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Challenges for Foreign Ministries: Managing Diplomatic Networks and Optimising Value

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How subnational entities try to develop their own 'paradiplomacy'. The case of Flanders (1993-2005).

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VERSION FOR THE CONFERENCE BOOK

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Abstract

In 1993, the fourth Belgian constitutional reform awarded international competencies to the component states of the Belgian federation. The principle *'in foro interno, in foro externo'* states that every Belgian (sub)national government has to develop its own foreign policy on those material competencies for which they have been granted exclusive authority. In effect, this 'revolution' led to a situation whereby the Belgian regions had to develop their own 'foreign policy'. Since the writings of Ivo Duchacek, the (parallel) "foreign policy of non-central actors" has been given a label; 'paradiplomacy'. The *purpose of this paper* is not to discuss the semantics of the concept 'paradiplomacy'. Rather it proposes to delve into a case study; the way in which Flanders, the territory located in the north of Belgium, acquired international competencies within the Belgian federation & how it made use of those instruments to develop its own geopolitical & functional interests, and diplomatic network. This is a relevant case study for this conference in the sense that it also offers an 'insight view' into how a small and new international actor such as Flanders coped with the problem of limited financial and/or human resources while at the same time having the ambition to develop its own 'foreign policy' from an 'empty drawing board', so to speak. This contribution is both descriptive and exploratory in nature. The *structure of this paper* is as follows; *first*, we identify the basic features of the "Belgian solution" regarding foreign policy in comparison to some other examples; *second*, we investigate Flemish foreign policy; what instruments were developed to 'guide' the political choices? How did the foreign ministry of the central/federal Belgian policy-level change its role as a result of these developments?; *third*, we briefly discuss the progressive adaptation and the more fundamental reforms in Flemish foreign policy; *fourth*, we identify the main challenges for the future; and *fifth*, we sum up some conclusions.

Biography

Dr. David Criekemans is a Postdoctoral Researcher in International Politics at the University of Antwerp (Belgium). MA International Politics (Antwerp, 1996), European Master of Public Administration (Leuven, 1997), Ph.D. International Relations (Antwerp, 2005). Since 1998, he has contributed as a researcher and adviser to different policy-oriented research projects on Flemish foreign policy at the University of Antwerp (Belgium); *"the political and strategic importance of a Flemish cooperation with the Nordic countries"* (1998-1999), *"the possibilities and opportunities for growth for Flanders in intergovernmental multilateral organisations"* (1999-2001), *"a future perspective on a Flemish policy towards Central- and Eastern Europe"* (2003). In 2005, he also completed and defended his Ph. D. on the intellectual history of Geopolitics (1890-2005), and its relation to Theory of International Relations. The manuscript (written in Dutch) will be published later this year by the Scientific Publisher Garant & Maklu (Antwerp/Apeldoorn), ISBN 9044119699. David Criekemans' future research will be entitled "re-territorialisation, international politics and para-diplomacy", in which he will expand his research to include a more comparative based study of the foreign policy and diplomatic representation of newly emerging non-central actors (sub-national, trans-border and macro-regional).

0. Introduction

Diplomacy is no longer the privilege of nation states. Since 1945, international politics has become much more complex. Gradually, new non-state actors have entered the international scene (for an overview, see: Arts, Noortmann & Reinalda 2001). Some of these non-state actors are of a non-territorial nature; for instance non-governmental organisations or multinational corporations. Others have a territorial nature (e.g. 'micro-regions' such as Québec & Catalonia or 'macro-regions' such as the European Union & Mercosur). One can also observe that cities such as London and New York seem to feel the urge to enter the international or diplomatic scene themselves, so as to better defend their own interests in a complex and ever more interdependent world. For the scholar, these trends offer a myriad of opportunities to delve into. One of the first scholars who tried to come up with a name or label to 'identify' this assembly of rather diverse forms of non-state diplomacy, is Panayotis Soldatos (Montréal) (Soldatos 1990; Soldatos 1993). He coined for the first time the term 'para-diplomacy', an abbreviation of 'parallel diplomacy'. One could define this as *"the foreign policy of non-central governments"* (Aldecoa & Keating 1999; Boyer 2001). The concept was later disseminated in the academic literature via the writings of Ivo Duchacek (New York) (who initially preferred the term 'micro-diplomacy') (Duchacek et. al. 1988; Duchacek 1990). Some scholars such as Brian Hocking are not fond of the term 'paradiplomacy' because it suggests an element of conflict between the national and subnational policy-level, and implicitly presumes 'incompatible interests'. Diplomacy should not be approached as a segmented process of the different actors within a state, but rather as a system in which the different actors within a state are entangled, both inside and outside their national settings, to embrace a diversity of interests; a *multi-layered diplomacy* (Hocking 1993: 3-4; Phillipart 1998). Others underline that paradiplomacy is not that 'new' as one would think. However, all authors more or less agree that we live in a juncture which promotes and incites non-central actors to enter the international/diplomatic scene (Cornago 2000; Paquin 2001;Paquin 2004).

The *purpose of this paper* is not to discuss the semantics of the concept 'paradiplomacy'.[1] Rather it proposes to delve into a case study; the way in which Flanders, the territory[2] located in the north of Belgium, acquired international competencies within the Belgian federation & how it made use of those instruments to develop its own geopolitical & functional interests, and diplomatic network. This is a relevant[3] case study for this conference in the sense that it also offers an 'insight view' into how a small and new international actor such as Flanders coped with the problem of limited financial and/or human resources while at the same time having the ambition to develop its own 'foreign policy' from an 'empty drawing board', so to speak. This contribution is both descriptive and exploratory in nature.[4] The *structure of this paper* is as follows; *first*, we identify the basic features of the "Belgian solution" regarding foreign policy in comparison to some other examples; *second*, we investigate Flemish foreign policy; what instruments were developed to 'guide' the political choices? How did the foreign ministry of the central/federal Belgian policy-level change its role as a result of these developments?; *third*, we briefly discuss the progressive adaptation and the more fundamental reforms in Flemish foreign policy; *fourth*, we identify the main challenges for the future; and *fifth*, we sum up some conclusions.

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[1] In fact, Duchacek made a distinction between different types of 'paradiplomacy'. His categorization was based upon geopolitical dimensions; (1°) transborder regional paradiplomacy, (2°) trans- or macro-regional paradiplomacy, and (3°) global paradiplomacy (Duchacek 1990: 16).

[2] Some basic data about Flanders: the Flemish territory is about 13.522 km² (Belgium totals 30.518 km²) and has 6 million inhabitants (Belgium has 10 million). The population speaks Dutch, the same language as in the Netherlands. Flanders generates about 60% of the total Belgian Gross National Product (GNP), 81% of the total exports, and attracts 60% of the foreign direct investments in Belgium.

[3] The paradiplomacy of Flanders constitutes a case which has over the years attracted a lot of interest by scholars. However, the available data published in English or French on this issue is rather scarce, and often based upon secondary sources (some exceptions: Delmartino 2003; Paquin 2003). This paper thus also tries to 'remedy' this problem by offering a concise overview of Flemish foreign policy based upon original documents and interviews with many of the protaganists, gathered via a number of policy-oriented research projects since 1998.

[4] Special thanks go to Mr. Bernd Reggers (Flemish Dept. Foreign Affairs) for providing recent information & data.

1. Basic features of the "Belgian solution" regarding foreign policy in comparison to some other examples

The Belgian federation has a complex structure, based on so-called Communities and Regions. This is a result of history. From the 1960s onwards, the Flemish economy in the northern part of the country developed quite rapidly, whereas at the same time the economy in Walloonia (southern part of the country) was in crisis (it was mainly based on a so-called 'heavy industry'). This element formed the first impetus for Walloonia to aspire to get political control over the economical policy-instruments, so as to be able to shape its own future with tailor-made policy-tools. Flanders initially developed another reasoning; it wanted in first instance to protect its own language and culture (Dutch). Thus, the Flemish political elite initially aspired to get political control over the culture-based policy-instruments in the country. These dual aspirations led to the development of the so-called Belgian Regions and Communities, which overlap territorially – as shown by the diagram below.

