

NEWSLETTER No. 3
 July 2011

LISBOAN is a network of 67 partner institutes from 32 European countries (including most of the TEPSA institutes) and is coordinated by the Jean Monnet Chair of Professor Wolfgang Wessels, University of Cologne. This multi-disciplinary project, which receives financial support from the European Union’s Lifelong Learning Programme, aims at improving teaching and research on the Treaty of Lisbon.

UPDATE IN BRIEF

First Annual Conference

The first Annual Conference took place in Brussels on 16th-17th June 2011 (see page 2).

LISBOAN Awards

This year’s award ceremony took place during the annual conference in Brussels on 17th June 2011 (see page 3).

Workshop “Parliaments and the European Union”

The Federal Trust held a LISBOAN workshop in London on 6th July. (see page 3).

The Lisbon Watch is online

The "Lisbon Watch" annual report, collecting contributes from 37 partners from the Lisbon network, provides a pan-European perspective on different academic and political debates that have taken place in Europe on the Lisbon Treaty as well as a detailed account of the University teaching of the Lisbon Treaty across the EU (see <http://www.lisboan.net/lisbonwatch.html>)

***** Save the dates*****



PhD School “Europe in the world”

The first LISBOAN summer school, entitled “Europe in the world”, will take place from 12th to 25th September at the University of Crete, Greece (see page 4).

Workshop “Governance changes in the Area of Freedom, Security and Justice after the Lisbon Treaty”

The workshop is organised by Ronald Holzhaecker and Paul Luif. It will take place in The Hague on 20th - 21st October (see page 4).

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Workshop “European External Action Service – Problems and Prospects”

The workshop is organized by Prof. Markus Kornprobst and Prof. Hans Peter Neuhold and

will take place on November 4th in Vienna (see page 4).

Workshop “EU external representation in international contexts: reform practices after Lisbon”

The workshop is organised by Louise van Schaik and Edith Driessens and will take place on 22th February 2012 in The Hague (see page 4).

Workshop “European Integration in a Globalizing World”

The workshop is organized by Claudia Hiepel and Wilfried Loth and will take place in Duisburg-Essen on March 22th – 24th 2012 (see page 5).

NEWS FROM THE NETWORK

Report from the first Annual Conference

The first Annual LISBOAN Conference took place in Brussels on 16th-17th June 2011. Hereafter, you'll find a brief overview of the presentations and discussions during the working group sessions and the roundtable. For the detailed reports, please visit the LISBOAN homepage. ([Link](#))

WP I: “The EU’s Institutional Framework Post Lisbon” (WP leader: Edward Best)

The Working Group analysed the EU’s institutional framework post Lisbon and focused on “The EU institutions after Lisbon: Shifts in Inter-institutional Balance, and Challenges for Efficiency and Legitimacy”. Several high-level speakers such as Richard Corbett (Cabinet of the President of the European Council), Emilio De Capitani (European Parliament) and Sebastian Kurpas (European Commission) presented their thoughts on this topic. Esther Versluis (University of Maastricht) dealt in her presentation with the role of agencies; Brendan Donnelly and Michael Kaeding (European Institute of Public Administration) as commentators added their own analysis regarding other relevant issues. ([Link](#))

WP II: “Integration Theory and Governance Research after Lisbon” (WP leader: Simon Bulmer)

The working group dealt with the impact of ‘leadership’ on negotiation processes within the European Union and beyond after the entry into force of the Treaty of Lisbon. Joachim Schild (University of Trier) and Wolfgang Wessels (University of Cologne) dedicated their presentations to the introduction of a systematic framework for investigating the Franco-German leadership under the LT and the European Council and its role as the principal decision-maker for policy- and system-making in the EU. ([Link](#))

WP IV: “The Lisbon Treaty in a coute, moyenne and longue durée perspective”(WP leader Wilfried Loth)

The debate of the working group was based on a presentation by Nicolae Paun (Babes-Bolyai University, Romania) on “The Lisbon Treaty in the perspective of the new member states”. Prior to the presentation, the meeting’s chair Jean-Marie Majerus (Centre d’études et de recherches Robert Schuman, Luxembourg) provided some introductory remarks on changes that the Lisbon Treaty brought about from an historical perspective. ([Link](#))

