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Ensuring an effective joint external action with Member States' ownership

For the EU to be able to play a strategic role in facing the challenges this world poses upon us, we need an effective joint external action, being able to react rapidly and flexibly with the appropriate means. The Treaty of Lisbon created a basis to build on in addressing these challenges. The setting up of the European External Action Service ('EEAS') is an important achievement in this respect. The EEAS has proven to be a major instrument for safeguarding the strategic interests of the Union, to promote EU values as well as to ensure coordination with the rest of the world. Now the time has come to take the European ambition for external action to a higher level complementary to the work of and in close cooperation with the Member States ('MS'). The strength and credibility of our EU external policy benefit from coherent and coordinated messaging and sufficient 'ownership' by the MS. We should strengthen the synergy between MS and EEAS and ensure the ownership by the MS, without hampering the ability to act, the speed of action and the effectiveness of the EU external policy and by leaving the High Representative of the Union for Foreign Affairs and Security Policy ('HR') the trust and mandate to fully act where she is competent.

In its Conclusions of December 2013 on the review of the European External Action Service ('EEAS') the General Affairs Council confirmed the importance of timely, effective and efficient preparation of Council meetings, while engaging MS at an early stage to ensure that all internal procedures, including with national parliaments, can be completed.

The mission letter of the new High Representative in her capacity of Vice-president of the European Commission (HR/VP) of September 10th includes important elements enhancing integrated European external action. The responsibility for steering and coordinating the work of all Commissioners with regard to external relations while drawing on the Commission's policy instruments and expertise is particularly important in this regard.

Adding to the mission letter, this paper aims at putting forward ideas on the preparation of the Foreign Affairs Council ('FAC') and the active involvement of the MS thereby also contributing to the 2015 evaluation of the EEAS Decision.

1. Agenda setting of the FAC

- The HR/EEAS is responsible for the agenda setting of the FAC in consultation with the MS. In view of effective and efficient decision making, timely presentation of the (annotated) agenda is crucial. This not only enables MS to complete all internal procedures, including where appropriate with national parliaments, but allow Ministers to prepare for a focused discussion. Speeding up internal procedures within EEAS, including by reduction of hierarchical lines and increasing flexibility, could be helpful in this regard. MS for their part should do their utmost speeding up their national procedures.
- The formal FAC-agenda could allow for more diversification of ways to handle and prepare agenda-items. On the agenda of the FAC more time should be reserved for discussions on strategic and horizontal topics (like climate, energy, strategic challenges in the wider neighbourhood, terrorism, cyber, migration), focused on operational follow-up. This could be done by splitting the agenda in two, whereby the first part is dedicated to discussions on current issues and the second part can be devoted to strategic and horizontal topics. These discussions should be well prepared, building on the cooperation with relevant Commissioners as set out in the Mission letter of the HR/VP, and possibly be linked to decision making, where appropriate, in conjunction with other compositions of the FAC (Development, Trade) or other Council formations.
- Where possible FAC debates should be decision-oriented. To that effect the EEAS should make use of option papers with proposals for concrete action elaborated in consultation with MS through the PSC and Coreper.
- While keeping open the possibility to add last minute a topic to the agenda in case of high political urgency, it is important to limit the number of topics on the agenda to have time to discuss the most relevant topics in-depth. The grown practice of covering a number of current affairs in the introductory remarks of the HR, allowing MS to react, is a good example of effective use of time. In addition to that more use can be made of A-items as well as written procedures.
- Gymnich meetings could be given a role in the strategic policy planning e.g. by organizing orientation debates in the early stages of policy making and by using interactive forms of debate. In order to ensure the necessary follow-up, the reporting system during Gymnich meetings should be improved.

- Presiding over the FAC, the HR can play an enhanced orchestrating role enabling MS and EEAS to act in a complementary and coordinated way and so reinforcing EU's impact and visibility. This could range from asking groups of MS to prepare an intervention at the FAC (for example to introduce a certain topic) to joint visits or other types of outreach. Pro-active sharing of lines to take on the base of standing EU-policy by EEAS is another good example and should be expanded. Occasionally, an orchestrated working practice could be elaborated with Member States opening the door to a certain level of 'division of labour' were members of the FAC, at the initiative and under the authority and oversight of the HR, could represent the HR on a specific thematic or regional policy issue in the sphere of CFSP.

2. Strategic policy planning and relation with the European Council

- In the field of external action the EU could work more on the basis of guidelines of the European Council ('EC') and longer term strategies of the Council. This will help the EU to formulate medium or long-term visions on specific regions or thematical issues and could be useful as strategic framework for comprehensive action.
- These medium- and long term strategies should be prepared by the EEAS, in cooperation with the MS, according to a timetable that leaves sufficient time for in-depth discussion in the Council and in the preparatory bodies. This will allow for MS to consult with national parliaments if needed. Likewise it could give national parliaments guidelines to refer to when at a later stage Council conclusions are adopted (under time pressure or when written procedures are used).
- This calls for knitting closer together the preparation of the EC and the FAC. In the execution of its mandate with regard to CFSP and other areas of EU external action, the EC draws directly on EEAS for CFSP-related issues. Except in cases of extreme urgency, EC-conclusions on CFSP-related issues should be prepared in PSC before being sent to Coreper with a view to forwarding them to the FAC and the GAC in charge of EC preparations. This would anchor coherence and complementarity in the messages of the FAC and the EC.

3. Preparation of the FAC, making optimal use of MS

- For a proper preparation of the FAC in the preparatory bodies the timely availability of the necessary documents is key. The EEAS should be structured and equipped in such way as to be able to circulate draft documents as early as possible (with a target standard of two weeks prior to the FAC), so that the MS have sufficient time to define their position and finalise all necessary internal procedures.
- Using the possibility to step up discussions to PSC and Coreper will help keeping speed in the preparatory work. Building on the current practice of preparation of summits, Coreper should be focal point in the preparation of comprehensive policy issues, building on a political appreciation prepared by PSC. This requires involvement of Coreper in an early stage in case of cross cutting issues, without prejudice to the role and responsibilities of the HR and the EEAS.
- EU-delegations and embassies of MS represented in third states should work closely together and prepare joint Head of Mission's (HoMs) reports as well as joint advice on policy and implementation to feed into the preparation of the FAC at the level of the preparatory bodies.
- The number of working parties can be reduced (for example merging the areas covered by COARM, COARM-ATT, CONOP, CODUN, CODUN-Space into two groups: COARM and CONOP). More joint sessions should be planned by EEAS (for example PMG, CivCom or COHOM with regional groups). This will lead to less pressure on the calendar of meetings and more synergy.
- MS should assist the HR/EEAS in building on what MS have to offer in support of a joint policy approach, making full use of bilateral activities and networks of the MS. Sharing travel plans on a more structured basis and swift sharing of reports by COREU could be 'quick wins' in this regard.
