



The EU External Policy in December 2014 – Preparing for 2015

During the last month of 2014, the European Commission published its [work program](#) for 2015 (16/12), the Council of Ministers of the European Union met twice: in the “Foreign Affairs” configuration ([12/12](#) and [15/12](#)) and in the “General Affairs” configuration ([16/12](#)). The [European Council](#) (Heads of State and government) gathered for the first time (18/12) under the presidency of Mr. Donald Tusk. This note considers matters related to the external relations of the EU in the work program of the Commission and discussed in the meetings of the Council and of the European Council. It concludes, that December 2014 was a preparation to confront the external policy challenges in 2015.

Protection of Human Rights and Freedoms, incl. Religious Freedom

The Commission’s work program envisages proposals necessary for the signature, conclusion and implementation of EU’s accession agreement to the European Convention on Human Rights (ECHR). This is a response to Art 6(2) TEU, which was introduced by the Treaty of Lisbon, and provides for the accession of the EU to the ECHR, which, however, *shall not affect the Union’s competences as defined in the Treaties*. EU’s accession to the ECHR is intended to ensure greater effectiveness and homogeneity in the observance of fundamental rights in Europe because the EU itself will be subject to a form of external control as regards compliance with basic standards of fundamental rights. Recently, the European Court of Justice examined the draft accession agreement and expressed in its [Opinion](#) several objections which will need to be rectified in order to make the accession agreement compatible with the Treaties and to bring the two different juridical systems – that of the EU and of the Council of Europe- into accordance with each other.

With respect to the external policy, the work program stresses the necessity of *including the promotion of human rights in all external actions* since Art 21 TEU requires the EU to mainstream human rights in all Union’s actions on the international scene. In recent years, the EU has adopted a range of human rights guidelines and toolkits, including the [EU Strategic Framework on Human Rights and Democracy](#) adopted in 2012 together with an Action Plan that will have to be renewed in early 2015, as well as the [EU Guidelines on the promotion and protection of freedom of religion or belief](#) adopted in 2013. While important commitments have been made, the implementation of these frameworks still stays behind. The special Representative for Human Rights whose current mandate will expire at the end of February 2015, and his successor will need to make the EU’s policy on human rights more effective. The threats and cruel attacks faced by religious minorities particularly in the Middle East pose particular challenges here.

Common Security and Defence Policy

The Foreign Affairs Council in its [meeting](#) on 15 December appointed a new chairman of the EU Military Committee. General Mikhail Kostarakos will take office on 6 November 2015. It reaffirmed EU support for the Organisation for the Prohibition of Chemical Weapons and granted nearly 1 million euros to support the Hague Code of Conduct against ballistic missile proliferation. The General Affairs Council [adopted](#) on 16 December an Action Plan for the important EU maritime security strategy. In view of the June 2015 European Council, which may adopt a revised version of the European Security Strategy from 2003, it also held a thematic debate on “Europe as a strong global actor”. A preparatory document of the Italian Presidency [suggested](#) to focus in the future on Europe’s immediate neighbourhood and to engage its global strategic partners.

NB: The E3+3 (Germany, France, UK and China, Russia, US) and Iran will meet again in mid-January 2015 to resume talks on the Iranian nuclear program.

Trade Policy

The European Council requested in its [conclusions](#) from 18 December a “further strengthening and the conclusion of bilateral trade agreements with key partners”. Heads of State and government also expressed the hope to conclude negotiations with the US on TTIP by the end of 2015. However, a few days earlier the new Trade Commissioner Cecilia Malmström had struck a more cautious note by saying that a full deal would probably not be ready to be submitted to the member states at the end of the year. At the level of the WTO, where multilateral trade agreements are negotiated agriculture and geographical indications are the most important obstacles in order to establish the so-called Post-Bali agenda until July 2015. The next ministerial meeting will be held in the middle of December 2015 in Nairobi. In its work program the European Commission announced for 2015 a comprehensive review of EU’s trade policy strategy and especially its contribution to jobs, growth and investment.

Enlargement Negotiations and Neighbourhood Policy

a) Enlargement Negotiations:

As already stated in Jean-Claude Juncker’s [Political Guidelines](#), the work program reiterates that the next five years of the Commission’s mandate will be a period of consolidation with no further enlargement of the Union. The focus will thus be on the continuation of ongoing enlargement negotiations, particularly with the Western Balkans.

In its [conclusions](#) on the Enlargement and Stabilisation and Association Process of 16 December 2014, the General Affairs Council assessed the challenges and opportunities for each of the six candidate countries (Albania, The former Yugoslav Republic of Macedonia (FYROM), Iceland, Montenegro, Serbia and Turkey) and the two potential candidates (Bosnia and Herzegovina and Kosovo). While four accession negotiation chapters have been opened with Montenegro and the opening of the first negotiation chapters with Serbia and FYROM is being considered for 2015, Albania was called upon to step up its reform efforts to be able to start the negotiation

process, and the negotiations with Iceland have been on hold since the decision of its government in May 2013.

