

Dr. Günter Burghardt Ambassador, Head of Delegation

The Delegation of the European Commission to the United States

"Five years representing Europe in Washington:

Some Reflections and Lessons"

The Record 1999-2004

My tenure as Head of the European Commission Delegation in Washington, from late 1999 to late 2004, covered the last year of the Clinton Administration and four highly challenging years under Bush "43". This period presented particular challenges for those representing Europe.

It was a time marked by momentous events, including:

- the highly controversial **November 2000 presidential elections** and subsequent changeover from the second Clinton to the Bush "43" Administration;
- the unprecedented terrorist attacks on United States soil on September 11, 2001, with "9/11" having become an acronym of tectonic significance in American history and daily life;
- the Administration's unfortunate course in **making military action against Iraq** the centerpiece of the "war on terror" with the well-known divisive and polarizing effects at home and abroad, and
- the again closely fought **elections of November 2004**, coinciding with the changeover from the Prodi to the Barroso Commission on the other side of the Atlantic.

My first year in Washington coincided with the **final year of the Clinton Administration**, which overall continued the traditional concept of EU-US partnership as a strategically important axis of the foreign policy of the US, as set down in the "New Transatlantic Agenda" (NTA) adopted in December 1995. The US, the 'indispensable nation' seemed generally well disposed to see the EU as an 'indispensable partner'. In sharp contrast, the **Bush Administration began by disavowing a number of international agreements** in the run-up to the June 2001 EU-US Summit in Göteborg, Sweden, where the US President faced harsh criticism from the members of the European Council he met collectively. These developments led to growing tensions with the EU in the first eight months preceding September 11, 2001, when the terrorist attacks on New York and Washington marked a **crucial crossroads for EU/US relations**.

I was interrupted by my staff on the morning of "9/11," during a briefing to the European Parliament's Delegation for Relations with the US Congress just before

they were to depart for Capitol Hill and their bi-annual meetings. Together we watched the television monitors as the world had suddenly changed – again. History had taken a dramatic turn, and both the US and the EU were subject to a new agenda.

The **unprecedented challenge of America's sense of invulnerability** represented a widely underestimated potential turning point in America's foreign and security policy – full of enormous possibility for unprecedented cooperation with other nations. When the Presidents of the European Council and of the European Commission, Verhofstadt and Prodi, met President Bush in the Oval Office on 27 September, 2001 to express Europe's unreserved solidarity with the US, those dramatic events seemed to provide "a **new opportunity to working together**" (in the words of President Bush). Sadly, that opportunity was not realized. Instead, after a period of international unity focused on Afghanistan, the US resumed a policy of unilaterally determining an agenda of "war on terror" for which they preferred assembling an ad-hoc "**coalition of the willing**".

As a consequence, and for reasons of own shortcomings, the EU was unable to respond collectively as a Union, and its members split into those who decided to follow and those who opposed the US advocating a more comprehensive and internationally legitimized approach of what in Europe we prefer to call "fight against terrorism". This did not, however, prevent the EU and the US to make rapid progress on a number of homeland security and counter-terrorism measures and continuing our work together on Afghanistan, crucial achievements that have continued without interruption despite the most serious worsening of the transatlantic political climate over the war against Iraq.

Unfortunately, for much of 2002 and 2003, the general tenor of EU-US relations was uneasy and combative, with negative fallout also within the EU. The EU and the US nevertheless continued important work together on Afghanistan, and moved forward in a generally positive manner on a number of bilateral and multilateral trade issues. The **June 2003 EU-US Summit in Washington**, held at a time of still very high strains across the Atlantic and within the EU over Iraq, featured several positive examples of further EU-US cooperation. **Summit results** included the signing of the Mutual Legal Assistance (MLA) and Extradition Agreements, and joint statements on launching of negotiations on a Transatlantic Aviation Agreement, container security and customs co-operation, and the fight against the proliferation of Weapons of Mass Destruction (WMD). The **June 2004 EU-US Summit** at Dromoland Castle featured a measured return to normality and resulted in a quite substantive set of seven policy declarations.

