



TEPSA PRE-PRESIDENCY CONFERENCE

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REPORT



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Introduction

Trans European Policy Studies Association TEPSA was founded in 1974, initially by four institutes: The Institut für Europäische Politik (Germany), Istituto Affari Internazionali (Italy), Federal Trust for Education and Research (Great Britain) and L'Association Française pour l'Etude de l'Union Européenne (France). The aim of the network was to stimulate research, educational work and debates on basic issues of European integration on a transnational scale. The participating institutes were able to give truly European dimension to their research projects through a common framework of exchange of information and coordination of activities. TEPSA framework also allowed the institutes to avoid duplication of research and facilitate a better coordination of studies. In 1978, the Belgian institute joined as the fifth member of TEPSA and later on Dutch and Irish institutes followed. In the beginning, the TEPSA office followed the rotating system of the Council Presidency and there was no permanent office at the time. Only in 1982, the secretariat office remained in Brussels and has been based in the building of University Foundation on Rue d' Egmont 11 ever since.

In 2015 TEPSA has 28 full members covering all EU member states and in addition to that 9 associated members, also from the EU partner countries. TEPSA has a permanent office located in the capital of Belgium, Brussels, which helps to coordinate the activities between the member institutes. Twice a year TEPSA cooperates with the respective member institute in organising its flagship event: the TEPSA Pre-Presidency Conference that takes place in the country that will take over the upcoming rotating Presidency of the Council of the European Union.

The Netherlands will take up the EU Council Presidency in the first half of 2016. It will be the 12th Presidency for the country. The Pre-Presidency Conference for the upcoming Dutch Presidency took place on 19 and 20 November in The Hague, the Netherlands. The conference was organised by the Netherlands Institute of International Relations 'Clingendael' in cooperation with the Trans European Policy Studies Association (TEPSA), and with the support of the Dutch Ministry of Foreign Affairs, the Representation of the European Commission in the Netherlands, the European Cultural Foundation, the Municipality of The Hague, Leiden University and the PONT project.

Detailed program of the Pre-Presidency Conference can be found at <http://www.tepsa.eu/wp-content/uploads/2015/10/Programme-Institute-Clingendael-TEPSA-PPC-2015-.pdf>

Inaugural session, official opening of the TEPSA event, welcome words and the opening address: 'European Challenges and Dutch Priorities'

The conference opened with an inaugural session. Welcoming words were given by **Adriaan Schout**, Coordinator of Programme Europe at the Clingendael Institute. He pointed out the importance of the TEPSA network, which according to him creates a unique platform for discussing the state of European integration and its current challenges. This is key not only for communicating the messages between the member states, but, as Dr. Schout stressed, this should be the crucial aim of European integration – not trying to understand 'Brussels', but trying to understand other member states. At the end of his speech, Dr. Schout thanked all partners of the Pre-Presidency Conference - TEPSA, the European Commission, the European Parliament, the PONT project, the City of The Hague, the University of Leiden, the European Cultural Foundation, the Bertelsmann Stiftung and mainly the Dutch Ministry of Foreign Affairs.



Prof. **Jaap de Zwaan**, Secretary General of TEPSA, took the floor next. He welcomed the guests on behalf of TEPSA and Prof. Wessels, Chairperson of TEPSA's Board. He reflected on the intense cooperation between TEPSA members and expressed his belief that the conclusions of the General Assembly promise an interesting future for the network – with broader membership and opening of new project opportunities. Moving on to the upcoming Dutch Presidency, Prof. de Zwaan mentioned many acute issues – economic crisis, geopolitical tensions and on the forefront after Paris attacks of November 13th also terrorism. He stressed that all those challenges are somehow linked to security. The need for more structural cooperation is obvious in all of those crisis, however, he concluded, member states are divided on how this cooperation should look like.

Opening Address

Opening address was given by **Thijs van der Plas**, Director of the European Integration Department of the Dutch Ministry of Foreign Affairs. Mr. Van der Plas started by noting that this is already 12th Presidency of the Netherlands, yet the first one under the Lisbon treaty, when the role of the Presidency is mainly to be the honest broker and manager. He stated that the duties of the post-Lisbon Presidency seemed rather limited at the beginning of preparations two years ago. However, the events of 2015 made the upcoming Presidency very challenging, with pressing issues of security, migration and economics. These various crises put cohesion between the EU-28 under serious threat and while negotiations during the economic crisis may have looked never-ending and complicated, discussion about absorption capacities of societies in a migration crisis will present a much bigger challenge.

Besides the deeply dividing migration crisis, Thijs van der Plas mentioned also the renegotiation of Britain's relationship with the Union and upcoming climate and energy negotiations as other key challenges. However, the topic of growing diversity between member states is a key one – especially when the trust in the EU is decreasing in all member states in times when challenges are clearly

calling for united actions. Therefore, Mr. Van der Plas concluded first part of his speech by saying that he would consider the Dutch Presidency successful if it achieved more cohesion between the EU-28.

Mr. Van der Plas outlined the guiding principles of the upcoming Presidency: innovation (jobs and growth creation); focus on priorities ('big on the big things, small on the small things'); legitimacy (connecting with citizens); migration and security; and climate and energy. In the end, he stressed the importance of think tanks in providing conceptual thinking in periods of crises.

PANEL 1: Deeper Integration and Better Governance

The first panel 'Deeper integration and better governance', was chaired by **Michele Chang**, Professor at College of Europe. The panel consisted of **Adriaan Schout** (Clingendael Institute), **Thijs van der Plas** (Director of the European Integration Department, Dutch Ministry of Foreign Affairs), **Joséphine Rebecca Vanden Broucke** (Head of Unit Directorate-General for Parliamentary Research Services European Council Oversight Unit, European Parliament) and **Alessio Terzi** (Bruegel).

