

The priorities of the Dutch Presidency of the Council

Breakfast Policy Briefing – 30 November 2015

Summary

As the Netherlands prepares to assume the rotating Presidency of the Council of Ministers on 1 January 2016, there is a high level of interest over the approach that will be taken to attempt to address the multiple challenges facing the EU at the moment. The Netherlands does not lack experience: this is the twelfth time that the EU founding member will assume this role, the last time being in the second half of 2004.

That was an eventful time in the history of the EU, just ahead of the 'No' vote to the Constitutional Treaty in both France and the Netherlands which led to the "constitutional crisis" and later the Treaty of Lisbon, resulting in many changes including the role of the rotating presidency. From the perspective of what the EU has gone through in the past ten years and the multiple internal and external challenges facing the Union today, the Netherlands inherits a role which, while much changed from 2004, continues to be of vital importance when effectively working through the myriad priorities on the EU agenda.

In this context, Janis A. Emmanouilidis, EPC Director of Studies, chaired this Policy Briefing in which Pieter de Gooijer, Permanent Representative of the Kingdom of the Netherlands to the EU, presented the priorities of the Dutch Presidency before answering questions from the audience.

Full Report

Janis A. Emmanouilidis, EPC Director of Studies, opened the Briefing by highlighting that although recent Council Presidencies have been keen to emphasise the need to be humble, serve the system and act as an "honest broker", events of recent months have shown how important the role of the rotating presidency is. The refugee crisis, attacks in Paris and the increased security threat in particular have increased the role of the Justice and Home Affairs (JHA) Council, where the rotating presidency has the lead. He added that there are lots of other issues on the agenda related to growth, Economic and Monetary Union (EMU), energy, climate and the EU's role as a global actor.

Pieter de Gooijer, Permanent Representative of the Kingdom of the Netherlands to the EU, began by stating that the Dutch Presidency is likely to be dominated by events that both have happened and will happen in Paris. He said that the terrorist attacks have necessitated big changes in the EU's agenda. While not the first of their kind, they were of a scale and intensity that has made it clear that the EU needs to do a lot better collectively to fight terrorism than it has done in the past. Looking forward, he said that he hoped there would be positive results from the Paris Climate Change Conference (COP21), adding that the Dutch Presidency would work on effectively implementing the outcomes.

He said that a lot of people think that because the Netherlands has assumed the rotating presidency multiple times and has been in the EU since the beginning, they should easily be able to run a professional and effective Presidency. He argued that the fact that they have done it twelve times doesn't mean a lot in terms of what will reasonably be able to be accomplished in six months. Additionally, little direct experience remains from the Dutch Presidency of the Council in 2004 – that was three governments ago, there are no cabinet ministers in office that were there eleven years ago and there are few civil servants who worked on the previous Presidency.

He added that the EU and the world have both changed dramatically since 2004, recalling that at that time, the Dutch government had to think about what to put on the agenda, which is nowadays at the Union's

highest political level handled by European Council President Tusk. However, there has been some continuation. For example, in 2004 there were difficult discussions over opening the EU accession process with Turkey, with some of the issues still remaining difficult at the EU-Turkey Summit on 29 November 2015.

He noted that we are now all living in an unsafe world, which puts enormous strain on the architecture of the EU and the political will of EU member states. He said that no one Council Presidency can address this insecurity or handle this strain alone – it has to work with the other institutions and within the Council to come to decisions that contribute to making the Union safer. He highlighted that the architecture and political will is tested in many areas, including migration, finance and the economy. Therefore, the Dutch Presidency will work constructively, sticking to the programme defined by the European Council in June 2014 with a strong focus on jobs and growth. This requires efforts to encourage the private sector to work in line with the principles of sustainability, innovation and competitiveness.

He argued that progress can be made in six months – even when the challenges are great, demands heavy and interests between member states quite far apart, recent experience has shown that common solutions can be found. For instance, the agreement on a Third Economic Adjustment Programme for Greece and the sanctions in response to Russian aggression in Crimea have demonstrated the ability for decisions to be made at the EU level even when challenges – and their solutions – have different economic and political tolls on different member states.

