

THURSDAY 17 SEPTEMBER 2015

Members present

Baroness Armstrong of Hill Top

Lord Balfe

Baroness Billingham

Baroness Coussins

Lord Dubs

Lord Horam

Earl of Oxford and Asquith

Lord Risby

Baroness Suttie

Lord Triesman

Lord Tugendhat (Chairman)

Examination of Witnesses

Mr Richard Lindsay, Head of Security Policy Department, Defence and International Security Directorate, Foreign and Commonwealth Office, and **Mr Chris Sainty**, Head of EU External Department, Europe Directorate, Foreign and Commonwealth Office

Q21 The Chairman: Gentlemen, thank you very much for coming before us. You have probably been through exercises such as this in the Lords or the Commons before, but for the sake of formality this is a public session. It is part of our inquiry into the emerging European security strategy. We will assume that everything you say is on the record, but if there is something that you wish to say which you do not wish to be on the record, please say so.

We sent you a list of questions. I think—I hope—that all the questions will be asked, but there may well be other questions that are asked. If, by any chance, there are questions that you would like to have answered but that were not asked, I would be very grateful if you would inject those thoughts into the discussion. If at the end you feel there is anything you would like to write to us about, either to enlarge on what

you have said or to cover something that we have asked which you do not feel able to answer at present, again, please do so.

I am a little hard of hearing. Last week we did not find the microphones very good, so could you please be sure to speak into the microphones. I think that is it.

I will kick off with a general question. Does the UK support the strategic rethink of EU foreign policy, and what kind of priority is it for us? In answering that, could you take account of the rather serious and divisive policy debates that are threatening to overwhelm the EU at the moment, migration and Greece being the obvious ones? I do not know whether Mr Lindsay or Mr Sainty would like to start.

Chris Sainty: I will start, if I may. First, thank you very much for the opportunity to be here today to give evidence to this Committee.

The Chairman: You are speaking clearly, I am glad to say.

Chris Sainty: Good. I am glad you can hear me. If I may, I will take that question in two parts. The first part is whether the Government support this review. The answer is yes, absolutely. The world has changed in many ways since the European security strategy—the so-called Solana strategy—was published in 2003. That document began with the now slightly infamous words, “Europe has never been so prosperous, so secure nor so free. The violence of the first half of the 20th Century has given way to a period of peace and stability unprecedented in European history”. That language now causes many to raise their eyebrows. I do not think it was outrageously complacent, given the context of the time, but of course the point is that the context has changed a very great deal in the intervening period. I think that the foreign policy challenges that we face now in the neighbourhood in particular are of a very different nature and magnitude from those we faced then, so to have a fresh strategy that properly reflects the changed world in which we now live, which defines what the EU is trying to achieve and how it is going to achieve it, and which perhaps also helps the EU to prioritise, seems to us a very reasonable proposition.

The second part of your question was: is the strategy review a UK priority at the EU level? That is a bit more difficult to answer. The UK obviously has quite a number of priorities at the EU level, some of them of a very far-reaching and political nature. It might be an overstatement to say that this is right at the top of the list for the UK, but we certainly think that it can be a very useful and very important exercise in focusing the EU and the Member States on what we are really trying to achieve and how we best go about doing that.

I am conscious that you also asked me to touch on how the strategy might interrelate with the divisive debates on Greece and the migration issue. Perhaps I might first invite my colleague Mr Lindsay to say a little from a security and defence perspective, and then we can perhaps come back to the question of the relationship with these other questions.

Richard Lindsay: Our perspective is that the strategy gives us an opportunity to look at the totality of the EU's tools. It has a comprehensive approach—this is something that we have long advocated and supported—and gives us an opportunity to look at that in its totality. The tools of the CSDP are but a number of the EU's tools, and the strategy gives us an opportunity to look at those in the round and at the way in which the EU can act with other actors to achieve the goals that we set out for it. Linking together its civilian, military, economic, diplomatic and development tools in a joined-up way is how we would like the strategy to conclude.

Chris Sainty: I will follow up by answering your further question about the way that the EU responds to the Greece crisis and the migration crisis. That is a really interesting question and one that we have certainly thought about a lot. There is no obvious direct link between the Greek and eurozone crises and the external policy review. On the whole, those issues are dealt with by different people and different bits of the EU machinery. However, I would just add two thoughts on that. First, at the level of the European Council, that is the level of leaders, the same people are dealing with Greece and the eurozone on the one hand and the external agenda on the other. It is inevitable that when leaders are preoccupied by a difficult internal debate, as we have seen over the last few years, there is much less time and inclination to focus on foreign and security policy questions. The second thought is that clearly when the EU goes through a difficult period internally, as it has done, that does not go unnoticed by our external partners and third countries and so on. That will of course have an impact on the way they perceive us, the European Union. But I think that is more about perception than real impact. The fact is that throughout the period when the EU has been wrestling with the eurozone crisis and Greece, it has forged and maintained unity on sanctions against Russia, and it has contributed to successful outcomes in Iran, as well as many other interventions.

The migration crisis, on the other hand, is a little different in that it has a very clear external dimension to it. However, again, I would argue that probably the most divisive part of the internal debate—the very difficult justice and home affairs discussions about relocation and what to do with the migrants and asylum seekers once they have arrived in the EU—does not have a direct read-across to the external security strategy. But of course the external dimension of the migration debate—which is all about our relationship with the countries of origin and transit and the action that the EU can take to promote stability, security and prosperity in those countries and ultimately to deter the migratory flows—needs to be right at the heart of this strategy project. It is very hard to think of a higher priority for the EU in the coming years.

Q22 The Chairman: I think you have almost answered this, but I was going to ask you how you see the High Representative's report as a basis for a new European foreign policy. I think that you have pretty much covered that.