To kick off the panel, **Michele Chang** listed some recent 'unions' frequently discussed in the past years -political, fiscal and banking union. She asked the panellists to answer two questions: what kind of 'unions' were Europeans talking about? Does it mean more supranational aspects or more rules?

First to speak was **Adriaan Schout**. He outlined the changed narrative of the European integration – while the process was historically considered to be a win-win situation for both the EU and the member states, recently it seems to be a win-lose situation from the perspective of members, who fear the loss of sovereignty. In many countries, however, the EU institutions are considered to be more reliable than those of the nation states. Given this situation, Dr. Schout questioned if the crisis is actually at the level of the EU or of the member states. The clear link between the rule of law, government effectiveness, control of corruption on one side and competitiveness and growth on the other, led him to conclude that while Commission President Juncker called for more Europe, strong and effective member states is what Europe really needs.

Are we talking about the crisis of the EU or of the member states'?

Thijs van der Plas, started his contribution to the panel by stressing that finding an effective balance between the national and European level presents the biggest challenge. Better governance within national administrations is needed, but the mutual trust between member states is also essential. He noted that there is a current trend when national government structures fail, to bring the issue to the supranational EU level. One of the examples is the banking supervision, which is now done by the European Central Bank. This tendency, however, weakens the government structures at national level. Therefore there needs to be a push from the EU for better national governance. Thijs van der Plas concluded by saying that one of the aims of the upcoming Dutch Presidency is to open a discussion on this topic.

The third speaker, **Alessio Terzi**, spoke from an economic perspective. He stressed that any type of fiscal union requires an economic and banking union first. The essential question is how to generate the convergence when the policies of the member states differ. Mr. Terzi mentioned three main points why one cannot only rely on structural reforms methods at the EU level. Firstly, scoreboards, which are the basis for tracking convergence, don't necessarily always reflect reality. Secondly, the

impact of structural reforms is hard to measure as the spill-over can't be clearly defined. Thirdly, while there might be an agreement on the general principles, there is a little consensus on the means. Therefore, Mr. Terzi concluded that no reform can be done on the level of rules, but needs to be based on political consensus. And therefore political union is crucial for the success of an economic union.



Last to speak was **Joséphine Rebecca Vanden Broucke**, who presented her outlook on the European Semester as one of the tools for better economic governance in the EU. She introduced the studies by the European Parliamentary Research Service (EPRS) on the progress on the Country Specific Recommendations (CSR). She demonstrated that overall, the implementation of the CSRs is a not meeting the expectations in

any member state, with 55 percent of CSRs not being implemented. She considers one of the main weaknesses of the project the strict focus on national parliaments, while in many federal systems the responsibility for competitiveness and structural reforms is at sub-national level. Another weakness is the lack of ownership. The EU has been used by politicians as a scapegoat throughout the years: when something good is accomplished national governments take credit for it, when something is bad EU is blamed for it.

Michele Chang then highlighted two main points from the contributions of the panellists. Competitiveness is crucial and within the responsibility of member states, yet the implementation of EU recommendations is still poor. And while the political union would be a source of legitimacy for the economic, banking and fiscal unions, the member states do not seem willing to move to a real political union.

Second day opening session: One week after Paris

The second day of the conference opened with a session reflecting on implications of the tragic terrorist attacks that took place in Paris one week before the conference, on the 13th of November. The responsibility for the attacks was claimed by the Islamic State (ISIS) and it has put the societies in Europe on alert. The opening session was chaired by **Adriaan Schout** (Clingendael Institute), with speakers **Mark Rhinard** (Swedish Institute of International Affairs, UI), **Bibi van Ginkel** (Clingendael Institute) and **Isabell Hoffman** (Bertelsmann Stiftung).

Mark Rhinard focused on the security implications of the terrorist attacks on the EU member states and the immediate response that followed by France.¹ The statement of President Hollande on Monday 16th of November was according to him rather aggressive, declaring that France is now at war with ISIS. France proceeded with bombing strategic locations of ISIS in Syria and chose to evoke the TEU Art.42.7 of the Lisbon Treaty. France had several options in order to mobilise its allies, in the context of the EU there were two. The first one being Art.42.7, a mutual defence clause that can be called upon in case a member state is victim of armed aggression on its territory. The second option within the EU framework was to use TFEU Art.222, which can be called upon when a member state has been object of a terrorist attack or the victim of a natural or man-made disaster. Art.222 has a wider interpretation of security, including democratic institutions and civilian matters. Within NATO France could have used Art.5 of the Washington Treaty, which implies that an attack on one NATO state means the attack on all NATO member states. Dr. Rhinard tried to answer why France chose to use the EU rather than NATO framework. The NATO framework was likely ruled out by the Elyssée as it would put several countries in an awkward position and exclude Russia from any cooperation. The TEU Art.42.7 is much loser and enables more countries to stand by France, even if only symbolically. The TFEU Art.222 was likely considered overly supranational in nature with too much coordination at EU level, which would also require considerable time. Mark Rhinard however underlines that choosing TFEU Art.222 would have given the opportunity to better merge the internal and external dimensions of security.

So far solidarity has been a frustration game within the EU: 'talk the talk, walk the walk' are different things when trying to put the words of political leaders into practice

The geopolitical implications of France's response are twofold. France's anti-IAIS coalition includes Russia, which could be detrimental for Europe's support to Ukraine in its conflict with Russia. On the other hand, Assad's regime in Syria can be seen as winner since countries will focus on fighting with ISIS instead of getting Assad out of power. At present, Turkey is one of the most important partners for the EU.

