

Belgikako federazioak oso egitura konplexua du, “Komunitateetan” eta “Eskualdeetan” oinarritutakoa. 1993tik, Belgika Estatu federal bihurtu da zeinetan eskualdeak Konstituzioaren arabera behartuak baitaude euren kanpoko harremanak kudeatzera. Parte-hartze horrek azaldu egiten du, halaber, nola antolatzen diren Belgikako gobernuak eta nola antolatzen dituzten euren interesak europar erakundeen aurrean. Hortaz, bereziki Flandeseko Gobernuaren kanpoko politikan jarriko dugu arreta.

Giltza-Hitzak: Identitatea. Federalismoa. Belgika. Ordezkaritza. Flandes. Valonia. Diplomazia. Kanpo-politika.

La Federación Belga tiene una estructura compleja, basada en las denominadas “Comunidades” y “Regiones”. Desde 1993, Bélgica se ha convertido en un estado federal en el que las regiones están obligadas constitucionalmente a gestionar sus propias relaciones exteriores. Esta participación también explica cómo los gobiernos belgas se organizan y organizan sus respectivos intereses frente a las instituciones europeas. En este sentido, nos centraremos especialmente en la política exterior del Gobierno Flamenco.

Palabras Clave: Identidad. Federalismo. Bélgica. Representación. Flandes. Valonia. Diplomacia. Política exterior.

La Fédération Belge a une structure complexe basée sur les dites «Communautés» et «Régions». Depuis 1993, la Belgique est devenue un état fédéral dans lequel les régions sont constitutionnellement tenues de gérer leurs propres relations avec l'étranger. Cette participation explique également comment les gouvernements belges sont organisés et organisent leurs intérêts respectifs à l'égard des institutions européennes. En ce sens, nous allons nous concentrer en particulier sur la politique étrangère du Gouvernement Flamand.

Mots-Clés : Identité. Fédéralisme. Belgique. Représentation. Flandre. Wallonie. Diplomatie. Politique extérieure.

# Flanders / Belgium

Identity and national  
coexistence, and the  
representation of the interests  
of the Belgian federation  
vis-à-vis the European  
institutions

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## 1. Introduction

From a historical point of view, one could state that currently a “third wave” is developing in sub-state diplomacy, especially in Europe.

The *first wave* manifested itself from the 1980s onwards: a growing number of non-central governments tried to attract foreign direct investment through own initiatives or to use culture and identity as a lever to place oneself on the international map. Such initiatives often were of an ad-hoc nature, there was only a minor integration of all the external activities that were generated.

The *second wave* in the 1990s was characterized by the creation, within the sub-state entities of certain (European) countries, of a judicially grounded set of instruments for their own (parallel as well as complementary) diplomatic activities. These instruments were supplemented by the gradual development of a “separate” foreign policy-apparatus (administration or policy-body) which started to horizontally coordinate the external activities of the different administrations in certain regions.

The current *third wave* is characterized by steps in the direction of a ‘verticalization’ of the organisational structure of the administration or department of external/foreign affairs, a strategic reorientation of the geopolitical and functional priorities and attempts to integrate the external instruments for a sub-state foreign policy into a well performing whole. Belgium and its regional governments constitute a prime example of such a third wave.

## 2. General aspects

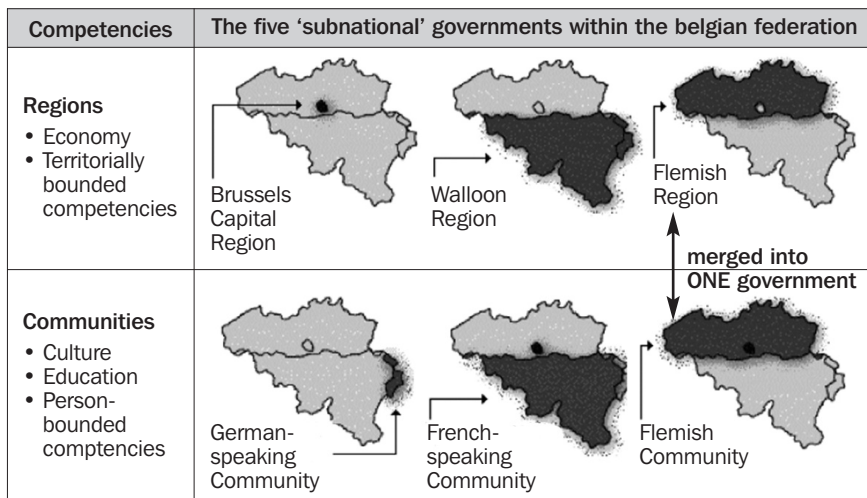
### 2.1. Historical introduction of the case study ‘Belgium/Flanders’ with regard to foreign policy