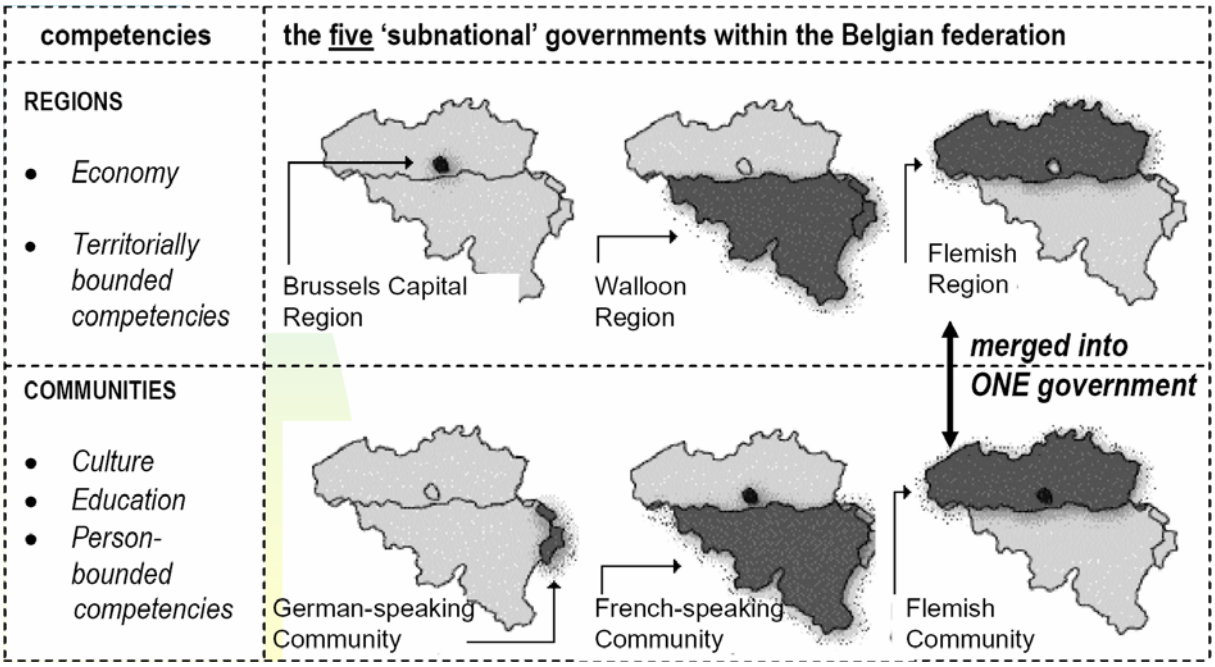

Diagram 1: The complex Belgian 'solution' in general

The Belgian Communities 'manage' the so-called 'person-bounded competencies' such as language policy, cultural policy, education, welfare, preventive health care, etc. The Belgian Regions 'manage' the so-called 'territorially-bounded competencies' such as economy, environment, employment, infrastructure, environmental planning, etc. There does exist however an important difference in the northern and the southern part of the country. The competencies of the Flemish Community and Flemish Region have in practice been 'fused together' – they are being managed by *one* Flemish Government and monitored by *one* Flemish Parliament. In the southern part of the country, there are still two different governments; the Walloon Regional Government and the French-speaking Community Government. As a result of this, the Belgian federal model has often been labelled an "a-symmetric model". The "fusion" which has been realized in the northern part of the country (Flanders), has in practice led to the realisation of important synergies on leaning policy-areas. *How does this translate into the foreign policy of the Belgian federation? What leverage do the Belgian Communities and Regions have in foreign policy matters? What instruments do they have to develop their own "paradiplomacy"?*

Since 1993, two principles are central in what I would like to call the "Belgian solution regarding foreign policy". *First*, the so-called principle *"in foro externo, in foro externo"*, and *second* the idea of the *fundamental equality* of all the Belgian governments ("no hierarchy of norms").

1.1. The principle *"in foro interno, in foro externo"*

The principle *"in foro interno, in foro externo"* refers to the *convergence between the internal, material and the external competencies of the federated entities* (Ingelaere 1994).[5] This principle entails that the Belgian "federated entities" or "regions" have to manage their (still growing number of) competencies -- not only in day-to-day domestic policy, but also on a permanent basis in the foreign policy-dossiers which touch upon their 'internal' material competencies (see also: Lagasse, Ch.-E. 1997; Lagasse, N. 2002; Senelle 1999).[6]

First, the Belgian "federated entities" have been granted the right to **conclude or make treaties with third parties** (e.g. sovereign states, regions with a degree of autonomy, international organisations, etc.). As regards this *'ius tractati'*, this has the immediate result that a foreign state or third party can *no longer* conclude a treaty with the Belgian federal government on matters which fall within the realm of exclusive competencies of the Belgian Regions and Communities (Kovziridze 2001: 25).[7] Only they have the authority to decide upon possible external cooperation.

Second, the Belgian "federated entities" have been granted **the right to send their own representatives** to bilateral posts, to other regions/areas, and to international organisations (e.g. the European Union or intergovernmental multilateral organisations). As regards this external representation of Belgium (*'ius legationis'*), the Belgian Communities and Regions can appoint their own 'diplomatic' representatives abroad autonomously, with one restriction. From 1993 onwards, they were granted the opportunity to appoint their own "attachés", which would be placed on the diplomatic list of the Belgian embassies, consulates or permanent representations *by the Belgian federal Minister of Foreign Affairs* (Senelle 1999: 212).

The representation of Belgium within intergovernmental or (semi-)supranational multilateral organisations underwent two changes as a result of the principle *"in foro interno, in foro externo"*. First, from 1993 onwards, the six Belgian governments had to reach an agreement regarding the composition of the Belgian 'multilateral' negotiation delegations. Second, the Belgian federated entities would from 1993 onwards also formally participate in the process of formulating the substance of the foreign policy-position of the Belgian federation, namely on those material competences for which they were internally authorized (see also:

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[5] Since the Belgian constitutional revision of 1993, the division of labour between the federal and the regional governments in foreign policy was written down in the articles 167, 168 and 169 of the coordinated Constitution. Art. 167, § 1, section 1 states: *"The King (read: the federal Government) has the lead over the foreign relations without prejudice to the competence of the Communities and Regions to regulate the international cooperation, including making a treaty, or in the affairs for which they are competent by virtue of the Constitution."* (Senelle 1999: 211).

[6] *Regarding the so-called 'exclusive federal competencies'* (e.g. defence, justice, social security), the Belgian federal government will still decide upon and implement the content of the Belgian position in foreign policy. *Regarding the so-called 'exclusive regional competencies'*, only the Belgian Regions or Communities have material competencies; they will thus autonomously decide upon their foreign policy-position (e.g. the person-bounded competencies of the Belgian Communities; culture, education, audiovisual media, preventive health care // the territorially bounded competencies of the Belgian Regions; e.g. agriculture, environment). In such dossiers, these federated entities will however have to agree amongst themselves, after intensive consultation, so as to create a "common position of the Belgian federation" regarding an issue (e.g. the Belgian position on education and culture within UNESCO). In such issues, the Belgian federal government will merely have a role of coordination. *Regarding the so-called 'mixed' competencies between the Regions (or Communities) and the federal government*, a similar consultation-procedure will be organised. The difference is however that the federal government in this case will also be in a position to voice and defend its own viewpoints during the negotiations within the Interministerial Conference for Foreign Policy (ICFP, a new body which was founded on November, 5th , 1992), in order to reach a common position of the Belgian federation.

[7] Regarding the making of treaties which touch upon the competencies of both the federal level & the Communities/Regions (so-called *"mixed treaties"*) the six Belgian governments (federal and federated) signed a *Cooperation Agreement* on March, 8th 1994. This agreement also created a Working Group for Mixed Treaties within the framework of the Interministerial Conference for Foreign Policy (ICFP) (see infra; diagram 2).

Salomonson & Criekemans 2001). From 1993 onwards, foreign policy thus had become an issue to be dealt with on a daily basis by the *whole* of the Belgian federation.

1.2. Fundamental equality of the Belgian governments ("no hierarchy of norms")

The *second principle* which guides the "Belgian solution" is the idea of the *fundamental equality* among all the Belgian governments, be they federal or federated ("no hierarchy of norms"). This means in practice that the internal legislation generated by the 'federated entities' has equal power to that of the 'federal level'. In foreign policy matters, this thus means that all Belgian governments are responsible to give substance to & decide upon the foreign policy of the federation. If they are not able to find a 'common ground', there is in practice no Belgian position. A substantive number of consultative bodies have been created to develop a common position in foreign policy issues between the federal & five federated governments. Diagram 2 offers a concise overview of the most important consultative bodies created to develop a "foreign policy of the Belgian federation".

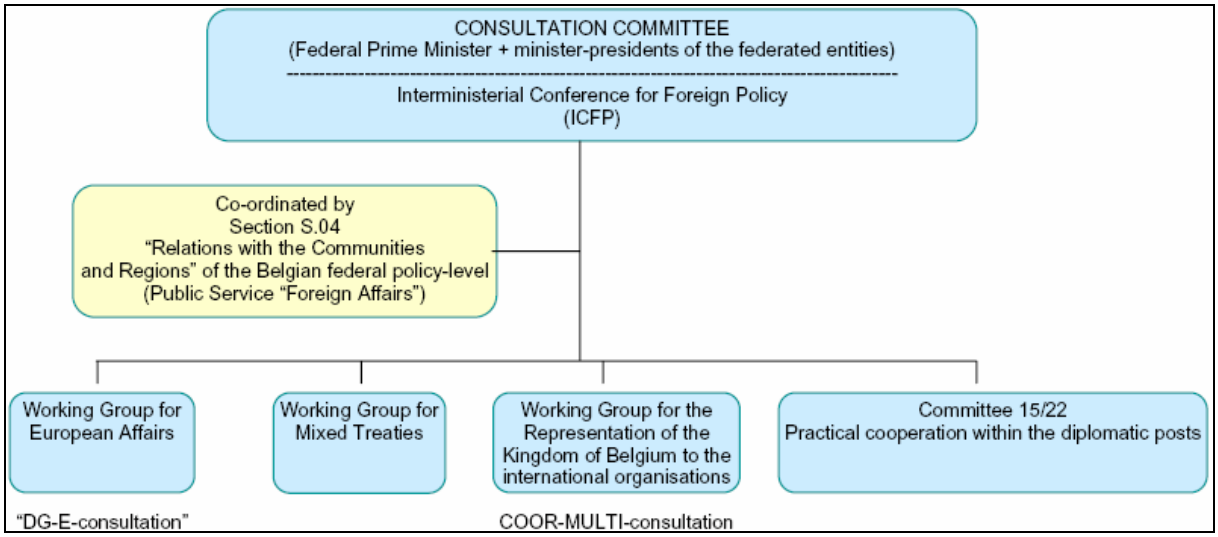

Diagram 2: An overview of some of the most important consultative bodies for foreign policy-making within the Belgian federation