With respect to the recent activities of the Turkish government restricting fundamental rights and freedoms, the General Affairs Council made clear that progress in accession negotiations “will depend on Turkey’s respect for the rule of law and fundamental rights”. European Parliament discussed the breaches of media freedom in Turkey at its December Plenary and it will vote on a resolution in January. It would be important that issues concerning religious freedom be addressed, too in this respect.

The member states of the EU will also need to find a common voice with regard to Kosovo which is currently engaged in negotiating an EU Stabilisation and Association Agreement and is due to engage in normalisation process with Serbia. Following a proposal initiated by the German and British government, the Foreign Affairs Council [adopted](#) a “renewed approach” towards Bosnia and Herzegovina by making the promise to bring the Stabilisation and Association Agreement unlocking EU funds into force, if the new government makes a commitment to institutional reform.

b) European Neighbourhood Policy

In view of strengthening *stability, prosperity* and *democracy* in the countries closest to the EU, the European Commission is planning to review the European Neighbourhood Policy in 2015. Next March, a Green Paper will be published and a public consultation process will be launched together with the annual ENP package. The results will then be presented in a joint High Representative-Commission Communication in October or November that should bring some new policy orientations and proposals for the future.

The crisis in Ukraine has been top of the agenda of the European institutions throughout 2014, most recently of the [European Council](#) on 18 December last. The EU’s 28 leaders expressed their continuous concern over the situation in eastern Ukraine and welcomed the adoption of [new sanctions](#) reinforcing EU’s policy of “not recognising the illegal annexation of Crimea and Sevastopol by Russia”. Additionally to diplomatic and economic [sanctions and restrictive measures](#) against Russia already in place, since 20 December last, Europeans and EU-based companies are no longer able to perform investment, services and trade with Crimea and Sevastopol. The European Council expressed its readiness to consider further measures if necessary, and a review of the current restrictive measures against Russia is planned for March 2015. The European leaders showed awareness that there is “no long-term solution in Ukraine without an adequate, coherent and unified strategy towards Russia” that recently established its own integration project, the Eurasian Union. The first [EU-Ukraine Association Council](#) held on 15 December highlighted the need for continuous support for the new Ukrainian government to pursue its ambitious reform program and to avert the harsh humanitarian consequences. Next major opportunity, where the challenges in the Eastern neighbourhood may be addressed more specifically, will be the 4th Eastern Partnership Summit next 21-22 May in Riga.

The gross violations of human rights and horrendous crimes perpetrated by ISIL against religious minorities in Syria and Iraq have also been discussed several times within the European institutions, most recently by the [Foreign Affairs Council](#) on 15 December. The European Parliament in its [resolutions](#) repeatedly referred to atrocities committed by ISIL as “crimes against humanity” pushing for a “complete religious cleansing in the region where for centuries members of different religious groups coexisted peacefully”. Along with the crisis in Iraq, Syria and Libya, the Middle East Peace process has formed another important part of the agenda of the European institutions. At its last Plenary Session in 2014, the European Parliament “[supported](#) in principle the recognition of Palestinian statehood” which, however, should be linked to the development of peace talks, in which the EU should become a “genuine actor and facilitator and develop a common and comprehensive approach”.

Development Policy and the Post-2015 Agenda

The Foreign Affairs Council composed of ministers in charge of development policy [met](#) on 12 December. They gave support to the [synthesis report](#) of Ban Ki-moon, the secretary general of the United Nations on the Post-2015 Agenda, which is expected to be adopted at the General Assembly of the UN in September 2015 and to replace the Millennium Development Goals from 2000. Following this meeting the General Affairs Council [adopted](#) four days later comprehensive conclusions on the EU commitment for “an ambitious (post-2015) agenda, which leaves no one behind”. In the Council’s view, it should include “disaster risk reduction and resilience” as a cross-cutting issue, recognise “well-managed migration and human mobility...as potential development enablers “ and acknowledge “the natural and cultural diversity of the world”. Private sector and civil society will have a key role to play in the implementation of the new agenda. Responding to a request of the Council to propose a concrete way forward on the global partnership, the Commission included in its work program a communication on the post 2015 Sustainable Development Goals, which “aims at establishing EU common positions on the Global Partnership to deliver the Sustainable Development Goals”.

Conclusion

In 2015, the EU will have to deal internally with the future of the euro-zone and the threat of an UK exit. However, conflicts in its neighbourhood (Syria, Ukraine, Israel/Palestine) continue to be very intense and stakes at the international fora are extremely high (UN summit on the Post-2015 agenda, the Paris Climate summit). Therefore the EU and its member states will not be allowed to look only at their internal problems. They will have to actively address the external challenges. This will require a closer cooperation and coherence in all external and internal policies of the EU as well as a better consistency between member states’ and Union’s foreign policy goals. The different meetings of the Council, the EU summit and the new work program of the Commission anticipated the new EU reality of being contested at home and being invited to play a more active role abroad. The stronger focus of the Church - through COMECE and Justice and Peace Europe – on EU external relations therefore appears to be appropriate.

Stefan Lunte, Marek Misak, 7 January 2015