Bibi van Ginkel continued the session focusing on anti-terrorism policy and research. She noted that the events in Paris were a reminiscence of terrorist attack on Charlie Hebdo at the beginning of the year. The relevance of deterrence when dealing with terrorism was mentioned, despite the belief of most academics that deterrence is not the most efficient approach. Dr. Van Ginkel stressed there is a distinction between punitive deterrence and the deterrence by denial. Deterrence by denial offers more options - the denial of infrastructure, logistics, weapons, and finances for the terrorists and putting more security measures in place among other preventive actions. Counter-radicalisation, creation of counter-narratives and building resilience in the society can be useful tools when dealing with terrorism.

Isabell Hoffman as the last speaker of the session noted that in intense moments of stress, like the one after the terrorist attack, people tend to rally for their leaders. Politically, the situation at the

¹ Mark Rhinard referred to his co-authored policy brief: Myrdal, S., Rhinard, M. (2010), 'The European Union's Solidarity Clause: Empty Letter or Effective Tool? An Analysis of Article 222 of the Treaty on the Functioning of the European Union', Occasional UI Papers, 2 (2010), <http://www.ui.se/upl/files/44241.pdf> and a short piece written in the aftermath of the Paris attacks: Myrdal, S., Rhinard, M. (2015), 'What Collective Security Agreements does the EU have?', The Swedish Institute of International Affairs, The Blog: International Voices, 17.11.2015, <http://www.ui.se/eng/blog/blog/2015/11/17/what-collective-security-agreements-does-the-eu-have.aspx>

present moment after the Paris attacks is more complicated than in January after the Charlie Hebdo attack, due to the upcoming elections - the French president Hollande has been quite successful in dealing with the situation which can be good news for the socialist party. Furthermore, the call for solidarity and union within the EU won't go away. Every member state can quickly get in a situation where they can't deal with challenges themselves, as shown in the past years. Yet so far the call for solidarity has led to frustration within the EU. The EU 'talks the talk, but doesn't walk the walk' as it seems difficult to put the words of political leaders into practice. The Interior minister of France has called for the EU to step-up the cooperation on border and weapon control – but member states find it hard to share the intelligence among themselves. According to a study of Bertelsmann Stiftung,² the EU citizens are not in general sceptical about EU integration, but national politicians often hide behind the statement that their people don't want it. Isabell Hoffman called for the elites in the EU member states to openly admit that they don't want more integration, instead of pretending to represent the will of the people.

The following discussion with the audience covered a range of issues, including the cooperation between member states to prevent terrorist attacks. It is not possible to guarantee 100 percent security, yet the EU could have done more in terms of stepping up hard-core measures. The EU has set up numerous instruments that have to be implemented, but it is up to the member states to proceed with the implementation. For instance, Europol can only act upon the initiative of the member states. It was noted that the willingness of the member states at the moment is there, but it might decrease in a month when the issue becomes less salient. **Mark Rhinard** noted that he doesn't think that the terrorism attack in Paris is a game changer, calling it rather an accelerator. He fears that Europe is moving towards a fortress Europe image. **Bibi van Ginkel** expressed hopes that the attacks were a game changer in a sense that they may turn the attention towards the underlying causes of terrorism.

PANEL 2: 1 Year Juncker

The second panel of the conference aimed at assessing the first year of the Juncker's Commission. The panel was chaired by a member of the TEPSA Board **Juha Jukela** (Finnish Institute of International Relations, FIIA) and included panellists **Vivien Pertusot** (l'Institut Français des Relations Internationales, IFRI), **Agata Gostynska-Jakubowska** (Centre for European Reform), **Michael Kaeding** (Institut für Politikwissenschaft, Universität Duisburg-Essen) and **Janis A. Emmanouilidis** (European Policy Centre, EPC).

Vivien Pertusot highlighted that there is a strong willingness from the Council to control the agenda of the European Commission. This is linked to the fear of the member states that the Commission is being too ambitious. There is a clear consensus among the member states that the General Affairs Council should do more in scrutinizing the Commission's work. In the Greek crisis the Commission sometimes seemed to be one of the few allies of Greece; in the refugee crisis the Commission is pressuring the member states to act. This raises the question whether the Juncker Commission is favouring the European Parliament at the expense of the Council within the EU's institutional set-up. Dr. Pertusot stated that there is a certain rivalry between Tusk and Juncker on who will take the forefront on which issue. Currently it remains to be seen who will take up the issue of the future of the Eurozone.

² Isabell Hoffmann (2015), 'What do the People want? Opinions, moods and preferences of European citizens', by Bertelsmann Stiftung, <https://www.bertelsmann-stiftung.de/en/publications/publication/did/what-do-the-people-want/>



Agata Gostynska-Jakubowska noted that the first step of Juncker was to create project teams or clusters of Commissioners, to work together on the main objectives of his term. This new arrangement of the Commission's work is seen as a good move, because in the present constellation the Commissioners serve the objectives, not the other way around. Vice-Presidents of the Commission are reporting to the right-hand of Juncker, Timmermans, whilst Juncker remains the main team leader. New(er) and

smaller member states have been critical of the idea of clusters within the Commission, as they were afraid that the new structure would side-line their country. Juncker was aware of this concern and therefore designated representatives of those member states in high positions. That is why relatively many of the Vice-Presidents of the Commission are coming from the newer and smaller member states. Ms. Gostynska-Jakubowska analysed that the new structure helped the Commission to shake the apathy and helped to respond to the crisis in a more efficient manner. It was raised that the Netherlands has been pushing for reducing the number of new pieces of legislation, here the Commission has been successful and the new structure makes it easier to accomplish. In the first months of the Commission Presidency both Juncker and Timmermans were attacked on their decisions; the Commission decided to withdraw a legislative act that the member states and the Council just started working on. Perhaps the Commission has overstepped its competences in legislative right of initiative. She also noted that Juncker was selected through the 'Spitzenkandidaten' system, therefore many suspected that he would be more loyal to the European Parliament. Ms. Gostynska-Jakubowska concluded by saying that the Commission hasn't been very successful in bridging the gap between Brussels and the EU citizens, which is something that should still be done in the years to come.

