



DIRECTORATE-GENERAL FOR EXTERNAL POLICIES
POLICY DEPARTMENT



**THE EU AS A
GLOBAL ACTOR:
ITS EVOLVING ROLE IN
MULTILATERAL
ORGANIZATIONS**

AFET

DIRECTORATE-GENERAL FOR EXTERNAL POLICIES OF THE UNION

DIRECTORATE B

POLICY DEPARTMENT

STUDY

**THE EU AS A GLOBAL ACTOR:
ITS EVOLVING ROLE IN MULTILATERAL ORGANIZATIONS**

Abstract

This study explores ways through which the EU could meet its full potential as a global actor and, specifically how it can act more effectively in the multilateral organizations and forums. The main obstacle for the EU is the fragmented and divergent positions among the member states that occasionally arise over major international issues, and prevent the Union from acting with speed and determination required in international affairs. The departure point of this analysis is a thorough assessment of the Lisbon Treaty. The latter provides the EU with legal personality and with new tools and competences that, if there was enough political will, could enable it to maximize its current capacity to act. Assessed against the division of competences between the EU and its Member States enshrined in the Treaty, the study looks at the current status of the EU in the most important multilateral organizations that form the central nucleus of the world governance, both in the political, defense and economic realms. For each of those organizations, the report proposes ways and means to enhance the membership status and influence of the Union. At the same time, it is recognized that the international architecture is clearly imperfect and unsuitable for global governance, often reflecting the old order and powers that emerged from World War II. Therefore, this report also provides suggestions on how to reform the system for global governance if it is to be more representative and efficient while allowing a more adequate insertion of the EU.

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EXECUTIVE SUMMARY

This study explores ways through which the EU could meet its full potential as a global actor and, specifically how can it act more effectively in the multilateral organizations and forums.

The report starts from the premise that the European Union is a global actor which has not fully achieved its potential on the international scene. The main reason for this is that the EU's relevant strengths sit alongside internal weaknesses that need to be addressed. Among them, the shortcomings in European integration are a major obstacle to its consolidation as a global power. But more importantly, the main constraints for the EU to become a decisive player are the fragmented and divergent positions among the member states that occasionally arise over major international issues, and prevent the Union from acting with the speed and determination required in international affairs. Therefore, the EU's power to influence depends on its capacity to overcome divergent national interests and forging strong common positions.

The presence and influence of the EU in international organizations is not the only way of maximizing its role as a global actor, but they do constitute a fundamental pillar, since a considerable part of that multilateralism is channelled via international organizations. At the same time, it is recognized that the international architecture is clearly imperfect and inadequate for global governance, so the EU needs to work towards reforming the system if it is to be more representative and efficient while allowing a more fitting insertion of the EU.

The key to reinforcing the influence of the EU and its Member States and furthering their goals is coordination and agreement around unified common positions: *several voices, but one message*. This single message would be the result of interaction between the EU's institutional advances in the international organizations, and the internal coordination of the EU on basic positions through reinforced mechanisms of coordination.

Any assessment of the EU as a global actor needs to depart from an analysis of the Lisbon Treaty which constituted a fundamental landmark in the European integration process. The Treaty, which entered into force in December of 2009 provides the EU with legal personality and with new tools and competences that, can enable it to enhance its role in international affairs. Some of the new figures, such as the Permanent President of the European Council, the High Representative for Foreign Affairs, the creation of the European External Action Service (ESAS) are meant to play a decisive part in shaping the EU voice and face in the world. At the same time, the Treaty contains some legal ambiguities in certain aspects relating to the powers and external representation of the EU, which have hindered and held up advances towards its establishment. Indeed, a close assessment of the Treaty reveals that the effectiveness of these instruments and distribution of competences will depend on the political will of the Member States to use them to their full potential. Hence, there is a risk that the EU will end up becoming an international actor full of ambitions and objectives, but often ambiguous and lacking coherence.

Currently, there are different forms of representation of the EU and the member states in the international organizations and forums of global governance. The presence and status of the EU in international organizations is closely linked to the history and form of government of each organization, but in general, the EU is often seen not to have the status befitting it according to its competences. In view of the large amount of international organizations and the enormous variety of types of EU presence and participation in them, it will be necessary to present some basic principles or guidelines for its representation. As a general rule, the

EU should work towards upgrading its current status in each international organization to a higher level – that is to say, where the competences are "communitarized" (exclusive + shared) it must seek a

status of full membership. The ultimate goal will be for both the EU and MS to be full members of organizations or contracting parties of conventions, even when this implies the EU countries having to reduce their presence or representation for reasons of efficiency or economy.

Regarding the core of the multilateral order, the UN System, an EU priority is to attain an advanced observer status in its General Assembly, which could serve as an incentive to defining representation in UN technical agencies. In this respect, the EU could promote a change in the membership structure of the GA, exploring the possibilities of Regional Integration Organization (RIO) status, which already exists. In this way, the voice of the EU would have an incentive to be more consistent, while at the same time the excessively state-centric logic of the UN could be progressively reduced.

It would be convenient to proceed with caution on the reform of the UN Security Council. Far from suggesting a single seat for the EU in the short run, it would be preferable to work first on a prior coordination of positions in the Council of the EU, and then advance on the proposal to introduce new permanent members, replace the right of veto and bring in super-qualified majorities. Also, further steps towards the Europe of Defence would benefit the EU's external image as an indispensable actor for global security. This study also advocates enhancing the role of ECOSOC to upgrade it into a policy-making and policy-monitoring body as envisioned in the UN Charter, so that over time it plays a central role - equivalent to that of the Security Council - in the economic and social realm.

Regarding economic and financial multilateral organisations, the EU countries could pool their representations in the IMF executive board under two chairs, one for the Euro countries and the other for the non-Euro countries. In the World Bank, EU Member States should seek to form a single EU constituency in its Executive Board. In addition, the European Union should become an enhanced permanent observer at the World Bank Executive Board. In a similar vein, the EU should pool their representation in the main Multilateral Development Banks (IADB, ADB, AfDB). The EU should strive to streamline its representation, from two to one at the G20 Summits, and push for a better link between the G20 and the UN; for example, by situating the G20 as an "ad hoc" high-level, ministerial body within a reformed and enhanced ECOSOC.

Attention should also be paid to other multilateral organisations like the Council of Europe, and its Convention for the Protection of Human Rights and Fundamental Freedoms; the OSCE, which is currently encountering lack of consensus between its members, and serious operating difficulties due to lack of agility of the decision-making process in crisis situations; or NATO, due to the peculiarities of its relationship with the EU.

Finally, the entry into force of the Lisbon Treaty raises several questions and uncertainties regarding the execution of a key EU policy: development cooperation. It is critical that development cooperation keeps its own differentiated profile, since it operates under specific parameters which require specialized staff and expertise. Proposals in this domain would include, among others, the creation of a European Development Platform, or the integration of the European Development Fund (EFD) into the Union's budget.

1 INTRODUCTION

1.1 The EU: from global actor in the making to global power

This study on the EU's role in multilateral organizations starts from the premise that the European Union is a global actor that has yet to realize its full potential on the international stage.

It is a global actor in the making because it has the capacity to become one. At the current stage of globalization, the EU is the world's first trade power (a quarter of all world trade), with a market of more than 400m people. The combined (nominal) GDP of its 27 members (estimated for 2010 at 15.9 trillion dollars) is the biggest in the world, exceeding that of the USA (14.62 trillion). It is the world's second-biggest military power, with a combined budget of around 289bn dollars (20% of the total), behind only the USA (711bn dollars, 48% of the world's total) and way ahead of China (8%) or Russia (5%). It has developed a European Defence Agency, the germ of a future European defence industry, and has a security strategy as a framework for carrying out its missions abroad and establishing its position in the world. Also, the EU provides 55% of the world's development aid funds. No less importantly, on average the social expenditure of the EU (27% of GDP) is greater than that existing in the USA (19%) and other blocs of continental countries (in Latin America it stands at 12%, in Asia it is 11% and in Africa 8%). Lastly, the Union also wields considerable "soft power", linked to its diplomatic, cultural and technological influence or the influence of its democratic values, which is greater than those that other powers such as China or Russia can wield. With regard to its commitment to global governance institutions, the contributions of its member states amount to more than one third of the total budget of the United Nations (UN); more than two-fifths of peacekeeping operations and half of voluntary donations to its programmes and funds. The EU countries are among those that have a greatest number of representations in international organizations.

Yet the EU is NOT a global actor in practice, or at least it is far from realizing its potential, as the strengths mentioned previously sit alongside internal weaknesses. Among them are internal problems such as the decline of its social model due to the loss of competitiveness in relation to emerging countries; the disparity of its economic policies or the different speeds of economic growth. The economic crisis has exposed the fragility of monetary union and, therefore, the need for greater integration not only in the area of economic governance, but also in the social field. The fact is that in spite of the major advances in recent decades, the shortcomings of European integration are a major obstacle to its consolidation as a global power.

It is also necessary to mention certain specific phenomena inherent in and typical of European foreign policy, subject to institutional checks and balances that are much more complex than those of a nation state and which limit the international weight and influence befitting the Union, according to the parameters mentioned above. The main obstacle is the fragmented and divergent positions among the member states that occasionally arise over major international issues. These prevent the Union from acting with speed and determination in international affairs.

Evidently, all these factors are a major barrier to improving the external representation and influence of the EU in multilateral bodies.

The EU is fully aware of the changes and demands brought about by globalization, as is perfectly captured in the report by the Reflection Group on the future of the EU 2030¹. In order to manage

¹ EUROPE 2030 - Challenges and Opportunities: A report to the European Council by the Reflection Group on the Future of the EU 2030. May 2010. Pp 35-36.

globalization **progress needs to be made towards an efficient international order that is favourable to its interests.** For it to work, that multilateral approach **requires two things: actors** capable of acting with determination and speed and strong and **agile organizations** equipped with resources. However both things are lacking. On the one hand, as the report from the Reflection Group reminds us, **the EU is not yet that agile actor with a unified message.** On the other hand, **international architecture is clearly imperfect and needs to be reformed** if it is to be more representative and efficient while allowing a more fitting accommodation of the EU. If it is to be a global actor, the EU has to have the capacity to **propose the reforms** that are required and are under way. The Bretton Woods era, which dates from the middle of the 20th century, when Europe did not yet have the current level of integration, must give way to a new era of complex multilateralism in a multipolar environment made up of states, regional organizations and international organizations, where the European Union can have a presence and voice of its own.

The presence and influence of the EU in the international organizations is not the only way of maximizing its role as a global actor, but they do constitute a fundamental one since a considerable part of that multilateralism is channelled via international organizations. Today, **the EU is facing a gap between,** on the one hand, its considerable relative weight in relation to the USA and the emerging powers and, on the other, its lesser presence and influence in the international organizations and forums. **This gap must be closed if the EU wishes to attain the weight it deserves on the international stage.**

However, **it is not realistic** to think that in the short or medium term the EU is going to replace the MS in the international organizations and forums. For the moment, the Union must coexist with the MS in different forms of representation, membership and status in the many international organizations. In this respect, **the key to reinforcing the influence of the EU and its MS,** and furthering their goals, is **coordination and agreement** around unified common positions: **several voices, but one message. This single message would be the result of interaction between the EU's institutional advances in the international organizations, and the internal coordination of the EU on basic positions through reinforced mechanisms of coordination.** Indeed, in our opinion, the main obstacle preventing the European Union from making its voice heard loud and clear on the international stage **is not only found in the inadequate and variable status** of the EU in many international organizations, **or in the European cacophony** in forums such as the Security Council or, to a lesser extent, the G20, **but rather, more generally, in the underlying differences among the MS on essential issues,** which hinders the transmission of a clear, unified message. Until the MS grasp this and are more willing to make concessions in the interests of a strong common position, the EU will continue to *punch below its weight.*

This study explores the **main channels and mechanisms by which the EU might maximize its role as a global actor.** It focuses on a **selection of the main international organizations** which, in our opinion, comprise the core of global governance. To do that, it analyses the current status of the EU in said organizations and its possible evolution. Our point of departure is the legal and political instrument that the Union has had since January 2010: the **Treaty of Lisbon.**

2 RELEVANT LEGAL POSSIBILITIES AND PROVISIONS UNDER THE LISBON TREATY: IMPLICATIONS FOR THE EXTERNAL REPRESENTATION OF THE EU

The taking effect of the new Treaty as of 1 January 2010 has encountered numerous **practical barriers** when it has come to inserting the "new EU" into the main multilateral organizations and forums. Said **barriers derive from several basic points**.