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 Wallonia (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 Wallonia 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, identity and culture (Dutch). Thus, the Flemish political elite initially aspired to get political control over the culture-based policy-instruments in the country. By doing this, the Dutch-speaking population in the country was better able to defend its own identity and language.

These dual aspirations led to the development of the so-called Belgian Regions and Communities, which overlap territorially – as shown by the diagram below.



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 govern-

ments; 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.

Before 1993, the Flemish and French-speaking communities already conducted a ‘foreign policy’ in the area of international cultural affairs. For instance, in 1980 in Flanders, the initiative was taken to install a Flemish ‘*Committee-General for the International Cultural Relations*’, which became operational from 1982 onwards (Hendrickx 2004: 22). The concept ‘culture’ was being interpreted more broadly as time went by, gradually also including education, sports, etc. The bilateral cultural treaties which the central government had signed with third parties were ‘regionalised’; in the working programmes, the Flemish and Walloon Communities each made separate agreements with third parties. Also each of the Communities developed their own accents; Flanders looked at the Netherlands and South Africa (similar language), the French Community tried to link up with (the countries of) the *Francophonie*.

1993 was the moment when the Belgian Regions and Communities received international treaty making-power on all their exclusive ‘internal’ competencies, not just ‘culture’. Since then, Flanders has gradually moved away from concluding traditional international cultural treaties, which are a quite formal instrument to conduct an external cultural policy. To a certain extent, these were incorporated within more broader ‘exclusive’ treaties with e.g. the Netherlands, South Africa, and many of the Central- and East-European countries. Also, international cultural treaties were deemed to “rigid” as an instrument. The Flemish Community thus also resorted to more flexible instruments (e.g. via joint policy-declarations, but also other means) so as to better react to certain evolutions on the international scene.

Both Flanders and Wallonia now conduct a foreign policy which ranges across all their (internal) policy domains (see *infra*; the principle ‘*in foro interno, in foro externo*’). Nevertheless, in Wallonia, the cultural and educational aspects are much more stressed in their foreign policy as compared to the situation in Flanders. Strangely enough, Flanders devotes somewhat less attention to ‘international cultural policy’ as a component in Flemish foreign policy these days, and certainly in comparison to the French-speaking Community Government. Hence, Flanders can thus learn from Wallonia. But also Wallonia can learn from Flanders, for instance in the way the Flemish Government strategically links competencies of the region and community into a consistent policy whole, *and* also in the way in which a ‘concentration policy’ is developed instead of having as much partners as possible, etc.

## **2.2. Brief description of the constitutional framework of Belgium regarding foreign policy**

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”).

### a) 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* (In-gelaere 1994).<sup>1</sup> 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).

First, the Belgian “federated entities” have been granted the right to **conclude or make treaties with third parties** (e.g. with sovereign states, with regions with a degree of autonomy, with 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).<sup>2</sup> 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. From 1993 onwards, they were granted the opportunity to appoint their own ‘diplomatic’ representatives, which are placed on the diplomatic list of the Belgian embassies, consulates or permanent representations by the Belgian federal Minister of Foreign Affairs (Senelle 1999: 212). These thus are diplomats, but they have specialized in the functional competencies of the Regions and Communities.