It is important to underline that throughout this period, and despite the high profile disputes that occupy so much of our time, the far reaching economic interdependence across the Atlantic has acted as a **stabilizer of the overall relationship** at a time of major geopolitical disturbances.

Enlargement and other major internal EU developments have also helped to raise the EU profile in Washington and beyond the Beltway. The successful launch of the euro as a legal tender currency, the development of the European Security Strategy, and the Convention and agreement on a Constitutional Treaty have led many of our Washington interlocutors to take the EU more seriously as a political and strategic actor, despite substantial policy differences. During the entire period, the European Commission Delegation has actively advanced EU interests, expanding contacts with the Administration and Congress, business, think tanks, the media and other constituencies. At the same time, the Delegation has been at the center of closer coordination within the growing family of EU Member States' colleagues.

Promoting the EU's presence in Washington also has a strong symbolic component, particularly in this land of flag-waving patriotism. I am pleased that Member State embassies have combined to make the EU flag the second most frequently flown in Washington. Such EU-focused recognition was reinforced at the 6 May 2004 celebration hosted by the State Department for EU Enlargement and the 50 year anniversary of a Commission presence in Washington, when Secretary Powell participated with myself in a ceremony honoring the US and EU flags and anthems for the first time, in a crowded Benjamin Franklin Room, the Department's most noble and historic reception suite.

EU recognition is further enhanced by our American interlocutors addressing the Commission HOD as 'EU Ambassador', while we de facto represent EU interests in cooperation with the rotating Presidency Embassy. This spontaneous attitude of our Washington constituencies only grows stronger the further one travels outside the Beltway. With the future ratification of the Constitutional Treaty and the disappearance of the rotating Presidency, that position will become de jure through the formal establishment of an EU Embassy as part of the Joint External Action Service under an EU Foreign Minister, a situation for which the Delegation has successfully started to prepare the ground here in Washington.

The EU/US Agenda Ahead

My tenure has seen a number of important accomplishments in the EU-US Relationship, not least the avoidance of further discord over Iraq. Now, more than three years after the crossroads of 9/11, both the US and the EU again face hard choices, somewhat influenced but in many respects independent of the outcome of the US elections. On the **US side**, the neoconservative agenda of preemption and preeminence, of the "mission determining the coalition", has obviously hit **limits of military, financial and moral overstretch** that will face the new Administration, whether Bush or Kerry. On the **EU side, we** need to address together post-Iraq as part of the problems of the Middle East, a region even closer to Europe than to the US, with the Middle East Peace Process again deserving, on both sides, urgent and determined attention. This should only enhance Europe's drive towards reinforcing its foreign and security policy and working with the US as a more symmetrical partner.

Much of the **effectiveness** of the CFSP and the EU's **capabilities** within the transatlantic partnership will depend on its ability to take forward the changes foreseen in the Constitutional Treaty, including Solana's prospective role as EU Foreign Minister, and a number of other significant steps, such as the earlier mentioned transformation of Commission Delegations into full European Union Embassies for all EU related matters. The success of these measures will largely be determined by the desire of EU Member States to provide the necessary political authority and resources, which will in turn serve to increase the EU's profile among Washington policymakers.

The forthcoming **unprecedented coincidence in transatlantic changeovers**, a newly elected European Parliament last June, and a new Commission assuming office on **1 November**, with the next US President and a new Congress elected on **November 2**, will provide an opportunity, on both sides, at a very early stage to exchange political messages, to reassess the state of the transatlantic relationship and to agree on how to reenergize the transatlantic agenda, in the areas of the economy, foreign and security policy, overall strategy, and the strengthening of EU/US consultative mechanisms. Statements made by the incoming Commission President have already highlighted the importance the new Commission will attach to the transatlantic relationship. And both candidates in the US presidential election campaign are making clear that, regardless of who prevails, the EU will be presented with a lengthy and wide ranging wish list, as both candidates have, in different terms, expressed high level expectations for European cooperation and support.