WP V: “The Area of Freedom, Security and Justice: Has Lisbon changed the decision-making procedures in Brussels?” (WP leader: Paul Luif)

The Working Group V session discussed the changes of the Lisbon Treaty in Justice and Home Affairs (JHA) as seen by practitioners in Brussels. After some introductory remarks by Paul Luif (Austrian Institute International Affairs) on the changes that the Lisbon Treaty has brought about in JHA, Martin Schieffer (Directorate-General for Home Affairs of the European Commission, responsible for Internal Security), described the first experiences of policy-makers with the new legal framework since the coming into force of the Lisbon Treaty and discussed his insights with the researchers. ([Link](#))

WP VI: “External Action and CFSP” (WK leader: Ian Manners)

The workpackage VI working group focused on the principal changes that the Lisbon Treaty has brought about in External Action and CFSP. The discussion was based on the presentations by Elfriede Regelsberger (Institut für Europäische Politik Berlin), Louise van Schaik (Institute of International Relations Clingendael), Atila Eralp (Middle East Technical University), Michele Comelli (Istituto Affari Internazionali) and Ian Manners (Roskilde University), dealing with a systematic comparative approach towards the changes introduced by the Lisbon Treaty in the field of external action, enlargement, the European Neighbourhood Policy and the ‘normative power appearance’ of the EU. ([Link](#))

WP VII: “Quasi Constitutional Nature of the Lisbon Treaty” (WP leader: Lucia Serena Rossi)

In the session of the working group VII, chaired by Lucia Rossi (University of Bologna), Thomas Christiansen presented his latest studies on constitutionalism in the EU. Jean Paul Jacqué recalled some topical moments in the elaboration of the Constitutional Treaty and linked it to the Spinelli Project of 1984. Giacomo Di Federico reviewed the process leading to the elaboration of the Constitutional Treaty. The subsequent discussion dealt with the pivotal role expected for the concept of solidarity in the future. ([Link](#))

LISBOAN Roundtable

During the conference’s closing roundtable, the workpackage leaders presented the most important conclusions of their working groups on the changes brought about by the Lisbon Treaty which was followed by a general discussion about the dichotomy supranational vs. Intergovernmental integration and the current financial crisis. ([Link](#))

LISBOAN Awards

LISBOAN offers annual awards for excellence in teaching and research on the Treaty of Lisbon, each of which is endowed with a prize of 1.500€ This year’s award ceremony took place during the annual conference in Brussels on 17th June 2011.

The selection committees for the teaching and the research award, headed by Prof. Lenka Rovna (Charles University Prague) and Prof. Brigid Laffan (University College Dublin), respectively, had to choose from several excellent candidates. The following submissions were finally selected:

Nicolae Paun, Jean Monnet Chair at Babes-Bolyai University, Cluj, Romania, received the Award for excellent teaching.

The Award for excellent research was split between two studies:

Laurent Pech, Jean Monnet Chair in EU Public Law, National University of Ireland, Galway, was awarded for his book “The European Union and its Constitution: From Rome to Lisbon”.

Peter van Elsuwege, Professor of European Law, University of Ghent, Belgium, was awarded for his contribution “EU External Action after the Collapse of the Pillar Structure. In Search of a New Balance between Delimitation and Consistency”, published on Common Market Law Review in 2010.

Report from the Workshop “Parliaments and the European Union”

As part of the activities of Work Package 1, which is devoted to the Union's institutions, the Federal Trust held a workshop in London on 6th July to discuss the roles of the European and national parliaments after Lisbon and the appropriate relationship between these two levels of parliamentary representation. In addition to speakers from the Federal Trust, panelists included representatives from the Istituto Affari Internazionali, the University of Maastricht, the University of Rotterdam and the Clingendael Institute. Subjects discussed included the representativity of the European Parliament, its appropriate workings after the Lisbon Treaty, the enhanced involvement of national parliaments in the European legislative process after the Treaty and the reality or otherwise of an EU “demos”.