The **first** is that **the design of the Treaty did not take into sufficient consideration the need to adapt the specific nature of the EU (supranational but not state or federal) to the operation of the international organizations** in which global and regional agendas are discussed.

The **second** is that the **international organizations arising out of Bretton Woods - with exceptions such as the WTO - were created by states and for states**. At the very least, **the structure** of said international organizations **does not facilitate** either the internal coordination of policies among the member states or the external representation of the EU in each of those forums and organizations. Extra effort is therefore required from the EU.

Thirdly, the Treaty contains **some legal ambiguities** in certain aspects relating **to the powers and external representation of the EU**, which have hindered and held up advances towards it getting off the ground - for example, as regards the role of the rotating presidency or the powers assigned to the President of the European Council, the European Commission and the High Representative (HR) on external issues.

Fourthly, certain sluggishness on the part of the Community institutions has slowed down the taking effect of key aspects of the Lisbon Treaty - for example, the effective deployment of the European External Action Service (EEAS).

Fifthly, in the field of the Common Foreign and Security Policy (CFSP), the Lisbon Treaty **does not alter substantially the distribution of competences between the EU and its MS. Yet the Treaty, does mark a new stage** in relation to other areas of EU's external action (for instance, development aid), and strengthens its external representation, which bolsters its image, presence and weight. **As a result**, in practice, **some countries interpret that unified voice as a threat to their national competences**, for which reason the paradoxical situation **often** arises of **there being less and not more EU since Lisbon**.

We shall start exploring the possibilities for strengthening the voice of the EU in the international organizations with the tools of the Lisbon Treaty **with the organization of the distribution of competences** between the EU and the MS in the area of the EU **external action**.

The general rule that governs the distribution of competences between the EU and its member states establishes that the former is the holder of those competences that the member states confer on it in the Treaty. **The principle of attributed powers** compels the EU not to extend its competences to the detriment of those of the member states without their agreement. Hence it has to be the Community institutions and not the states that must justify their action by linking it to one of the legal bases of the Treaty. This is what we shall seek to do when tackling the extension of the EU's powers in each aspect of **external representation**.

In this respect, one of the most important innovations of the Lisbon Treaty is undoubtedly that of **giving the EU legal personality** (Article 47, TEU), thanks to which it now has the condition of contracting party and can be a member of an international convention or of an international organization, within the scope of its competences. The **attribution of legal personality to the EU**

also implies a step forward towards **greater consistency** in EU action and also in the external dimension of said action.

Indeed, the EU's external action involves intervention in various matters, in relation to which the intensity of Community competence and decision-making procedures vary considerably from case to case. **The Lisbon Treaty sets very broad and ambitious foreign policy goals** (Article 3.5 TEU) and to achieve them the appropriate means will be used, in accordance with the competences (Article 3.6 TEU). However, a detailed examination of the text reveals that the effectiveness of those means and competences will greatly depend on the political will of the MS to actually want to use them fully, for which reason there is the **risk of the EU becoming an ambitious international actor, but one that is at times ambiguous and not always coherent**.

The list of goals of the Treaty would allow the EU to act in practically all the traditional (national) areas of foreign policy, but the need to take decisions in this field generally with a method of intergovernmental cooperation (see below) means that frequently inconsistent positions come out of the EU.

a) Thus, for areas of **exclusive competence** (Article 3, TFEU), such as **trade policy (as part of EU external action), the Customs Union or monetary policy (for the eurozone)**, the EU has a mandate from the Treaty itself to act on its own. There is a "dispossession" here of the member states' right to intervene unilaterally (at most, they will be able to act by complementing the EU).

b) On other occasions, external action will involve matters that are classified as **shared competences**, such as the environment, agriculture, transport, etc (Article 4 TFEU). Unlike the exclusive competences, the exercise of the latter is deferred in time for the EU and subject to certain conditions, essentially those derived from the application of the principle of subsidiarity (Article 5.3 TEU). The member states can exercise shared competence until the EU intervenes in the matter for the first time, an intervention which, on the other hand, must be founded on the application of the principle of subsidiarity.

c) The Lisbon Treaty creates a subgroup within the shared competences, which are **parallel competences** (Article 4.3 and Article 4.4 TFEU). EU intervention cannot prevent the states from exercising their competences (unlike the previous category). This is the case of action which affects **research, technological development and space**, as well as the areas of **development cooperation and humanitarian aid**, the latter being particularly important in the Union's external action.

d) The prominence of the states will be even greater in the case of **competences which require coordination** between the EU and the member states, such as that relating to economic and development policy (Article 5 TFEU) and to the policies in which the EU can intervene to supplement the predominant national competence (Article 6 TFEU). These are the areas linked to industry, culture or public health.

e) However, perhaps the most peculiar competence is that relating precisely to **Common Foreign and Security Policy** (CFSP), an area in which, as we shall see, strong intergovernmental elements remain present alongside certain supranational elements.

In short, on the basis of the provisions of the Lisbon Treaty, depending on the intensity of the Community competences that the activities of the multilateral organization in question involve, the EU will have more or less status within them, as shall be analysed in the following section.

As a general rule, the EU should tend towards shifting its current status in each international organization to a higher level. In the event that exclusive or shared competences of the EU are at

issue, the EU must aspire to a status of full membership. Even if the EU has only partially exercised its shared competence, it would appear advisable for the Union (Commission) to move on to representing the Twenty Seven.

2.1. The EU's external representation and the distribution of powers among the Community institutions in external action: strong points and ambiguities of the Treaty

Once the EU's right to be represented in an organization is established, the question is: a) **what Community institution or body** exercises said **external representation** in each case, and b) **under what rules are decisions taken** and the EU's positions shaped in each case.

Assuming they are **policies of external action that are entirely "communitarized"** (exclusive and shared competences), the representative will normally come from the European Commission, and the EU's action will be taken, in most cases, according to the ordinary legislative procedure (initiative of the Commission and co-decision between the European Parliament and the Council, which will decide by qualified majority)

The Lisbon Treaty includes in the TEU a very detailed **regulation of the CFSP** (Articles 21 to 46), distinguishing it from the Community aspects of external action (trade policy, environmental policy, etc), which are indeed regulated in the TFEU. It stipulates that "the adoption of legislative acts is excluded" for all matters concerning the CFSP (Article 24 TEU). The instruments available to the EU in the CFSP (and in the ESDP) are limited to the adoption of general guidelines, decisions on positions, actions or their implementation, as well as the reinforcement of cooperation among member states. **In the framework of the CFSP, the capacity to make proposals falls not to the Commission but to the HR.** Said initiative is also limited because the High Representative cannot present a proposal directly to the Council of Ministers, but rather has to go through the European Council. This latter body is recognized formally as a Community institution and defines the political direction in foreign affairs.

- * Firstly, there is the figure of the **Permanent President of the European Council**, on whom the Treaty confers broad scope for international action when it stipulates that the Permanent President of the European Council "shall, at his level and in that capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the powers of the High Representative..." (Article 15.6 TEU) This last phrase ("without prejudice to...") can give rise to multiple confusions as it does not clearly delimit the division of duties between the aforementioned Permanent President of the European Council and the High Representative. The current and first President is limiting his role in foreign policy essentially to preside high-level international summits. Since taking office, he has not sought too much prominence in foreign policy and has concentrated on "internal" Community affairs, such as the development of a fuller economic governance of the EU. However, the relatively low profile of the President in CFSP could provide an **incentive for the HR to further develop its powers.**
- * In theory, the division of duties between the HR and the **rotating Presidency of the EU** at any time appears to be clearer as the Treaty does not confer on the latter any powers as regards foreign policy. Until now, the rotating Presidency (RP) represented and transmitted the EU's common position on all matters of intergovernmental competence, be it in international forums or in political dialogues with third countries. With the Lisbon Treaty, the rotating presidency hands over that function to the new figures (Permanent President of the European Council, the HR and the EEAS). The RP, only temporarily and on behalf of the HR, could continue exercising said representation in those areas and eventualities where the figures are not yet fully active. As stated previously, **the problem is that currently obstacles** are being placed by some MS in some

delegations of the EU or organizations (for example, the FAO), which causes a **representation vacuum**.

- * In spite of having lost certain prominence after the Lisbon Treaty came into effect, **the European Commission** continues to play a fundamental role in the **external action** in everything that is not CFSP or CSDP. Through its president or the appropriate commissioners, the Commission will continue to represent the EU externally in matters that are classified as exclusive or shared competences. Proof of that is the fact that the President of the Commission has been present at almost all the international summits and conferences and will continue to be, in practice, the most visible face of the EU abroad.
- * The Lisbon Treaty also creates the new figure of the **High Representative of the Union for Foreign Affairs and Security Policy**, who will be assisted in her duties by a European External Action Service (EEAS). The HR replaces the old High Representative of the Council for CFSP (Mr. PESC), occupying a space among all the Community institutions which participate in the EU's foreign policy. On the one hand, the HR has the role of **President of the Foreign Affairs Council**. This could include duties such as promoting the cooperation of the states, steering the CFSP, devising the agenda and priorities, structuring debate and mediating to find solutions, make proposals and ensure the implementation of decisions. Particularly important to the issue that concerns us is the task of making recommendations to the Council in reaching international agreements and taking charge of cooperation with international organizations (Article 220 TFEU). That is to say the HR will represent the EU in international forums and areas that are not the exclusive or shared competence of the Union, except when the event is at head of state or government level, in which case that role will be performed by the President of the Council. In addition, the HR will run, via the EEAS, the EU's delegations in third countries and international organizations (until now European Commission delegations), which will move on to take over the Union's representation (Article 221.1 TFEU).

The HR has focused a good part of her efforts on coordination in relation to the emerging powers. The **challenge** that is being considered at the moment is whether **the HR** is going to limit herself exclusively to **representing the EU solely in the area of the CFSP** or whether **she will also occasionally represent the EU in non-CFSP issues**, but which come under the heading of "**external action**". In this respect, the **EU Treaty as such does not exclude the active participation of the HR**, who, as **Vice-president of the Commission**, looks after the **coordination of external action** (Article 18.4 TEU), that is to say, of non-CFSP matters. The HR also has a role in the signing of international agreements in the same way as the Commission, presenting recommendations to the Council for the conducting of negotiations (Article 218.3 TFEU). In this sense, it would be very desirable if the **HR could maximize the capacities and competences that her mandate as vice-president of the Commission** offers her to strengthen the EU's presence in the international organizations, ensure the **consistency** of external action policies (humanitarian, cooperation, trade) **which chiefly involve the Commission, the Council and the Parliament** and act swiftly when there is a crisis. Also, the **HR** could exert a **great influence over the EC** external action *via* the **EEAS Delegations** of the Union, which **receive instructions** from, and are **accountable to, the HR**².