What can we deduce from all this? One can safely state that the 'Belgian solution regarding foreign policy' grants a **considerable amount of autonomy** to the Belgian Regions and Communities to conduct their own foreign policy. The idea that the King (read: the Belgian federal government) has the lead over the foreign relations of the Belgian federation stands potentially *in direct confrontation* to the idea embedded within the Belgian federal model that the Regions and Communities enjoy *autonomy* in foreign policy matters, be it in making treaties with third parties or in sending their own representatives abroad. The **solution** developed for this potential conflict is as follows; the Belgian Regions and Communities do enjoy maximal autonomy ***so long as* the coherence of the foreign policy of the federation does not come in jeopardy**.[8]

[8] The federated governments are for instance obliged to inform the Belgian federal government of their intention to conclude treaties (on the basis of their 'exclusive' competencies) with third parties. The federal government has to be informed of every step in the procedure which a federated entity undertakes to conclude such a treaty. The federal government has the authority to object. In such a case, the procedure to conclude a treaty will be suspended, and the Interministerial Conference for Foreign Policy (ICFP) will decide by consensus. When a consensus cannot be reached, the federal government can obstruct the further conclusion of the treaty in only four cases: (1°) the foreign partner has not been recognized by Belgium, (2°) Belgium does not maintain any diplomatic relations with the third partner, (3°) one can deduce from a decision or act of the federal government that the relations between Belgium and the third partner have been broken off, are suspended, or are seriously disrupted, or, (4) the treaty which currently is being written, could contradict or violate obligations which the Belgian federation has earlier agreed to in its international or supranational obligations (XXX 2001: 2).

The combination of the principle *"in foro interno, in foro externo"* together with that of the *fundamental equality of all Belgian governments* is without precedence in the foreign policy of federal states. This is an exceptionally original solution which offers the Belgian Communities and Regions the possibility to develop **both their own geopolitical priorities & their own functional interests and accents in foreign policy**, as long as the coherence of the foreign policy of the federation is not threatened. Consultation and coordination thus become a key part of the daily management of the diplomatic network and optimising value of the external relations of the Belgian federation.

1.3. The devolution of foreign policy in other countries: not that far-reaching compared to the Belgian case

Without going into details, one can briefly compare the "Belgian solution" to that of other countries and conclude that this case indeed goes much further compared to the freedom which other "component units of a federation" or devolved governments have been able to achieve. If one looks for instance at the treaty-making power, one will find that most federal states will offer no or only scarce opportunities to their 'component units' (also: Dehousse 1989; Dehousse 1991; Di Marzo 1980; Kaiser 2000; Keating 1997a; Keating 1997b; Keating 1999; Keating 2000; Lecours 2002a; Lecours 2002b; Majeed et.al. 2005; Michelmann & Soldatos 1990; Salviolo 2005; Van Eeckhoutte & Vidal 2004; Velaers 2006: 15-17):

- The states of the United States of America can only conclude "agreements" or "compacts" after the explicit approval of the U.S. Congress. The same is true for the *Länder* within the German federation;
- The Swiss constitution of 1999 does offer its cantons the opportunity to conclude treaties in those areas for which they are internally competent. However, these treaties are not allowed to be in contradiction to the law of the Confederation or that of other cantons. Before starting the process of concluding a treaty, the Confederation has to be fully informed. Moreover, the cantons can only conclude treaties with lower (subnational, regional) governments of third countries. In all other cases, they have to work via the Confederation. The Conseil fédéral or other cantons can always oppose the intention of a canton to conclude a treaty;
- The Austrian *Länder* can also conclude treaties with subnational governments or even with the countries that border Austria. However, an explicit mandate has to be given by the Austrian head of state to the head of the Austrian federated entity;
- Some federal countries often offer the opportunity to their component states to give a degree of input to the concluding of a treaty between the home country and a third party. Canada[9] and the United States of America for instance consult beforehand with their component units, so as to include their ideas/wishes. Australia offers the opportunity to its regions to send their own delegate as a representative in the negotiation team of the country;
- The German government even concludes an agreement with its own *Länder* regarding their exclusive competencies *before* negotiating with a third country.

All these examples show that the idea of the *unity and coherence* in the foreign policy of the federation is still quite strong in other federal countries as compared to in Belgium. In the Belgian federal system, this element still is important, but more loosely filled in. As a result of this, the opportunities to develop a "parallel foreign policy" are potentially bigger in Belgium. Especially the Flemish case is perhaps an interesting one, exactly because the Flemish Region and Community have been "fused together" as mentioned earlier.[10]

[9] For more information on the example of Québec within the Canadian federation, see: Soldatos 1989; XXX 2005.
[10] In Walloonia, a practice has also developed for the joint management of *external relations* between the Walloon regional government and the French-speaking community government (see: Massart-Piérard 2005: 194-199). For more on the foreign policy of Walloonia, read also: Massart-Piérard 1987; Massart-Piérard 1999.

Let us therefore now look to the Flemish case; how did Flanders since 1993 make use of its new instruments regarding foreign policy? What choices were made, and what kind of policy-tools were developed to guide the political choices? How did Flanders develop its own paradiplomatic network? And last but not least; how do the Flemish regional diplomatic activities relate to those of the federal level? Does a new pattern manifest itself gradually since 1993?

2. Flemish foreign policy (1993-2005): the development of a para-diplomatic network and strategy "from an empty drawing board"

In 1993, the Flemish Government (at that time called: 'Executive') acquired its new instruments regarding foreign policy. It took until 1995 before the Executive developed a clear-cut vision about its foreign policy. The Flemish coalition agreement of June 17th, 1995 between the christian-democrats and socialists mentioned the following aims of the new Flemish foreign policy: (1°) strengthening the Flemish autonomy optimally by using the opportunities which the international cooperation and contacts offered, (2°) to provide a clearly identifiable contribution to the international community, more in particular by using and restoring the 'historical role' of Flanders as a bridge between different cultures, countries and regions, (3°) the promotion of the Flemish cultural identity and image-building abroad via an integrated "cultural diplomacy" -- the international recognition of the Dutch language constitutes an important element in this effort, (4°) providing Flanders a rightfull place in Europe and the world, and (5°) supporting 'young democracies'.

In these early days of Flemish foreign policy, two remarkable tendencies can be distinguished. *First*, 'foreign policy' and 'image building' were seen as synonymous to each other (see also: Criekemans & Salomonson 2000). Flemish foreign policy focused quite strongly on image building and public relations. This trend can be explained by the fact that Flanders at that time was virtually unknown internationally. Pragmatism prevailed in the sense that it was seen as necessary to familiarize the international community with the idea that Flanders had become an international actor. *Second*, the rhetoric of the then Flemish minister-president Luc Van den Brande developed in two ways an explicit link between "culture", "economy" and the Flemish identity. On the one hand, the region was presented as a "natural carrier of innovation"; the regional dynamic was heralded by Flemish officials as a policy-level which was better equiped to be 'an economic motor' in the 'post-industrial economy' compared to the national state-level, and hence also an attractive partner in international affairs. On the other hand, culture was explicitly used by the Flemish regional government as an instrument in the advancement of the Flemish economy and international-political position. Both of these tendencies would gradually decrease in prominence during the second half of the 1990s (see also: Criekemans & Salomonson 2000; Criekemans 2002).

If one takes the principle *"in foro interno, in foro externo"* into account, one could defend the idea that Flemish foreign policy today entails five to six functional areas; (1°) international cultural policy[11], (2°) international economic policy, (3°) international environmental policy, (4°) development cooperation, and (5°) promotional activities. The finality of Flemish foreign policy does however remain a *political* one. Each of the above-mentioned components should not be seen as distinct from one another, on the contrary. From the early beginnings onwards, Flemish policy-elites voiced their intention to develop an "integrated Flemish

[11] Between 1971 and 1993, the Belgian Communities did already have the power to develop their own international cultural policy. They contributed to the negotiation of cultural treaties and developed cultural initiatives abroad (e.g. the development of a Flemish cultural centre "De Brakke Grond" in Amsterdam, the Netherlands & a 'cultural house' in Osaka, Japan). The dream to send out their own 'cultural attachés' was however postponed due to a number of legal and technical obstacles (see also: Schramme 1999: 145-153). In 1980, the initiative was taken to install a Flemish *'Committee-General for the International Cultural Relations'*, which became operational from 1982 onwards (Hendrickx 2004: 22). This administration constituted the 'embryo' from which the later Flemish MFA gradually took shape (see also infra; 3.).

foreign policy", certainly in light of the fact that Flanders is such a small international actor. Put in another way, one can distinguish in Flemish foreign policy; (1°) a *bilateral policy* vis-à-vis other countries and like-minded regions, (2°) a fast developing *policy vis-à-vis the European Union* & (3°) a *multilateral policy*. Each of these realms tries to support the other. We now come to what interests us most in this paper; *what choices were made, and what kind of policy-tools were developed in order to guide the political choices?* In order to answer this question, we will use the last-mentioned categories so as to obtain a clearer insight.

