos entienden que la creación de instituciones supraestatales ayuda a la hora de asegurar lo que ha sido acordado, pensando en una posible futura oposición doméstica. La creación de cuerpos supraestatales también se entiende como la forma de facilitar los costes de gestionar el sistema. Sin embargo, tanto los estados miembros como las instituciones de la UE se preocuparon mucho por establecer mecanismos de control tanto ex - ante como ex - post.

ANEXO IV: Conclusiones en Castellano

El objetivo principal de esta tesis ha sido analizar el proceso de creación del SEAE y a partir de este ejemplo específico contribuir a la literatura sobre creación de instituciones en organizaciones regionales/internacionales. En concreto, el propósito final de esta tesis ha sido entender: ¿Por qué los estados grandes de la UE deciden crear una institución diplomática supraestatal? Esta tesis sostiene que los estados grandes únicamente decidirían crear una institución diplomática supraestatal en caso de que dicha institución les proporcionase beneficios. La política exterior es el área intergubernamental que está más ligada a la soberanía de los estados miembros, y debido a ello, esta política proporciona un caso magnífico para reexaminar las teorías intergubernamentales de integración europea, concretamente, el intergubernamentalismo liberal. La relevancia de este estudio se fundamenta en el poder que tienen las instituciones supraestatales en modelar el comportamiento de los actores. El principal argumento de esta tesis es que las instituciones importan. Las instituciones pueden condicionar los resultados, por lo tanto, es extremadamente importante prestar atención a su proceso de creación.

Con el objetivo de explicar las razones que llevan a los estados miembros a crear instituciones supraestatales me centro en el modelo de tres fases en el cual se basa el intergubernamentalismo liberal: formación de preferencias a nivel doméstico, negociación intergubernamental y elección institucional. Además, dado que el principal argumento de esta tesis es que las instituciones importan, incorporo las premisas de la aproximación teórica del institucionalismo de elección racional con el objetivo de demostrar que las instituciones de la UE también son actores importantes con sus propias demandas que condicionan las estrategias que los estados miembros siguen con el objetivo de alcanzar sus preferencias domésticas, y por lo tanto, conformar el resultado final. Adicionalmente, esta tesis adopta un segundo significado de instituciones, en el cual se basa el nuevo institucionalismo: instituciones como conjuntos de reglas y normas. El entramado institucional en el cual se han desarrollado las negociaciones, la Convención y el Cuadrilogo, fueron esenciales en la conducción de las discusiones y en alcanzar un acuerdo final. Con el objetivo de testar esta teoría he centrado la

atención en los estados más grandes de la UE: el Reino Unido, Francia y Alemania, pero también en las instituciones de la UE, concretamente el Parlamento Europeo y la Comisión.

Formación de preferencias domésticas

El primer paso que el intergubernamentalismo liberal establece en el proceso de creación de instituciones supraestatales es la formación de preferencias domésticas. Esta tesis asume el argumento del intergubernamentalismo liberal de que el proceso de formación de preferencias es exógeno, el cual también es compartido por el institucionalismo de elección racional. El intergubernamentalismo liberal explica este primer paso usando la teoría liberal. En relación a esta primera etapa, el principal objetivo de esta tesis ha sido dilucidar si las preferencias de los estados miembros fueron domésticas y también si estas fueron principalmente delimitadas por el gobierno o si, como establece la teoría liberal, otros actores domésticos participaron en su definición. Finalmente, también he tenido como objetivo el dilucidar cuál fue la motivación principal que los estados miembros tenían en la definición de sus preferencias. Teniendo esto en cuenta, esta tesis prueba que el proceso de formación de preferencias de los estados más grandes de la UE en relación a la creación del SEAE fue doméstico, siguiendo objetivos geopolíticos, y fundamentalmente restringido al gobierno. Igualmente, esta tesis confirma que las instituciones de la UE, concretamente, el Parlamento Europeo y la Comisión tenían sus propias demandas.