² See Council of the EU, *Proposal for a Council Decision of (date) establishing the organisation and functioning of the European External Action Service*, Article 4. Brussels 25 March 2010.

The HR must also **try to offset the loss of influence of the MS** (and, therefore, of incentives for action) in their rotating presidencies, as now the foreign affairs Councils are chaired by the HR and the place for holding them increasingly tends to be Brussels. The mediating more than decision-making role that the Treaty assigns to the HR certainly puts this figure in a fragile position, dependent on the desire to cooperate of "her colleagues" in the Council (that is to say, the MS) and in the Commission (association of commissioners). In the case of an inter- or intra-institutional conflict of positions, the HR will be obliged to keep a low profile of bringing sides closer together. That might slow down the EU's reaction to eventualities of different types, as has been made clear at the start of the wave of Arab pro-democracy protests.

- * The HR is at the head of the **European External Action Service (EEAS)**. The EEAS formally entered into operation on 1 January 2011, following the approval of its financial status and agreement over its make-up, with a third of members from the Council, a third from the Commission and a third from the MS. While in the long term a rebalance of personnel will take place according to the quotas mentioned above, **in the short term the EEAS will continue being made up chiefly of Community officials**, of who the majority come from the Commission. In practice in some cases, the starting up of the **new EU embassies**, replacing the delegations of the Commission in third countries, has **not brought about a substantial change**.

In the long term, the increase in EEAS personnel should **not be so much a quantitative, but rather a qualitative and strategic** phenomenon, incorporating the experts required according to the needs of the Delegations of the Union. This will be particularly important in the field of development cooperation, as is analysed below. Currently, the Commission delegations abroad (USA) and to the UN (New York, Geneva, Vienna), as well as many of the permanent delegations to third countries, are in a process of adapting to the new circumstances. **The countries that hold the rotating Presidency of the EU** – as well as the rest of the European countries – are **handing over part of their former duties to the European representation** in areas such as **management, negotiation and external representation**. In some cases, the RP has continued to play that role, but it is fundamental that it should do so **only temporarily, on behalf of the HR**, until the EEAS is fully deployed.

On this point, some states might consider a kind of "**cooperative reinforcement**" to **advance more swiftly in the EU's external representation** in some international organizations where progress is slow - for example, in the **EU delegations to the UN or in financial organizations (IFI) and in certain areas or permanent programmes**. In this way, several member states could **pool their national resources under EEAS personnel**, who would perform duties previously reserved for the MS. While it could hardly be considered a "**enhanced cooperation**" for technical reasons (Title IV TEU, Article 327 TFEU) - cooperative reinforcement in those areas at least might reduce the negative effects of intergovernmentalism.

- * Lastly, as there is **no co-decision on foreign policy matters, the European Parliament (EP) does not participate directly in the decision-making process**. As well as the aforementioned monitoring functions regarding the HR, the Lisbon Treaty requires the European Parliament to be regularly consulted on CFSP matters (Article 36 TEU). Yet the **EP can exert a certain control on external action policies** (trade, cooperation aid, climate, energy) through its joint **legislative power** shared with the **Council**. In this respect, it is worth pointing out that the HR may find a useful ally in the EP when it comes to **promoting the consistency of EU external action** against positions more linked to national interests. The EP could provide **research and practical recommendations** on a regular basis to the HR. It would be a matter of generating greater collaboration and a relationship of trust so that in practice the HR participates more in non-CFSP

matters. Finally, the person in charge of relations with the European Parliament in all the new EU delegations should facilitate the strengthening of relations between the HR and the EEAS and the MEPs. A **"parliamentary diplomacy" could be strengthened** with greater supervision presence *in situ*, in connection with the EEAS

3 ANALYSIS OF THE CURRENT STATUS AND MODUS OPERANDI OF THE EU IN SELECTED MULTILATERAL ORGANIZATIONS. PROPOSALS FOR THE FUTURE

Currently, there are different forms of representation of the EU and the MS in the international organizations, international agreements and conventions and the semi-institutional forums of global governance. The presence and status of the EU in the international organizations is closely linked to the history, tradition and form of government of each organization. In general, **the EU is often seen not to have the status be fitting it according to its competences**. By way of illustration, as shall be seen later in more detail, the **EU lacks institutional status in the UN and the World Bank even though these organizations have activities that fall within the field of a Community competence**, which, in addition, the EU has exercised. Another area in which the EU should improve its representation is in relation to the Euro-Atlantic organizations that the Lisbon Treaty itself specifically mentions. This is the case of the OECD, the OSCE or the Council of Europe, where at present the EU is merely an observer. The most common forms are the following³:

- **The EU is the exclusive contracting party without the MS.** This situation arises basically in the case of **international agreements on specific specialized subjects**, such as those concerning the regulation of metals or certain agricultural products that are the exclusive competence of the EU.
- **The MS as full members and the EU/EC as an observer.** This is the most common situation in **almost all the organizations, programmes and agencies of the UN**. The absence of EU membership does not stop it from negotiating agreements and collaboration conventions with many of these institutions.
- **All or some of the MS and the EU/EC are full members.** This is the situation above all in those institutions where the EU has exclusive or semi-exclusive competences, such as **the WTO or the FAO**. Curiously, the EU is also a member of some semi-formal forums created more recently but which are hugely important, such as the **G8 or the G20**. In these, the EU is represented by the President of the Council and by the President of the Commission.
- **Some MS are full members while the EU/EC has no type of representation or status.** The most obvious case is the **UN Security Council**, in which the EU is not present even as an observer. However, the Lisbon Treaty (Article 34 TEU) provides for the EU (HR) being invited to present common positions.
- **The special case of international financial institutions, such as the IMF, World Bank or the Regional Development Banks.** In these organizations the MS are full members, while the EU is not. Given their importance and legal nature, these institutions will be dealt with in a separate section.

³ This section is based on the classification that appears in: "Emerson, M. y Piotr Maciej Kaczyński. "Looking afresh at the external representation of the EU in the international arena, post-Lisbon". CESP Policy Brief No 22. July 2010.

3.1 General criteria for a new structuring of the EU's representation in international bodies

In view of the large amount of international organizations and the enormous variety of types of EU presence and participation in them, it will be necessary to present some **basic principles or guidelines** on the future representation of the Union.

The basic principle that must inspire the EU's position is that of putting a stop to the fragmentation in European positions and therefore transmitting a unitary message to achieve greater weight and influence in international organizations. To do so, **the starting point will be the distribution of competences according to the Lisbon Treaty**, analysed in the previous chapter. Depending on the area of competences, the said message will be expressed solely by the EU, by the EU and the MS or by the MS exclusively, but the position must be presented in a concerted manner, maintaining unity in the message. **As a general rule, the EU should work towards shifting its current status in each international organization to a higher level** – that is to say, where the competences are "communitarized" (exclusive + shared) it must seek a status of full membership. Even if the EU has only partially exercised its shared competence, the rule should be for the Union (Commission) to move on to representing the Twenty Seven.

The most frequent case is that of international organizations in areas of competences shared between the EU and the MS and in those which the EU currently has different degrees of participation (see Table 1, Appendix). In general, the EU's strategy in organizations in which it has shared competences must be to reinforce and raise its presence in them to achieve recognition as a **full member. The ultimate goal will be for both the EU and MS to be full members of organizations or contracting parties of conventions**, even when this implies the EU countries having to **reduce their presence or representation for reasons of efficiency or economy**, particularly when the competence has been exercised by the EU and the MS cease to be competent in the matter.

Clearly, the optimum status of the EU and the division of weight and responsibilities between it and the MS can vary according to the gradation of the Community competences present in the mandates and functions of each organization. However, as has been stated when the central mandate of an organization affects an exclusive or shared competence of the Union (except for the parallel competences of Articles 4.2 and 4.3 of the TFEU), even if only partially; **in those cases the EU should move on to be a full member or contracting party of the organization and lead and present the common position of the MS.** EU representation would fall to the European Commission, which by virtue of Article 17.1 of the TEU has the authority to represent the EU in affairs of exclusive and shared competence. This situation will arise in a good part of the programmes, conventions and technical and regulatory agencies of the UN, such as the FAO, the WTO, ICAO or the UN Convention on the Environment and Climate Change.

Notwithstanding any real progress made in enhancing the status and representation of the EU in international organizations and forums, it is clear that in many of them – maybe in some of the most influential (G20, UN Security Council, IMF) – and for the foreseeable future, MS will continue to have their seats and express their voice, often on a par with the EU itself. For this reason, **if the EU wants to exert the influence it deserves in the global arena, much more emphasis will be required to forge strong common positions in every issue and in every organization**⁴. Even if in the short term there could be **trade-offs for MS in shaping EU common positions**, in the long term, national interests will certainly be much better protected under **EU common positions**.

⁴ See Emerson, Michael et al (2010). Pp 17.

3.2 The EU and the United Nations system

The EU and the United Nations are natural partners who share the same values and many goals. As a general principle, **for the EU the UN remains the major source of international legitimacy**, which explains the EU interest in making the UN system **more efficient**.

In numerous sections, the Lisbon Treaty expressly states that the EU will be guided among others by the principles of the United Nations Charter (Article 10a TEU) and that it will seek **multilateral solutions** within the framework of that organization. The Treaty expressly cites the United Nations and its specialized agencies as organizations with which the EU must develop appropriate cooperation.

The contribution by the EU as a whole to the financing of the UN system accounts for nearly 38% of the organization's ordinary budget, 50% of the contributions to special funds and programmes and nearly 40% of the costs of peace operations. The European Commission alone contributes more than 1.35bn dollars to United Nations aid programmes and projects.

The European Community obtained the **status of observer at the United Nations General Assembly in 1974**. In the following years, it obtained it in many other agencies and programmes of the UN, such as UNHCR, UNCTAD, ILO, WHO, UNESCO, UNEP, UNDP, WFP or IAEA. Thanks to the exclusive competences that the Treaties have conferred on the EU/EC in various sectors, the Union has been a full member of the FAO since 1991 and participates as a contracting party in several international conferences and has signed more than 50 international conventions of the UN. Since 2000, the Commission and the Council have approved a whole series of decisions and agreements related to the UN which serve as precedents.

Cooperation between the EU and the UN has increased significantly over the last decade, particularly following the development of the Common Foreign and Security Policy (after Lisbon, Common Security and Defence Policy, CSDP), extending its activities and areas of action to trade, development, the environment, humanitarian aid, human rights protection, conflict prevention, crisis management or peacekeeping operations, among others. In this respect, the CFSP that was adopted by the European Council in 2003 incorporated the principle of "effective multilateralism" and gave priority to strengthening the United Nations, equipping it so it can meet its responsibilities and act effectively. For its part, the **European Commission** channels a considerable and growing part of its aid through funds, programmes and agencies of the UN. However, it does so on the basis of its non-membership and, therefore, as voluntary contributions. The EC also often acts through less formal channels, such as partnerships or association agreements, which can sometimes be more effective than participation as a member itself.

Nevertheless, **there is a general consensus that the EU does not obtain the visibility it should given its major contribution to the financing of the UN agencies and that its actions do not have sufficient impact**. One of the main problems is due to the inadequate status of the EU in said organizations. The **representative issue is, then, a fundamental problem**: the badly-defined role of the European Commission in EU-UN relations, both in the **General Assembly and in the Security Council**, bodies which because of their nature require specific treatment, and in the **funds, agencies and specialized programmes** of the UN in which the EU has some kind of competences. Yet the EU is a **quasi "post-sovereign" body** that has to act within an institution that is basically one of **state sovereignty** in its functioning and inspiration.