On most of the abovementioned subjects, widely differing views were expressed, both by the invited speakers and the approximately forty other participants. In particular, no consensus could be reached on the desirability, or even feasibility, of changes which are sometimes advocated in order to enhance the

representativity of the European Parliament, such as the election of the Commission President alongside the elections for the European Parliament; the setting up of transnational European parties; or the politicization within the European Parliament. The only issue where some agreement was possible seemed to be the provisions of the Lisbon Treaty regarding national parliaments, about which many doubts of a practical and philosophical nature were expressed. A majority of the participants claimed that, historically, the creation of a political “demos”, however precisely defined, tended to follow rather than precede the setting up of the political institutions to which it related. Even if it is today true that no “demos” exists for the European Union, it does not therefore follow that no such “demos” could ever come into being as a result of institutional developments within the Union's structure of governance.

For more information see www.fedtrust.co.uk.

Lecture Series

The network funds guest lectures by network partners at other network institutions with up to €1.000 for travel, accommodation and other related costs. If you would like to make use of this opportunity, please contact Gunilla Herolf (WP Leader, herolf@sipri.org) or Tobias Kunstein (tobias.kunstein@uni-koeln.de).

UPCOMING LISBOAN EVENTS

First PhD School “Europe in the World”

Each year a selection of PhD students from our member institutes have the opportunity to participate in a PhD school organised by the network's members. Organised by our network partner Ian Manners (Roskilde University), this year's Summer School “Europe in the world” will take place at the University of Crete, Greece, from 12th to 25th September. To apply, please send a cover letter describing your motivation to participate (1-2 pages max) and a brief outline of your PhD project (3-4 pages max) by 15th July 2011 to the LISBOAN project manager (tobias.kunstein@uni-koeln.de). ([Link](#))

Workshop: AFSJ after the Lisbon Treaty

The workshop is organised by **Ronald Holz hacker** and **Paul Luif**. It will take place in The Hague on 20th - 21st October 2011.

Governance changes in the Area of Freedom, Security and Justice after the Lisbon Treaty: Internalization within the EU and the member states and externalization in foreign policy

The organisers are interested in developments at the EU level as well as in the impact which the EU developments in the area of AFSJ have on policy and governance in the member states as part of the implementation process. These challenges also involve the accession countries and the neighbours of the EU.

In this workshop, both single studies of member states and comparative and horizontal studies are welcome. The workshop aims to bring together a group of scholars from across the EU, both Western and Eastern Europe.

The workshop will be divided in three parts including an introduction, the institutional procedures and policy areas. For the full programme, please visit the LISBOAN homepage. ([Link](#))

Workshop: The EU's Institutional Framework Post Lisbon

The workshop is organized by **Prof. Markus Kornprobst** and **Prof. Hans Peter Neuhold** and will take place on November 4th in Vienna.

European External Action Service – Problems and Prospects

More information will be available soon on the LISBOAN homepage.

Workshop: External Action and CFSP

The workshop is organised by **Louise van Schaik** and **Edith Drieskens** and will take place on February 22th 2012 in The Hague.

EU external representation in international contexts: reform practices after Lisbon

This expert seminar aims to gain a better insight into what the EU is and does in international organisations and regimes. The organizers invite empirical case studies on specific organisations and regimes and welcome scholars from political

science, law, public administration, as well as a small number of well informed practitioners. The call for papers has been launched and can be accessed on the LISBOAN homepage. ([Link](#))

Workshop: The Lisbon Treaty in Historical Perspective

The workshop is organized by **Claudia Hiepel** and **Wilfried Loth** and will take place in at the University of Duisburg-Essen on March 22th – 24th 2012.

European Integration in a Globalizing World

The workshop aims at defining the role of the EC in the network of multilateral politics in the 70s and early 80s more precisely and – vice versa – the influence of globalized world actors and institutions on the European construction.