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

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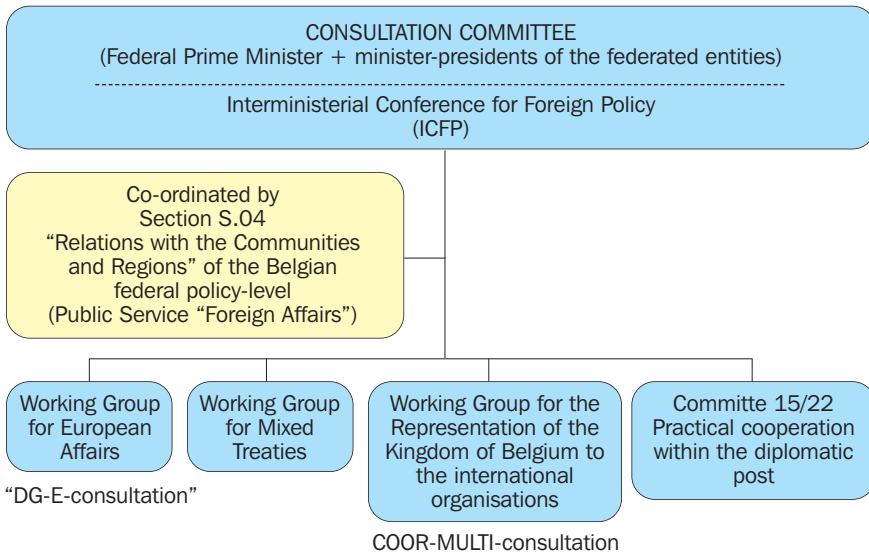
1. Since the Belgian constitutional revision of 1993, the division of labour between the federal and the regional governments in foreign policy was written down in the articles 167, 168 and 169 of the coordinated Constitution. Art. 167, § 1, section 1 states: “*The King (read: the federal Government) 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).

2. 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).

governments had to reach an agreement regarding the composition of the Belgian 'multilateral' negotiation delegations including for European affairs (see *infra*). *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: 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.

**b) 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”.



Overview of the 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**.<sup>3</sup>

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.

### **2.3. The representation of the interests of the Belgian federation vis-à-vis the European institutions**

The “Belgian solution” also has its consequences for the representation of the interests of all the Belgian governments vis-à-vis the European institutions. This means that for instance **the Flemish government has its own representation to the European institutions**. The problem remains however that Europe only recognizes states, and thus that much of the political influence which Flanders wants to generate is of a more *informal nature*. Nevertheless, **the Belgian regions and communities also send regional ministers to the Council of Ministers, but only in some specific policy matters where they are competent. And in these specific cases they represent the Belgian federation as a whole**. The Flemish Government would like this system also to be applicable within the Belgian

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3. 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).



representation at COREPER and at working group level. In this way, Flanders would be more present in the European decision-making system. Currently, the Flemish government tries to influence as early as possible within European decision-making, preferably when the European Commission floats policy-ideas via green papers (see *infra*).

The **EU-policy of Flanders** constitutes 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<sup>4</sup>, 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*, 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

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4. 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 further-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>).

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 8<sup>th</sup>, 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. The situation varies in each policy-domain, but there are cases (e.g. culture, education, sports) 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 work together via the so-called “DG-E-consultation process” (‘E’ stands of Europe of course). There, a common Belgian position is crafted by consensus, which will be used in the actual European negotiation itself.

The current Flemish government wants to further develop its EU-positioning. Minister-president Geert Bourgeois is currently preparing a political document ‘*Vision of the Flemish Government on the future of the European Union*’, which will be distributed to all European partners later this year. The current Flemish ‘Department of Foreign Affairs’ will be transformed into a full-fledged ‘Ministry of Foreign Affairs’. Its mission will, among others, be to co-ordinate the Flemish policy position in European affairs. This is not new, but the Flemish ‘European support system’ will be strengthened. The Flemish government also wants to re-evaluate the cooperation agreements with the other Belgian governments. Regarding the intra-Belgian cooperation agreement on European affairs, the Flemish government asks to review the categories of European councils of ministers to the Belgian “institutional reality”. The regions and communities should have a bigger say. Also, Bourgeois wants to apply this logic to informal councils, working groups and other European meetings. In this way, Flanders would be more directly involved in European decision-making, however still behind the Belgian flag of course.