In recent years, in the pre-Lisbon period, in the majority of the UN agencies and programmes EU representation was administered by the EC, although the role of the rotating Presidency was important in coordinating the positions of the MS, issuing official statements or consulting and

making demarches with third countries. In general, the number of coordination, consultation and informative meetings between the MS and the European Commission, basically via the EU delegations in New York, Geneva and Vienna, is huge and heavy. This should change gradually with the new provisions of the Lisbon Treaty, particularly in the technical bodies and agencies, as has been mentioned in the previous section, in which the EU should move on to being a full member and represent the Twenty Seven. However, the application of the mechanisms of the Lisbon Treaty in the technical bodies of the UN is demonstrating in a much greater way than in the General Assemblies or the EU delegations the **difficulty of overcoming national misgivings** within the EU on specific matters of regulations that affect national legislations.

An analysis of each and every one of the UN agencies and bodies is beyond the scope of this report. However, described below is the **special situation of the UN General Assembly and the Security Council**, which given their characteristics and importance require separate treatment. Subsequently, we shall analyse the situation of a few relevant organizations which might serve as models or examples of the EU's unified representation (the FAO, the UN Framework Convention on Climate Change, the WTO) and others that are relevant for global governance in the economic and security domains.

3.2.1. The EU and the United Nations Security Council

The Lisbon Treaty recognizes the current status of the Security Council, but contains specific provisions with regard to **(i) concerted action** of the EU and its MS in this body (Article 34 TEU), **(ii) the defence of common interests** and **(iii) the intervention of the HR**, which must be put into full operation.

Despite the radical changes that have taken place in the EU towards economic and political integration, the Security Council continues to be structured along national lines and both France and the United Kingdom, the only two permanent members of the Security Council, with the right of veto, are reluctant to give up that privilege. A **national rigidity** persists, particularly on security matters (nuclear dossier, peace-enforcement operations, etc).

Some progress has been made, the HR has already set out common positions in the Security Council (Article 34) and little by little a positive dynamic of prior coordination of positions at the heart of the EU is being created. However, it is necessary to make much more progress in the coordination mechanisms at EU level, at the request of the MS, on key issues that are the object of disagreement. **The scant progress in the EU's representation on the Security Council contrasts with what has happened in other fora such as the G20 or G8, in which the EU is considered a "full member".**

With regard to the common position on the reform of the Security Council, opinions within the EU are currently divided and range from proposals for new permanent members with the right of veto (Germany) to a group of countries "United by Consensus", among which would be Spain or Italy, which are calling for **new semi-permanent members without the right of veto**, and greater weight for the EU to the detriment of the states. Deep national feelings and the long history of ill-fated reforms make it necessary to **proceed with caution on this issue**, for which reason **far from suggesting a single seat for the EU in the short run**, it would be preferable to work on a **triple route**:

- **Firstly, the prior coordination of positions in the Council of the EU.** This would require a systemization and reinforcement of the mechanisms of **prior coordination**, in New York and Brussels, for the most sensitive issues. In principle, the Lisbon Treaty refers chiefly to the obligation among the MS to keep one another informed and to reinforce coordination among one another. However, **the HR, via the EEAS, could play a more active role** in this task.

- **Secondly, advance in the proposal to introduce new permanent members, replace the right of veto and bring in super-qualified majorities in ever increasing fields.** In addition, the EU could propose the possibility of **opting out** for certain countries on the **most sensitive issues** (for example, as regards "Chapter VI ½" of the UN Charter, on peacekeeping or emergency humanitarian aid), inspired by the European model. A **European diplomacy** coordinated and driven from the MS could help in the task of persuading the rest of the powers
- **Thirdly**, by advancing in the **Europe of Defence**, with autonomous capabilities that make the EU an indispensable actor for global security. Permanent structured cooperation might help to make a definitive leap in the CSDP.

3.2.2. The EU and the UN General Assembly

The European Union currently has the status of permanent observer in the UN General Assembly, which allows it to take part once all the MS have done so. **In September 2010, the EU failed in its draft resolution for it to be recognized in the General Assembly as an *advanced observer or observer plus*.** The aim was to make the EU's voice more visible so that it can take part in time and gain competences. The rejection was due to a lack of explanation on the part of Europe and the misgivings of the MS (paradoxically, many of the countries that voted against it belong to the ACP group of states, the recipients of huge amounts of European aid). This issue is under negotiation and over the course of 2011 there will be a fresh attempt, with the aim of having it approved during the General Assembly of September 2011.

This case exposes two things on which the EU must work: **a) the need to strengthen the deployment of a European diplomacy** that represents interests as a whole and **b) the strongly state-centric logic governing the Assembly**. For the time being, the priority is to attain said *plus* status of the EU in the General Assembly, which could serve as an incentive to defining representation in UN technical agencies. In this respect, the EU should promote a change in the structure of the UN membership, **exploring the possibilities of the status of Regional Integration Organization (RIO)**. It would be a matter of **defining minimum criteria** that establish when a regional bloc or agreement (i.e. UNASUR, ASEAN) has the right to be considered an advanced observer. One minimum criterion would be that the RIO in question should have its **own legal personality**, which gives it capacity and autonomy of action. In this way, the voice of the EU would have **an incentive to be more consistent**; it could **benefit other consolidated regional organizations**, while at the same time the **excessively state-centric logic** of the UN could be progressively reduced.

3.2.3. The EU and the UN Economic and Social Council (ECOSOC)

ECOSOC was established under the United Nations Charter as the principal organ to **coordinate economic, social, and related work of the 14 UN specialized agencies, functional commissions and five regional commissions**. The Council also receives reports from 11 UN funds and programmes. ECOSOC is made up of 54 member countries, elected by the GA for a period of 3 years based on geographical representation. EU MS are split between to groups, the Eastern European States (6 seats) and the Western European and Other States (13 seats). The EU has an observer status in ECOSOC and in almost all of its regional and functional commissions. The only exception to the latter is the Commission for Sustainable Development (CSD) where the EU is a full member.

At its origins ECOSOC was entrusted with the coordination of all UN work in the economic and social domains, including that of the Bretton Woods Institutions and in coordination with the General Assembly. Yet, unlike the Security Council, ECOSOC lacks teeth to implement its decisions and hence has very little influence over international economic policymaking. Other international institutions

such as the World Bank, the IMF, the WTO and, more recently the G20, exert a great deal more of influence and authority.

In light of this, in recent years there has been increased international pressure and initiatives to strengthen the role of ECOSOC, both within the UN system of governance and in the governance of the global economy. In particular, **the EU should advocate enhancing the role of ECOSOC to upgrade it into a policy-making and policy-monitoring body as envisioned in the UN Charter, so that over time it plays a central role -equivalent to that of the Security Council - in the economic and social realm.** In the short-run the EU should seek to reduce the size of ECOSOC to about 20-25 members, and to consolidate the EU presence under one single constituency.

The most critical and difficult decision would be **to formally link ECOSOC with the G20.** There have been several proposals⁵ in this regards. **One of the most sensitive would be to place the G20 as a high-level, ministerial body of ECOSOC, so that the decisions taken by the former are later confirmed and endorsed by ECOSOC,** which ultimately represents the G192. This way, the G20 would gain the legitimacy and accountability conferred by the UN Charter.

3.2.4. The EU and the Food and Agriculture Organization

The EU is in a good position as regards the FAO as it has been a full member since 1991, along with the MS. This is due to the fact that in the FAO's sphere of activity there are exclusive competences of the EU and competences shared with the MS. Hence, according to the issue of the agenda, it is announced who will exercise the vote, the EU or the MS. When it is the **EU** that exercises the **vote**, this is **equivalent to that of the 27 MS**, the **European Commission** being the body that represents the position. In the case of **shared competences**, to date the rotating presidency of the Council of the EU has represented the position of the EU. This system has worked well, although it **requires a huge internal coordination effort**, which must be reduced, and there have been cases of **lack of discipline** from some national representatives when it has come to following the procedure.

With the Lisbon Treaty taking effect, the rotating presidency of the EU should not have any role of external representation in international forums. Following the general criterion followed so far, **given that FAO activities fall predominantly within the shared competences exercised by the EU, the Commission should represent the Union in all affairs.**

3.2.5. The EU and UNFCCC

The United Nations Framework Convention on Climate Change is a shared competence between the EU and the MS, who are contracting parties, which has given rise to an additional case of excessive representation. This circumstance may partly account for Europe's lack of influence during the Copenhagen Summit of 2009. At that summit, the EU was represented by the rotating presidency of the Council of the EU, the rotating presidency for the following six months and the president of the European Commission, as well as the 27 national representatives.

It is therefore necessary to concentrate the EU's representation in this forum so that it is more effective. Given that the sphere of activity of the UNFCCC appears on the list of shared competences and that the Union exercises its competence, **it is the European Commission that must represent the Union, coordinating and transmitting the position of the EU and the MS, while the national representatives should act in a similar way to the WTO, remaining in general as observers.**

⁵ See for example United Nations General Assembly (2009) or Institute for Global Policy (2009). We come back to this issue below in paragraph 3.3.7. (The EU and G-20)

3.3. The EU and the main multilateral organizations in the economic sphere

3.3.1. The EU and the International Monetary Fund (IMF)

The **representation and the status of the European Union in the IMF is perhaps the most dramatic and important example of the inconsistency** between a supranational body with global interests and state-based membership in international organizations. The mandate of this organization combines, on one hand a key exclusive competence of the ECB, that is Monetary Policy, with other competences like macro and fiscal policies which are shared competences, but subjected to ever more EU-wide coordination.

The EU has no formal representation at the IMF, not even as observer. The IMF's Board of Governors, in which all member states are represented, is made up of ministers of finance and central bankers. The European Central Bank (ECB), which holds an exclusive competency over monetary policy in the Eurozone, is not a member of the IMF and hence does not sit at either the board of governors or the Executive Board (board of directors), the 24 member body in charge of day-to-day operations at the IMF. This lack of formal Eurozone representation is so even when the IMF article IV consultations have as the logical counterpart the ECB. Moreover, besides exchange rate matters, it is worth recalling that article VIII of the IMF mandate refers to current and capital payments regimes and reserves assets policies, which can no longer be fulfilled entirely or at all by the member states of the Eurozone. Yet, the ECB has a privileged status compared to any other Central Bank since it is the only one invited to attend and speak at the IMF Board when matters related to the currency bloc are being discussed.

Neither the Eurogroup, not the European Commission have any formal or informal representation at the IMF Board. The European Commission does participate as observer in the meetings of the Development Committee. Also, at the Spring and Annual Meetings of the IMF Board of Governors, the finance minister holding the presidency of the EU Council gives a speech on behalf of the ECOFIN, something that should change in light of the Lisbon Treaty.

Currently, there is EU coordination on the spot **in Washington**, but there are **problems of articulation of the EU/Eurozone position**, especially if the country holding the EU Presidency is not a member of the Executive Board. The latter problem is compounded after the entry into force of the Lisbon Treaty, whereby the EU should take over the role from the rotating Presidency, but does not even have an observer status on the IMF Board. Coordination has been recently enhanced with the secondment of Commission staff posted in one of the main European Executive Directors' offices.

In Brussels, IMF matters are discussed at the EU Sub committee on the IMF (SCIMF) -one of the ECOFIN Subcommittees -made up of national central banks and finance ministries representatives alongside the ECB, the European Commission and the representative of the EU rotating presidency. While the SCIMF has proven to be a useful forum, there remains the **issue of EU capitals directing differing messages to their ED representatives in Washington**. It is thus essential that MS show more political will to align themselves behind unified messages that are worked out in the SCIMF and transmitted to Washington.