Chris Sainty: Can I just say a few words about the High Representative's report? Mr Lindsay might like to add something as well. We think that the report is definitely useful. We followed its development closely and my colleagues in Brussels discussed it with the High Representative's team on a number of occasions, so I think it is probably fair to say that we had quite a lot of influence over what went into it. The result is a good piece of work that describes the foreign policy and security challenges that the EU faces in terms that we, the UK, recognise and agree with. One thing that we particularly like about the report—one of its strengths—is its breadth of scope, which is very much in line with the comprehensive approach that we have already alluded to. By that I mean that the report does not focus narrowly on the traditional foreign policy and security tools; it gives appropriate weight to a whole range of instruments at the EU's disposal—for example, energy policy, trade, migration, climate, development and so on. Joining all this up is something that we think the EU needs to get better at doing, and this report seems to us to signal an important willingness to move further in that direction.

Q23 Earl of Oxford and Asquith: The Union often has rather a large number of foreign policy priorities, some of them generated by short-term events and some of them rather diffuse. I would be very interested to hear whether the UK thinks that there is scope for concentrating the Union's priorities. I think you almost answered that when you talked about migration, but I would like to explore that in a rather more general context, and whether those priorities are in line with our own national priorities.

Chris Sainty: That is a very good question. I would almost like to answer that question the other way round and make the point initially that I think it would be very surprising and certainly a little worrying if the foreign policy priorities of the European Union were not closely aligned with those of the UK, given that we are a large member state with global foreign policy interests. Indeed, all the evidence suggests that that alignment is there. High Representative Mogherini set out her view of the EU's external priorities at a conference in Munich earlier this year. She talked—unsurprisingly, I think—about focusing on the immediate and the wider neighbourhood, and the western Balkans. She talked about Russia and Ukraine. She talked about the situation on the southern flank, from Libya and the Sahel to Syria and Iraq. She talked about migrants and refugees, the Middle East peace process, the Iranian nuclear issue, and so on. I take your point: it is quite a broad list and it is quite an ambitious list for the EU, but that list does coincide pretty closely with how the UK would identify its top priorities in the foreign policy arena. Pre-eminent in that list is the multiplicity of problems and challenges that are thrown up by the neighbourhood, to both the east and south, and I think everybody accepts that those are the overwhelming foreign policy priorities of the EU. Again, those are also very high priorities for the UK. The migration crisis is an illustration of how those same issues impact on our own national interests, so again that alignment is there.

I will turn to Mr Lindsay in a moment. One other point I would make is that this emphasis on the neighbourhood sometimes leads people to ask whether the EU has any business looking further afield—is it right that the EU should aspire to be a global actor or should it confine itself to the neighbourhood, where the problems are, after all, extremely challenging? Briefly, the answer we would give to that is: yes, the EU does need to have a global vision, because whether it likes it or not it is a global actor. For example, in areas where we have very significant economic interests, such as China or the US, it is extremely important that the EU is engaged, although in many cases that engagement may be led more by the Commission than the External Action Service. Then, of course, on some cross-cutting global issues such as climate change the EU is unquestionably a global player and therefore has to be part of that global dialogue and negotiation. Perhaps Mr Lindsay would like to add to that.

Richard Lindsay: Just to go back to the genesis of the question—whether our interests are the same as the EU’s interests—of course as we go through our strategic defence and security review, that identifies our own priorities and interests, and that will then feed into the way in which we influence the High Representative’s own strategic review. But underpinning all that is that there are different roles for the EU and specific roles where the EU is and can be the most effective actor and others where it is not, and the flexibility that we have as a member of the EU allows us to use those tools in pursuit of our foreign policy priorities where they are most appropriate and to pursue other routes where they are not.

Q24 Lord Dubs: Can we turn specifically to how the UK will engage with the review process? It seems to me that there are a number of difficulties for us, such as the potential referendum—both our efforts to negotiate a new position and possibly the outcome. Does that not make it more difficult for us to be influential in the review process?

Chris Sainty: The first part of the question is easier than the second part, but I will start by talking about how we intend to engage with the process, and then I will try to say a bit about the relationship between that and the more political question of our EU membership. On the first part of the question, I would certainly argue that we have been instrumental in shaping the process to date. I have already spoken about how we engaged with the High Representative’s team in the preparation of the report, which has set the context for the whole project. We and a number of other member state Governments have been clear, including in foreign affairs councils and at the June European Council, which of course gave the High Representative the mandate to conduct this exercise, that the review process should be owned by the High Representative. Our thinking there is that we would much rather avoid lengthy negotiations at 28 with the inevitable risk that we end up with a rather diluted strategy. But at the same time we have been clear that Member States need to be closely involved and consulted, and the June European Council language reflects that.

There is a question about the final status of this strategy—whether or not it might at some point in the future receive some form of endorsement from the Council or the European Council—which we have left open for now. Our sense to date is that our views are being listened to and taken on board. As I mentioned, the High Representative's report sets out the issues and challenges in terms that we can support. As we go forward, there will be more opportunities for UK engagement with the process. I am expecting our Ministers to provide some written input fairly shortly. We will certainly continue to engage closely with the High Representative and her team in Brussels. We know that the External Action Service is planning to hold a series of conferences and seminars around the European Union, including some in London. Those will provide us with further opportunities to influence the debate. The issue will undoubtedly be on the agenda of some council meetings in the coming months. Finally, we will also routinely—in fact we already do—discuss and co-ordinate views on the review with other Member States in the course of our normal bilateral relationships.

On the second part of the question about how this might play alongside the renegotiation question, that is a slightly delicate area for an official to get involved in and comment on, if I may say so. But I can say this: as the Committee is undoubtedly aware, the Prime Minister's position is to negotiate reformed terms of membership for the UK and then recommend that to the British people as a basis for remaining in the European Union. Unless and until something changes, we will continue to engage fully and positively, including with this review, and I do not think that any of us see any incompatibility between those two things.