NEWS FROM PARTNER INSTITUTIONS

Past events

Turin, April 8th 2011: Seminar on "The EU as a global actor: challenges for the European External Action Service", organized by the Istituto Affari Internazionali (IAI) in cooperation with Centro Studi sul Federalismo and EPC. ([Link](#))

Moscow, June 29th – July 1st 2011: Roundtable on "International law implications on the EU legal system after Lisbon Treaty" with Prof. Eteris Eugene, Riga Stradina University (Latvia), at the 54. Russian International Law Association Meeting.

Zagreb, IMO, June 9th 2011: Public lecture "European Citizens' Initiative" given by Cédric Bloquet general director of the French association "Participation of citizens in public life and democracy" (CIDEM – Civisme et démocratie) at the premises of the Delegation of the EU to the Republic of Croatia. ([Link](#))

Publications

Robert Harmsen and Joachim Schild, (eds.), "Debating Europe: The European Parliament Elections 2009 and Beyond", Baden-Baden: Nomos Verlag 2011. (Schriftenreihe des

Arbeitskreises Europäische Integration e.V., 71). ([Link](#))

E. Gross and A. Rotta, "The EEAS and the Western Balkans", IAI Working Papers 11 I 15 – June 2011. ([Link](#))

Rosa Balfour and Hanna Ojanen, Does the European External Action Service Represent a Model for the Challenges of Global Diplomacy?, IAI Working Papers 11 | 17 – June 2011. ([Link](#))

M. Comelli and R. Matarazzo, "Rehashed Commission Delegations or Real Embassies? The EU Delegations after Lisbon". IAI Working Paper 11 I 20 forthcoming.

INTRODUCING THE NETWORK

LISBOAN is structured into seven thematic and nine horizontal workpackages (WPs). Each newsletter contains a section briefly introducing a few of them and/or the respective Workpackage Leaders in no particular order.

Thematic WP: The Lisbon Treaty in Historical Perspective

Wilfried Loth kindly agreed to lead the workpackage IV of the LISBOAN network, which is dedicated to "The Lisbon Treaty in Historical Perspective". He is Professor of Modern History at the Faculty of Humanities of the University of Duisburg-Essen since 1986, and chairman of The European Union Liaison Committee of Historians (www.eu-historians.eu). He can be contacted at wilfried.loth@uni-due.de.



Thematic WP: External Action and CFSP

Within the LISBOAN network, Ian Manners is in charge of workpackage VI that deals with "External Action and CSFP". He also kindly agreed to co-organise the first two PhD schools dedicated to the EU's role in the world (2011) and Europe as a normative power (2012). He is a Professor based at the Department of Society and Globalisation of Roskilde University. His email address is manners@ruc.dk.



Horizontal WP: Annual Conferences

On behalf of Jean-Paul Jacqué, Secretary General of TEPSA and leader of the workpackage “Annual Conferences”, *Mirte van den Berge* and *Laura Ventura* are in charge of the organisation of the annual conferences of the LISBOAN network.



Mirte van den Berge is Executive Director of TEPSA in Brussels. She is responsible for the daily management of TEPSA, including the Europe for Citizens work programme as well as various other

research projects, EU institutions and governance being her key areas of interest among others. Her email-address is: mirte.vandenberge@tepsa.be.

Within TEPSA, Laura Ventura acts as Project Officer, participating in the management of various TEPSA activities and research projects, including studies and briefings commissioned by the European Parliament. Her key areas of interest are human rights and democracy. She can be contacted at: laura.ventura@tepsa.be.



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FEATURED ARTICLE SECTION

This section is available for concise articles dealing with recent developments in the field of research on the Treaty of Lisbon. Partners are invited to send in contributions.

What Role for the EU Delegations after Lisbon?

*Michele Comelli and Raffaello Matarazzo*¹
IAI, Rome

Introduction

>>> This paper analyses the role of EU delegations as a result of the entry into force of the Lisbon Treaty and the creation of the European External Action Service (EEAS). It argues that while delegations have extended their competences, going as far as representing the EU's common foreign policy positions, they are confronted with new political and functional challenges. The paper will first analyse the new competences of the EU delegations post-Lisbon in foreign policy and will then focus on the challenges of carrying them out. In particular, it will look at the problems of merging effectively seconded MS diplomats with EU officials, while creating a common identity and sense of purpose among the EEAS personnel, and especially among those serving in the delegations. The paper will then turn to a specific challenge concerning the role of EU delegations to international organizations. The Lisbon Treaty, in fact, does not introduce any provisions aimed at adapting the EU's external representation to the working methods of international organizations. Discrepancies of procedural rules are, therefore, undermining the implementation of the Treaty and the EU's representation. Consequently, the Union's performance within international institutions, key to its “effective multilateralism”, risks suffering setbacks.

