

Working Group VII

Working document 51

Working group VII – "External Action"

Subject: The comments by Ms Danuta Hübner to the preliminary draft final report of Working Group VII on External Action (WD 021 - WG VII)

Members of Working Group VII will find hereafter comments by Ms Danuta Hübner, Polish government representative, member of the Convention.

**Comments of Professor Danuta Hübner,
Representative of the Government of Poland to the European Convention,
on the draft report of the External Action Working Group.**

I would like to emphasise that external policy is the very field on which the outcome of the Convention will be judged. We are facing enormous expectations in this area from the side of the public. At the same time, we have to proceed within the confines of centuries-old traditions and realities. Some of them are only a legacy of the past but not all. There are legitimate arguments for preserving our countries' individual say over foreign policy and retaining the intergovernmental edge in the CFSP. It is for this reason that when we began our work in the Convention, I believed it would have been better to progress in a more evolutionary fashion on foreign policy issues. However, I have since come to the conviction that we do not have the time to adapt our political will and our structures to the immense challenges of this century in the field of foreign policy. The next IGC after this one will probably take place towards the end of the decade. We cannot test intermediate solutions for much longer but have to look at optimal use of our resources already now. It is for this reason that I favour the solution of creating a double-hatted foreign policy manager for the European Union.

The reasons for the attempt at overcoming the existing dichotomy in external relations of the European Union are clear: we need to have all the instruments at our disposal and cannot sharply differentiate between political engagement and crisis management on the one hand and financial assistance on the other. In addition, the European Union has a lot of organic work to do in order to create a common denominator out of the strategic thinking and diverging traditions of our countries. Regardless of the enormous achievements of Javier Solana, the High Representative in its current capacity cannot always punch above its weight. Similarly, regardless of all that Chris Patten has done to streamline the Union's external relations role, the Commissioner for External Relations will never be a partner to foreign governments if his clout stops where it should begin. Establishing a double-hatted Foreign Policy Chief for the European Union would enable us to have a genuine imprint on the world scene.

I am aware of the sensitivities involved in the discussion about the double-hatting concept in external relations and I take them very seriously. We have to make every conceivable effort to avoid endangering the institutional balance in the European Union and to preserve our achievements so far in the field of foreign policy. In my view, the double-hatted Foreign Policy Chief would be able to steer

effectively the often disjointed threads of thinking in our countries by means of chairing the European Council proceedings in the points of agenda concerning external relations, chairing the General Affairs and External Relations Council in its External Relations function as well chairing, *via* his deputy, the Political and Security Committee on a permanent basis. Such a capacity would clearly mean that the person holding this position will become an equal partner of the world's key decision-makers. The Foreign Policy Chief should also be responsible for drafting annual and multiannual strategic programmes for the European Union in the field of external relations hence creating a common reservoir of values and expectations in foreign policy. Under the second hat, he or she would be an equal but distinctive member of the College of Commissioners. One might ask what would happen if the view of the Commission would be different to the view of the Council? In my opinion we should not overestimate the likelihood of such situations or their impact on the efficiency of the Union in the field of foreign policy. First of all, I very much believe that the Foreign Policy Chief will act as a facilitator of mutual understanding between the two institutions and certainly will not be antagonising them. In my view, it is better for the Foreign Policy Chief to explain the logic behind the Council's decisions to the Commission as well as for him to be able to convey the message of the Commission directly to the Council than if the two institutions had no opportunity to talk. Secondly, the European Commission is and will surely remain clear on the role it has been or will be assigned in the Treaties. The two institutions are not competing for the same political space. They have complementary functions today and they are likely to remain complementary for the time to come. Therefore, there is little doubt that the Foreign Policy Chief will continue to act with strict reference to the mandate received from the Council as far as the political and crisis management issues. The European Commission will surely not want to step into the Council's shoes on such questions. That division of labour – even if it is a dynamic one – will surely help the double-hatted Foreign Policy Chief to avoid unnecessary rocks on his way.

I would also like to stress that the double-hatting exercise will do away with the discrepancy between the two services - DG Relex and SG of the Council – creating an opportunity for establishing a Foreign Policy Commission. A single diplomatic service drawing heavily on seconded officials from the member-states as well as services of the Commission will not only allow to optimise the available resources but will also create the basis for greater unity of ideas and values.