At the same time the Flemish government aims to further strengthen its Permanent Representation to the European Union. There, a Flemish diplomat is heading an office composed of representatives of all Flemish policy-domains who closely monitor all relevant policy developments at the European level. Part-time jobs will in time become full contracts. Since so many internal Flemish policies are affected by the EU, it will be crucial for Flanders to further strengthen this representation in order to regain a margin of political and policy freedom. In this way, it will also become possible to better respond to European policy developments. The hope is that in this way it will become more easy to proactively respond instead of conducting difficult ex post-interventions in European policy-making (Criekemans, 2015).

In conclusion, the foreign policy of the Belgian federated entities is implemented by the entities themselves. All federated entities together with the federal

government conduct a “foreign policy of the Belgian federation”. However, many problems remain with regard to the realisation of such a “foreign policy of the Belgian federation”:

- There is no document in which the federal government together with the federated entities explain the goals which they together want to achieve in international relations.
- The federated and federal governments do not always keep each other apprised of the initiatives they take. Only in treaty making does there exist an obligatory rule for the federated entities to inform the federal government of their intention to conduct a treaty with a third party, but this obligation does not exist for the federal government vis-à-vis the federated entities.
- The absence of homogeneous packages of competencies between the federal government and the federated entities creates a situation whereby there sometimes exists a confusion over which government is competent.

The overview table hereafter offers an overview of the total Flemish external representation abroad, and the internal capacity that has been built over the years:

	Responsible service	Number of representatives
<b>POLITICAL / PARADIPLOMATIC</b>	<i>Flemish Department of Foreign Affairs</i> operational since April 1 <sup>st</sup> , 2006 currently in transformation towards a full-fledged 'Ministry of Foreign Affairs' +/- 95 personnel internally	<b>11 Representatives of the Flemish Government</b> - <b>Brussels:</b> <u>Flemish Permanent Representation accredited to the EU</u> (one Representative of the Flemish Government (RFG) heads a team of Flemish attachés for different EU-policy-areas such as education, environment, energy, ...); - <b>Geneva</b> (based in Brussels): one Representative (RFG) responsible for following dossiers in WTO, UNAIDS, ILO, WHO. - <b>the creation of five “Flemish Houses” in The Hague, Vienna, Berlin<sup>5</sup>, Paris, London</b> (one Representative of the Flemish Government (RFG) heads the “mission” to which in some cases economic representatives and people from <i>'Tourism Flanders'</i> 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

5. 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'.

	Responsible service	Number of representatives
		<p>accredited to the OECD and UNESCO in Paris &amp; 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, but also to the Czech Republic, Hungary, and Slovenia;</p> <ul style="list-style-type: none"> <li>- <b>Flemish House in New York (a public-private partnership)</b>, headed since a few years by a Flemish RFG and with a large representation from Flanders Investment and Trade.</li> <li>- <b>Pretoria, Madrid, Warsaw</b>: one Representative of the Flemish Government.</li> </ul>
ECONOMICAL	<i>Flanders Investment &amp; Trade</i> +/- 190 personnel internally	<i>70 Flemish economic offices abroad (official economic representatives and technology attaches).</i> <i>Also direct ‘confederal’ cooperation with the Walloon AWEX agency abroad in several posts where Flanders is not present itself.</i>
CULTURAL	<i>Department Culture</i>	<i>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)</i>
TOURISTIC	<i>Tourism Flanders</i> +/- 127 personnel internally	<i>14 representatives; in – among others – The Hague, Copenhagen, Prague, Paris, London, Milan, Cologne, Vienna, Barcelona, Tokyo &amp; New York.</i>
AGRICULTURAL	<i>Centre for the Promotion of Agriculture and Fisheries</i> +/- 70 personnel internally	<i>2 representatives; in Paris, Cologne</i>
	<i>Department Agriculture</i>	<i>5 to 10 attachés for agricultural affairs; the Hague (for the Netherlands), Paris (for France &amp; Spain), Berlin (for Germany &amp; Poland) and Vienna (for Austria, the Czech Republic, Slovakia, Slovenia &amp; Hungary) &amp; several which operate from Brussels as a ‘home base’ (see also: Hendrickx 2004: 66).</i>