On a point of information, the mandate from the June European Council to Mrs Mogherini requires her to report back to the European Council by June 2016. I am not in a position to offer any privileged insight into the timetable for the referendum and that negotiation, but of course those two timings may turn out to be rather different.

Q25 Lord Triesman: Just a few moments ago, Mr Sainty, you talked about the opportunities that would arise in seminars and other gatherings to make our view known. Can you elaborate a little on the ways in which we are preparing to create the best possible synergies between our position and the positions that would emerge? How are we doing that? What machinery and mechanisms are there for that kind of debate? I assume—tell me if I am wrong—that we do not have so many completely pre-baked positions that we could inflexibly follow a strategy without reviewing our own position. In your last comment, Mr Lindsay, you made the point that we have positions, the EU has positions; on occasions the EU position adds greater value than ours does. Can you give us a couple of illustrations of when we have chosen to use the EU as the principal vehicle rather than ourselves?

Richard Lindsay: As I alluded to in my last answer, we are going through our own strategic defence and security review. As part of that, we are going through quite an extensive outreach process, discussing and understanding our own assessment and

sharing it with our largest EU partners and indeed with the totality of the Member States, as well as with the EAS directly. So within our own strategic review we are outreaching, and engaging with and informing our partners. Once that has concluded, which will likely be in November, we will be in a position to be clearer about our own priorities in the defence and security sphere with the EU. We will do that with the EAS directly, as Mr Sainty described.

On your second question, migration is probably the easiest example to come to, certainly in the CSDP context. We recognised in June this year that last year there was an urgent requirement to take action at sea due to the loss of life. We moved very quickly, through the EU, to develop the EU NAVFOR operation. That has been going on and will move to its phase 2 very shortly. That is an example of where we, the UK, were quite instrumental in getting the EU to implement a CSDP operation very quickly in response to need where it could not have been done individually or nationally by different nations.

There are similar examples in Africa where, on the CSDP, the EU is playing a very significant role. It is a maximiser of our influence. Operation Atalanta off the coast of Somalia, which has suppressed piracy, has been a really strong example over the last few years of where a significant impact has been made, bringing EU Member States and their assets to bear. Because it is the EU, it is reaching out to non-EU states that would otherwise perhaps have found it less easy to engage in that naval operation.

Q26 Lord Risby: Mr Sainty, you alluded to the migration issue as an extension of the European interest in the countries of origin and how that is dealt with. The only reason that I say this is that, for all the successes that you mentioned—perhaps dealing with Ukraine at one level or with sanctions against Russia—this is an area that is very testing as regards public support, not only in this country but right across the European Union, because there is such a division of view on it. On the specific issue of public support, we have heard that this is an essential component of the success of a foreign policy. I do not want to overemphasise this, but it is a key indication of the difficulties among Member States. What is the mechanism for trying to determine what public support there could be or should be in this country for this process? Are there consultations with civil society organisations, for example, or with foreign policy stakeholders? How does one determine in a very difficult atmosphere what the mood is and how it can reflect and play into a common dynamic for foreign policy for Europe?

Chris Sainty: That is a very interesting question. I would make one point initially. As I have already mentioned, ownership of the EU's strategy review does not rest with the British Government— but with the High Representative. For that reason, we, the Government, do not think that it would make sense for us to run a formal consultation exercise in parallel with the engagement which the High Representative is planning with European civil society. That might risk giving the impression that we were in some way in control and responsible for the outcome, which is not the case

and is not the impression that we would want to create. But of course I agree entirely with your point that a credible strategy needs to be underpinned by a strong degree of public support, so we will certainly look for ways to ensure that a range of British views and opinions are heard in the course of this review exercise. If I may say so, this inquiry makes an important contribution in that regard.

We know that the External Action Service is planning to run a series of conferences and seminars around the EU, some of which will be held in the UK. We know, I think, that the EAS is looking at organising events in London with the LSE, and with the European Council on Foreign Relations, as well as possibly some other events. We will certainly work with the organisers in order to achieve a strong representation of British academics, think-tankers, NGOs and what one might describe as other foreign and security policy stakeholders from civil society.

It is also worth making the point that there is already in that community a high level of awareness about this process, not least because people read the European Council conclusions and know that this process is under way. We also see evidence of a desire to contribute. Some of these organisations and individuals have already published papers on this subject, for example. So the interest is there and we will do what we can to sustain it and make sure that that contribution is heard.

It may also be worth adding in this context that many of the questions that have arisen—very naturally, I think—in the context of a strategic review of the EU's external policy were addressed in the UK's Balance of Competences review in 2013. That exercise assembled a very large body of evidence from a wide range of public sources. In fact, there is a case to be made that there has already been quite a lot of public consultation on this issue in the UK, and we already have a reasonable idea of the range of views out there.

In the course of the autumn I am sure we will discover more from High Representative Mogherini about her plans for how to interpret her June European Council mandate, which talks about preparing a strategy in close co-operation with the Member States. Certainly it is our hope that she will interpret that mandate in a broad way and look for as many ways as possible of engaging civil society, and we will support her in doing that.

Lord Risby: You mentioned how the High Representative was driving this, and I understand the way you want to interact. You also mentioned that there will be seminars and discussions. Do you happen to know whether this is happening in other European countries? Do you happen to know whether there is a similar process over a similar distance or whether a more integrated process is going on?

Chris Sainty: I know that there is a plan to hold these events across the European Union. I do not know exactly what position each individual member state has taken on consulting its own civil society, but I would expect it not to be that different from the way I have articulated the UK's position.