2.1. Flemish bilateral policy: nine criteria put to the test & the remarkable realignment of bilateral policy within the Belgian federation

In his *"Policy Letter 1995 – Flemish foreign policy"*, minister-president Luc Van den Brande wrote that due to its limited resources, Flanders could never be prominently present in all countries. It would thus become crucial for Flanders to determine certain priorities among the potential countries and regions with which the Flemish Government could establish relations (Van den Brande 1995: 14). In order to develop such an exercise, nine criteria were formulated which could serve as an instrument to develop a so-called "concentration-policy" (in order to focus the limited Flemish resources abroad). The decision to incorporate a certain country or area into the Flemish concentration policy could thus best be taken by "testing out" these territories based upon the following nine criteria:[12]

1. common language, culture and history;
2. geographic proximity;
3. (potential) intensity of economic and trade relations;
4. parallel vision on and involvement in the construction of the European integration project;
5. similarity of state structure (federalism);
6. attachment to democracy and human rights;
7. (the need for support and cooperation, and) the possibility for Flanders to develop solidarity actions in a meaningful way;
8. strategic location and international impact;
9. willingness to recognize Flanders as a (full-fledged) partner.

Although the nine criteria today are no longer explicitly mentioned in current Flemish policy letters, it appears that they are still *implicitly* used as a beacon and policy-tool to guide the political choices. As a result of this exercise, a number of bilateral priorities became apparent; *the neighbouring countries* (with the Netherlands as most important due to the language similarity and e.g. the importance of the deepening of the Scheldt-river for the Flemish economy), *the young democracies in Central- & Eastern Europe*, *Québec*, *Southern Africa* (again apparently because of the language similarity), and *Chile* in Southern America:

- In June 1989, an "Entente" was signed with **Québec** to establish a cooperation on such issues as economy, education, health and the environment. At that time, Flanders did not yet have international treaty-making power. It shows however that the Flemish Executive was very much interested in cooperation with like-minded regions in the world. In 2002, this relationship was extended to almost all Flemish competencies (also culture, science, etc.).

- The **countries in Central and Eastern Europe** would soon follow. It is interesting to note that already in April 1992 (also *before* Flanders officially became an

[12] The Flemish idea behind formulating these 'nine criteria' was as follows: *"the higher a certain country or region 'scores' on as many of these criteria as possible, the higher the priority for Flanders to engage into formal relations with that specific country or region".* However, the Policy Letter rightly warned that these nine criteria cannot and may not be applied in a purely mathematical fashion.

international actor with treaty making-power), the Flemish Government had decided to make relations with Central and Eastern Europe a priority. A new policy-instrument was created for this; the *"Programme Central and Eastern Europe"*. In 1992, 10.68 million euros were earmarked in order to support the transition process in Central and Eastern Europe, and the development of strong and healthy market economies (Vanden Berghe & Van Alstein 2004: 2). With this yearly budget (which gradually decreased over the course of the 1990s), projects were financed in such areas as economy, environment, infrastructure, education, vocational training, socio-economic matters and judicial assistance. In this way, the Flemish 'know-how' could be used to bring these countries up to Western European specs. At the same time, these projects would bring Flemish and Central-European specialists together on a wide variety of dossiers. Also important to note is that in this way, certain (aspects of) the Flemish (socio-)economic, ecological and societal model could be 'exported' to the 'East'. In the medium term, Flemish officials also hoped to bring about joint 'spin offs'. The final goal of this Programme was however political in nature; to bring the countries of Central and Eastern Europe in contact with Flanders, an equally young but reliable foreign partner (Criekemans 2005). Soon after the moment when the Flemish Government received treaty making-power, a number of agreements were signed with Poland (June 1994), Hungary (October 1994) and the three Baltic states (1996). In the years to come, all the other Central and Eastern European countries followed [those which now have become EU-members, but also Romania (1997) and Bulgaria (2001)];

- The first "exclusive treaties" which the Flemish Government concluded, were with the **Netherlands**, regarding the deepening of the Scheldt-river (which partly flows across Dutch territory) & also regarding cooperation in such areas as culture, education, sciences, welfare, etc.;

- In October 1995, the Flemish Government also concluded a treaty with **Chile**. Initially, the relationship with this country was mainly focused on development policy. However, the character of the cooperation changed over the years. Today, Flanders approaches Chile as a bilateral partner in its own right. The choice for Chile as a 'bridge head' into Latin America is however quite peculiar. Some observers question whether the "nine criteria" had anything to do with Chile becoming an important Flemish partner. There are those that point to more personal and political explanatory variables; e.g. the relationship between some Flemish and Chilean christian-democrats (Hendrickx 2004: 31). This somewhat puts the "nine criteria" into perspective; they were certainly not the *only* guiding mechanisms by which Flemish foreign policy got its orientation. Another –more official– factor which influenced the choice for Chile was the Chilean diaspora in Flanders (as a result of the coup in 1973); Flanders thus had links with the country, and wanted to make a contribution to the renewed process of democratization (Vlaamse Administratie Buitenlands Beleid 2005).

- On the African continent, **South Africa** was chosen as a partner. Via transnational contracts with the South African Housing Company, Flanders for instance financed shelter for families. In October 1996, a cooperation agreement was signed in the areas of culture, education, science, technology and sport, which would in later years be broadened to cover more policy-areas. These agreements formed the basis for a much larger Flemish policy vis-à-vis the Southern African area (to include Lesotho, Botswana and Mozambique). Since the beginning of the new century, Flanders has focused more and more on the battle against HIV/AIDS. The Flemish Government for instance gives money to the UN-AIDS-programme (which is led by the Flemish/Belgian Dr. Peter Piot), to be earmarked for usage in projects in the Southern African area.

When one delves more closely into the question of the choices that were made by the Flemish Government, an interesting element comes to the surface. Looking more closely at the Flemish diplomatic priorities-list & comparing it to the geopolitical priorities of the Belgian federal ministry for foreign affairs, it is interesting to note that **the partners which Flanders chose were mostly in those areas in which the Belgian federal government at that time had only limited contacts, or did not prioritize its existing bonds**:

- The Belgian central government did have diplomatic ties with the Netherlands, but those relations were at the beginning of the 1990s mostly cultural in nature, and thus already lay well within the sphere of interest of the Flemish Community. One of the dossiers which often is quoted as an example of the diplomatic efforts of the Flemish Region being more successful compared to those of the central/federal government, is that of the first agreement regarding the deepening (to 11,6 meters) of the Scheldt-river (1994)[13]. This is only true to a certain extent.[14] The recent agreement of 2005 on the second deepening of the Scheldt-river (to 13,4 meters) by 2009, was for instance a dossier which was 'multi-layered' in nature – it involved the negotiation-efforts of both the Flemish regional & Belgian federal government;

- At the beginning of the 1990s, the Belgian central government had only limited diplomatic contacts with Central- and Eastern Europe, like most Western European countries. Especially the Baltic countries were a "blank" on the Belgian diplomatic map. Since 1994, a Belgian diplomat was assigned to these countries, but he operated from Brussels and was not based over there. This situation has of course changed in the meantime, but with its *"Programme Central and Eastern Europe"*, Flanders was able to set up an impressive array of contacts and credentials.[15] The challenge from the end of the 1990s onwards till today was however to build upon these relations and mold them into a political partnership with Flanders. A challenge which –due to budget costs and different political priorities under the former Flemish Government– only recently reached the political agenda (see infra);

- As a result of its (post-)colonial history, the Belgian central government was heavily involved –diplomatically and politically– in Central-Africa; Zaïre (today better known as the Democratic Republic of Congo or DRC), Rwanda, Burundi, Congo-Brazzaville. The choice for South Africa as a partner of Flanders had not only its language similarity going for it, also it had the benefit that the Flemish Government would not stand in the way of the Belgian central policy-level. The opportunity arose when the Apartheid-regime was officially abolished in 1994, exactly at the moment when Flanders constitutionally became an international actor. South-Africa came at that time out of a period of international isolation and would thus readily accept international help, even from non-state actors such as Flanders.

Based upon these short observations, one can claim that a remarkable realignment of bilateral policy within the Belgian federation has gradually taken shape. The **external contacts of Belgium have become more diverse** and a kind of **informal division of tasks** seems to have taken place among the different governments within the Belgian federation.

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[13] The journalist Tastenhoye wrote in 1995 in the political science-journal *'Res Publica'*: *"... that which the Belgian diplomacy had tried to accomplish in 20 years was now realized by Flanders merely 18 months after the moment when it obtained international treaty making-power"* (Tastenhoye 1995: 328).