Michael Kaeding was the third speaker of the panel. He stated that relationship between the European Parliament and the Commission has changed since the start of Juncker's Commission. According to Prof. Kaeding, Juncker's Commission functions as the extended arm of the Parliament which itself has also changed in its nature following the last elections. The European Parliament has given legitimacy to the Juncker's Commission through the elections and therefore the Commission is more likely to reflect the attitudes of the European Parliament. Before Strasbourg plenary sessions Commissioners go to their respective EP political party groups and defend the Commission's interests. The Commission has made proposals against the wish of the member states, for instance the mandatory distribution of refugees. Within the European Parliament on the other hand, the EP election result has also led to substantial changes. In the political groups left- and right-wing populists have not yet succeeded in transforming their electoral success into political capital. There are 376 votes needed to have a majority within the European Parliament and neither centre-right nor centre-left brings these numbers. Therefore, in order to take decisions in Brussels nowadays the Social Democrats and the European People's Party have to work together.

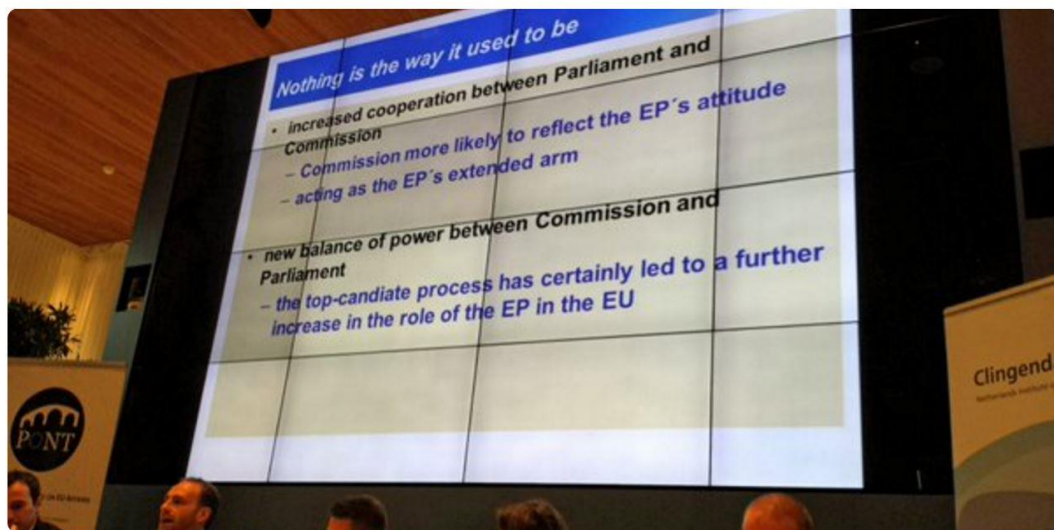
Janis A. Emmanouilidis emphasized that there is a need for a stronger and more political Commission although he admitted that it is too early to draw any conclusions based on only one year of Juncker's Commission. The inter-institutional dimension is usually seen in winners and losers,

but one needs to be careful and assess the success in terms of results. Mr. Emmanouilidis opposed the view that the Commission serves as the extended arm of the EP. He sees the Juncker's Commission as very self-assertive and using its legitimacy to play a stronger political role. Mr. Emmanouilidis saw a high level of distrust between the capitals and the EU institutions. Many people indeed feel that the Commission has been too ambitious, too critical towards national governments and has overstretched its role and competences. According to Mr. Emmanouilidis, the perspective for the coming years is difficult to assess in light of the current challenges. He predicted a reactive



Hedwich van der Bij @hvd bij · Nov 20

Is Juncker on the leash of the European Parliament? Hard to say after one year, but things have changed [#tepsa2015](#)



and defensive 'muddling-through' process. A reactive one, because the process is a 'firefighting' with the crises around. Yet if crises would get under control the ambition would start to slide down. It was argued that the process is defensive, because it is defending the integrity of the EU as it stands now, which is an ambitious task. Albeit a lot has been and will be achieved, challenges the EU is facing will remain.

The discussion session focused on the relations between the Commission, other EU institutions and the member states. One of the comments from the audience was that Juncker is behaving like the 29th head of the state or government within the European Council, which is perceived negatively by some member states. **Michael Kaeding** emphasised that the Commission is facing a problem because Germany is not supporting Juncker, since the biggest German political parties don't trust him. **Janis A. Emmanouilidis** disagreed that the member states don't like strong Commission presidents, they want to see that the president is playing in their interests and here Juncker needs to find the right balance. He agreed that Juncker despite of his political experience is acting like the head of the state which he is not.

Parallel sessions:

PANEL 3a: The crisis at the Eastern borders of the EU

One of the two parallel sessions of the 3rd panel of the Pre-Presidency Conference looked at the crisis at the Eastern borders of the EU and assessed the Eastern dimension of the EU's Neighbourhood Policy. The panel was moderated by the member of TEPSA Board **Katrin Böttger** (Institut für Europäische Politik - IEP) and included speakers: Ambassador **Dirk Jan Kop** (Special Representative for EU-Russia and the Eastern Partnership, Dutch Ministry of Foreign Affairs), **Steven Blockmans** (Centre for European Policy Studies - CEPS) and TEPSA Board member **Gunilla Herolf** (Member of the Royal Swedish Academy of War Sciences).