Richard Lindsay: Perhaps I may add to that, again to put it in the context of our own SDSR. I do not think that it will give the Committee any particular surprises if I say that emerging themes in the SDSR are the rules-based international order, our adherence to and encouragement of it, and the way in which we will use our allies and our partners—by which I include our relationships with Member States but also through the EU—to pursue our own goals. As that gets published and is announced in Parliament and then more broadly, it is hoped that a wellspring of public support will be building for those outcomes, which will describe the EU and its tools as part of the toolbox that the UK has at its disposal.

Chris Sainty: Yes, I very much agree with that.

Q27 Lord Horam: Mr Sainty, perhaps I can ask you the fundamental question: what do you see as the strengths of the European Union as a foreign-policy actor? Where does it add value and do you think it has been damaged by the recent divisions that have already been referred to on immigration and so forth?

Chris Sainty: Big question. In fact, this question, or one very similar, was explored in considerable detail in the Balance of Competences review, so there is some useful material and evidence to draw on there. Although that report is now two years old, that evidence base remains very solid and very valid. That exercise argued that the EU had a number of strengths as an actor in the foreign policy arena that enabled it to add value to what individual Member States might otherwise be able to achieve through their own national activities. I will briefly summarise some of those key strengths. First, the EU is able to achieve a very significant impact on the international stage by virtue of being able to speak with a single voice on behalf of 28 countries. It is an obvious point, but those 28 countries include four G7 economies, two permanent members of the UN Security Council, the bulk of NATO's membership and so on. So there is real strength in numbers, or at least there can be real strength in numbers. Then there is the range of instruments that the EU can deploy in support of its external policies, probably more than any other international organisation.

In addition to the conventional diplomatic and security activity, up to and including military missions, the EU can use all these other levers, such as energy, trade, migration, development and so on, to help deliver its priorities. Then there is an important point about the economic strength of the Union and the international weight of the EU's single market, which gives the EU the power to deliver commercially beneficial trade agreements. This also gives the EU influence in other areas of external action because, as we know, trade is used as a lever to promote values such as human rights, democracy and political reconciliation. We have a lot of examples of that in places such as the western Balkans. Then there is the size and reach of the EU's financial instruments, particularly development budgets and economic partnerships. The EU is the largest aid donor in the world, so there are some very substantial carrots that it can dangle in order to achieve its external objectives.

A final strength is that on occasions the EU's perceived political neutrality can also be an asset that can give it an edge over what an individual member state such as the UK might be able to achieve. The obvious recent example of that is the Iran nuclear negotiations, where to some extent the EU was able to play the part of a neutral broker between the E3+3 and the Iranian Government.

Lord Horam: Do you see any other examples of where that might be achieved? Iran is an interesting example, but is it a special case? It took a long time to achieve and I wondered whether there was anything else.

Chris Sainty: It is quite a special case; I would need to scratch my head to come up with another similarly impressive example.

Richard Lindsay: Going back to the reference to the work off the coast of Somalia, it was quite evident that there was a terrible piracy problem and that it needed quite hard-end naval activity to tackle that but individual nations were not capable of doing it. NATO alone would have been provocative and challenging. The EU was able to contribute to that space with Operation Atalanta. By bringing in and associating with Korean, Japanese and other naval forces—which would not necessarily have joined in with a NATO operation, for example—it fulfilled a unique role. Similarly, in Operation Althea in Bosnia, the EU was able to take on a role from NATO and has been delivering a transition process from a very hard-end NATO operation many years ago to gradually building the capability to allow the Bosnians to take over their own security.

Lord Horam: Thank you for making that point. The downside of the numbers, the size and so forth is the difficulty getting agreement. How far do you feel that the position and the strength of the European Union have been damaged by recent differences of opinion?

Chris Sainty: I will say a few words first and perhaps Mr Lindsay can add to them. You are absolutely right: there are real challenges in working in an intergovernmental framework at 28. Of course, decision-making can be slow and can lead to lowest common denominator results. The example that is often given of the EU's failure to get its act together quickly enough is the response to the Arab Spring in 2011. There is also the risk, which we already alluded to, that different parts of the EU that are responsible for external action, primarily the Commission and the External Action Service, are not as well joined up as they should be. That can also lead to a poorly co-ordinated and sometimes ineffectual response. Yes, those risks are very much there. It is worth making the point that those risks are in the nature of multilateral intergovernmental business, but we, the Member States, have a choice; we do not have to pursue our foreign policy priorities through the European Union, and if we judge that there is a better, more efficient way of getting the job done, if there is a better partner with whom we can work or whatever, it is always open to us to do that.

As a counterexample that might be worth throwing in, Russia is a subject on which you might imagine that it would be immensely difficult for the EU, at 28, to rally

around a common position, but over the past year or so we have seen a remarkable unity of purpose from the European Union on the sanctions package. It has been a hard slog, no doubt, but that has been quite an important and positive example.

Lord Horam: Has that surprised you?

Chris Sainty: It has come as a bit of a surprise to us, although it is also a reflection of a great deal of diplomatic heavy lifting around the EU and its capitals, in which we have played a very important part. It has had two important effects. There is the direct impact of the sanctions themselves on Russia, but it has probably also sent a psychological message to President Putin that actually the EU is not quite as easy to pick off as he might previously have imagined.

Q28 The Chairman: Could I raise two slightly discordant points? The argument that you put to Lord Horam, if I may say so, was very well put; it is also a familiar one. Would you agree with me that until the eurozone crisis really took hold, the EU was seen around the world as an exemplar of modern interstate relations and of how in a postmodern world countries can pool resources to the benefit of all, and that gave the EU a moral cachet that has been significantly damaged by the way in which the eurozone crisis has been handled?