¹ They are, respectively, Senior Fellow and Researcher at the Istituto Affari Internazionali (IAI), Rome. This article is a shorter version of the following paper. M. Comelli and R. Matarazzo, *Rehashed Commission Delegations or Real Embassies? EU Delegations Post-Lisbon*, IAI Working Paper 11 I 21, forthcoming July 2011.

Coordinating and representing the EU's common position

With the entry into force of the Lisbon Treaty, the EU was finally granted legal personality (art. 47 Treaty on European Union - TEU) and the Commission delegations were turned into EU delegations. Indeed, even after Lisbon, CFSP remains essentially intergovernmental in character, as clearly affirmed in declaration No. 14 attached to the Lisbon Treaty.² Art. 32 of the Lisbon Treaty states that EU delegations and MS embassies shall cooperate and contribute to formulating and implementing the common EU approach. This provision implies, first of all, that EU delegations will have to work closely with MS embassies and delegations in order to reach a common EU position. In case a common position is agreed among member states, it is the EU delegation that will represent it vis-à-vis third countries.

Before the entry into force of the Lisbon Treaty, the tasks of agreeing on a common position and representing it externally were carried out by the country holding the EU Presidency. Today, the common EU position is agreed in a meeting chaired by a representative of the EU delegation. As a rule, these meetings are organized more or less once a month, but in a situation of crisis, meetings may take place every 2-3 days.

New competences and new skills required

The different interests and positions of MS are unlikely to always merge into a common EU position. This is particularly true at a time of re-nationalization of foreign policy such as the current one. However, the set up of a common

² Art. 32 of the Treaty on European Union (TEU) reads: "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."

EU diplomatic service may gradually leads MS to share the same appreciation of foreign policy and diplomatic issues, which may in turn lead to a convergence in their positions. Indeed, when representatives of MS are grouped together in a common institutional structure, they are more likely to identify and reach a common EU position and act accordingly, rather than merely follow the directives received from their capitals. A number of studies³ have found that the socialization of national diplomats working within EU structures, such as the Policy Unit, has induced them to act as EU officials, even when they were seconded by a national foreign ministry, to which they would return after the end of their mandate in Brussels.

In the case of EU delegations, and more broadly, of the EEAS, this process of socialization can only be a first step in creating a veritable esprit de corps, common identity and sense of purpose. Devising an innovative and effective learning and training programme for new EU diplomats can respond to the double challenge of creating a common identity and blending the skills and competences of second national officials with those of EU officials. In fact, while national diplomats are more skilled in shaping foreign and security policy matters, conducting negotiations, and appreciating the political aspects of a situation, Commission officials are better equipped at managing large cooperation programmes. Political reporting is another important activity that will be increasingly carried out by diplomats serving in EU delegations. This will involve an expertise that EU officials may lack, requiring apposite training, as well as the willingness of MS embassies to share information with EU delegations.

The plurality of policy areas dealt with by the Commission delegations also imply that besides EEAS personnel, delegations will continue to host officials that report functionally and

³ See in particular A.E. Juncos and K. Pomorska, "Playing the Brussels game: strategic socialisation in CFSP Council Working Groups", *European Integration online Papers*, vol. 10 no. 11, 2006 (published by ECSA Austria) .

administratively to the Commission.⁴ As such, strong coordination among different offices and an effective leadership by the head of the delegation are imperative.

Towards a Lisbon paradox: EU Delegations to International Organizations

Aside from these rather general challenges facing the newly established EU delegations, a specific problem may arise regarding EU delegations to international organizations. One of the main goals of the Lisbon Treaty is to strengthen the EU's external action and make it more consistent. Nevertheless, discrepancies between the new mechanisms of the EU's external representation and the procedural rules of some international organizations are paradoxically undermining the implementation of the Treaty in one of the most strategic sectors of the EU's external action.