One key hurdle for the EU to act in a more coordinated and unified way is the nature of the **IMF's Executive Board**, based on a constituency system for smaller countries. At the IMF Board there are 20 Executive Directors, of which the five larger shareholders each hold their own chair. The rest of countries are organized in **15 constituencies or groupings of countries** holding each one chair with one Executive Director, who rotates among the members and whose votes amount to the sum of votes for all of them. With the exception of UK, France and Germany the **rest of the EU countries**

belong to constituencies or groups of countries formed many years ago, which lump together EU and Non-EU countries (see Table 2 in Annex) and hence are a thing of the past.

The current situation constrains the capacity of EU to coordinate their positions and act together. Therefore, a change is required in the structure of the Executive Board to better reflect the current reality and international status of the Union. The IMF articles of agreement allow member states that have formed monetary unions to pool their representatives on the Board since the constituencies are self-determined. In principle, such a pooling does not require merging country quotas or reforming the rules to allow supranational representation at the IMF.

To address this issue, two steps can be considered. **In the short run, the EU should seek to become a permanent observer to the Executive Board, a seat that could be occupied by either the ECB, or the European Commission** depending on the issue at stake.

In the medium term there is a need to pool the representation of all EU countries under two Executive Directors, one chair for the Euro countries and the other for the non-Euro countries. The Executive Director of the Euro chair could rotate among Member States, whereas the alternate Director could be a representative of the ECB, or the European Commission depending on the issue at stake. For the EU non-Euro group the Executive Director would rotate among the countries, while the European Commission will also hold the Alternate Directorship.

A solution along these lines has already been proposed by the European Commission in 1998 and in 2006, and even the Council did agree in principle to a single EU/Eurozone constituency/seat in 2006. However Member States have proved conservative and the current arrangement was kept.

The **voting power of each country in the IMF** is determined mainly by the respective quota shares which are calculated on the basis of a set of formulae combining the national product and the need for IMF resources. Therefore, it is interesting to note that in the event of one or two EU groups, the EU voting power will not be seriously diminished at the moment of writing (see Table 4 in Annex), provided the quotas remain as of now:

However, it should be taken into account that a 6.4 per cent shift in quota shares in favor of emerging economies and underrepresented countries has been agreed for completion by the 2012 IMF Annual Meetings, which certainly will decrease the overall EU representation in terms of shares and votes. This will be more apparent if all EU member states are grouped together vis-à-vis the *statu quo*.

Still, the whole voting issue should not be overestimated, since at the IMF the Executive Board rarely votes and almost every decision is taken by consensus.

The **current "excess" of European chairs** at the Executive Board is on course to be reduced anyway, given the agreement reached in October 2010 under pressure from the G20, by which **two non-rotating EU MS chairs** (likely to be Belgium and the Netherlands) **will be ceded to two emerging economies**. Although the weight of those two countries in the IMF is clearly excessive, they should take credit for their decision to surrender their seats and use the opportunity to eliminate the US veto and push for enhancing the EU status at the Fund. The IMF agreement foresees a limited revision of quotas and seats on the Executive Board to become operational in 2012, and for further review eight years later in 2020. **The first date of 2012 could be a good opportunity, although ambitious, for the EU to table a proposal to set up a Euro constituency.** The second review of 2020 could be a suitable date to move towards a single seat for the EU.

Beyond the current system of constituencies, a **more ambitious reform** would imply that EU member states merge their quotas in order to be represented as a single member. This will require as well **reforming the IMF Article II Sections 1 and 2**, which states that membership is open to

“countries”, in order to allow for supranational representation. The added appeal of this solution is the fact that the IMF will have to relocate to the EU, since it will become the largest shareholder, at least with the current quota allocations. If there was enough political ambition this proposal could be tabled for the **review of the current IMF’s quota and governance by 2020**.

3.3.2. The EU and the World Bank

The state of affairs at the other Breton Woods Institution, **the World Bank**, is rather similar to that of the IMF, since it is as well primarily based on member states and a constituency system which suffers from groupings of countries which are obsolete. See Table 3 in for a description of the WB constituencies which basically mirror the IMF even though the votes and shares distribution do not exactly match one another.

In the **World Bank Executive Board**, European countries (European Union members plus Norway and Switzerland) are widely considered to be **overrepresented**, occupying eight or nine of the 25 chairs of the Board. **The EU is not a member of the World Bank, and has not even observer status at the Board of Directors** (although the **Commission** is an observer to the joint WB-IMF Development Committee). All this notwithstanding, there are though two key differences between the state of affairs at the IMF and the WB.

First, the rationale for a single EU representation at the Executive Board it is not as clear cut, since development policy (the core business of the World Bank) is not an exclusive EU competency, but a shared one. However, since the EU is the largest donor to the developing countries, a strong case can be made that rationalization and effectiveness demand ever more convergence and harmonization of development efforts by all EU member states. Even the present situation, with the EU commitment to the Paris Declaration on Aid Effectiveness and other EU agreements, warrants the establishment of a truly single EU voice at the prime global development financier. Second, the euro divide is not as relevant at the WB since the institution does not play, at least formally, a role in international monetary affairs. So the EU should propose the **constitution of a single EU constituency in the World Bank Executive Board**. The grouping could be chaired on a rotating basis, perhaps with the European Commission as alternate.

Another possibility could be for the EU to become enhanced permanent observer at the World Bank Executive Board. This could be a feasible and sensible arrangement, particularly while there is no single EU constituency.

Nowadays, there is fairly good coordination on the spot among the EU Executive Directors, - especially between France and Germany - which normally also involves the Commission through its Delegation in Washington. The EU common position is typically expressed by the Executive Director from the country holding the EU rotating presidency. Yet, **coordination in Brussels could be enhanced with the creation of forum to discuss and align World Bank and other multilateral development banks’ issues, in the same way that it is done in the existing Sub-Committee on the IMF mentioned above.** The proposal for a EU Development Platform on Development outlined below seeks to address this need.

Finally, it is worth mentioning that the World Bank has already implemented a **shift of shares** (and hence voting power) in favor of emerging and under-represented economies. An additional allocation of shares approved in April 2010 increased the voting power of developing countries by 3.13 per cent. As a result, under the current system if all EU countries were to join in a single constituency, the aggregate voting power would diminish from 34 to 29 per cent (see table 5 in Annex).

Yet, **the pooling of EU countries behind a single Executive Director should be part of a further reform of the World Bank Governance and the emergence of new country groupings**⁶. The EU should push for an amendment in the current system for allocation of votes in the World Bank, in order to give more weight to developing and transition countries, to eliminate the US veto and also to take into account contributions to IDA and other WB Trust Funds⁷, which would benefit the EU position. So, everything taken into account, **by acting together through a single seat in the Executive Board and forcing major reforms in its governance, the EU could become a much more influential player than under the current situation.**

3.3.3 The EU and the Regional Development Banks

The Boards of Directors of the three main Regional Development Banks, the Inter-American Development Bank (IADB), the Asian Development Bank (ADB) and the African Development Bank (AfDB) are structured in a similar way to that of the World Bank, that is there are a limited number of Executive Directors representing constituencies of countries. Therefore, in all three cases **the EU should strive to consolidate all EU MS in the same constituency under one single Executive Director**, which could correspond to the Rotating Presidency, while the Alternate Director could come from the EC. **Moreover, the EU itself should gain permanent observer status, with voice but no vote, in the Board meetings.**

In the case of the European Bank for Reconstruction and Development, both the EC, the EIB and the EU Member States are full members of the former. As a whole the EU and its MS control 64% of the EBRD capital, so there does not seem to be a need to change the way things are at the moment.

3.3.4 The EU and the World Trade Organization

Given the EU's long-standing exclusive competence in trade policy, EU representation at the **World Trade Organization is the most advanced** of all international organizations, since the member states do not retain any power. Hence, although both the EU and all 27 EU countries are members of the organization, it is only the EU representative (the European Commission Trade Commissioner) that is allowed to speak and negotiate, while EU member states can only look on at the meetings. Of course, common EU positions are first established at the EU Trade Policy Committee.

As this arrangement is fairly satisfactory, the only remaining issue is the financial implications of having so many national representatives attending WTO sessions and meetings merely as de facto observers. A more efficient solution would be for the **Commission to take notes, circulate minutes and brief Member States in Brussels, rather than the latter sitting as observers.**

3.3.5 The EU and the Bank for International Settlements (BIS)

BIS, located in Basel, is an international financial institution which gathers the central banks of the most advanced countries, with the more recent inclusion of those of China, Brasil and India as well. The BIS hosts the Financial Stability Council, and its predecessor the Financial Stability Forum.

The ECB is a member of BIS together with central bank for other 24 EU MS. 10 out of 18 seats in the Board of Directors are controlled by EU countries. In this context, and given the exclusive competence of ECB over Monetary Policy it is proposed that the ECB be the only representative of the Euro area in the BIS Board, and the EC in the Basel Committee of financial regulation. The proposed reform would

⁶ See for example recommendations from the Zedillo Report on World Bank Governance (Yale Center for the Study of Globalization, 2009).

⁷ The voting power of countries in IDA, the soft window of the World Bank, already reflects their share of financial contributions to this organisation. However, this is not the case for the IBRD, something which should be reviewed.

involve transferring the shares of the 24 EU Central Bank to the ECB and is allowed under article 12.2 and article 27 of its Articles of Agreement.

3.3.6. The EU and the OECD

The EU is an observer at the OECD, although its practical status is closer to that of a member since the Commission is the only one authorized to speak on the Trade and Agriculture Committee. In all other committees, both the EU and the member states may take part. Under current arrangements, the EU delegation at the OECD organizes and chairs coordination meetings at the level of ambassadors, deputies, committee level or by issues. Hence, the EU will speak on issues on shared competences when a common position has been reached. It is also possible for the EU to speak on issues of exclusive national competence (which are very few) if requested by member states via a clear and agreed mandate.

However, the EU does not contribute to the budget and hence does not have a vote, even if the OECD rarely votes. Still, there is a case to be made for full membership given the substantial EU exclusive or shared competences in almost all of the OECD's committees. In particular, as is the case with the World Bank, the OECD plays a key role in development policy through the Development Assistance Committee (DAC). Greater foreign policy and external action consistency, particularly after the coming into force of the Lisbon Treaty, requires **the EU to speak with one voice on aid at the OECD and the DAC** in particular. The best operational procedure is for member states to become **de facto silent observers** when the EU speaks on matters of shared competences when there is a common position.

3.3.7. The UE and the G20

The G20 is not an international organization but an informal gathering of finance and central bankers and, since November 2008 of heads of state and government as well. It is in the G20 group of countries where it may be more difficult to make progress towards a single EU representation, even though there is an evident case of over-representation. There are four EU Member States members of the G20 (UK, France, Germany and Italy) and one "permanent invitee", Spain. The EU is an invitee (under the banner of "full participant"), and there the discussion often revolves on whether the meetings should be attended by the EU Council President or the European Commission president, or both. This is different from the Group of 8 (G8) where the UE is a full member, although cannot host or chair a meeting. At the original G20 formation (ministerial level), the EU is represented by the President of the European Central Bank plus the ECOFIN Presidency (not the Eurogroup) and the European Commission (hence three EU representatives).

Since the G20 became a summit-level gathering (attended by heads of state and government) in November 2008, the EU has been represented by the **Presidents of the European Council and of the European Commission**. While the former is set to speak on foreign policy and security issues, the latter must do so when dealing with **issues of exclusive EU competency**. It is though fair to say that most issues discussed at the G20 are likely to fall into a **grey area of shared competencies (states and EU), such as economic policy**. In practice, the two presidents must agree on a *case by case* basis who is to speak for the EU depending on the item on the agenda. In addition to the EU voice, one must add the national representatives of the UK, France, Germany, Italy and lately Spain.