[14] For a detailed account of the negotiations between Flanders and the Netherlands regarding the issue of the deepening of the Scheldt-river and related issues, read: Vanfraechem 2003.

[15] Some successful Flemish projects in Central and Eastern Europe during the 1990s: installations for water purification in the Czech Republic, a project for environmental management in Hungary, the development of harbours in e.g. the Baltic states, the establishment of the first independent health service in Poland - *'SWP Flandria'*, the PLATO-project in which Flemish captains of industry became godfather of 160 Czech small and middle sized companies, etc.

If one takes the ***international treaty making-power*** as an indicator for Flemish paradiplomacy, one can conclude that Flanders has used this new policy-instrument quite intensively, both in an active and in a passive way. Flanders has actively concluded 33 "exclusive" treaties (25 bilateral ones, and 8 multilateral). On the other hand, the Flemish Parliament has approved 307 (mostly multilateral) "mixed" treaties and agreements (which touch upon both federal competencies and responsibilities of the Regions/Communities). Furthermore, 44 transnational contracts[16] have been signed, and 65 joint policy-declarations[17] have been issued. Also, the Flemish Government manages 35 cultural agreements. Clearly, Flanders has today entered a new phase in the sense that a further exponential growth of its "exclusive" treaties could result into "inflation". For the moment, the current plans involve only Croatia as a new treaty-partner. Treaty making-power contributes to the international recognition which Flanders has been able to build up until now, and is a clear indicator of the *geopolitical priorities* which Flemish foreign policy has formulated; a strong commitment to the (future) EU-countries, and a spearhead policy towards the larger Southern African region and Latin America (Chile). However, founding one's foreign policy too much upon the formal instrument of a treaty could potentially "formalize" (para)diplomacy up to a point when one can no longer be flexible to respond to new challenges which present themselves within society or on the international scene. It appears as though Flemish policy-officials have understood this; they also often use less formal instruments for international cooperation such as transnational contracts and joint policy declarations. A potential disadvantage of such an approach is of course the non-binding nature of such policy-instruments. Nevertheless, they can be used successfully to give substance to cooperation.

Another indicator for "measuring" Flemish paradiplomacy is to look at ***the way in which Flanders has made use of its right to send its own representatives*** to bilateral posts, to other regions/areas, and to international organisations. After all, in the globalizing world of today, "networking" is also crucial to achieve one's foreign policy goals. Diagram 3 offers a concise overview of the wide network of Flemish representatives abroad:

	Responsible service	Number of representatives
POLITICAL / PARADIPLOMATIC	***Flemish Department of Foreign Affairs*** operational since April 1st, 2006 formerly known as: the *'Administration for Foreign Policy'* since 1994 or the *'Administration External Relations'* between 1991-1994	***9 Representatives of the Flemish Government*** - **Brussels**: Flemish Permanent Representation accredited to the EU (one Representative of the Flemish Government (RFG) heads a team of Flemish attachés for different EU-policy-areas such as education, environment, energy, ...); - **Geneva** (based in Brussels): one Representative (RFG) responsible for following dossiers in WTO, UNAIDS, ILO, WHO . - **the creation of five "Flemish Houses" in The Hague, Vienna, Berlin[18], Paris, London** (one Representative of the Flemish Government (RFG) heads the "mission" to which in some cases economic representatives and people from *'Tourism Flanders'* are also assigned). These 'Flemish Houses' operate complementary to the existing Belgian embassies, and each have their own role to play. The Paris RFG is also accredited to the OECD and UNESCO in Paris & to the Council of Europe in Strasbourg. Future plans include strengthening the team in The Hague and –later on– in Paris and Berlin. The Vienna RFG is not only accredited to Austria,

[16] Transnational contracts are agreements which have been concluded between two parties, one of which is no subject of international law. These agreements only pertain to private law, and are thus guided by private international law. Flanders for instance concluded such agreements with Québec regarding education, science, technology, preventive health care, etc., but also signed agreements with the South-African "New Housing Company" (a cooperation which ended a few years ago).

[17] Flanders for instance recently created an international network called *"Districts of Creativity"* which promotes creativity as a factor for economic renewal, together with Baden-Württemberg, Catalonia, Lombardy, Maryland, Québec, Scotland, Shanghai, etc.

[18] Berlin is not a *"real"* Flemish House in the sense that Flanders rents a floor within the Belgian embassy. The title 'Flemish House' is given when the Flemish 'mission' is located in another building than 'Belgium'.

	+/- 74 personnel internally	but also to the Czech Republic and Hungary; - **Washington**: one Representative of the Flemish Government responsible for relations with Northern America, but also with the Worldbank-group. Future plans include moving the RFG to New York and creating a "Flemish House", but this time in a private-public cooperation (together with some Flemish companies which are active in North America). In 2006, the Flemish RFG will also be accredited to the United Nations in New York; - **Pretoria**: one Representative of the Flemish Government
ECONOMICAL	***Flanders Investment & Trade*** +/- 190 personnel internally	***60 Flemish economic representatives*** ***17 trade secretaries***
CULTURAL	***Department Culture***	***No real network of cultural attachés, but a few cultural houses***; *"De Brakke Grond"* (Amsterdam), *"Belgian Flanders Exchange Centre"* (Osaka), *"De Buren"* in Brussels (together with the Netherlands, so as to jointly present the Dutch-speaking community towards the EU-countries)
TOURISTIC	***Tourism Flanders*** +/- 127 personnel internally	***11 representatives;*** in The Hague, Copenhagen, Prague, Paris, London, Milan, Cologne, Vienna, Barcelona, Tokyo & New York.
AGRICULTURAL	***Centre for the Promotion of Agriculture and Fisheries*** +/- 70 personnel internally	***2 representatives***; in Paris, Cologne
	Department Agriculture	***5 to 10 attachés for agricultural affairs***; *the Hague* (for the Netherlands), *Paris* (for France & Spain), *Berlin* (for Germany & Poland) and *Vienna* (for Austria, the Czech Republic, Slovakia, Slovenia & Hungary) & several which operate from Brussels as a 'home base' (see also: Hendrickx 2004: 66).
DEVELOPMENT COOPERATION	***Flemish Agency for International Cooperation*** Created only recently out of the remnants of the former *'Flemish Association for Development Cooperation and Technical Assistance'*	South-Africa & Mozambique (the personnel of the Flemish Agency for International Cooperation should not be seen as 'representatives', but as experts of the Agency abroad)

Diagram 3: An overview of the Flemish international network – in Flanders and abroad

What can we deduce from the diagram above? During the past decade and a half, Flanders has gradually built a relatively wide international network; 450 people working in Flanders itself, and 280 people which represent Flanders all over the world (not counting the 'support staff'). This is quite impressive for a small region. However, it is still 'peanuts' when compared to the network of the Belgian federal MFA; they have over 3.200 employees and collaborators, of which two thirds are located abroad.[19] Of the Flemish network, only a limited number of people actually work in the area of 'Flemish foreign policy'. Flanders has only nine *'Representatives of the Flemish Government'*, which actually enjoy diplomatic status. In comparison, the diplomatic personnel of the Belgian federal government still amounts up to around 450 (not counting the people that serve within the so-called 'internal career'). The nine *'Representatives of the Flemish Government'* try to establish the necessary contacts

[19] See the website of the Belgian federal "Policy Service Foreign Policy"; http://www.diplomatie.be/nl/FOD/organisationDetails.asp?TEXTID=16839

abroad on all the competency-areas of the Flemish Region and Community (both on an official level as within civil society). They also have a mission to gather insights and knowledge on socio-cultural, political and economic domains, and have to report on these matters to the 'home front'. Last but not least, they also have a mission to promote Flanders abroad, and are under standing orders to play into the opportunities which present themselves. Critics could question the 'added value' of such an additional network of regional diplomatic representatives abroad; aren't the diplomats of the Belgian federal level also responsible to represent and defend not only the federal government, but also the Regions and Communities abroad? The decision of the Flemish Government to send out its own 'diplomatic'/political representatives abroad should be seen in another perspective; as the "political signal" that Flanders places a high priority to developing bonds with the outside world. Since Flanders has such an open economy, an important transport-economic position in Europe, and is located so close to the heart of the European decision-making centre, the Flemish region seems to feel an urge to 'go abroad' itself. The *'Representatives of the Flemish Government'* constitute the 'spearhead' of the foreign policy-accents which Flanders wants to develop. They should however be seen as operating *complementary* to the existing federal diplomatic network. By sending out its own Representatives, the Flemish Government shows its clear political intention to deepen the societal and official cooperation with third areas and countries, within its policy-competencies. The final goal is to propel the cooperation to a higher intensity, well beyond the level of 'classic diplomatic relations'. The nine *'Representatives of the Flemish Government'* and the five Flemish houses which today exist are however quite limited when compared to the international network which the Belgian federal government has developed; for the moment 'Belgium' manages 86 embassies, 12 permanent representations accredited to various international organisations, 25 consulate-generals, 5 consulates and 284 honorary consulates (see: Hendrickx 2004: 67).