Dirk Jan Kop stressed that the initial idea of the Eastern Partnership (EaP) was to create a policy that benefits both the EU and the partner countries, but is also accepted by Moscow. According to him there are three myths regarding the EaP: firstly, that countries in the Eastern Neighbourhood are somehow forced into having a closer cooperation with the EU. The second myth is that the Association Agreements or any closer economic integration between the EaP countries and the EU infringes on the economic interests of Russia. Russia has used the same argument when the Baltic States, Poland, Hungary, then later Romania and Bulgaria joined the EU – it is a political argument of Russia and the assertion isn't backed up with any substantial examples. The third myth is that there is a choice between two equal entities for the states – the EU and the Eurasian Economic Union, while the latter is used as a political plug not giving actual economic benefits. HE Kop went on noting that there is a clash of views about the free choice, where Russia thinks in spheres of influence and is not able to think in processes that would benefit both sides. Europe sees it as a 'win-win' situation and continues to believe in it. There is a serious risk of stumbling back to the Cold War, which is bad, but not dramatic, because Europe will win it again by outspending Russia, yet Russian population in this situation will suffer and potentially also the six EaP countries. The position of the Netherlands is that Europe will have to do business with Russia, but without giving up sovereign choices of the EaP countries.

The second speaker of the panel, **Steven Blockmans**, noted that the European Neighbourhood Policy (ENP) was designed in a different context and is not fit to deal with war-like neighbourhood. The Arab Spring showed that ENP has no value in conflict prevention and crisis management, as ENP assistance packages and trust funds are too small to make a difference. The 'more for more and less for less' conditionality within the ENP robbed revolutionary leaders from fast headway possibility. Wars in Ukraine and Syria have signed the death toll for ENP and displayed the EU's lack of strategic vision. According to Prof. Blockmans, the old ENP had not delivered in terms of tackling root causes for conflicts: e.g. fighting poverty, improving the education systems and creating employment possibilities in the EaP countries. The main ENP review lines will focus on an increased differentiation (bilateral track), more attention to the neighbours' approach, more focus on security and more flexibility. Security means stepping up work with partner countries in security sector reform to prevent further conflicts, implement anti-



terrorism actions. When it comes to the economy it means more inclusive economic and social benefits, creating jobs for the youth, as well as a level of flexibility for financial resources deployment. The expectations and capabilities gap is still present in the relations between the EU and the EaP countries. Steven Blockmans concluded by painting a gloomy picture saying that the ENP will most likely dilute over time.

Gunilla Herolf talked about the European Security Strategy of 2003 (ESS), indicating that it was not a real strategy in a traditional sense. The review of its implementation in 2008 went with little success and steps taken in 2012 and 2013 failed because of lack of big countries' support. For the planned new strategy there is more support of the European Council. She quoted the High Representative Mogherini who said that the EU needs a coherent and comprehensive foreign policy, including a common defence policy - one that addresses the terrorism threat, but also migration, energy, climate change and has a range of instruments at its disposal. It was stressed that strategy matters, it thus is necessary to provide a sense of direction, be pro-active in pursuit of our interests. Comparing the contexts of 2003 and of 2015, it is clear that the nature of threats has changed: today the EU faces both external and internal threats. Dr. Herolf pondered whether a full-fledged and comprehensive strategy could help, and concluded that this would hardly be the case. Also with a comprehensive strategy, unexpected situations would require consultations among member states. Even if the EU seeks to prepare for all possible threats, the situations most likely will be unique.

In the discussion with the audience, questions were raised about the benefits of the Association Agreements between the EU and Eastern Neighbourhood countries. **Dirk Jan Kop** shared his positive assessment of the Association Agreements, saying that they go further than agreements the EU has signed with Turkey or Switzerland. If the EaP countries would fulfil the requirements, it would bring substantial benefits and bring them closer to the EU. Ambassador Kop pointed to the economic situation of Poland and Ukraine: when the Soviet Union collapsed they were in an equal economic situation, now after joining the EU Poland has progressed much more. **Steven Blockmans** noted that in some areas, like services, the situation is asymmetrical, beneficial for the EU, but not Ukraine or other partners.

PANEL 3b: The EU's Asylum and Migration challenge

Parallel session on Asylum and migration was chaired by Prof. **Jaap de Zwaan**, Secretary General of TEPSA. Invitation to the panel was accepted by Prof. **Roderick Pace** (Institute for European Studies, Malta), **Peter Bosch** (Senior Expert DG Migration and Home Affairs, European Commission) and **Peter Díez** (Deputy Director Migration Policy, Dutch Ministry of Security and Justice).



Mark Rhinard @MarkRhinard · Nov 20

Commission official: 1.2 million crossed EU external border this year. That should double next year. #tepsa2015 #migration @clingendael83

Jaap de Zwaan welcomed all the speakers and passed the floor to **Roderick Pace**. Prof. Pace talked about the Maltese experience with migration. Even though overall numbers of people arriving to Malta were significantly lower than in Italy or Greece, they remain substantial compared to the overall population of the island (over 2000 people arrived in 2008, Malta has about 400 000 inhabitants). When facing the most intensive migration wave, Malta called for solidarity. Some migrants were indeed taken over by other EU members. The biggest help, however, came from the

US in a form of temporary relocation. Prof. Pace highlighted that the Maltese people who are generally pro-European were disappointed by the situation, because the principle of solidarity, one of the most important during the accession process, did not really apply in times of need. As a consequence, the country saw a rise of an extreme right – not in the parliament, but in the society and domestic debate. Roderick Pace concluded underlining that Malta can be seen as a microcosms showcasing the state of the Union, which he qualifies as the European policy-making is suffering from ‘too little, too late’. Europeans fight each other rather than the problem, until it becomes overwhelming and too expensive to solve.