My second question relates to the sanctions—where, again, I agree with you and you are no doubt familiar with our EU-Russia report—where the EU was coming to the support of those who were on the eastern side of the EU, nearest Russia, and some of the Mediterranean countries have suffered, Italy and Greece have suffered from the sanctions. One wonders whether in the light of what is happening over migration there will not be a bit of a challenge to some of the renewal of sanctions down the road. How would you react to those two points?

Chris Sainty: They are two quite challenging questions. Has the EU squandered its moral authority through its internal divisions and difficulties over the eurozone and so on? I am not sure that the evidence really suggests that. I think that in the last couple of years the EU has had some significant successes on the international stage. We have talked a bit about the Iran nuclear negotiations; we have talked, up until now anyway, about the successful maintenance of the sanctions package against Russia; and Mr Lindsay has talked about the anti-piracy operation off the Horn of Africa. It is an interesting debating point. My response is that I do not see a great deal of evidence that the EU has in some way lost its capacity to act. However, I am quite sure—I think that I made this point at the very start of this session—that the EU's internal crises will have some impact on the way we are perceived by others, and we have to acknowledge that that is the case.

On the second question about possible divisions emerging a bit further down the track on things such as sanctions against Russia because of the southern-eastern divide, my answer is that that is very possible—that risk is there. There is of course a great diversity of views and interests across the European Union when it comes to the

big Russia question. I would just repeat what I said that, despite those potential divisions within the European Union, we have succeeded in keeping a fairly remarkable solidarity of purpose over the last 18 months or so. It would certainly be our intention to try to sustain that as we go forward, but I am sure that it will continue to be a hard slog.

Q29 Baroness Billingham: My question is in two parts. The first is: what specific case studies would you highlight where the EU has developed as an effective international security actor? You partially answered that in your responses to Lord Horam and the Lord Chairman.

The second part is, I think, much more difficult. Looking forward, are there specific foreign policy dossiers where the EU could take a leading role? I ask that question against a background of enormously volatile public opinion, which must affect the decisions that are taken in the future. The churning that we now see across Europe is going to have a dramatic impact on the decisions that we are going to have to make.

Chris Sainty: That is a very interesting question. If you will allow me to do so, while we are dwelling on the positive case studies I would like to say a little more about the Iranian negotiations, because I think that those really are interesting and a model of a really successful intervention by the EU. Perhaps I could start off by saying a word about that. Mr Lindsay, do you want to come in after that? Then we can perhaps turn to the very difficult question of how the EU might engage positively in the future.

On the Iran question, preventing Iran obtaining a nuclear weapon while seeking progress on human rights and other key issues has for a very long time, as this Committee will be very well aware, been a top foreign policy priority for the UK. We worked very closely with the EU to secure the peaceful negotiated solution that we now have—at least, in writing—through the dual-track approach. That involved, first, engagement with the Iranians through the so-called E3+3 format—the UK, France and Germany, together with the Americans, the Russians and the Chinese. The other part was the restrictive measures, including sanctions, which maintained pressure on the Iranians and kept them at the table negotiating in a serious way. During that process, the High Representative acted as the E3+3's informal spokesperson. On the sanctions front, the EU took a lead, supported very much by the UK, in increasing pressure on Iran. The sanctions regime that was put in place against Iran was far-reaching. It ranged from a ban on the EU import of Iranian oil to asset freezes against Iran's Central Bank, travel bans against entities and individuals associated with the nuclear programme and, towards the end, the imposition of financial measures prohibiting Iranian bank transactions. Those really had an effect and worked in terms of keeping the Iranians at the table.

Going back to the role that the High Representative played, Mrs Mogherini and her predecessor Baroness Ashton, supported by a team of External Action Service diplomats, played an instrumental co-ordination and facilitation role when it came to the negotiations. I think that those negotiations have been very widely acknowledged

as contributing in a big way to the positive outcome of a comprehensive agreement with Iran on its nuclear programme aimed at preventing nuclear proliferation. Of course, that is not the end of the story and I do not want to sound complacent—the deal needs to clear the US Congress and needs to be implemented, and we do not underestimate the challenges ahead—but to have reached the point that we are at now is a significant achievement, and crucially the European Union really did play an important part in that, both through the facilitation of the dialogue and through the sanctions regime. It is a really good case study and a really good example of the EU stepping up in a very interesting way, playing a role that it had not really played before on an issue of that kind.

Richard Lindsay: Perhaps I can go back a little to the example that I gave earlier about tackling piracy off the Horn of Africa. Operation Atalanta was launched in 2008 and since 2012 there have been no successful pirate attacks on shipping off the Horn of Africa. More than 150 pirates have been apprehended and more than 120 of those are now in jail. There is a continuing naval presence, which has suppressed and continues to suppress piracy. There are other EU missions in the region—EUCAP Nestor and the EU training mission in Somalia. We will be reviewing all three of those together by the end of this year so that the EU can genuinely demonstrate its comprehensive approach, building capacity with the naval forces and building capacity for the interdiction, the judicial process and the onshore security forces. That is an example of the EU bringing together its different elements within the toolbox, and the outcome is quite startling, I think.

Chris Sainty: Looking to the future is very tricky. I was thinking through my answer as Mr Lindsay was speaking. You could accuse me of being a little overoptimistic here, but it seems to us that there is at least a realistic chance that we may, in the reasonably near future, see some sort of political settlement emerging in Libya and the formation of a Government of national unity—in other words, a credible interlocutor in Libya with whom we can do business. If that were the case, one could certainly foresee a pretty significant role for the EU, through various possible interventions that one could devise, in restoring peace, security and stability in Libya. That is one example that I would suggest, but I very much take your point that this is all going to be difficult. We are of course overwhelmed to some extent by all the different issues raised by the current migration crisis. Many countries are involved in that. It is unrealistic to imagine that the EU will be able to do everything.