In summary, this is another instance where **Europeans appear to be triple represented, both at the national (for those EU countries that are members) and the supranational level (two presidents attending the leaders formation of the G20)**. This, in a way, transfers the EU internal institutional complexity to international fora. **Such an over-representation does not appear to help the EU cause in the long run**, since country representatives (either Ministers of Finance or Prime Ministers),

are likely tempted to showcase national proposals and shine in the limelight rather than just follow the lead of the EU representatives, even when EU summits are regularly held in advance of G20 gatherings to coordinate a common position. On the other hand, when the EU position is just mechanically repeated by several representatives, the usual outcome is irritation on the part of the other members, many of them considering that the EU should rationalize its presence in this forum. **Yet, the G20 is probably, along with the UN SC, the most important forum where the EU needs to show unity of message if it wants it to carry any weight.**

In the short to medium run it will be unrealistic to think that EU countries that are in the G20 will forgo their presence there in favor of a common EU representation. Yet, the European presence can be improved in at least two ways: (i) **streamlining the EU representatives from two to one at the G20**, which will require the EU president and the European Commission president to reach an understanding on who should be attending and; (ii) **achieving full coordination and alignment of messages among the 5 European countries and the EU representative sitting at the G20 table**. A common position on each of the G20 agenda items should be reached and made public prior to every Summit and Finance Ministers meeting, as has been done to a large extent for some of the past Summits.

The G20 is often criticized as a closed-club lacking legitimacy and accountability vis a vis the United Nations, and leaving out about 40 per cent of the population. In response, G20 leaders argue that their legitimacy stems from its effectiveness and efficacy. The international economic crisis has laid bare the need to have a smaller, more flexible forum, where a limited number of countries can discuss and debate hot issues, and make progress in designing solutions. While the latter is a valid argument, the question of the representativeness, legitimacy and accountability for the G20 remains valid. **Ultimately, any EU proposal concerning the G20 should aim to speed up the reforms at the UN and the IFIs to improve effectiveness and preserve UN legitimacy, not to replace it.**

The EU should push for a better link between the G20 and the UN, a kind of **trade-off** by virtue of which the UN provides the G20 with a certain amount of **legitimacy** in exchange for G20 **efficiency**. In this respect, there appears to be **two options**. One is the proposal suggested here: to situate the G20 as an "ad hoc" high-level, ministerial body within a reformed and enhanced ECOSOC, which would become the central forum for international economic policy, **similar to the Security Council but in the economic and social spheres**. By reporting to and receiving the endorsement of ECOSOC, the G20 would gain the legitimacy and accountability that it currently lacks, while retaining most of its effectiveness. A **second, less ambitious option for the short term** would be to **let the two organizations work separately** (not transferring the whole of UN formal legitimacy to the G20), but at **least submit G20 decisions for the final approval and amendments of ECOSOC**, the latter acting as a consultative body.

3.4. The EU and other regional organizations in Europe: Council of Europe, OSCE and NATO

3.4.1. The Council of Europe

One of the international organizations that the Lisbon Treaty itself expressly singles out for the purposes of establishing "appropriate forms of cooperation" is the Council of Europe.

At present, the EU is an observer on the Council of Europe, while all the MS are members. The **Commission** does not contribute to the Council of Europe budget directly, even if it is the biggest contributor to the operational programmes that are carried out with the Council of Europe. In addition, since 2007, both organizations have held "quadripartite meetings", in which the EU has been represented to date by the rotating presidency of the Council and by the Commission and the Council of Europe by the president of the Committee of Ministers and the secretary-general.

Article 6.2 of the TEU contains a mandate for the EU to negotiate its accession to one of the Council of Europe's conventions, the Convention for the Protection of Human Rights and Fundamental Freedoms, as membership is not automatic.

Negotiations between the EU and the Council of Europe are expected to end before the summer, once certain **technical aspects** have been settled, such as incorporating the exceptions established for the United Kingdom and Poland, to whom the Council of Europe's Charter of Fundamental Rights, an integral part of the Convention for the Protection of Human Right and Fundamental Freedoms, is not applied. Another problem that remains pending resolution in the negotiations is the fact that the EU plus its MS add up to 28 of the 47 Council of Europe members, which allows them to have a majority position against the rest when it comes to voting. However, the simple fact of admittance to said Council of Europe Convention should give the EU the condition of member with the right to vote in this organization, along with the MS, and participation in the Council of Europe's Committee of Ministers. All this does not prevent the EU from joining other Council of Europe conventions and joint programmes, such as the Convention on Cybercrime.

As in the case of other international organizations, the joint participation of the EU and of its MS would make it necessary to ensure their action is harmonized in the most consistent way possible. It would also be necessary to **determine which authority within the EU takes charge of representation in each case**. Here, the general rule would continue to be that the **Commission** takes on more importance when matters related to exclusive or shared competences of the EU are discussed, the **HR being the Community spokesman** when it is a matter of issues derived from the **CFSP**.

3.4.2. Organization for Security and Cooperation in Europe (OSCE)

The **OSCE** is the **largest regional security organization** existing in **Europe**. It is made up of 56 states from Europe, Central Asia and North America, all of which have the same status of Participant States. **Now the EU maintains a status as observer**. However, the innovations introduced by the Lisbon Treaty as regards CFSP should allow the **EU to be fully** represented along with the MS as a **member of the OSCE**. Article 220(1) of TFEU explicitly added the OSCE to the list of international organisations with which "appropriate forms of cooperation" shall be established.

However, many difficulties arise here. Firstly, the **rigid structure of OSCE**: greater influence for EU external representation in the OSCE is problematic because Russia and others consider that any major modification would require a change in the rules of procedure. The **underlying political problem** here is the **lack of consensus** among Russia, the Europeans and the US on the future role of the organization. Secondly, at an **internal level**, although the **EU Delegation** is gradually acquiring leadership in the coordination of the MS, the **stronger MS remain in control**.

Yet the EU and its Member States and the **OSCE Permanent Council** should jointly develop a mechanism aimed at enhancing cooperation, coordination and consultations. The **VP/ HR** should be able to **represent the EU** at least as an **observer** at the OSCE and to **take the lead of the position of EU MS**. The goals of a more visible, high-profile EU in the OSCE should be to **transform gradually the inertia of the past, strengthen consensus** and **adapt the organization** to a new strategic environment for the vast Euro-Atlantic area. A good example is the so-called **Corfu Process**, which culminated in the Astana Summit of December 2010, where the OSCE responded to Medvedev's proposals on European security.

3.4.3. The EU and NATO

The complications of the EU's relationship with NATO – traditionally an unproductive institutional rivalry – are attributable to a number of **peculiarities**: 21 of the 27 EU members also belong to 28-country NATO; these countries have "double-hat" representation in both organizations, with often divergent security perceptions; each member state has a different bilateral relation with the USA; overlapping functions in terms of personnel, goals and missions often work as a barrier to effective cooperation, as well as to a full participation of the EU in NATO; and traditionally both NATO and EU enlargements have been connected.

On account of these factors, the general criteria applied to other multilateral organizations do not work here in the same way. The goal in this case does not appear to be to **increase weight/ leverage in** the organization (as a separate entity) or to seek a single **EU seat within NATO**. Rather, **the EU should have a clear idea of its goals and tasks, and simplify the levels of coordination with NATO with a single voice**. Thus, the way forward is not a "Europeanization" of NATO, but rather building on an autonomous Europe of Defence.

After a decade of the **so-called "Strategic Partnership" that begun officially in 2001**, the relationship requires fresh impetus and to be redressed. The Lisbon Treaty puts the CSDP at the centre of the CFSP (Article 42.1 TEU) and, consequently, under the lead of the HR. Yet, far from downgrading NATO's role in European security, according to the LT the **transatlantic link** remains as the foundation of collective defence (Article 42.7 TEU). **In this respect, an EU caucus operating within NATO does not appear to be the most appropriate place to define a single, common EU position. A prior and more important task is to build up EU capabilities via flexible permanent structured cooperation and the European Defence Agency (EDA).**

On the basis of these premises, **the Lisbon Treaty provides an opportunity for improved coordination between these two organizations on several levels:**

Firstly, at the level of representation, the EU should take further steps to **strengthen a single voice vis a vis NATO**. Both organizations should establish mutual observer status at the level of the North Atlantic Council and the Political and Security Committee in order to improve cooperative arrangements. While the Presidency has a representative role as an observer at NATO summits or high-level meetings of the EU and NATO with third parties (the USA, Russia), the main role and initiative on CSDP, again, should **fall to the HR** (Art. 18.2 and 42.4 TEU). **The HR and NATO Secretary-General** could increase their consultations and establish a **structured, strategic dialogue** by exchanging views through a **Joint Task Force** that involves the EEAS.

Secondly, cooperation on the ground should be reinforced. In spite of their relative success at operational level, the experiences of the EUFOR Althea, Kosovo and EUPOL Afghanistan or anti-piracy operations in Somalia, suggest the need for **more structured relations**. These include developing institutional capabilities to enable a rapid, coordinated NATO-EU response to crises, joint planning of operations or a joint operations command. **No less important is EU-NATO (and US) cooperation regarding UN capabilities in peacekeeping and crisis management**. Joint planning should be shared with the UN Department of Peacekeeping Operations, and UN staff should be included in joint planning efforts.

Thirdly, there should be also common ground for understanding with NATO in the implementation of the two clauses introduced by the Lisbon Treaty: the mutual assistance clause (Article 42.7 EUT) which had to be made compatible with Article 5 of NATO's collective defence, and the

solidarity clause (Article 222 TFEU) by which EU MS will provide mutual assistance in the event of terrorist attacks or natural disasters affecting one state's territory.

Finally, those countries with the dual condition of being NATO members and EU candidates should be accommodated. Turkey (in conflict with Greece over Cyprus) particularly should be facilitated participation in European Defence Agency and ESDP operations within the framework of partnerships for neighbouring (potential) candidate countries.

4 DEVELOPMENT POLICY IN THE EU AFTER THE LISBON TREATY

The EU in its entirety, that is the **European Commission plus the MS**, is by far the **biggest donor of official development aid** in the world, accounting for **55% of the total**. It gave around 50bn of the 90bn euros allocated to aid in 2009, or 0.44% of its GNI. In recent years, the EU has been the main instigator of the international agenda to improve the effectiveness of development aid, leading the debates and resolutions in the Conferences on Financing for Development (Monterrey and Doha) and on Aid Effectiveness (Paris and Accra). In said international forums, the European position has been well coordinated and presented, normally by the rotating presidency. The EU has gone further than international commitments and in 2006 adopted the **European Consensus on Development** and subsequently, and in 2007, the EU Code of Conduct on Complementarity and Division of Labour in Development Policy. These commitments offer a common vision which must guide the development cooperation policy of both the Commission and the MS.

However, in spite of the advances and the agreements reached, European development cooperation suffers from **major shortcomings and weaknesses** such as: (a) problems of credibility on account of repeated failures to honour pledges; (b) problems of aid effectiveness and cost effectiveness; (c) lack of strategic orientation and coordination among MS, fragmentation; and (d) indecisiveness about the role the European Commission has to play in the future of aid management. In short, the EU has not succeeded in fully consolidating a single approach as regards development cooperation. Some studies ("Aid Effectiveness Agenda: Benefits of a European Approach") have calculated that the cost of the deficiencies in European aid could range between 25bn and 30bn euros from here to 2015, that is to say, between 5bn and 7bn euros a year. This is equivalent to around 10% of the total spending on aid.