The basic foundations of the Flemish apparatus for external representation were laid between 1991 and 1999, during the two governments which were headed by the christian-democrat Luc Van den Brande. During the former Flemish Government (1999-2004), the coalition of greens, socialists and liberals made different political choices; they gave priority to the further development of the network and apparatus of Flemish external trade. The expenditures of the external political representation were cut back from 1.33 to 1 million euros. As a result of this, Flanders had difficulties to transform its contacts and credentials in Central- and Eastern Europe into an actual political strategy vis-à-vis this area, crucial since these countries were acceding to the EU on May, 1st 2004 (Criekemans 2005). It seems as though the new Flemish Government (2004-2009) composed of socialists, liberals, christian-democrats and nationalists, has understood the importance of Flemish external political representation. Plans are under way to broaden the political representation in the neighbouring countries (with a priority being given to The Hague), in Central- and Eastern Europe and in New York. One can thus expect a further extension of this apparatus in the coming years. One of the main priorities for 2006 is the development of a Flemish "lobbying office" to the EU, similar to the many offices of European regional delegations that already exist in Brussels, the (un)official capital of the EU. This "lobbying office" will not only defend the Flemish interests on the European forum, it will also bring different partners together and establish relations with other EU-regions, member-states, regional offices in Brussels and the European institutions. This initiative also tries to give the Flemish societal players a better access to European information. Another mission is the touristic and logistical support for other regional offices based in Brussels, and to optimally inform the already existing Flemish Representation to the EU (e.g. detecting possible EU-sources of finance for diverse projects). To conclude, the office will also be responsible to inform the larger public and create a representative "meeting place" of Flanders in Brussels (Bourgeois 2005).

When one analyses these initiatives more closely, one comes to the conclusion that they all are actually quite complementary to the external activities of the Belgian federal level. In the next part, we explore Flemish EU-policy in a concise way.

2.2. Flemish EU-policy: the vagueness of the distinction domestic/international

The EU-policy of Flanders is probably one of the most important components of Flemish foreign policy. The choices which were made are a direct result of both the institutional position of Flanders within Europe and its competencies.

From an institutional point of view, a recurring theme in Flemish foreign policy is the regional dimension within the European Union. In December 1992, the then Flemish minister-president Luc Van den Brande officially launched the *Charter of 'Europe of the Regions'* in Edinburgh. This Charter involved an informal network of like-minded people who believed that Europe should be built on cultural diversity – the Europe of the Cultures (Claerhout 1999: 1). According to Van den Brande *"such a Europe would welcome the cultural identities of regions and member-states not as an obstacle to integration, but as a stimulus to its development"* (Van den Brande 1998). In this context, the international Foundation *"Europe of the Cultures 2002"* was created, via which Flanders was placed centre-stage in the debate on the European regions (Criekemans & Salomonson 2000). The Foundation does not exist anymore today, but over the years other networks and institutions have been created in which Flanders plays a prominent role. In this context, one should mention that the Flemish region has played an important part in the REGLEG-network[20], the Group of Regions with Legislative Powers made up of EU regions that have responsibility for implementing –and in many cases transposing– European legislation. Over seventy regions with legislative powers within the European Union have directly elected parliaments and governments. The Group helped e.g. to achieve significant steps forward for regional involvement in the EU through the draft EU Constitutional Treaty. REGLEG also has become a network for strategic coordination and a forum for exchange of "best practices".

From the point of view of competencies, one can determine that a lot of the competencies which the Belgian regions and communities have received over the years, are actually issues in which the European Union is quite active; education, agriculture, aspects of economic policy, etc. Some scholars claim that the Belgian federated entities are to a certain extent *frustrated* by this; they have discovered that their autonomy is limited by other policy-levels such as the European Union (Vos 1999). Hence, participation in the European policy-framework is being perceived as crucial – not only in the implementation-phase, but also (and more importantly) in the decision-making-phase (or even before; e.g. when the European Commission floats a Green Paper in which new policy ideas for the future are being "tested out"). On March 8th, 1994 a Cooperation Agreement was signed between the federal government & Regions/Communities regarding the representation of Belgium within the Council of Ministers of the European Union, an agreement which was recently updated. The situation varies in each policy-domain, but there are cases (e.g. culture, education, sport) in which Belgium as a whole will be represented by a Minister from the Communities, who will speak on behalf of the whole of the Belgian federation. In more "mixed" policy-domains, the team leader will e.g. be someone from the federal government, accompanied by a representative of the Region/Community, or vice versa. This all means in practice that the traditional distinction between domestic policy and international ('EU')-policy is less clear; both are intermingled. In practice, all the Belgian governments have to try to work together via the DG-E-consultation process. No "parallel foreign policy" there. However, some argue that if the federated entities are not able to find a common position, they should be given the chance to each vote separately in the EU-Council of Ministers (the so called 'split vote'). However, such a radical idea will probably not find supporters in Europe anytime soon...

[20] REGLEG has its roots in the regional cooperation to prepare the discussions within the Intergovernmental Conference (IGC) in 2000. The regions with legislative powers wanted to have a say in this context, which predicted a fascinating period for the institutional system of the Union. In 2001, these regions wished to respond to the demand for a broader and futher-reaching debate on the future of the EU as formulated in a declaration annexed to the Treaty of Nice. Their initiatives resulted in the recognition of the concept of a *"region with legislative powers"* in the so-called 'Declaration of Laeken' (see the network's website: http://www.regleg.org).

2.3. Flemish multilateral policy: from projects to a more structural approach

Soon after the Flemish Government received its international competencies, Flanders developed an interest to collaborate with and within multilateral organisations on concrete issues of policy.[21] Four reasons can be mentioned for this.[22] *First*, because multilateral organisations can offer an added value to almost every internal Flemish competency. *Second*, because such multilateral fora constitute a reservoir of policy-ideas and -competencies – they are often the places where innovative policy-ideas for the future originate. The Flemish Government thus thought it crucial to get access to this process. *Third*, multilateral programmes and competencies can also strengthen the existing Flemish bilateral cooperation. When Flanders e.g. subscribes to multilateral programmes on employment and vocational training in the ILO, it can appeal to a permanent 'knowledge-infrastructure' which could in turn strengthen the Flemish bilateral cooperation with one of its geopolitical priorities; Central- and Eastern Europe. In this way, the different components of Flemish foreign policy strengthen one another. *Fourth*, acting multilaterally can also be seen as an opportunity to further develop the international recognition of Flanders. Despite the obstacle in international law that Flanders is a 'non-state actor', the Flemish federated entity can also offer its expertise and 'know-how' to such fora (e.g. the Flemish expertise in education [Council of Europe, UNESCO], in preventive health care [WHO], in the knowledge economy [EBRD], etc.). It is the hope of the Flemish Government that this would –in the long run– contribute to Flanders obtaining a certain degree of recognition and authority within the 'multilateral community'.

On the basis of this analysis, Flanders developed its first initial multilateral steps vis-à-vis the International Labour Organisation (ILO), UNESCO and the European Bank for Reconstruction and Development (EBRD). It contributed also financially to certain projects of these organisations. Some interviewees underline that at that time –during the 1990s– the Belgian federal government had cut back its participation in some of these projects (e.g. within UNESCO). Flanders thus seized the opportunity which presented itself to enter the multilateral stage (see also: Vanden Berghe & Criekemans 2002). Later on, the Flemish Government broadened its multilateral 'scope'. Its competency regarding preventive health care led to an interest into the work of the World Health Organisation (WHO) & UN-AIDS. Because of its educational and cultural work, also the Council of Europe was selected. Within the OECD, Flanders promoted the development of more 'regional' statistical data and studies. Also the WTO has become an important organisation for Flemish foreign policy, certainly regarding the negotiations in the liberalization of services (the Flemish economy is mainly services-based). Flanders thus contributes to the Belgian/European position in these matters (e.g. via the concept of "cultural diversity"). As a result of the recently acquired competencies in development cooperation, it can be expected that the Worldbank-group will become more important. In other words, one can detect a wide dispersal of Flemish multilateral activities; from a limited number of organisations and programmes into a much more wider spectrum, in which all Flemish administrations are involved. Coordinating this effort therefore becomes a much more daunting task. Flanders finds itself today in a process in which the original project-based approach is less prominent, in favour of the development of a much more 'structural approach' (see also: Vanden Berghe, Salomonson & Criekemans 2001). Some problems do however remain: (1°) the Flemish Government should allocate more personnel and means to multilateral policy – both in Brussels as in Paris, Strasbourg & Geneva, (2°) it is curious to see that Flanders often devoted much attention to multilateral issues in which it enjoys 'exclusive competencies' (e.g. culture & education within UNESCO), but is less active in those dossiers which are from a Belgian perspective "mixed" in nature. It would be advisable that all Belgian governments try to work pro-actively on such issues,

[21] Before 1993, Flanders already contributed to the Belgian multilateral position on its 'classical' Community-competencies such as language, culture & education within organisations as UNESCO & the Council of Europe.
[22] Also based on an interview with the former Flemish minister-president Luc Van den Brande, on July 13th, 2000.

within the COOR-MULTI-consultation process, but also –more importantly– at the highest political level within the Intergovernmental Conference on Foreign Policy (ICFP). All too often this system detects problems only at a *later* stage, instead of trying to set out some goals for the foreign policy of the Belgian federation beforehand. A more pro-active approach would probably smooth the Belgian decision-making process in foreign policy-matters. From time to time, the observer can detect 'differences in opinion' among the different Belgian ministers for foreign policy vis-à-vis a 'mixed' issue. By trying to formulate goals early on, these political problems could perhaps be eased, (3°) multilateral negotiation teams coming from the Belgian federation sometimes appear somewhat 'heterogeneous' in the eyes of foreign diplomats. It should be stressed that the Belgian Permanent Representations abroad have to be given the leeway to coordinate the Belgian position vis-à-vis multilateral organisations. Each government of the Belgian federation must indeed be able to exercise its freedom, but this should not undermine the coherence of the position of the Belgian federation during negotiations (Criekemans 2002).