That comes back to a point that I made earlier, which is that we have choices to make about which actors, which combination of actors and which groups of countries intervene in different situations. We will have to make those judgments as and when the opportunities arise. In some cases, the EU will be the appropriate actor, perhaps in collaboration with others; on other occasions, other organisations and other countries may well be better placed to intervene. I hope that that goes some way towards answering your question.

The Chairman: Lord Triesman and Lord Oxford have supplementary questions.

Lord Triesman: Perhaps I could probe that Libya example a bit further to see whether or not it is unduly optimistic. There is a Government who we recognise and others recognise. There is another body that claims to be the Government and which controls very large parts of the territory, albeit not unchallenged. They have each appointed people to various multinational organisations. There seems to be some competition over who is going to recognise which person in which role and little agreement between the two Governments—if I can call them both Governments—as to how to resolve those kinds of questions. How do we and the EU approach this? It may be different or it may be the same. Are we talking to both in order to get them to co-operate, or are we trying to build up one of them so that the other falls in line? Are we aligned across Europe in doing that?

Chris Sainty: With the caveat that I am not a Libya specialist, my understanding is that the process of trying to identify a single credible interlocutor in Libya is being led by the United Nations. It is a UN process, with Special Representative Bernardino León in charge. The cause of my optimism is a sense of relative optimism coming from him and his UN team that there is the prospect of bringing the opposing parties in Libya together and forming a Government with at least enough of the different stakeholders involved to be able to have a credible relationship. Mr Lindsay may know more about this than I do.

Richard Lindsay: The León process has a time limit. We are getting towards the end of that time. There is some optimism, as Mr Sainty said, that that is going to come towards a conclusion. If that does come to a conclusion—and it is right that it is a UN-led process—the EU has a huge portfolio of tools which we would look to draw on to support a Government of national accord, if that is what we get. A Government of national accord will need considerable external support and we would expect the EU to be a very well-placed actor to provide both financial and practical support for that Government. The detail of what that would look like remains to be seen, because we have not yet got the recipient Government, as it were—or requesting Government, indeed—to work with. But there are plenty of opportunities to exploit and demonstrate the utility of the totality of the EU's toolbox.

Earl of Oxford and Asquith: I think you have already answered my question in your replies to Lord Triesman, thank you.

The Chairman: They both rather trespassed on your question, Jean.

Q30 Baroness Coussins: Not really—slightly. My question goes back to the issue of migration and refugees. We have touched on the current crisis several times. It seems fairly clear that the flow of people is going to remain part of the EU's security context in the mid- to long-term. In fact, you went so far as to say that you thought it was hard to think of a higher priority for the EU over the coming years. It seems self-evident that the EU needs to develop more effective and co-ordinated ways of responding to the flow of people, but alongside that, should the EU be considering and revising its policies towards the countries of origin and transit in the Middle East

and north Africa, and if so, how? What should the focus of such a revised policy platform look like, in your opinion?

Chris Sainty: Thank you. I will attempt to answer a very far-reaching question. First of all, we would thoroughly agree with the proposition that the Middle East and north Africa, particularly the countries currently most affected by the migration crisis, will be a very major priority for the EU in the mid- to long-term. Of course, the challenges pretty much write themselves: tackling extremism and terrorism, tackling the migration routes and the human traffickers who profit from them, tackling the acute political instability that exists in a number of those countries, and tackling violent conflict in others. Then of course there is the need to engage in a positive way in a wide range of areas, such as energy co-operation and what one might call the prosperity agenda in many countries of the region. All that means that the EU's Neighbourhood Policy—our posture towards the southern and south-eastern neighbourhood—will require at least as much attention as some of the other issues to the east that we have been talking about.

There is an important point here, which I have already made in another context. The challenges are really immense in this region and no single actor, including the EU, can do all that. Again, it is a question of the EU and its Member States needing to work out where the EU best fits alongside the other actors in the region, which include, among others, the US, the UN, other multilateral organisations, the Gulf states and so on. Of course, because we as the UK are members of so many of the key international organisations and groups, and with our permanent membership of the Security Council, we are often in a good position to make those judgments about who is best suited to intervene in particular situations.

Going back to the question of the southern neighbourhood, in the context of the European Neighbourhood Policy, which is currently being reviewed, one of the ways in which we contributed to that review was with thoughts on the question of differentiation; in other words, there is no one-size-fits-all EU policy that can be applied as a template to all the countries. We simply have to look at them intelligently on a case-by-case basis and work out what are the right policies and interventions that the European Union could meaningfully pursue. If you look at the region in those terms, the countries fall broadly into three categories. There are countries such as Tunisia, Morocco and perhaps Jordan, which are making progress with reforms and may well be interested in a closer partnership with the European Union. In a sense, those are the easy ones. Those are the ones to which we should be aiming to provide deeper, closer support across a very wide range of issues, and can do so relatively easily.

Then there is a group of countries that are perhaps less interested in a close partnership with the European Union and making the sort of long-term reforms that the EU would encourage. There, our view is that we need to focus on key areas where it is in the EU's interests to provide support. That may still add up to a pretty substantial relationship but it needs to be focused on encouraging those elements in

that country that respond to the European agenda—things such as economic stability, job creation and the rule of law. There, the EU needs to strike a delicate balance, retaining a sense of partnership and avoiding coming across as imposing, but there is also an important point about remaining consistent and clear in support of our values: democracy, human rights and so on.