Después de haber hecho un profundo análisis del proceso que Reino Unido, Francia y Alemania siguieron para formar sus preferencias en relación a la creación del SEAE, esta tesis puede confirmar su premisa de que el proceso de formación de preferencias es exógeno y doméstico. Las preferencias de los estados miembros grandes están directamente conectadas con sus objetivos nacionales, además de en clara sintonía con su aproximación histórica hacia el proceso de integración de la UE y particularmente la PESC. Otro elemento clave que destaca el intergubernamentalismo liberal, siguiendo la teoría liberal, es que los grupos de interés domésticos están profundamente implicados en el proceso de formación de preferencias. Esta tesis concluye enfatizando que debido a que la política exterior está directamente relacionada

con la soberanía de los estados miembros, la autonomía del gobierno es mayor mientras que la participación de los grupos de interés es más limitada que en el caso de del proceso de integración económica, ámbito sobre el cual se ha centrado fundamentalmente el intergubernamentalismo liberal. Sin embargo, existen diferencias dependiendo del país analizado. Como señala Moravcsik (1993, 495) la autonomía del gobierno en modular las preferencias domésticas es especialmente significativa cuando se trata de áreas políticas, institucionales o de distribución. Esta tesis asume que el cuerpo diplomático fue el único grupo de interés que claramente impactó la decisión final en todos los estados miembros debido a que entendieron al SEAE como su futuro.

La última premisa del intergubernamentalismo liberal en relación a esta primera etapa, la formación de preferencias, es que las motivaciones económicas en vez de las geopolíticas son las que hacen que los estados miembros acuerden profundizar el proceso de integración de la UE. Sin embargo, Moravcsik (1998, 28) matiza esta afirmación cuando se trata de política exterior. En relación a esta área política no se espera que las motivaciones económicas sean las más relevantes. En el caso de la creación del SEAE esta tesis concluye que las motivaciones económicas no fueron decisivas para que los estados miembros aceptasen su creación. El principal propósito fue alcanzar una mayor coherencia, consistencia y continuidad en la PESC. Por lo tanto, las motivaciones geopolíticas fueron más importantes que las económicas. Finalmente, concluyo destacando que esta tesis también pudo probar que las instituciones de la UE: el Parlamento Europeo y la Comisión tuvieron sus propias demandas las cuales estaban vinculadas a su aproximación tradicional hacia el proceso de integración de la UE. Ellas han trabajado para mantener al SEAE lo más supranacional posible. El Parlamento Europeo pensó que la creación del SEAE podría ser una gran oportunidad para tener un impacto en la PESC.

Negociación supraestatal

La segunda fase que el Intergubernamentalismo Liberal destaca en el proceso de creación de instituciones es la negociación intergubernamental, la cual se caracteriza por la unanimidad en el proceso de toma de decisiones y el poder de veto. El intergubernamentalismo liberal señala que los estados miembros

son los que conducen el proceso de negociación internacional donde las asimetrías y la interdependencia entre los actores es lo que determina su poder en las negociaciones. Sin embargo, en relación a esta segunda fase, esta tesis prueba el poder de las instituciones de la UE como actores con sus propias demandas que conforman los resultados finales y como conjuntos de reglas y normas que condicional el comportamiento de los actores y, por lo tanto, impactan los resultados finales.

La reformulación de los tratados siempre se había negociado a través de conferencias intergubernamentales donde los estados miembros eran los únicos que podían negociar sus preferencias. En el caso de la creación del SEAE, el proceso de negociación supraestatal se desarrolló en dos innovadores entramados institucionales: la Convención y el Cuadrilogo. Esta tesis confirma el poder de las instituciones como conjuntos de reglas y normas que tienen la capacidad de establecer las reglas del juego, y por lo tanto, de impactar los resultados finales. Durante el proceso de construcción del SEAE la Convención y el Cuadrilogo, las instituciones de la UE tuvieron un poder enorme en la conducción de las discusiones y la propuesta de las conclusiones.

Tanto la Secretaría de la Convención y los presidentes de los grupos de trabajo durante las negociaciones de la Convención, como la Presidencia española durante el Cuadrilogo fueron fundamentales en alcanzar un acuerdo final. Ellos fueron los que presentaron las opciones disponibles y redactaron las conclusiones. La Convención y el Cuadrilogo también permitieron que las instituciones de la UE formaran parte de la mesa de negociación. Por lo tanto, después de haber examinado las negociaciones esta tesis concluye que las instituciones de la UE son actores que tienen sus propias demandas con capacidad para impactar los resultados finales a través de condicionar las estrategias que los estados miembros siguen en la búsqueda de sus objetivos domésticos. Además, los entramados institucionales en los que se desarrollaron las negociaciones también impactaron los resultados. Esta tesis asimismo concluye que durante ambas fases los compromisos se alcanzaron a través de paquetes de negociación. Las concesiones y pagos complementarios fueron mayores para los actores que estaban más interesados en la creación del SEAE. Finalmente, teniendo en cuenta que los grandes procesos de negociación no están únicamente restringidos a los estados miembros, he

decido cambiar el nombre del segundo paso que establece el intergubernamentalismo liberal: negociación intergubernamental, por negociación supraestatal.