Isabell Hoffmann @ur_echo · Nov 20

Dutch official is rooting for fair burden sharing: "Ask for asylum wherever, end up where the quota lottery sends you." [#tepsa2015](#)

Second to speak was **Peter Bosch** from the European Commission. Mr. Bosch started by saying that the current situation presents an important moment that may change the nature of the EU. In the upcoming months, under the Dutch Presidency, the EU will be faced with a need to create a new narrative about the crisis management, since the current practice is clearly not enough. The situation is not going to get any easier - Europe is and will be seen as a place of safety and chances by those escaping difficult conditions at home. Therefore, migration and security will be the key



focus of public and therefore also key for the Presidency. Mr. Bosch presented data showing that, while the EU is criticised for not returning rejected asylum seekers, 35 percent of them leaves. He then continued presenting some current developments in the European Commission. On 15 December, a proposal for external borders protection will be launched (based on an unsuccessful

proposal from 2001) and the Council negotiations on the relocation system and the resettlement programme are still ongoing. Peter Bosch explained that when it became clear that the current state was unsustainable, the Commission tried to get a consensus from all the member states. The Commission is now faced with deep division between the two camps of member states which will be very difficult to overcome. Overall, the willingness of the member states to cooperate is alarmingly low, Mr. Bosch concluded.

Last speaker was **Peter Díez** from the Dutch Ministry of Security and Justice. He started by summarizing the starting point of the Dutch government: the EU should focus on cooperating with the key neighbouring countries to establish host communities outside Europe. Other short-term goals are to achieve agreement on refugee resettlement to Europe and a sustainable relocation scheme. In a long-term perspective, the EU should strive to work on improving the return rate of rejected asylum seekers and to promote both solidarity and burden-sharing among member states. The main priorities of the upcoming Presidency are: support to the Commission's agenda on migration; strengthen the mandate of Frontex; prepare a permanent relocation mechanism; and prepare a Dublin IV proposal for negotiations. The Dutch Presidency is organising a conference on

the topic of migrant smuggling in January. Peter Díez stressed that cooperation from the member states will be crucial to achieve any of those goals.

Plenary session: ‘Our union is in a bad state?’ conclusions of the TEPSA Pre-Presidency Conference 2015

The plenary session summarised all the panels and discussions of the conference. The concluding session was moderated by TEPSA’s Board Chairperson Prof. **Wolfgang Wessels** (Ad personam Jean Monnet Chair for Political Science, University of Cologne) who noted that the Dutch presidencies are well known for the institutional progress, like the Maastricht and Amsterdam Treaties. He advised the Presidency to expect the unexpected. Presidencies always need to deal with subjects that are not on the initial agenda. In case of crises there are often no rules nor procedures on how to deal with them. Wolfgang Wessels invited the moderators of all previous sessions to reflect on the question of this concluding session: ‘Our union is in a bad state?’ and to formulate suggestions to the Dutch Presidency.

Michele Chang presented several suggestions for the Dutch Presidency: to try to achieve better economic results; to focus on competitiveness; at the same time reconsider European semester and its implications. The development of a political union is needed, as there is a lack of trust between different actors in Euro area governance. Rebuilding trust is of critical importance for the future. What is needed is a multi-layered conception of governance with legitimacy and effective functioning.

Reflecting on the state of the Union, **Juha Jokela** noted that the institutional framework and dynamics within it demonstrate that the EU is still alive. The panel on 1 year Juncker ended with a promising picture: institutions haven’t been paralyzed. The main suggestions for the Dutch Presidency from his panel were threefold. Firstly, the Commission is becoming stronger and more political, which also creates a resistance among member states. The Presidency would be advised to work with the Commission, to try to facilitate a constructive approach between the Commission and the member states. Secondly, the relationship between the European Council and the Council poses challenges that could be addressed by the Dutch Presidency. Finally, there is a lack of implementation. Here the Commission has a key role, but also the Presidency could address this issue.

Katrin Böttger identified three tasks for the Dutch Presidency out of the panel discussion on Eastern Neighbourhood. Firstly, to focus on the values, like fighting corruption. The Global Strategy 2016 should focus on long-term goals and should be able to react to immediate crises. Expect the unexpected also in the foreign policy area, there should be guidelines based on values. Anti-corruption and good governance should stand as overarching goals. Secondly, to continue dealing with Russia in order to prevent a Cold War situation, while at the same time continuing the sanctions. Thirdly, the technical process to reach visa-free travel with the EU for Ukraine and Georgia could be finalised by the end of the Dutch Presidency.

Jaap de Zwaan considered migration as the most serious current problem for the EU and its member states. The Presidency has to explain how to deal with the proposals to resolving the crisis. Here Prof. De Zwaan came with three principles. Firstly, to look for a sustainable system. The Presidency should go beyond only reacting to crises. Several signals of new crises are already visible, e.g. in Africa. A second principle is to focus on the responsibility of all 28 member states. Everyone has to live up to its own responsibility, and solidarity applies to all. The third principle stresses the need to implement what has been agreed to. There needs to be sufficient follow-up.

Adriaan Schout presented three suggestions to the Dutch Presidency. First of all, the internal situation within the EU is both a technical and a political issue. The security agenda needs to be looked at, perhaps a European FBI type of structure should emerge. Secondly, the Dutch Presidency should offer more leadership, while he highlights that this is a difficult task. It is crucial to ask what the public opinion wants. The issue with leadership is that you're moving ahead of your people, good leader leads from behind. Thirdly, the Dutch Presidency should remain pragmatic and stay away from a superficial debate on values, leadership and solidarity.

Wolfgang Wessels concluded the plenary session by making a reference to the European Council, as the level where the problem lies. All member states and the president of the Commission are present in the European Council. The member states like to shift the blame to the EU level, but the problem is rather how issues are presented to the general public.