3. The continuous reorganisation of the Flemish foreign policy-apparatus

The Flemish foreign policy-apparatus has been under constant reorganisation. In 1980, the idea was set in motion to establish a Flemish *'Committee-General for the International Cultural Relations'*, which became operational in 1982. The concept 'culture' was being interpreted more broadly as time went by, gradually also including education, sport, etc. This led in 1986 to a new name; *'Committee-General for the International Cooperation*', and an adapted organisational structure. In 1991, a Flemish ministry took shape, which combined the administrative capacity of both the Flemish Community and Region. Within this ministry, a new *'Administration for External Relations'* was created. This was a so-called 'horizontal department', in the sense that it coordinated all the external activities of the internal administrative policy-domains. The acquisition, in 1993, of the international treaty-making power & external representation led in 1994 to the re-naming into *'Administration for Foreign Policy'*, which underlined the idea that all external activities of the Flemish Government should be streamlined by political priorities. This situation remained for the rest of the decade. Gradually however, the organisational structure came under strain, mostly because the Flemish administration was being asked to follow up on a growing number of new competencies.

In the Hermes-agreement of April 5th 2000, the federal government agreed in principle with the federated entities to devolve 'agriculture' and 'foreign trade' to the Belgian Regions. This intention was formalized in the Lambertmont-agreement of July, 13th 2001. An extra area which the Belgian governments agreed to 'devolve' was 'development cooperation'. However, up until today this last area has not been devolved in practice; a study group has not reached any conclusions on how to realize this (De Volder 2005). The Flemish Government wants the Belgian personnel and financial means that accompany them to be transferred to the Communities. For evident reasons, this element still remains a subject of discussion. In 2003, the competency of the 'export licences for weapons' also was devolved from the federal government to the Regions. Not Flanders but Walloonia had asked for this. This impressive list of new material competencies resulted in a situation in which the structure of the Flemish Administration for Foreign Policy was no longer in alignment with its new tasks and responsibilities. This had already provoked an 'internal exercise' in 2001; the Policy Support Division of the Flemish Administration for Foreign Policy was given the assignment to start a **benchmarking research project** of several Ministries for Foreign Affairs. Special attention was given to the following bench-marks; the organisational structure of the Ministry, the relation between foreign policy, international trade and development cooperation, the structure and operation of advisory committees, the management of the network of representatives abroad, the relation between 'administration' and 'politics', the way in which priorities are determined, etc. After an initial 'scanning', the MFAs of the

following countries were selected; Canada, Denmark, Germany, Finland, the Netherlands, Norway, the United Kingdom (Vlaamse Administratie Buitenlands Beleid 2001).[23]

The exercise started by the Policy Support Division was not completed due to a change in priorities and lack of time. The team did nevertheless collect information, but they were never used in an actual bench-mark study. The main reason for this change of priorities was that at that time, the Flemish Government had launched a new project *'Better Governmental Policy'*, an effort to structure the competencies which the Flemish Region and Community had accumulated since 1991. However, the elements which had been gathered in the preliminary research for the bench-marking study were perhaps implicitly used in the process to implement *'Better Governmental Policy'?* The initial idea was to 'verticalize' the former 'horizontal' Flemish Administration for Foreign Policy into a full-fledged MFA. This meant bringing general foreign policy, development cooperation and tourism together, under one responsible Minister. The idea was that this could improve the coherence and decisiveness of Flemish foreign policy, which would in turn have a positive spin over-effect into the external perception of Flanders as an international actor. The organisational structure which was chosen is dynamic; it should be able to adapt in more flexible ways to the continuously changing international environment. The reorganisation is not only limited to redesigning structures, but also involves new means for developing the MFA further in terms of human resources. The MFA-officials are given the opportunity to follow training and/or be seconded to an international organisation, so as to become a 'learning organisation'. New is also the creation of a Strategic Advisory Board, composed of people from civil society, the academic world, etc.

On April 1st, 2006, the new Flemish MFA was declared operational. Originally, the title assigned to the Flemish MFA was *'Ministry for Foreign Policy, Foreign Trade, Development Cooperation and Tourism'*. This title was deemed too long, therefore the ministry was called *'Flanders International'* (in Dutch: "Internationaal Vlaanderen"), which entails both a Department and an agency for development cooperation. This title is somewhat strange, especially also in the sense that the former title 'foreign affairs' has been deleted in favour of a much more vague one. In the meantime however, a practice has developed whereby the Flemish MFA uses for its Department a different title in all external communications in English, so as to avoid misunderstandings: *'Flemish Department of Foreign Affairs'* (in Dutch it is still called 'Departement Internationaal Vlaanderen').

[23] These countries were chosen because of the following reasons; *Canada* – because of its innovative integral policy management, its representation abroad & its networking; *Denmark* – because of its integral policy management (e.g. policy preparation & evaluation) & scientific foundations; *Germany* – because of its exemplary development cooperation; *Finland* – because of its exemplary strategic planning, policy evaluation, and scientific foundations; *the Netherlands* – because of its advisory committees and policy-evaluation (annual reports & indicators); *Norway* – because of its policy support and strategic planning; *the United Kingdom* – because of its vast experience regarding building public support and in strategic planning.

The new organisational structure is as follows:

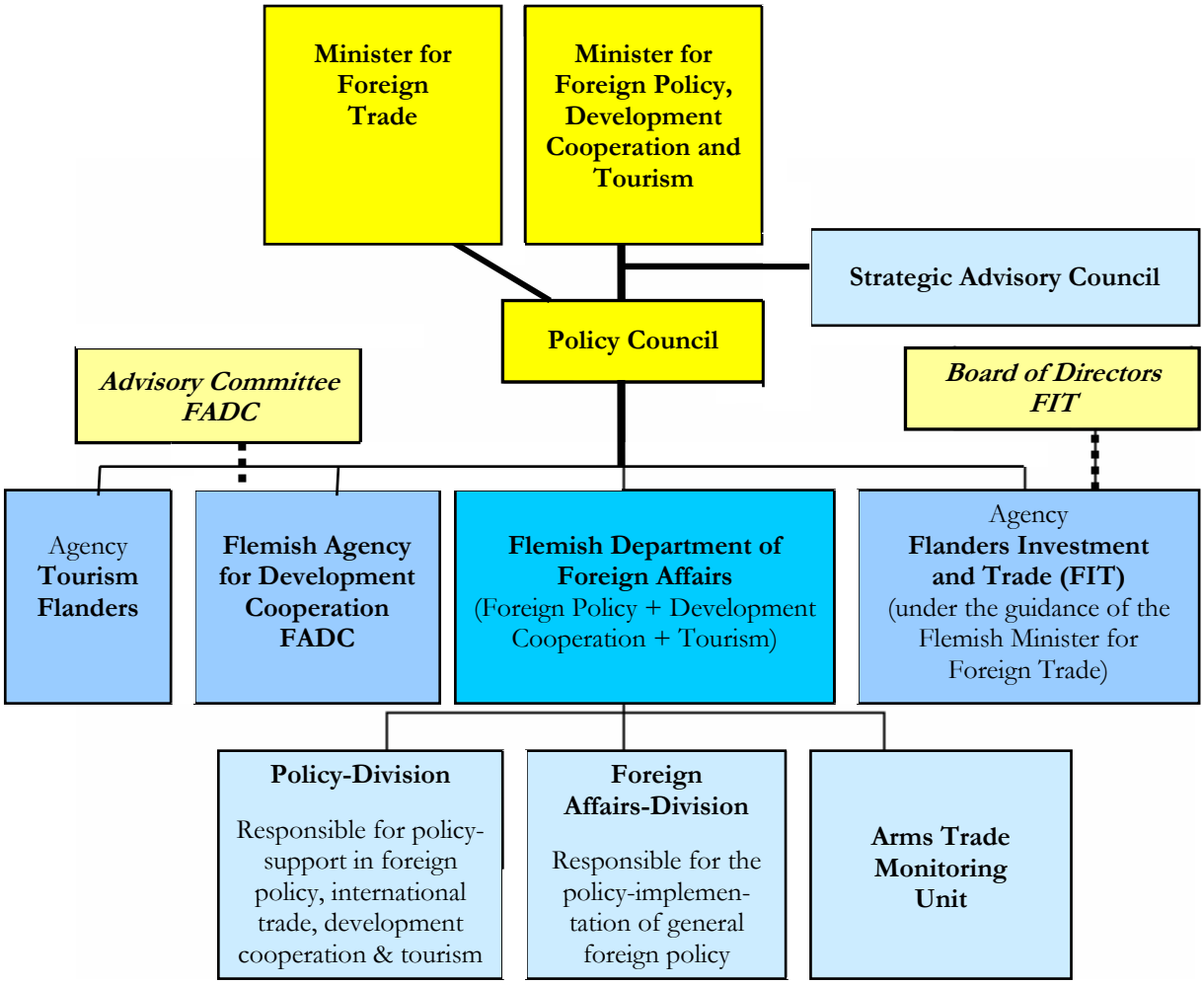

Diagram 4: The new organisational structure of Flemish foreign policy since April 1st, 2006

In the new organisational structure, the Flemish Department of Foreign Affairs will be responsible for the coordination and integration of the foreign policy of the Flemish Government. It does a follow-up on both the 'content' and the 'logistical support' of the foreign policy developed by the Minister-President, the Minister responsible for Foreign Policy, Development Cooperation and Tourism, and the international policy-activities of all other Flemish ministers. *On the one hand*, the Flemish Department of Foreign Affairs is responsible for the communication between the Flemish ministry, the federal Public Service Foreign Policy, and the foreign policy-institutions of all other Belgian governments. *On the other hand*, it also follows up on all foreign partners of the Flemish Government. The organisation of the official international representation of Flanders abroad constitutes also one of the permanent assignments of the Flemish Department of Foreign Affairs.