Out of 136 EU delegations, 15 are to international organizations. More precisely, four delegations are based in international organizations⁵ and nine to regional organizations.⁶ Finally, the EU has one Delegation at the G7/G8 and one at the G20.

The role and powers of the EU delegations to international organizations can be better evaluated in the light of the division of competences between the EU and the MS provided by the Treaty. While the latter does not substantially alter the division of competences in the field of the Common Foreign and Security Policy (CFSP), the redistribution of competences in other policy areas may have a huge impact on the EU's external action. Some of the most interesting and controversial cases of EU

delegations to international organizations are those to the UNGA, FAO, OSCE and WTO. A brief analysis of these cases highlights some of the challenges EU delegations are faced with.

The EU delegation at the United Nations is probably the most politically sensitive and important. Since the Lisbon Treaty's entry into force, the European Commission's delegation in New York and the EU Council Liaison Office, have been unified under the EU Council's representative, who acts as Head of Delegation. The EU Delegation has increased its cooperation with the embassy of the rotating EU Presidency.⁷ As far as the United Nations Security Council (UNSC) is concerned,⁸ since the beginning of 2010 the EU Delegation has been invited to take the floor during UNSC open debates on average two or three times per month, presenting the EU's common position on behalf of the 27 member states and replacing the rotating Presidency.⁹ The EU Delegation in New York, moreover, has played a leading role (together with the successive Belgian and Hungarian presidencies of the Council) in coordinating the tough negotiations on the upgrading of the EU's status and modalities of participation within the UN. On 3 May 2011, EU diplomacy succeeded in obtaining UNGA resolution 65/276, which upgraded the EU's status as observer in the Assembly, with 180 votes in favour and only two abstentions.¹⁰ Since the adoption of the

⁴ However, the Head of Delegation is personally responsible of the whole budget of the delegation.

⁵ The Organization for Economic Cooperation and Development (OECD), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations (UN), and the World Trade Organization (WTO).

⁶ The Andean Community, the Asia Europe Meeting (ASEM), the Association of South East Asian Nations (ASEAN), the Council of Europe, the European Economic Area (EEA), the Gulf Cooperation Council, Mercosur, the Organization for Security & Cooperation in Europe (OSCE), and the South Asian Association for Regional Co-operation (SAARC).

⁷ See N. Pirozzi, *Towards a more effective UN Security Council? The EU's role in the post-Lisbon era*, paper presented at the EUSA Conference, Boston, 3-5 March 2011.

⁸ Even though the EU does not have an institutional status therein, the Treaty (Art. 34.2 TEU) establishes that when the Union defines a common position on a topic on the UNSC agenda, "those member states which sit on the Security Council shall request that the High Representative be invited to present the Union's position".

⁹ G. Grevi, *From Lisbon to New York: The EU at the UN General Assembly*, Frider Policy Brief, June 2011, n. 81, Issn: 1989-2667, p. 2

¹⁰ The resolution represents a notable step in the strengthening of EU representation at the UN, aimed to resolve the new problems which have emerged in the post-Lisbon context. It grants, in fact, the EU some of the most relevant rights of participation and representation granted to UNGA full members, with

resolution, EU Delegation officials have started replacing the rotating Presidency at the Special Committee on Peacekeeping and in other working groups of the UNGA. Nevertheless, MS still argue that where competences remain shared, the EU and the MS should be represented by the country holding the Council presidency. This problem arises not only at the UN, but also in other international organizations, such as the FAO, where MS claim that they are entitled to chair some working groups dealing with topics that fall under shared competences.