	Responsible service	Number of representatives
<b>DEVELOPMENT COOPERATION</b>	<i>Flemish Development Cooperation</i> Originally created out of the remnants of the former ' <i>Flemish Association for Development Cooperation and Technical Assistance</i> '	<b>Three offices</b> in – among others – South-Africa and Mozambique This framework used to be a separate agency but is now part of the Flemish Department of Foreign Affairs

An overview of the Flemish international network – in Flanders and abroad (in total a network of 120 of ficial representatives)

During the past 25 years or so, 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.<sup>6</sup> Of the Flemish network, only a limited number of people actually work in the area of 'Flemish foreign policy'. Flanders has only eleven '*Representatives of the Flemish Government*', which actually enjoy diplomatic status.<sup>7</sup> 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 11 '*Representatives of the Flemish Government*' try to establish the necessary contacts 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.

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

7. Recently, the posts of Paris and The Hague have been strengthened by a second 'attaché', a number two diplomatic representative. A similar post will be created at the post of London in the second half of 2009.

### 3. Future perspectives

*What are the main tendencies to be expected for the coming years?*

It can be expected that the tendencies since 1993 will further develop in the years to come; both Flanders and Wallonia will further develop their respective foreign policies. Already now are they carefully developing their ministries and diplomatic representations abroad. This will mean that **increasingly the foreign policy of the Belgian federation will be the conglomerate of all the external initiatives of the different governments**. The federal government will retain its foreign policy position with regard to such 'high politics-dossiers' on peace and security, and justice and police cooperation. But in all other policy domains, the Belgian regions and communities will probably even further strengthen their positions.

One could ask the question whether de facto **the Belgian federation is not already developing itself in the direction of a confederation**. But this will entail new challenges. One for example is that *Flanders and Wallonia should learn to cooperate directly with one another*, certainly in those policy areas where the Belgian federal government is no longer competent. There is already an example in direct cooperation in export promotion between Flanders and Wallonia. Such a form of cooperation could potentially be extended in other domains as well.

Another challenge facing the Belgian federation is that there is still a rather **confusing division of competencies between the federal government, the regions and the communities**. Whereas 'economics' is mostly a regional matter, some aspects are still federal. The same is true for 'energy' and 'environment', and in fact even for most policy-domains. Taking into account the principle "*in foro interno, in foro externo*" this often creates rather complicated situations. Because then you need almost all governments together if you are to make decisions in internal and in external affairs. The fact that there are also different political majorities in all of these governments then creates a situation where it is very difficult to make any decisions anyway. In Belgium, there is a more and more talk about at a **new, seventh 'state reform'** from 2019 onwards. Something should be done to create a much **more clearer 'division of competencies'** among the federal government, the regions, and communities. Also the complex situation in the Brussels Capital Region will need an overhaul, taking into account the **serious problems in terms of security arrangements in Europe's capital**. This has been given a new dimension since the terrorist attacks of 22 March 2016. For the Flemish government, the competency of 'integration' of foreign people will also be 'activated' more compared to the past. This is linked to a changing regional, multi-ethnic identity. In the future, a new Belgian state reform will be needed to 'overhaul' the Belgian division of competencies. **Instead of heterogeneous competences, the Belgian regions are in need of more homogeneous competences.**

## 4. Conclusions

What can we learn from the Belgian/Flemish case? Some conclusions and further remarks.

### 4.1. Regarding the Belgian Federation

- Belgium constitutes 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 23 years, **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.

### 4.2. Regarding Flanders

- **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.
- **Flanders is actively further developing its presence close to the European decision-making system. It tries to proactively influence the dossiers it finds politically relevant. Moreover the current Flemish Government is preparing a political vision document on the future of the European Union, which it will share with its European partners in the coming months.**

- ***In sum*, 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 following: 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” to other regions in Europe 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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