New in the organisational structure is the clear division between 'policy support' and 'policy implementation'. The *policy-supporting entity* ("Policy Division") advises the Minister regarding strategic planning, policy-preparation, the policy-steering of the implementation process and the policy evaluation. The *policy-implementing entity* ("Foreign Affairs Division") looks after all implementation tasks for the domain 'foreign policy'; the bilateral and multilateral relations, the implementation of all exclusive treaties and the Programme Central and Eastern Europe, the Flemish representation abroad & the coordination of all Flemish decision-making regarding EU-dossiers. *Both entities* are an integral part of the Department. Some related domains such as foreign trade, development cooperation and tourism will however be implemented within externally or internally emancipated agencies. A third

division is the *'Arms Trade Monitoring Unit'*, which advises the minister on all export licences regarding the import, export and transit of weapons and military technology.

A *'Policy Council'* will serve as the forum where all the relevant ministers can discuss policy together with the managers of all relevant departments and agencies. With this new organisational structure, all policy-fields which relate to the international activities of Flanders are being brought together under one policy domain. In theory, this should radically augment the coherence of the international actions which the Flemish Government undertakes. The jury is still out on whether that goal is now within grasp. It is nevertheless the hope of the current Flemish Minister for Foreign Policy Geert Bourgeois that this reform will also create a cross-fertilization between the policy-fields which Flanders now has under its responsibility, so as to better position the region in Europe and the world (Bourgeois 2005: 44-45). This last goal brings us to a last point; what are the challenges for the future with which the relatively new Flemish 'paradiplomacy' is being confronted?

4. Challenges for the future in Flemish paradiplomacy: internal and external public diplomacy

As our analysis has shown, the foreign policy of the Flemish Region and Community has developed quite rapidly over the last decade and a half. Based upon its newly received competencies in 1993 (the treaty-making powers, the right to send its own representatives abroad), Flanders has developed its own foreign policy-structure & priorities. Gradually, it is becoming an international (non-state) actor in its own right. As a result of the (still) growing number of material competencies for regions & communities within the Belgian constitutional framework, the organisational framework has to update itself almost continuously. Herein lies a distinct danger, namely in the *possibility* that these re-organisations are driven more by internal 'Belgian' idiosyncrasies than by external evolutions. As a result of the rapidly changing institutional 'architecture' within the Belgian federation, much attention has been devoted during the past years to competencies and decision-making-structures. However, the challenges with which Flemish foreign policy is being confronted in the near future all mainly lie within public diplomacy, both internally and externally:

- *On an internal level*, it is surprising to notice that Flanders as a non-state actor has not (yet) developed a structural link with its own public. The elaboration of such a structure is in the making. Especially in the most recent plans for the reorganization and optimization of Flemish foreign policy, one can for the first time recognize structural solutions such as the intention to bring the broader public on board. The setting up of an Advisory Board (made up by members coming from societal movements and organisations, the academic circles, etc.) could contribute to this. One can notice that the current Flemish Government, and more in particular the Minister for Foreign Affairs Geert Bourgeois, devotes extra attention (compared to his predecessors) to informing the broader public of his initiatives regarding foreign policy, and to explain why certain choices have to be made (at least certainly when compared to the last Flemish Government, between 1999 and 2004). However, much work remains to be done on this issue. It is nevertheless crucial so as to achieve one's foreign policy-goals.

- *On an external level*, public diplomacy can even be considered to be of existential importance to a non-state actor such as Flanders. It is crucial that the governments and general publics of third countries and regions are informed of the large autonomy that the component units of the Belgian federation (regions, communities) have been granted. One must also point out that some countries appear to have a certain reservation vis-à-vis cooperation with the Belgian federated entities; they fear to offend the Belgian federal government. Such a fear

is of course unfounded, at least on the so-called 'exclusive competencies' of the Belgian regions and communities. It appears that third parties do not always realize this. It is this issue of external public diplomacy that needs to be addressed more urgently in order to 'manage' the diplomatic networks of the Belgian federation (the federal level and the regional level). If not, Belgium could –as a federation– risk loosing its chances to tap into opportunities for cooperation with third parties and countries (Vanden Berghe & Criekemans 2000; Criekemans 2002).

This is thus a plea for the development of an explicit Flemish public diplomacy. Such an approach should first and foremost try to systematically establish relations with the *'non-official abroad'*, via opinion leaders and via a strategy to approach populations directly. The establishment of "two-way traffic" is essential. A large part of the possible 'public diplomacy'-activities aims at the medium term. One could think of initiatives in the area of culture, education, and other domains which can effectively influence this creation of an 'image'. The Flemish region should actively promote its own strong 'trump cards' (e.g. its logistical know-how and central location, its internationally highly praised educational system, its knowledge and experiences in preventive health care, etc.). This is not to say that Flanders has not done anything in this area, on the contrary. However, a more focused strategy could prove beneficial in the longer term. Gradually, the region should automatically be associated with some of these strong assets. At the same time, a more explicit Flemish public diplomacy would involve informing the population on its foreign policy goals, and/or even giving them the chance to debate these & to participate in their realization (based upon an earlier opinion article: Criekemans & Melissen 2006).

5. Conclusions: what can we learn from the Flemish/Belgian case?

What can we learn from the Flemish/Belgian case? I present my conclusions and some further remarks under two headings; 'the Belgian federation' and 'Flanders':

1) REGARDING THE BELGIAN FEDERATION:

- Belgium is a unique example among the countries which have given international responsibilities to their component states. The combination of the principle *"in foro interno, in foro externo"* together with that of the *fundamental equality of all Belgian governments* is without precedence in the foreign policy of federal states. The *autonomy* given to the Belgian Regions and Communities is far-reaching, and the instruments with which the *coherence* of the foreign policy of the federation are guaranteed, have been filled in only in a limited way compared to most other countries;

- During the past decade and a half, the Belgian federal diplomatic 'apparatus' has adapted itself to the new situation which was created as a result of the constitutional revision of 1993. Whereas the central government used to enjoy a monopoly in the management of the international affairs of the country, it is now *only one* of the players. However, it has successfully transformed itself into a coordination centre which guides all external contacts under an atmosphere of 'federal loyalty'. Within the Belgian federation, one can even detect a remarkable realignment. The external contacts of Belgium have become more diverse and a kind of 'informal division of tasks' seems to have taken place in the external relations among the different governments within the federation.

2) REGARDING FLANDERS:

- Flanders has made active use of its international treaty-making power. The way in which it selected its partners does suggest that the six governments within the Belgian federation work on a fairly complementary basis, both in geopolitical as in functional terms;

- The Belgian Regions and Communities continue to receive more and more competencies, and –by consequence– will have more to say in the foreign policy of the federation. This is also the reason why the Flemish Government continuously had/has to adapt its structural organization. As a result of the rapidly changing institutional 'architecture' within the Belgian federation, much attention has been placed during the past years to competencies and decision-making-structures. One of the main challenges with which Flemish foreign policy is being confronted today is public diplomacy; *internally* vis-à-vis its own population, and *externally* vis-à-vis its potential international partners.

- However, the case of Flemish paradiplomacy shows that it *is* possible for a region within a federation to develop its own foreign policy-accents, even with limited resources. The Flemish foreign policy-apparatus has sought ways to adapt in more flexible ways to both new competencies and novel challenges within society or on the international scene. It also has made use of the opportunities for networking and new partnerships which presented themselves at certain junctures in time. To conclude, one must indeed acknowledge the general remark made by some scholars (see Introduction); Flemish foreign policy operates often not "parallel" to the foreign policy of the Belgian central government, but is part of a *multi-layered process* within and without the Belgian federation. The consultation procedures which have been developed over the years can perhaps serve as some inspiration to other countries which are looking to reconcile 'globalization' & 'localization'. One does however have to bear in mind that a 'blind transposition' of the "Belgian solution" is not to be recommended; each solution which tries to give more international authority to the component states within a federation should be attuned to the needs of each political system & specificity of its 'component units'.

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