The third category, which is the most difficult of all, is the countries that are currently in conflict. There, the priority has to be to work to resolve the conflict. That may require some new ways of working: that is, instead of focusing on long-term formal agreements and reform action plans, which may not go anywhere, the EU needs to focus on short-term conflict resolution activities, looking at political solutions, humanitarian work and so on. That is the sort of analysis we would like the strategic review to make when it is looking at the MENA region, without in any way claiming that it is going to be easy to find any productive solutions or ways forward.

We feel that the EU needs more flexibility to decide the priority requirements for each country at an early stage and then to be able to react and respond—for example, by reprogramming funding quickly as the security issues rise and fall on the agenda—and that comes back to the point about co-ordination between the EU institutions and other things that we have already been talking about. That flexibility point is certainly an important element of our wider approach to the European Neighbourhood Policy.

Q31 Lord Horam: Carrying on with the theme of the Neighbourhood Policy, can we just switch to the eastern neighbourhood? It is yet again a different category—it is a tour d’horizon with a vengeance. You were saying just now that it is important for the European Union to decide its priorities in relation to the different categories and different needs in its neighbourhoods. Clearly, Ukraine is yet another example that is extremely worrying. How do you see the situation there at the moment, and how do you see the European Union taking a positive stance there?

Richard Lindsay: If I may start on this question, it is a challenge to answer your question directly, because the EU is not delivering the Normandy format; it is delivered by different members, as is appropriate in the circumstances. It goes back to what we described earlier concerning the appropriateness of the circumstance. However, after the Ukraine crisis the EU very quickly established the EU mission to assist with security sector reform within Ukraine. That has moved very quickly and is starting to deliver effect within Ukraine.

I want to go back to the point that Mr Sainty made earlier about the sanctions, which have been the most effective tool in response to the Ukraine crisis that the EU has applied. Of course, part of the origin of the Russian approach to Ukraine has been its relationship with the EU in itself, so the EU is less likely to be the most effective actor in solving a conflict in that region.

Perhaps I can broaden the question a little to talk about the way in which we incorporate eastern partners into some of our CSDP operations. That is a helpful part

of the EU's neighbourhood policy. Take, for example, the Georgians' contributions to CSDP missions. They are the second biggest contributor, after France, to the mission in the Central African Republic. That is a demonstration of the way in which we are helping integration and development with some of the eastern partners.

Lord Horam: Looking at it from the Ukrainian point of view, do you think that the European Union has been seen to be helpful, or has it been seen as a great disappointment?

Richard Lindsay: It is very difficult to answer that question without getting into the fundamentals of the Ukraine/Russia relationship and the origin of the Russian activity in Ukraine.

Lord Horam: Is it not therefore very difficult for us to have a view of Ukraine outside our view of Russia and our relationship with Russia? That is the difficulty, is it not?

Chris Sainty: It is quite important that we make the effort to see Ukraine as separate from the question of the EU's relationship with Russia. There is a fundamental principle there, which is that Ukraine is a sovereign, independent nation whose sovereignty has been effectively under attack. I think that we, the European Union, must stand up for the values that we espouse. Regarding the Ukrainians and indeed some of the other eastern partners that perhaps face similar pressures, although not quite as strikingly and as intensely as in the case of Ukraine, from their big neighbour, Russia, we need to stand up for their sovereign rights and do what we can to enable them to make their own choices about their future.

Lord Risby: Lord Horam was absolutely right in the point that he made. There cannot be a potential resolution of the Ukrainian problem—and we are getting into new territory on this—without, ultimately, some sort of accommodation with Russia. I wonder whether it is possible to be updated on some ideas that have been mooted by European Union officials at different times about recognising the status of the so-called Eurasian area—I think it is Belarus, Kazakhstan, Russia and Armenia. The suggestion is to extend the idea that has been extended to Ukraine, which has a deep and comprehensive free trade area relationship with the European Union. Is it possible to have a bit of an update on whether this has any viability at this point, or has it just got lost in the sands of the difficulties of conflict and the sanctions?

Chris Sainty: I would probably have to say that that is a little bit outside my area of expertise. If it would be useful, I would be very happy to follow up in writing after this session. Basically, you are asking for an update on the Eurasian Economic Union.

Lord Risby: Yes, and our relationship to this and whether there are fresh developments. That would be very helpful. It is just part of the whole dynamic that Lord Horam has talked about.

Q32 Baroness Suttie: The question that I was going to ask about co-ordination you have already covered in several of your answers. I am interested in the practical

realities. You have already touched on the potential for Libya, where there could be a greater role for the European Union and EU projects.

With regard to capacity-building and development projects on the ground, my experience is that quite often we have national projects and EU projects that are not fully co-ordinated, and sometimes I have even found them to be contradictory. It is certainly not the best use of limited financial resource. This is obviously extremely important in the Middle East/north Africa region, where we are trying quickly to rebuild—or hope eventually to rebuild—democracies and capacities.

You have already touched on the fact that you think the review might be an opportunity to improve this co-ordination. How, in practical terms, would you see a more facilitating and co-ordinating role for the European Union or indeed the Member States in making sure that there is no doubling up or, even worse, that there are no contradictory projects on the ground?

Chris Sainty: That is a really good question. What I have been talking more about up until now has been internal co-ordination within the European Union between the External Action Service, the Commission and any other institutional actors involved in delivering projects and assistance, or whatever it might be, in other parts of the world. I think that your question goes a bit wider than that. It talks about co-ordination with what Member States and others may be doing on the ground. It is a very good question but a tricky one, and I am not sure that I have an answer, or at least a very developed answer, to give you, other than that I think that within this strategy process itself it is one of the questions that ought to be out there. It ought to be the subject of full and frank discussion between those who own the process, High Representative Mogherini's team and the Member States.

It is a problem that we need to acknowledge, and we need to develop some mechanisms for better co-ordination, perhaps at the centre, before different actors start intervening in different ways in the same parts of the world in ways that, as you say, may from time to time conflict. However, I am afraid that I do not have a recipe for success that I can present to you today.