Elección institucional

El intergubernamentalismo liberal destaca que el último paso en el proceso de creación de instituciones a nivel supraestatal es la elección institucional. En relación a esta última fase, tanto el intergubernamentalismo liberal como el institucionalismo de elección racional están de acuerdo en el hecho de que los estados miembros deciden crear un nuevo cuerpo pensando en las funciones que este va a desempeñar en su beneficio. Así mismo, el intergubernamentalismo liberal destaca que la razón principal para los estados miembros en crear instituciones supraestatales es asegurar la credibilidad de lo que hayan acordado pensando en una posible futura oposición doméstica. Por su parte, el institucionalismo de elección racional señala que lo que motiva a los estados miembros para la creación de instituciones supraestatales es reducir los costes de transacción. Además, señala que establecer mecanismos de control es una parte esencial de cualquier proceso de compartir/delegar soberanía. Habiendo dicho esto, esta tesis prueba que la motivación fundamental para los estados miembros en la creación de instituciones supraestatales son las funciones que el nuevo cuerpo va a desempeñar en su nombre. Otras ventajas son asegurar la credibilidad de lo que ha sido acordado y minimizar los costes de gobernar el sistema. Por último, pero no menos importante, controlar el nuevo cuerpo institucional ha sido una de las preocupaciones más importantes tanto para los estados miembros como para las instituciones de la UE.

En relación a esta última fase en el proceso de creación de instituciones, esta tesis confirma que el intergubernamentalismo liberal y el institucionalismo de elección racional asumen que los estados grandes y las instituciones de la UE han seguido un razonamiento funcionalista y de coste-beneficio y que ellos decidieron crear el SEAE porque les beneficia. Esto significa que han pensado en las funciones que el SEAE va a desempeñar y que van a ser ventajosas para ellos. Al hacerlo, el principal interés de los estados miembros y de las instituciones de la UE fue mejorar la coherencia, la consistencia y la

continuidad de la PESC. Sin embargo, la creación de un cuerpo supraestatal no solo conlleva beneficios sino que también costes, particularmente de soberanía. Los estados miembros son pragmáticos y ellos se mostrarán favorables a trabajar a través de instituciones supraestatales si piensan que de este modo estarán en una mejor posición de alcanzar sus objetivos, de lo contrario preferirán hacerlo ellos directamente.

Aparte de las funciones que el SEAE puede desempeñar en nombre de los estados miembros, el intergubernamentalismo liberal destaca que los estados miembros y las instituciones acordaron la puesta en marcha de dicho servicio diplomático supraestatal como una forma de asegurar la credibilidad de los acuerdos alcanzados en caso de una futura posible oposición doméstica. Dos elementos principales fueron esenciales, la incertidumbre del escenario global y la futura gran ampliación de la UE prevista para 2004. En el caso de las instituciones de la UE fue esencial tanto el limitar la presencia de diplomáticos de los estados miembros dentro de la UE, como garantizar la rendición de cuentas de su presupuesto. Como señala el institucionalismo de elección racional, la creación del SEAE también fue relevante para reducción de los costes de transacción. Crear una estructura estable que facilite el diálogo y la conclusión de los acuerdos es esencial en PESC, especialmente teniendo en cuenta la gran ampliación después de la cual alcanzar un acuerdo se preveía mucho más complicado.