According to the Lisbon Treaty, development cooperation policies come under the category of **shared competences** (Article 4.4 TFEU), which allows the EU to develop a common policy, essentially via the Commission, but the MS can also implement their own policies. In practice, the **MS maintain their development cooperation policies apart from those of the European Commission**, which in turn finances and executes its own budget. This often turns the Commission into a kind of twenty seventh donor, which undermines its credibility and capacity to act as a catalyst and promoter of the EU's common position.

The entry into effect of the **Lisbon Treaty raises certain questions** and uncertainties regarding leadership and responsibility in the implementation of Community development cooperation. Development cooperation forms part of the field of the EU's global external action that is the responsibility of the HR supported in her task by the action of EEAS. While the daily administration of cooperation policy will remain at the Commission in Brussels, the **EEAS** will perform a supervisory role in the definition and execution of European aid which ensures its alignment and consistency with the rest of European external action.

In this context, it is important that development cooperation maintain a specific profile within

European external policy as it operates according to different parameters, which require specialized knowledge and personnel. **The European Development Commissioner** will need to have space to work with the EEAS to develop fresh ideas, collaborate in international diplomacy and halt initiatives that do not abide by the principles of development. In turn, the EEAS must be able to recruit technicians and specialists in development, both from the Commission and from the MS, who will have to have certain freedom of action, responding to the guidelines of the Commission. However, if the EEAS has its hands tied by political and bureaucratic imperatives, recruitment of personnel based solely on technical knowledge of development will be unlikely, among other reasons because of rotation requirements. In addition, it is important to bear in mind that **policy coherence** towards development countries goes well above and beyond the effective planning and deliver of aid programs and encompasses all aspects of EU foreign action and many other internal policies (Art. 21.3 TEU) which affect developing countries.

In summary, the ambiguities and complexity of power sharing between institutions and organs within the EU will require strong will and solid coordination to **avoid constant frictions between the Commission and the EEAS** in the field of development cooperation. In this regard, the role of the HR in its double capacity of both, Vice President of the Commission and Chair of the Council, will be key acting as arbiter among the different stakes that give form to the EU foreign policy, thus ensuring full coherence of action and coordination with the rest of European donor agencies on the ground.

In order to guarantee a better presence, coordination and policy coherence in the field of development the following proposals are recommended:

- **Establishment of a European Development Platform, which could be a first step towards the inception of a truly European Agency for International Development.** This proposal is inspired in the similar one tabled by the Group of Wisemen led by Michael Camdessus, and its goal would be to reinforce the coordination and strategic alignment of all European programs in the field of development cooperation, including those in multilateral agencies and global funds. In the Development Platform there would be representation from the Commission, EEAS, EIB, EBRD, MS, and representatives of the EU in the multilateral development banks. It could go a long way in enabling further coordination in joint identification and financing of programs between the EU institutions and MS.
- **Integration of the European Development Fund into the Union's budget,** which would allow greater control and accountability from the EP.
- **The extension and enhancement of EIB external mandate, in line with the recommendations contained in the wise-men mid-term review 2009-2012.** This could provide the EU with a powerful financial instrument to operate in developing countries, thus complementing the operations of the multilateral development banks.
- **Rationalization** of the various **Commission's regional financial facilities** under a **single harmonized and coherent system** ⁸.

⁸ Neighbourhood Investment Facility (NIF), Western Balkans Investment Framework (WBIF); EU–Africa Infrastructure Trust Fund (ITF); Latin America Investment Facility (LAIF) y Investment Facility for Central Asia (IFCA).

5 CONCLUSIONS

This study has focused on the **ways a Lisbon Treaty-EU could maximize its role as a global actor in multilateral organizations**. The main conclusions of our analysis can be **summarized** as follows:

5.1. General:

- **In order to realize its potential as a global actor, the EU must act in three parallel ways.** First, adapting its decision-making and representative structure in the main international organizations, improving its instruments of external projection and of coordination of its policies. Second, furthering its integration in fundamental areas such as the economy (fiscal, budgetary, financial) and security (Europe of Defence). Third, promoting a reform of the international organizations that improves that system and makes it easier to act with a single message.
- **The key to reinforcing the influence of the EU and its Member States and furthering their goals, is coordination and agreement around unified common positions: *several voices, but one message*.** This single message would be the result of **interaction** between the **EU's institutional advances in the international organizations**, and the **internal coordination of the EU** on basic positions through reinforced mechanisms of coordination. If the EU wants to exert the influence it deserves in the global arena, much more emphasis will be required to forge strong common positions in every issue and in every organization.

5.2. Regarding Lisbon Treaty provisions and EU external representation:

- **The Lisbon Treaty sets very broad and ambitious foreign policy goals.** However, the effectiveness of those means and competences will greatly depend on the political will of the MS to actually want to use them fully, for which reason there is the risk of the EU becoming an ambitious international actor, but one that is at times ambiguous and not always coherent. The EU must explore the possibilities that the Lisbon Treaty offers it; but also develop aspects and policies which go beyond the Treaty itself.
- The Lisbon Treaty does not alter the **distribution of competences between the EU and its MS**, but it does mark a **new stage in relation to the representation of the EU and third parties**. In practice, **some countries interpret that unified voice as a threat to their national competences, for which reason the paradoxical situation often arises of there being *less and not more EU since Lisbon***. Currently obstacles are being placed by some MS in some delegations of the EU or organizations (for example, the FAO), which causes a representation *vacuum*.
- **As a general rule, the EU should tend towards shifting its current status in each international organization to a higher level.** In the event that exclusive or **shared competences** of the EU are at issue, the EU must aspire to a status of **full membership**. Even if the EU has only partially exercised its shared competence, it would appear advisable for the Union (Commission) to move on to representing the Twenty Seven. If this to happen, the MS must negotiate a strategic plan at the heart of the EU, with compensations among them, as well as among the different international organizations.
- **It would be very desirable if the HR could maximize the capacities and competences that her mandate as Vice-president of the Commission** offers her to strengthen the EU's presence in the international organizations, ensure the consistency of external action policies (humanitarian, cooperation, trade) which chiefly involve the Commission, the Council and the Parliament and act swiftly when there is a crisis. Also, the HR could exert a great influence over the EC external action

via the EEAS Delegations of the Union, which receive instructions from, and are accountable to, the HR.

- **The increase in EEAS personnel should not be so much a quantitative, but rather a qualitative and strategic phenomenon**, incorporating the experts required according to the needs of the Delegations of the Union. Some states might consider a kind of "**cooperative reinforcement**" (taken here merely as an analogy of "enhanced cooperations" (Title IV TEU, Article 327 TFEU), to advance more swiftly in the EU's external representation in some international organizations where progress is slow - for example, in the EU delegations to the UN or in financial organizations (IFI) and in certain areas or permanent programmes.
- **The European Parliament does not participate directly in the decision-making process** of CFSP. But the **EP can exert a certain control on external action policies** (trade, cooperation aid, climate, energy) through its joint legislative power shared with the **Council**. The HR may find a useful ally in the EP when it comes to **promoting the consistency of EU external action**. The EP could provide practical recommendations and reports on a regular basis to the HR, so that in practice the HR participates more in non-CFSP matters. Also, a "**parliamentary diplomacy**" **could be strengthened** with greater supervision presence *in situ*, in connection with the EEAS.

5.3. Regarding the UN System:

- **It is not a matter of using the UN as the means of becoming a global actor, but nor must the EU forgo transforming it**, in the same way that it is doing so progressively in the IMF or the World Bank. On principle (effective multilateralism) and out of interest (gaining weight) it suits the EU to make its voice heard on how the body that represents international legitimacy in the 21st century is going to be reshaped.
- **An EU priority is to attain an advanced observer status in the General Assembly**, which could serve as an incentive to defining representation in UN technical agencies. In this respect, the EU could promote a change in the membership structure of the UN, especially in the General Assembly, **exploring the possibilities of Regional Integration Organization (RIO) status**, which already exists. In this way, the voice of the EU would have an incentive to be more consistent, while at the same time the excessively state-centric logic of the UN could be progressively reduced. However, it would be necessary to demand that other RIOs (including UNASUR, ASEAN, etc) at least had also their own legal personality, which gives them capacity and autonomy of action.
- **It would be convenient to proceed with caution on the reform of the UN Security Council**. Far from suggesting a single seat for the EU in the short run, it would be preferable to work on a **triple route**: first, the prior **coordination of positions in the Council of the EU**; second, advance in the proposal to introduce **new permanent members, replace the right of veto and bring in super-qualified majorities** in ever increasing fields; third, by advancing in the **Europe of Defence**, with autonomous capabilities that make the EU an indispensable actor for global security.
- **The EU could advocate enhancing the role of ECOSOC to upgrade it into a policy-making and policy-monitoring body as envisioned in the UN Charter**, so that over time it plays a central role -equivalent to that of the Security Council - in the economic and social realm. **ECOSOC could be reduced** to about 20-25 members, and the **EU presence** should be consolidated under one **single constituency**.
- Other relevant organizations might serve as models or examples of the EU's unified representation, for example, the **WTO or the FAO**. It is the European Commission that must

represent the Union, coordinating and transmitting the position of the EU and the MS, while the national representatives should act in a similar way to the WTO, remaining in general as observers. In the case of **FAO**, given that its activities fall predominantly within the shared competences exercised by the EU, the Commission should represent the Union in all affairs.

5.4. Regarding economic multilateral organisations:

- **The EU countries should pool their representations in the IMF executive board under two chairs**, one for the Euro countries and the other for the non-Euro countries. The creation of the **Euro chair** could be agreed in 2012 at the next review of the current composition of the IMF executive board. In exchange for reducing its presence (not its voting power) at the IMF Board the EU should seek concessions from the US, in particular the elimination of their veto for important decisions.
- **In the World Bank, EU Member States should seek to form a single EU constituency in its Executive Board**, which would be part of a larger reform of the World Bank Governance and the emergence of new country groupings. The EU seat in the Executive Board could be chaired by the Member States on a rotating basis, perhaps with the European Commission as alternate. In addition, the European Union should become **enhanced permanent observer at the World Bank Executive Board**. In a similar vein, the EU should pool their representation in the main Multilateral Development Banks (IADB, ADB, AfDB).
- **The EU should strive to streamline its representation, from two to one at the G20 Summits**, which will require the EU president and the European Commission president to reach an understanding on who should be attending. Moreover, the G20 is probably, along with the UN SC, the most important forum where the EU should needs to speak with one single voice. So, it is critical to **achieve full coordination and alignment of messages among the 5 European countries and the EU representative** sitting at the G20 table. In as long as the G20 is an informal forum parallel to the UN, it is less democratic, representative and legitimate. Therefore, the **EU should promote to formally link it to the UN System**. The EU should push for a better link between the G20 and the UN, a kind of trade-off by virtue of which the **UN provides the G20 with a certain amount of legitimacy in exchange for G20 efficiency**. In this respect, there appears to be **two options**. One is **situating the G20 as an "ad hoc" high-level, ministerial body within a reformed and enhanced ECOSOC**, which would become the central forum for international economic policy, similar to the Security Council but in the economic and social spheres. A second, less ambitious option for the short term would be to **let the two organizations work separately** (not transferring the whole of UN formal legitimacy to the G20), **but at least submit G20 decisions for the final approval and amendments of ECOSOC**, the latter acting as a consultative body.

5.5 Regarding other multilateral organisations:

- **Article 6.2 of the TEU contained a mandate for the EU to negotiate its accession to one of the Council of Europe's conventions**, the Convention for the Protection of Human Rights and Fundamental Freedoms, as membership is not automatic. The admittance to the Council of Europe Convention for the Protection of Human Right and Fundamental Freedoms should give the EU the condition of member with the right to vote in this organization, along with the MS, and participation in the Council of Europe's Committee of Ministers. All this does not prevent the EU from joining other Council of Europe conventions and joint programmes, such as the Convention on Cybercrime.