Baroness Suttie: I do not think that there is an easy answer, but acknowledging that there is a problem would be a starting point. If you look at the Arab spring countries, there were masses of uncoordinated projects on the ground trying to help with democracy-building and capacity-building, and I feel that it should be on the agenda for this review.

Chris Sainty: It would be good to think that a lot of lessons had been learnt from that Arab Spring episode. Indeed, I very much hope that that is the case, and that some of that experience can perhaps be brought together as part of this process. That would be very useful.

Q33 The Chairman: Coming back almost to where we began, you may have read the transcript of our evidence last week in which Sir Robert Cooper said that it was a pity

that the UK was obsessed with ensuring that NATO remained the primary security alliance in Europe. That leads me to ask you: what is the Government's view of the faltering progress of the Common Security and Defence Policy, and what do you diagnose as the main constraints on an effective EU military capability? Should it be a tool of EU foreign policy?

Richard Lindsay: Perhaps I can answer that. We are focused on NATO as our primary defence provider. That is very clearly the Government's position and will remain so as a cornerstone of European defence. So there is an obsession there. We do not believe that there is any detriment to the development of EU military capabilities because the EU does not have any military capabilities. Indeed, one of our strong positions towards the EU is that it should not have any military capabilities because military capabilities are owned, controlled and invested in by Member States. Our approach has been to build a complementarity between NATO and the EU as security actors in their differential ways, but it is Member States in both organisations that drive the policy towards that. We have been working through the June European Council and since, using the EDA—the European Defence Agency—to help Member States develop their own capabilities where there are shortfalls, but focused on differentiating between the role that NATO should play as the defence provider, and the Common Defence and Security Policy that the EU can do and the way in which its comprehensive approach can be put into action. So I am quite comfortable to be described as relatively obsessive about NATO, and I think that strand will come through very strongly in the SDSR when it is published.

On the other part of your question, about the faltering CSDP, again I challenge that because, as we have described in a number of different answers, the CSDP has demonstrated the utility of its toolbox. The support that the CSDP can provide for conflict-affected states can provide some hard-edged security, as we have described, off the coast of Africa or indeed in the Mediterranean; those are examples of how it has evolved very rapidly and is continuing to evolve to be a more effective tool for us. We would like to see—Mr Sainty alluded to this—it becoming more agile and more connected, but in a way that is complementary to the actions of Member States. It goes back to the question you were asking earlier. It is about the complementarity of the CSDP.

Q34 The Chairman: Thank you. That is very clear and unequivocal. I have one final question, unless my colleagues have others. Witnesses have suggested to us—and it was a point that this Committee, with a rather different membership, took up in our last report—that the EU and Member States need to rebuild their diplomatic assessment and analytical capacity in third countries, particularly those in the eastern and southern neighbourhood. We picked up very clearly in our last report a sense that not only in London but in other major EU capitals diplomatic assessment and analytical skills had been rather subordinated to other priorities. Obviously, that led to a disagreement with the Foreign Office in its report, but it is a strand that we constantly hear. I was very struck by the number of ex-diplomats—not just British

ones—who got on to me in support of what we had said. How would you respond to that?

Chris Sainty: Well, as a not yet ex-diplomat, I probably have to toe the party line here. I think the Government would certainly accept and agree that the External Action Service should focus heavily on the neighbourhood and develop the right assessment and analytical capacity to be able to do that. We also have some other priorities that we would like the External Action Service to focus on, including the relationship with what we regard as our strategic partners a bit further afield, such as India and China. We want it to get better at crisis management and, as we have already discussed, we want it to improve the coherence of its work with that of the Commission. Those are the key priorities as we see them, but certainly getting the neighbourhood right and understanding the neighbourhood is right at the top of that list. We think that the EAS is getting better in those areas, but there is more to be done. We think it would probably acknowledge that. We have also made it clear that since the EAS is an organisation that is essentially at the service of the Member States, we would expect it to prioritise its resources within agreed levels to address what we determine as our common priorities. That is another way of saying that we will not be proposing large increases in its budget so that it can increase its capacity—we think that the capacity is there; it is a question of prioritisation—nor are we going to be suggesting that it takes on new competences and responsibilities. As you are probably aware, we have resisted the idea that the External Action Service should acquire competences to deal with consular matters in third countries.

The other part of your question was about Member State capacity and whether we should be doing more to focus on the neighbourhood. There may be a case for that, but it also quickly gets you into a debate about the resourcing of our diplomatic services—I am probably not the right person to get into that question. Certainly, the Foreign Office has already reprioritised in order to strengthen the directorate that deals with eastern Europe and central Asia. It has had a staffing uplift of around 25%. That is principally to deal with Ukraine and Russia and is therefore a response to the immediate demands of the Ukraine situation, but it is also a recognition that Russia is a huge strategic challenge that requires a lot of analytical capacity within our organisation, and it is a problem that we are going to be dealing with for many years to come.

I will make one final observation about this. I think that the EU as a whole, in which I include the Member States and the EU institutions, actually has a formidable amount of resource devoted to external policy in the neighbourhood. There is a very large reservoir of knowledge and experience on an issue such as Ukraine, for example, in the foreign ministries of Poland and some of the eastern Member States. So I would argue that it is perhaps less about bolstering capacity with lots of extra resource and so on and more about making the best possible use of the experience and capacity that between us we already enjoy.

The Chairman: I hope it will be a long time before you become an ex-diplomat.

Chris Sainty: Thank you, Lord Chairman.

The Chairman: Thank you very much indeed for the fullness and frankness of your answers. If, on reflection, you feel there is anything you would like to add or emphasise, do please let us know. We have had a very helpful session, thank you very much indeed.