Finalmente, el elemento principal que hizo que los estados miembros y las instituciones de la UE aceptasen el SEAE ha sido control. La principal preocupación de los estados miembros y de las instituciones de la UE fue controlar al SEAE. Como subraya el institucionalismo de elección racional, delegación y control son dos caras de la misma moneda. Esta tesis puede concluir afirmando que efectivamente los estados miembros han decidido crear una institución diplomática supraestatal pensando en los beneficios que esta le va a reportar. Sin embargo, la preocupación principal de los estados miembros y de las instituciones ha sido control. Debido a ello han prestado particular atención al diseño de mecanismos de control que les permita limitar la autonomía de dicho cuerpo. Finalmente, los estados miembros y las instituciones de la UE han decidido crear el SEAE también como un modo de asegurar lo que ya ha sido acordado y para reducir los costes de gobernar el

sistema, particularmente teniendo en cuenta la gran ampliación de 2004 y la incertidumbre del escenario global.

Principales contribuciones de este estudio

En conjunto, esta tesis pretende contribuir sustancialmente a la literatura de creación de instituciones en organizaciones regionales/internacionales mediante la actualización del intergubernamentalismo liberal. La contribución principal de esta tesis es que el intergubernamentalismo liberal necesita renovarse destacando que los estados miembros no son los únicos actores relevantes en los grandes procesos de negociación, las instituciones también importan. Esta tesis recurre a la aproximación del institucionalismo de elección racional con el objetivo de destacar el poder que tienen las instituciones de la UE como actores con sus propias demandas que impactan las decisiones finales modulando las estrategias que los estados miembros siguen en la búsqueda de sus objetivos domésticos, pero también como conjuntos de reglas y normas que condicionan el comportamiento de los actores presentando las opciones disponibles y redactando las conclusiones.

Esta tesis demuestra que durante en el proceso que dio lugar a la creación del SEAE se siguió el modelo de dos fases en el que se basa el intergubernamentalismo liberal. Así, después de formar las preferencias a nivel doméstico los estados miembros, y esta tesis añade las instituciones de la UE, se sentaron en la misma mesa de negociación supraestatal con el ánimo de alcanzar sus objetivos. Durante esta segunda etapa en el proceso de creación de instituciones, negociación supraestatal, esta tesis prueba que el entramado institucional mediante el cual se llevaron a cabo las negociaciones fue decisivo en los resultados. Las instituciones son las que establecen las reglas del juego. En el caso concreto de la creación del SEAE las preferencias fueron negociadas en dos innovadores entramados institucionales: la Convención y el Cuadrilogo. Ambos tuvieron una influencia enorme en los resultados debido a que fueron los encargados de presentar las opciones disponibles y de redactar las conclusiones. Dichos entramados institucionales permitieron a las instituciones de la UE formar parte de las negociaciones. Por lo tanto, esta tesis también prueba que los estados miembros de la UE no fueron los únicos decisivos en este proceso. Esta tesis concluye que las

instituciones de la UE también son actores relevantes que tienen el poder de expresar sus demandas durante las negociaciones, condicionar las estrategias que los estados miembros siguen en el objetivo de alcanzar sus preferencias domésticas y, por lo tanto, impactar los resultados finales.

Sin embargo, esta tesis confirma que las asimetrías de poder todavía importan. El resultado final es fundamentalmente el reflejo de las preferencias de los estados miembros más grandes y de las demandas de las instituciones de la UE, aunque las segundas todavía están sujetas a las preferencias de los estados miembros más grandes. Además, esta tesis concluye que las preferencias se mantienen fijas durante todo el proceso, lo que cambia son las estrategias que los estados miembros persiguen para alcanzarlas. Normalmente las instituciones de la UE trabajaron juntas, pero estas también tenían aliados entre los estados miembros, principalmente los más pequeños y Alemania. Además, los actores más interesados en la creación del SEAE tuvieron que dar más concesiones a los que no estaban tan convencidos con el objetivo de alcanzar un consenso. Esta tesis confirma que los actores más interesados en alcanzar un acuerdo fueron los que tuvieron que hacer más pagos colaterales, fundamentalmente Alemania y las instituciones de la UE. Finalmente, esta tesis corrobora que los paquetes de negociación fueron esenciales para alcanzar un acuerdo, tanto durante la Convención como durante el Cuadrilogo.