The case of FAO is, in fact, one of those where full membership has been granted both to the EU and to the MS. The EU has relevant agricultural competences, which are nevertheless not exclusive. In the post-Lisbon context, the Commission has underlined that the EU Delegation to FAO should be the sole representative on exclusive and shared competences, while MS complain that the rotating Council presidency should continue to play a role when shared competences are involved. Some MS (i.e., the UK, Hungary, Czech Republic, Poland) are, in fact, reluctant to accept the growing coordinating role to be played by the EU Delegation at FAO in Rome.¹¹ A post-Lisbon transitional arrangement establishes that at any meeting or working group, the EU Delegation would indicate whether the competence belongs to member states or to the EU, and this determines who is entitled to speak. The specific status and role of the EU at the OSCE has never been formally defined, even though the EU does play an active role therein. The current participation of the Head of the EU Delegation at the OSCE proceedings is based on a consolidated practice. When the issue under discussion falls mainly under the competence of the EU, the Delegation intervenes as an OSCE member. As a result of the Lisbon Treaty, the EU acts as a “virtual member” within the

the exception of the right to vote or to field candidates. The EU has become, therefore, the first regional organization allowed to present proposals and amendments (albeit orally) and to reply regarding EU positions.

¹¹ Interview by the authors with an official of the EU Delegation to FAO in Rome, April 2011.. See also M. Emerson et al, *Upgrading the EU's role*, cit., p. 76

organization, as it has full operational rights to participate, but without a vote or full member status. Moreover, the EU Delegation to the OSCE can participate in all proceedings unless the topic under discussion clearly falls outside EU competences.

The most developed model of EU representation is at the WTO, one of the few cases where the EU is a full member, alongside the member states. This is due to the EU's long experience in trade matters, one of its most important exclusive EU competences. At the WTO, the EU is the sole negotiator acting on behalf of the member states, whose position is generally negotiated in Brussels beforehand. After the Lisbon Treaty, two separate delegations have been established in Geneva: one for WTO and one for the UN. This division was made in order to grant stronger autonomy to the Commission on trade policy (compared to foreign policy more strictly defined). Commission officials of the both these Delegations act under the authority of the respective Head of Delegation (Art. 5.2, Council Decision Establishing the EEAS), who is accountable to the HR and responsible for the Delegation's budget. Still, MS maintain expensive observer missions in Geneva to watch over the EU Delegation's activities, and prospects for their withdrawal are low. Problems of coordination are already arising between the two new Delegations, and competition or lack of trust between them risk undermining one of the most successful EU diplomatic experiences. The development of a stronger strategic concept on the EU's role at the WTO could contribute to decreasing competition and duplications, preserving the EU's prominence in this international organization.

Concluding remarks: Real Embassies for a weak Foreign Policy?

On the one hand, the transformation of EU delegations is an important innovation on the way to the long and tortuous path towards the supranationalization of CFSP, even though competences have not been transferred to the EU in this area. On the other, it creates a number of challenges. First, the new delegations will need to adapt to this transformation and be able to perform well in terms of both representing and

implementing the EU's common positions, also in foreign and security policy matters; and managing and implementing large assistance programmes. This means that the new personnel, and especially heads of delegations, must have the necessary skills and expertise to live up to these tasks. For this purpose, providing effective training for EEAS officials, and particularly for those serving in the delegations is of the essence. This will also be instrumental in developing a common identity and sense of purpose among new officials.

A more specific challenge refers to the role of EU delegations to international organizations. The Lisbon Treaty, in fact, does not include any provision aimed at adapting EU external representation to the working methods of international organizations. The risk of undermining the implementation of the Treaty and the performance of EU delegations to international organizations is, therefore, real. This is also due to MS' reluctance to recognize the new competences conferred by the Treaty to EU institutions and its delegations. In such a context, EU delegations should use all the space for manoeuvre within the Treaty to upgrade the EU's status, particularly when exclusive and shared competences are at stake.

Delegations represent an important test case for the effectiveness of the EEAS since they represent the EU in third countries and international organizations. The role of EU heads of delegation to represent the EU common position is already a step forward, not least because it conveys a sense of unity to third countries. This may induce third countries to revise their idea of a fragmented Union when it comes to foreign and security policy, but may also raise excessive expectations concerning the development of a more effective, consistent and visible European foreign policy. The latter is no doubt a risk. But it is also an opportunity for the EEAS and its delegations to build, step by step, an effective European foreign policy. <<<<