- Greater influence for **EU external representation in the OSCE is problematic** because Russia and others consider that any major modification would require a change in the rules of procedure. Also, at an **internal level**, although the **EU Delegation** is gradually acquiring leadership in the coordination of the MS, the **stronger MS remain in control**. The **EU and its MS** and the **OSCE Permanent Council** should jointly develop a mechanism aimed at enhancing cooperation, coordination and consultations. The **VP/ HR** should be able to **represent the EU** at least as an **observer** at the OSCE and to **take the lead of the position of EU MS**. The goals of a more visible, high-profile EU in the OSCE should be to **transform gradually the inertia of the past, strengthen consensus** and **adapt the organization** to a new strategic environment for the vast Euro-Atlantic area
- **Due to the peculiarities of the EU's relationship with NATO**, the goal in this case does not appear to be to increase weight/ leverage in the organization, or to seek a single EU seat *within* NATO. Rather, the EU should have a clear idea of its goals and tasks, and **simplify the levels of coordination with NATO with a single voice**. The Lisbon Treaty provides an opportunity for improved coordination between these two organizations on several levels. Firstly, at the **level of representation**, both organizations should establish mutual observer status at the level of the North Atlantic Council and the Political and Security Committee in order to improve cooperative arrangements. The HR and NATO Secretary-General could establish a **structured, strategic dialogue** by exchanging views through a Joint Task Force that involves the EEAS. Secondly, **cooperation on the ground** should be reinforced. Thirdly, there should be also common ground for understanding with NATO in the implementation of the **two clauses** introduced by the **Lisbon Treaty: the mutual assistance clause and the solidarity clause**. Finally, those countries with the dual condition of being **NATO members and EU candidates** (like Turkey) should be facilitated participation in European Defence Agency and ESDP operations.

5.6 Regarding Development Policy:

- The entry into force of the Lisbon Treaty raises **several questions and uncertainties regarding execution of the EU development cooperation**. However, it is critical that development cooperation keeps its own **differentiated profile**, since it operates under specific parameters which require **specialized staff and expertise**. In order to ensure that EU actions in the field of development financing are well coordinated, aligned and coherent at both, the bilateral and the multilateral levels the creation of a **European Development Platform is proposed**. Moreover, it is suggested the **integration of the European Development Fund (EFD) into the Union's budget**; the enlargement and **enhancing of the EIB external mandate**; as well as the rationalization of the various **financial facilities set up by the Commission at the EIB**, under a unified and harmonized governance system.

GLOSSARY

ADB	Asian Development Bank
AfDB	African Development Bank
BIS	Bank for International Settlements
CoE	Council of Europe
CFSP	Common Foreign and Security Policy
CSDP	Common Security and Defence Policy
EBRD	European Bank for Reconstruction and Development
ECOSOC	Economic and Security Council of United Nations
EC	European Commission
ECHR	European Convention for Human Rights
ECOFIN	European Council of Economic and Finance Ministers
ECtHR	European Court for Human Rights
EEAS	European External Action Service
EFD	European Development Fund
EIB	European Investment Bank
ENP	European Neighbourhood Policy
EP	European Parliament
ESDP	European Security and Defence Policy
EUSR	EU Special Representative
FAO	Food and Agriculture Organization
G8	Group of Eight
G20	Group of Twenty
HR	High Representative of the European Union for Foreign Affairs and Security Policy
IDB	Inter-American Development Bank
ICAO	International Civil Aviation Organization
ICC	International Criminal Court
ICJ	International Court of Justice
IFI	International Financial Institutions
ILO	International Labour Organization
IMF	International Monetary Fund
IMO	International Maritime Organization
MS	Member state(s) of the EU
OECD	Organization for Economic Cooperation and Development
OSCE	Organisation for Security and Cooperation in Europe
RIO	Regional Integration Organization
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
UNCTAD	UN Conference on Trade and Development
UNDP	UN Development Programme
UNEP	UN Environment Programme
UNFCCC	UN Framework Convention on Climate Change
UNHCR	UN High Commission for Refugees
UNGA	UN General Assembly
UNSC	UN Security Council
WCO	World Customs Organization
WTO	World Trade Organization

APPENDIXES

Table 1. Competences of the European Union according to the Lisbon Treaty and participation of the EU in international conventions and organizations.

Competences	Organizations, Conventions	Status of EC & Member States
Foreign, security and defence policies (including general political affairs)	UN General Assembly	EC observer; MS as members
	UN Security Council	2 permanent MS+ rotating
	OSCE	EC observer, MS as members
	NATO	24 MS as members
	Non-Proliferation Treaty	EAEC signatory & MS
	Council of Europe	EC observer, MS as members
	G7/8/20	EC participant, some MS
1. Exclusive (Article 3)		
a. Customs union	World Customs Org. (WCO)	Member
b. Competition policy	World Intellect. Property Org.(WIPO)	Observer
c. Monetary policy (for eurozone)	IMF	ECB observer, MS as members
	Bank for International Settlements (BIS)	ECB on Board, some MS
	OECD	EC observer, 21 MS as members
d. Fisheries & marine biological policies	Convention on Fishing and Conservation of the Living Resources of the High Seas	EC & MS as members
	UN Conference on Highly Migratory Fish	EC & MS as members
	Multiple regional fisheries organizations: Mediterranean, NE Atlantic, NW Atlantic, SE Atlantic, Antarctic, Western and Central Pacific	EC Member & some MS
	Organizations for species: tuna, salmon	EC signatory & some MS
e. Trade policy	WTO	EC & MS as members
	UN Comm.on Internat.Trade Law (UNCITRAL)	EC observer, some MS as members
2. Shared (Article 4.2)		
a. Internal market	International Standards Organization (ISO)	EC cooperation, MS as members
	Codex Alimentarius Commission	EU & MS as members
b. Social policy	International Labour Organization (ILO)	EC observer, MS as members
c. Cohesion (regional)		
d. Agriculture and forestry	FAO	EC & MS as members
	International Fund for Agricultural Develop.	EC observer, MS as members
	Multiple product organizations: Olive oil, Sugar, Cocoa, Coffee, Jute, Tropical Timber, Rubber, Grains, New varieties of plants	EC & some MS as members
e. Environment	UN Environmental Program	EC observer, some MS as members
	UN FCCC (climate change)	EC & MS as members
	Kyoto Protocol	EC & MS as members
	UN Conference on Environmt. and Develop.	EC & MS as full participants
	Convention on Law of the Sea (UNCLOS)	EC & MS as members
	International Tribunal of the Law of the Sea	EC & MS as members
	International Seabed Authority	EC & MS as members
	Protection Marine Environmt. of N. Atlantic	EC & 12 MS as members
	Protection of the Danube River	EC & 6 MS as members
f. Consumer protect.	-	-

g. Transport	International Civil Aviation Organiz. (ICAO)	EC observer, MS as members
	International Maritime Organization (IMO)	EC observer, MS as members
	Eurocontrol	EC & 21 MS as members
h. Trans-Eur. Networks		-
i. Energy	International Atomic Energy Agency (IAEA)	EC observer, MS as members
	International Energy Agency (IEA)	EC participates; 17 MS as members
	Energy Charter Treaty	EC and MS as members
j. Freedom, security and justice	International Court of Justice (ICJ)	-
	International Criminal Court (ICC)	EU cooperation agreement
	European Convention of Human Rights	EU & all MS as acceding parties
	UN High Commission for Refugees	EC observer, MS as members
	World Conf. against Racism, Racial Discrim.	EC & MS as full participants
	Fourth World Conf. on Women	EC & MS as full participants
	UN Convention Against Illicit Traffic of Drugs	EC & MS as full members
	UN Convention Against Transnational Crime	EC & MS as full members
k. Public health, safety		-
Parallel (Art. 4.3)		
a. Research, Technology, Space	International Telecommunications Union (ITU)	EC sector memb., MS as members
	Outer Space Treaty	EC observer, most MS as members
	World Summit on the Information Society	EC & MS as full participants
	International Fusion Energy Org. (IFEF)	EAEC member, no MS
	Science and Technical Center in Ukraine	EAEC & EC member, no MS
4. Shared Common (Art. 4.4.)		
m. Development and humanitarian aid	World Bank	-
	World Food Programme (WFP)	EC & many MS as donors
	UNDP	EC observer, MS as members
	UNCTAD	EC observer & partial member
	World Summit on Sustainable Development	EC & most MS as full participants
	UN Conference on Least Developed Countries	EC & most MS as full participants
	World Food Summit	EC & most MS as members
5. Coordination (Article 5)		
a. Economic policies	EBRD	EEC & MS as shareholders
	OECD	EC observer, 21 MS as members
b. Employment	ILO	EC observer, MS as members
c. Social policies	ILO	EC observer, MS as members
4. Supplementary (Article 6)		
a. Human health	World Health Organization (WHO)	EC observer, MS as members
	UN Population Fund (UNFPA)	EC observer, MS as members
b. Industry	UN Industrial Development Org. (UNIDO)	Partnership; most MS as members
	Multiple Organizations for commodities: Nickel, Copper, Lead and Zinc	EC & some MS as members
c. Culture	UNESCO	EC observer, MS as members
d. Tourism	UN World Tourism Organization	Most MS as members
e. Education, training, youth, sport	UNESCO	EC observer, MS as members
	UNICEF	EC observer, MS as members

Source: Emerson, M. and Piotr Maciej Kaczyński (2010)

Table 2: EU Constituencies in the IMF Executive Board

EU Member state represented on the IMF Board of Directors	Casting the votes of which EU country	Casting the votes of which non-EU country
Germany	Germany	None
France	France	None
UK	UK	None
Belgium	Belgium, Austria, Czech Republic, Hungary, Luxembourg, Slovak Republic, Slovenia	Belarus, Kosovo, Turkey
Netherlands	Netherlands, Bulgaria, Cyprus, Romania	Armênia, Bosnia Herzegovina, Croatia, Georgia, Israel, Macedonia, Moldova, Montenegro, Ukraine
Italy	Italy, Greece, Malta, Portugal	Albania, San Marino, Timor Leste
Denmark	Denmark, Estonia, Finland, Latvia, Lithuania, Sweden.	Iceland, Norway

Table 3. EU Constituencies on the World Bank Executive Board

EU Member state represented on the IMF Board of Directors	Casting the votes of which EU country	Casting the votes of which non-EU country
Germany	Germany	None
France	France	None
UK	UK	None
Austria	Austria, Belgium, Czech Republic, Hungary, Luxembourg, Slovak Republic, Slovenia	Belarus, Kosovo, Turkey
Netherlands	Netherlands, Bulgaria, Cyprus, Romania	Armênia, Bosnia Herzegovina, Croatia, Georgia, Israel, Macedonia, Moldova, Montenegro, Ukraine
Italy	Italy, Greece, Malta, Portugal	Albania, San Marino, Timor Leste
Sweden	Denmark, Estonia, Finland, Latvia, Lithuania, Sweden.	Iceland, Norway
Spain	Spain	Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Venezuela

Table 4: EU Weight in the IMF

EU direct representation under current system	Votes	% of shares	EU representation under one or two EU only constituencies	Votes	% of shares
Total	729,685	32,86	Total	710,786	32,05

Note: The projection is the result of aggregating the current quotas of all EU members.

Source: own elaboration with data from World Bank

Table 5: EU weight in the World Bank

EU direct representation under current system	Votes	% of shares	EU representation under one or two EU only constituencies	Votes	% of shares
Total	544,269	33,66	Total	462,654	28,53

Note: The projection is the result of aggregating the current quotas of all EU members.

Source: own elaboration with data from World Bank

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