Public event in cooperation with Leiden University

The TEPSA Pre-Presidency Conference was concluded by a public event, organised in cooperation with the The Hague campus of the Leiden University. At this occasion, **Iain Begg** (TEPSA Board member and Professor and Research Fellow at the London School of Economics) presented the recommendations of the TEPSA network to the Dutch Minister of Foreign Affairs, **Bert Koenders**. The event was moderated by **Jan Marinus Wiersma** (Former MEP and Visiting Fellow at the Clingendael Institute). First, **Kutsal Yesilkagit** (Dean of the Leiden University – Campus The Hague), took the floor to welcome the guests. He expressed his belief that in times of many global challenges, it is symptomatic that the event took place in The Hague, which he referred to as the 'city of peace and justice'. Since Europe and its values were recently literally under attack and various populists and extremists are often taking advantage of the situation to question legitimacy of European actions, it is more important than ever to have a proper leadership during the upcoming Presidency. After this remark he passed the floor to **Iain Begg**, who presented the recommendations of the TEPSA network for the upcoming Dutch Presidency.³ Prof. Begg highlighted 5 priorities in his presentation – migration, external policy, growth and jobs, energy policy and the UK in/out referendum.

Next to take the floor was Minister of Foreign Affairs of the Netherlands, **Bert Koenders**. He started his speech, titled 'Challenges and Chances for European Cooperation' by stating that in those difficult times, it is useful for politicians to listen to ideas of scholars and researchers. As for the Dutch upcoming Presidency, he plans to be 'an honest broker, but with ambition'. He furthermore highlighted the need for increasing trust and cooperation between the member states. Minister Koenders listed that as one of the main priorities, because the EU cannot be separated from the member states and when the states don't do their job properly, the EU has nothing to build on. He also admitted that the biggest challenge will surely be presented by unexpected events. The Dutch Presidency will aim to address the security issues, as they are now the obvious priority, but will not forget other strategic points on the agenda. These are innovation, energy and climate policy, small businesses in the economy and the EU as a global actor.

Dutch Presidency as 'an honest broker, but with ambition'

Another aim of the Dutch Presidency will be to try to find consensual solutions for all the issues

³ "Recommendations from members of TEPSA network to the Dutch Presidency" can be found at the end of the report, page 18.

among EU-28 in the most effective way possible. At the end, Mr. Koenders concluded, the big challenge will be to increase both internal confidence and external security, keep the strategic agenda and still expect the unexpected.

In the discussion session, Mr. Koenders said that the importance of the enlargement and question of the Western Balkans won't be overlooked by the Dutch Presidency. Answering the question about tightening cooperation with Turkey, he said that changing world demands changing relations with key states and that cooperation with Turkey is crucial in managing the migration crisis. When asked about the upcoming Dutch referendum on the Association Agreement with Ukraine, Mr. Koenders expressed his support for the Dutch government to ratifying the agreement, as he believes it to be a good step for both the EU and Ukraine. Then he said he understood why President Hollande chose the Art.42.7 instead of other options to react to the Paris terrorist attacks, France wanted to make it clear that apart from NATO there is also European solidarity. To the question regarding the Presidency's approach to the war with ISIS, the minister said that working with domestic society on de-radicalisation and combining cold-bloodedness with effectiveness will be the main Dutch priorities. He stressed that it is important that in our own societies refugees are not mixed with terrorism, being two separate things. When asked about the position towards sanctions against Russia, he said that they can be lifted only when the Minsk II treaty is effectively implemented. Mr. Koenders ended the discussion session by saying that his government wants the UK to stay in the European Union.

Last to speak was the Chairman of the TEPSA board, Prof. **Wolfgang Wessels** who noted that the Dutch presidencies have had a good reputation over the years. He repeated Mr. Koenders words about Dutch Presidency's aspiration to be the 'honest broker with ambition', adding that those ambitions should include questions of leadership and of legitimacy, facing the challenge of populists. He concluded by wishing the upcoming Presidency a lot of courage, not too many sleepless nights, and calling for them to indeed expect the unexpected.

Recommendations from members of TEPSA network to the Dutch Presidency

The Trans European Policy Studies Association (TEPSA) has the tradition to formulate recommendations to the incoming Council Presidency. The recommendations for the upcoming Dutch Presidency have been prepared by the following members of the TEPSA network: Iain Begg (TEPSA Board, LSE, London), Brendan Donnelly (Federal Trust, London), Juha Jokela (TEPSA Board, FIIA, Helsinki), Wolfgang Mühlberger (FIIA, Helsinki), Johannes Pollak (IHS, Vienna), Diāna Potjomkina (LIIA, Riga) and Mark Rhinard (UI, Stockholm). They do not necessarily represent the view of TEPSA or its member institutes. Iain Begg presented the recommendations at the occasion of the TEPSA-Clingendael Pre-Presidency Conference on 19 and 20 November 2015 in The Hague. The recommendations are structured around five topics and included as the original text below:

Migration Crisis

The refugee crisis is not new and will not go away soon, even though it is only in the last two years that it has hit Europe, yet it is turning into the defining issue of our time and a significant stress-test for European solidarity. That said, in proportional terms, Europe has only had to deal with a small fraction of those displaced by war and violence in North Africa and the Middle East and thus has a moral obligation to 'do its part', if only from a humanitarian perspective, to assist in ameliorating the situation. It is time to acknowledge that the crisis confronting the EU in this regard stems from past policy failures, including: divergent criteria for accepting asylum seekers in different EU states, under-resourced administrations in the states facing migration flows most directly, and the lack of effective - yet humane - control of the EU's external borders.