Esta tesis también contribuye al proceso de formación de preferencias. El intergubernamentalismo liberal y el institucionalismo de elección racional comparten la premisa de que la formación de preferencias es exógena. Concretamente, el intergubernamentalismo liberal destaca que los estados miembros siguen un proceso liberal de formación de preferencias a nivel doméstico. Esta tesis destaca que en el caso de la creación del SEAE, el proceso de formación de preferencias de los estados miembros más grandes de la UE fue exógeno y doméstico. Cada estado miembro siguió un proceso diferente de formación de preferencias en sintonía con su marco constitucional. Sin embargo, esta tesis concluye que la política exterior es un área muy cercana a la soberanía de los estados miembros y por lo tanto la participación de los grupos de interés es más limitado. En esta área la formación de preferencias es un proceso restringido al gobierno. Sin embargo, hay diferencias dependiendo de la autonomía del país en el que nos fijemos. El

Reino Unido estaba obligado a tener en cuenta los informes de su Parlamento antes de formar sus preferencias, mientras que este no era el caso en Francia o Alemania. En general los principales actores implicados en el proceso fueron el gobierno, incluyendo a todos los ministros interesados, y el cuerpo diplomático.

Además, las preferencias de los estados miembros siguieron su aproximación histórica hacia el proceso de integración de la UE y particularmente la PESC. Por otro lado, esta tesis señala que contrariamente a la afirmación del integubernamentalismo liberal de que la economía es lo que conduce el proceso de integración de la UE, los intereses económicos no han sido los que han finalmente animado a los estados miembros a crear el SEAE. Moravcsik también entiende que la política exterior es un área compleja donde las motivaciones económicas no son necesariamente las más relevantes (Moravcsik: 1998, 28). Esta tesis concluye que lo que motivó la decisión final de crear este servicio diplomático no fueron las cuestiones económicas sino el deseo de mejorar la coherencia, la consistencia y la continuidad de la PESC. En este caso los objetivos geopolíticos se superpusieron sobre los económicos. Al mismo tiempo esta tesis pudo probar que las instituciones de la UE también tuvieron sus propias demandas ligadas a su documentada aproximación acerca del proceso de integración de la UE. En concreto, ellos lucharon por mantener el SEAE lo más supranacional posible.

La última contribución de esta tesis, pero no menos importante, se refiere a la motivación final que los estados miembros y las instituciones de la UE tienen a la hora de decidir la creación de una institución supraestatal. Con el objetivo de enfatizar la capacidad de las instituciones de la UE para condicionar las elecciones finales asumo las especificidades del institucionalismo de elección racional. Esta aproximación teórica explica la delegación a través de la teoría Principal Agente, la cual se basa en establecer un balance entre los beneficios deseados y los costes esperados. Esta tesis confirma su principal asunción de que los estados grandes crean instituciones supraestatales pensando en los beneficios que estas les reportan. Esto significa, las funciones que el nuevo cuerpo va a desempeñar en su nombre. En el caso de la creación del SEAE las delegaciones de la UE se entendieron como una gran ventaja para complementar las estrategias de política exterior de los estados miembros, especialmente el Reino Unido. Esta tesis concluye que el diseño final del SEAE

fue el reflejo de las preferencias de los estados grandes y de las demandas de las instituciones de la UE.

Los estados miembros y las instituciones de la UE encontraron en la creación del SEAE la estructura perfecta que facilita la interacción y asegura el futuro cumplimiento de lo que ha sido acordado, especialmente pensando en la gran ampliación y los posibles cambios en la actitud pro-europea de los gobiernos de los estados miembros. Sin embargo, como señala el institucionalismo de elección racional, la creación de un cuerpo institucional nuevo no solo reporta beneficios sino también costes. Por lo tanto, esta tesis concluye que lo que realmente fue importante tanto para los estados miembros como para las instituciones de la UE fue establecer mecanismos de control tanto ex ante como ex post. Al hacerlo, los estados miembros encontraron en el proceso de dotación de personal del SEAE el medio perfecto para hacer un seguimiento directo del mismo y a la vez la vía perfecta que les permitía insertar dentro del sistema sus puntos de vista. Por su parte, las instituciones de la UE recurrieron fundamentalmente al presupuesto como la mejor manera de mantener al SEAE responsable ante ellas.