He highlighted three themes for how the Netherlands plan to run the Presidency. Firstly, it will aim to implement the principle of subsidiarity on a practical day to day basis, focusing on those things that must be done at the EU level rather than expending all assets on the vast legislative machine of the EU. He said that citizens and businesses also want the EU to be less prescriptive.

Secondly, he said that the Dutch Presidency will aim to reconnect with citizens. In many member states, it is clear that a large number of citizens are disaffected with the EU. He said that the reasons that people may not be enthusiastic about the EU are not necessarily always based on facts, for example blaming the EU for rules and regulations that are not an EU competence. However, there is a wide perception that the EU is doing things that are not in the interest of citizens, so the Dutch Presidency will – through debate – try to get a better sense of what citizens want from the Union, taking a consultative approach to the Presidency.

Thirdly, the Presidency will focus on sustainable innovation in order to achieve the jobs and growth that is on the strategic agenda. He said that this will be difficult, because global events are directing much of the EU's activities and limiting possibilities in other areas. A major challenge will be to balance sticking to the strategic agenda with having the flexibility to respond adequately to new challenges that have arisen and will arise in the future.

On the JHA Council, he said that there will be six – rather than the usual three – JHA Council meetings during the Dutch Presidency, in response to the refugee crisis and terrorist threat, which necessitate a lot of legislative work and political decisions to be made.

While the Dutch Presidency will not preside over the external domain, he said he looked forward to the European Council adopting the new Global Strategy in June 2016, and that it will be especially important for this to be a truly comprehensive and interconnected strategy, with a direct connection to development cooperation, migration and security. He recognised that this will be especially difficult, given that foreign policy still remains primarily in the national domain across all 28 member states.

On the internal market and external trade, he argued that getting this right will be the cheapest and most effective way to create jobs and growth. While external trade negotiations are an exclusive competence of the Commission, the Presidency will work in cooperation with them on: the agenda for the internal market on goods and services; the Digital Single Market (DSM), including the copyrights dossier; the social aspect of the internal market, working on the basis of the Commission's proposals on labour and mobility that are due in the coming months and on fair wages for fair work; and the Capital Markets Union and Banking Union as they relate to the Five Presidents' Report on EMU, focusing on what can practically be achieved in the short term.

He also highlighted that while the UK referendum will probably not happen in the first six months of 2016, there will definitely be one referendum during the mandate of the Dutch Presidency – in the Netherlands, on the approval of the Association Agreement between the EU and Ukraine. The Dutch government hopes to convince its citizens that this deal is good for the EU, Ukraine and the Netherlands, as it contributes to trade and a good stakeholder relationship. He said this referendum provides an example of the importance of engaging with citizens and maintaining a high level of understanding of the EU's activities.

Discussion

On priorities in the agricultural sector, **de Gooijer** said the Presidency will work on a number of issues, but that there are no major new initiatives or changes planned in the next six months. Further work will be carried out on files that need to be finished, including the sustainable fisheries policy, agriculture and public health, food waste and resistance to antibiotics in the food chain. He added that there will be six dialogues on phytosanitary and veterinary regulations.

An audience member asked if the refugee crisis has led to a need to reform the Schengen system so that it encompasses a smaller group of countries. **De Gooijer** stated that there are no plans in the Netherlands to set up a 'mini-Schengen'. What needs to be looked at is the way that existing rules are enforced – there have been approximately one million migrants entering the Schengen area this year and this has become an enormous weight on societies. Politicians and citizens have inevitably reacted to that and political will for the existing rules has been put to the test. Some member states, such as Italy and Greece, have not been able to enforce the rules of the Dublin Agreement. There is tension between the rules that have been agreed upon, and the reality that countries cannot reasonably cope with them. Discussions are therefore happening over whether the rules need to be adapted and whether other member states can help those who are not capable of upholding the rules, in order to deal with the issue more effectively in the future.

He added that external partner countries also need assistance – if this can be achieved, and they are able to provide better assistance to refugees in terms of healthcare, shelter and education, this will help to manage the flows of people coming to the EU.