Starting from the premises that stop-gap solutions will no longer suffice and that the problem will worsen during the next semester and continue polarizing European societies, and taking account of the unsatisfactory outcome of the Malta summit, TEPSA calls on the Dutch Presidency to take the lead in improving the coherence of the EU's response to the current migration crisis. The Presidency should emphasize that no single country is to blame for the problem, but that all EU states must take responsibility for helping to resolve it, requiring significant give-and-take amongst them. Actions could include:

- Moving swiftly towards a truly European system for the processing of asylum applications along the borders of the EU, building on and greatly expanding the quotas agreed for 160,000 refugees in October 2015,
- Improving financial redistribution from less affected to more affected states to help address imbalances, and
- Implementing a stronger border control system to assist in channelling applications through official centres.

EU external policy I – Syria

The Syrian civil war is already well into its fifth year and its costs in human and political terms is rising inexorably. The EU should take a much more active role in the resolution of the conflict. Specifically:

- The EU should reaffirm its stance that Assad's departure from power is an essential pre-condition for ending the conflict and should work actively towards achieving his resignation.
- The EU should greatly strengthen its approach to stemming the flow of foreign fighters from EU member states into Syria, notably by collaborating with Turkey to seal the borders.

- The EU should support a comprehensive approach against jihadi structures, involving action to disrupt the tacit financial support from Gulf countries and alliance building.

In addition, the EU needs urgently to adopt a coherent policy towards the frontline states, especially Turkey but also those of other neighbouring states (Jordan, Lebanon, Iraq), both to support them in coping with refugees (financially and logistically) and in moving towards a political solution to the Syrian crisis. Therefore a constant push on all players involved in a political solution must remain high on the EU agenda.

EU external policy II – the Eastern Neighbourhood and Russia

The EU should, where appropriate in coordination with the US and NATO, promote reforms in the Eastern Neighbourhood, while keeping the process entirely transparent for third parties. Negotiations on a cooperation agreement with Armenia that would replace an Association Agreement are overdue, and it is time also to revisit possible agreements with Azerbaijan and Belarus with a view to upgrading them (without prejudice to the stipulations of the sanctions regime). The Dutch Presidency could, for example, encourage greater concertation between the actors involved in the Energy Union and the External Action Service. Inclusion of these Eastern states in the EU's energy community is worth exploring.

The EU must step up its efforts in countering Russian propaganda and increase the human and financial resources available to the European External Action Service task force, including support for existing and new Russian-language media broadcasting both for the European Union and for the Eastern Neighbourhood. The Dutch Presidency is encouraged to follow-up on the feasibility study on Russian language media initiatives that it commissioned and start implementing specific measures. In parallel, the EU must step up its own communication efforts with Eastern Partnership societies, including more high-quality information provision in national languages and in Russian.

Economy

Despite recent initiatives to boost investment, economic growth in the EU remains weak, especially in much of the Eurozone. Citizens perceive a lack of urgency, imagination and overall coherence in restoring growth, and this inevitably accentuates disenchantment with EU policies and the European integration 'project' more generally. The obstacles to growth and jobs have been extensively analysed and even though there is no magic formula, there is a need to go beyond the rhetoric of better regulation and completing the single market and to refresh the messages.

In many EU countries, shortcomings in public administration and short-sightedness in modernising economies for the skills and markets of tomorrow have inhibited progress. As a country that has, in the past, been adept at changing its economic model, the Netherlands is well-placed to put forward a vision for new approaches to economic and social investment.

Specific recommendations are as follows:

- Imbalances in the current account positions of some member states, notably the surpluses recorded by Germany, the Netherlands and Denmark have become even bigger than at the height of the euro crisis. Painful though it may be for the Netherlands to confront this, a more effective and symmetric means of reducing imbalances is needed and more robust implementation of the macroeconomic imbalances procedures should be a priority.
- Emigration of more skilled and qualified workers from southern Europe could be damaging for future growth prospects in the countries of origin. The Presidency should, first, insist on a study on this phenomenon and, second, explore policies to cope with it.

- The Europe 2020 strategy has become the forgotten instrument and manifestly has little resonance within most, if not all, member states. The time has come for a hard choice: either revive it, and endow it with sufficient substance to make it credible, or kill it off.

Energy security

Stop mixing up development aid with energy security. That means accepting that the transfer of Russian gas through Ukraine will be one third of today's volume in 2019/20. The compensation for this reduction will be the extension of NordStream which is cheaper and more feasible than any Turkstream version. For this extension to work the OPAL bottleneck needs to be opened. The Dutch Presidency is strongly encouraged to launch a process to define demand for pipe capacity (transport booking) which should be started immediately.

The Southeastern corridor is of utmost importance for the supply of gas in the southern EU member states and, with this in mind, the Commission's new "small is beautiful" (i.e. the idea to contract with local transmission system operators for the building of interconnectors) cannot work due to the endemic corruption in Romania and Bulgaria. Instead the Dutch Presidency should push urgently for the start of an international tender for a pipeline project connecting Europe to the Black Sea and Central Asian resources. That will require significant support for TANAP as the "feed pipe" for such a new pipeline. In the meantime, all efforts should be made to invest in East-West connection to make full use of idle LNG terminals in Western Europe.

The UK question

It would be a mistake to view the UK's demands as a distraction to be minimised, not least because some of what the UK seeks is also likely to be in the interest of other member states. The Dutch Presidency should make all reasonable efforts to accommodate the desire of the British government to review and reconfigure its position within the Union, but also use the opportunity to initiate wider reforms. It should however make clear to the UK that the fundamental principles of the Union such as freedom of movement and non-discrimination cannot in any circumstances be compromised by this review. At a time when these and other fundamental principles of the Union are under demagogic attack in many parts of Europe, it is incumbent upon the Presidency to defend them with especial vigour, not just in dealings with the British government, but more generally.



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REPORT

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