Limitaciones del estudio e investigación futura

La limitación más importante del análisis acerca de la creación del SEAE en el objetivo de generalizar las conclusiones es el hecho de que es la primera vez que un proceso de cambio de tratados se desarrolla a nivel supraestatal a través de dos entramados institucionales innovadores: la Convención y el Cuadrilogo. Ambos fueron esenciales en el hecho de que las instituciones de la UE jugaran un papel decisivo en la modelación de los resultados finales. La negociación de los cambios de tratados se ha venido desarrollando a través de conferencias intergubernamentales, donde los únicos protagonistas eran los estados miembros. Las instituciones de la UE han ganado competencias a través de los tratados y ahora se encuentran en una mejor posición para defender sus demandas. Sin embargo, la futura participación y, por lo tanto, la capacidad de las instituciones de la UE para perfilar los grandes procesos de negociación dependerá del entramado institucional que los estados miembros elijan para negociarlos. Esta tesis puede generalizar su principal conclusión de que las instituciones importan.

Otra limitación de este trabajo es el hecho de que la política exterior es un campo de investigación particular. Es el área más intergubernamental de la UE, muy cercana a la soberanía de los estados miembros. Es por esto que su institucionalización a nivel de la UE es más delicada que en otros campos políticos. En relación al primer paso de los tres en los cuales se basa el intergubernamentalismo liberal, formación de preferencias, la política exterior es un área principalmente ligada al gobierno, la sociedad civil no está involucrada. Por lo tanto, la participación de los grupos de interés es limitada. En el caso de la creación del SEAE únicamente el cuerpo diplomático ha actuado como grupo de interés. A pesar de que todavía puede encontrar diferencias entre los tres estados más grandes de la UE en relación a la participación de los diferentes actores domésticos, siento que la política exterior es más limitada de lo que pudiese ser el caso si el área de investigación fuese diferente. Además, como Moravcsik, (1998, 28) también señala, la política exterior es un área donde las motivaciones económicas – que lideran la integración en otras áreas – aquí son más limitadas. En relación a esta área de investigación, las motivaciones geopolíticas son las más relevantes. Lo que esta tesis puede generalizar es el hecho de que las preferencias son exógenas y persiguen objetivos domésticos.

Finalmente, otra limitación de este estudio, en el ánimo de ser capaz de generalizar completamente las conclusiones, es el hecho de que la creación del SEAE no es una delegación completa. Los estados miembros de la UE todavía mantienen la capacidad de perseguir su propia política exterior. Los estados miembros entendieron al SEAE como otra herramienta a su disponibilidad. Sin embargo, esta tesis puede confirmar que los estados miembros y las instituciones de la UE decidieron crear un nuevo cuerpo pensando en las funciones que este desempeñaría en su nombre y también que la mayor preocupación ha sido controlarlo tanto como fuese posible. Lo que puedo generalizar es el hecho de que la creación de una nueva institución está basada en asegurar lo que ha sido acordado y también en ayudar a minimizar los costes de gobernar el sistema. Finalmente, control es un elemento esencial en cualquier proceso de creación de instituciones a nivel supraestatal.

Futura Investigación

Teniendo en cuenta que en 2019 se cumple el décimo aniversario de la entrada en vigor del Tratado de Lisboa, es el momento perfecto para analizar cómo ha impactado hasta ahora el SEAE la política exterior de la UE y los servicios diplomáticos nacionales. ¿Ha cumplido el SEAE con su propósito? ¿Han cambiado las dinámicas de la PESC? ¿Cómo es la relación con los servicios diplomáticos de los estados miembros de la UE? ¿Los Estados miembros sacan ventaja del SEAE? Esto nos permitirá evaluar si los Estados miembros de la UE están aprovechando efectivamente el SEAE y también si la forma en la que diseñaron el SEAE les está ayudando a lograr sus objetivos nacionales.

Otra línea de investigación es que actualmente el proyecto de la UE ha sido desafiado por el Brexit y por fuerzas euroescépticas/populistas que aparecieron después de la crisis del Euro. Debido a este nuevo escenario, los académicos han empezado a prestar atención al proceso de desintegración en vez de al proceso de integración. Por lo tanto, si tenemos en cuenta que la desintegración ha aparecido como una opción para los estados miembros, sería necesario analizar profundamente qué es lo que motiva a los estados miembros a abandonar la UE. También sería necesario observar el entramado institucional en el que se llevan a cabo dichas negociaciones y evaluar cuál es el papel que desempeñan las instituciones de la UE y los estados miembros. Efectuar esta investigación será útil para examinar cuáles son las oportunidades que tiene un estado miembro en alcanzar un acuerdo de salida ventajoso ligado a sus objetivos nacionales.