On what the Dutch Presidency intends to do to promote the image of the Netherlands in terms of culture and technology, he said that the tasks associated with the role of the Council Presidency will be the central element, rather than promoting the Netherlands. However, there will be around 150 informal meetings in the Netherlands over the next six months, the majority of which will be hosted in Amsterdam – the historic centre of Dutch culture while also an innovative, green and smart city. He said these elements will be brought into the Dutch Presidency's agenda, which will also be showcasing Dutch innovation, research, mobility and the best the private sector and academia have to offer.

It was asked whether, following the terrorist attacks in Paris, any improvements could be made on information sharing without binding agreements or new institutions. **De Gooijer** said that the last thing that is needed is new institutions. However, he noted that it is time for the EU to demonstrate its ability to tackle challenges like this and said that a lot of it is about legislation and trust. There is a need for cooperation, which the Dutch Presidency hopes to facilitate by increasing the number of JHA Council meetings, which will maximise the political contact between ministers from different member states who are responsible for these matters, forcing a process of continuous exchange of views and review of progress made on agreements.

On the views of the Dutch Presidency towards the social pillar of EMU, **de Gooijer** said that fairness and a level playing field are the key elements. While the Commission is working on this, he hoped to see proposals by the end of the year so that there is time to work on them, with three months of meetings in the Economic and Financial Affairs Council (Ecofin) ahead of the Employment, Social Policy, Health and Consumer Affairs Council configuration (EPSCO) meeting in March 2016. Similarly to the JHA Council, it does make a difference to have more meetings and more time to consider differing views. He added that this is particularly relevant as any decisions made on competitiveness must not lose sight of maintaining established standards for workers. Labour mobility will be part of the Commission's proposals, which is a difficult issue given the high unemployment and pressure on the welfare system in some member states. There therefore needs to be time to fundamentally discuss these challenges.

It was asked how the Dutch Presidency would approach gender equality and tackling violence against women and girls. **De Gooijer** said that promoting gender equality is very well mainstreamed into Dutch foreign policy, both in terms of traditional issues like security and policies like development cooperation and culture. For example, in December, the Dutch minister for foreign trade and development cooperation is hosting a high-level political conference on value change. He said that there have been no specific gender equality initiatives on the agenda as it is a given that this will feature in the policy initiatives and conferences that the Dutch Presidency will be hosting. He noted that there are gender equality concerns in many different areas both externally and within the Union.

On the Single European Sky initiative, **de Gooijer** said that this is ongoing and that the Dutch Presidency, while it supports this initiative, will have limited possibilities of taking initiatives or forcing decisions. However, he said that the next European semester will be very important for both air and rail transport.

On COP21, he said that he hoped that it will lead to legally-binding results, with further politically-binding results that will have to be translated into EU law. With the Conference ongoing, he said that it will be unclear if the results are going to be positive, but the Dutch Presidency will be extremely committed to implementing them when they arrive.

On the Circular Economy Package, he said this is an example of an area where there is a challenge not just of legislation, but also of communication. People do not want to see the Union encroaching on their personal choices and freedoms, but are concerned about wider challenges to the environment. He added that investing in the circular economy provides huge opportunities for businesses and researchers, as part of the elements of innovation and competitiveness. However, many people associate it with rules over how they deal with domestic garbage, or having to pay for a plastic bag at the supermarket.

It was asked how the EU urban agenda will deal with the terrorist threat in cities, which reflects on wider social tensions. **De Gooijer** said that a challenge will be to connect the agenda with jobs and growths, creating urban environments in which economic and cultural creativity can blossom while being mindful of security. He said there are a number of requirements for this, related to mobility, multicultural openness, inclusiveness and accessibility. He said it also relates to innovative housing design.

On the 2030 Agenda for Sustainable Development, he said that the Dutch Presidency will be very committed to this and it will be high on the Council agenda.

On whether the Nord Stream II gas pipeline project will be on the Council's agenda, **de Gooijer** said it is too early to say: there are ongoing political, financial and energy debates that will affect this.

The issue of discussions over the UK's continued membership of the EU was also raised. **De Gooijer** said that the referendum will have to come at some point, and ideally the European Council will come to an agreement in December with the UK on the package with which the UK government will want to organise the referendum. It needs to be dealt with, as it is holding up other important processes. He said it is up to the UK government on when this will be organised, noting that it could be in June or September 2016.