The EU-US **economic relationship** holds important lessons for the EU's foreign policy aspirations and future EU-US relations. Particularly in the area of trade

policy, the EU has developed a coherent approach and EU/US interaction has reached an unprecedented level of intensity under Lamy and Zoellick that has earned the EU collective respect as an equal partner by Administration and Congress. At the global level, combined EU-US leadership must be the driving force if the **Doha Development round** is to be successfully completed in 2005. The **Economic Declaration agreed at the June EU/US Summit** sets our mediumterm sights on the achievement of a **barrier free transatlantic market**. To this effect, the EU and US have launched concurrent public consultations seeking innovative proposals from all relevant stakeholders, building on those made by the Transatlantic Business Dialogue and the Transatlantic Policy Network. Given the overriding importance of the transatlantic economy, the most globalised part of the global economy, such development would also constitute a powerful **corollary to the EU's Lisbon process** of economic reform.

With regard to foreign and security policy, much will depend on the EU's ability to develop more effective diplomatic and security capabilities. Only with the development of 'hard' power capacities, as Javier Solana and other EU leaders have noted, will the EU's impressive 'soft' power resources gain the credit they deserve. In American parlance it is essential for the EU to 'put up' and to 'step to the table'. Of course our American friends must also review the principles underpinning their foreign and security policies. However, that is frankly a debate that the EU can only hope to influence by doing its homework and increasing its own capacities. As Commissioner Patten stated, Europe must seek to act as 'a super-partner and not a super-sniper' in the anticipation of greater United States commitment to acting as a responsible world leader. Or, in the words of President Barroso, the EU must become a respected counterpart, not a perceived antagonistic counterweight.

Joint EU-US cooperation will be required in a number of foreign policy 'hotspots,' including:

- The **Balkans**, where the US ultimately expects to be relieved of security duties as Europe takes complete responsibility, and where the EU must equally importantly engage regional partners on standards **and** status;
- Afghanistan, where the Eurocorps is bolstering NATO, having assumed command of ISAF, and where the EU and the US are the largest contributors to the economic and political reconstruction effort;
- Iraq, as noted earlier a source of substantial disagreement, but where all partners are focused on improving **future** developments. It is possible that,

looking beyond the US Presidential election, a new approach could be adopted taking inspiration from the **Dayton model** that would bring together the several Iraqi groups concerned, neighboring states, and major international actors including, of course, the US and, with the opportunity to provide for a much stronger input, the EU;

- Iran, a good candidate for combining the EU and US approaches, potentially yielding a 'grand bargain' trading improved Iranian nuclear cooperation for US recognition of Iran's geopolitical concerns;
- the **Middle East Peace Process**, where all partners must get much more serious in pushing the Roadmap forward.

EU-US Relations: a strategic reassessment

Whichever candidate is the winner after 2 November, chosen according to American preference, he will also become the de facto "leader of the free world". A more coherent and capable EU would present the opportunity to review the fundamental values and goals that underpin EU and US foreign and security policies. To start with, the EU and the US would both benefit from a **dialogue on** their respective **security strategies**, as presently spelled out in the Bush Administration's National Security Strategy of September 2002 and the European Security Strategy adopted by the European Council in December 2003.

Key issues in such a dialogue would include a common threat analysis and a genuine effort to close the gap between the US doctrines of pre-emption and pre-eminence, and developing a fully complementary conceptual and strategic approach against terrorism, a policy area where substantial progress has already been made. This would incorporate both the US stress on the military option in a war against terror, and the EU approach emphasizing measures which fight the root causes of terrorism. We must respectfully consult on our approaches to securing a more peaceful world, seek agreement on objectives and follow through using the complementary blend of EU and US capabilities. Although transatlantic relations will for some time remain characterized by some degree of asymmetry, partnership must be based on mutual respect and the realistic assumption that agreement will not always be possible on all issues, and therefore that any disagreements must be managed equally respectfully. It is widely recognized that we might not be able to afford another crisis à la Iraq without seriously putting at risk the very basis of our partnership.

Finally, future pursuit of joint EU-US economic, security, and strategic interests will require **strengthening of our consultative mechanisms**. The NTA process, launched in 1995 and based on the earlier Transatlantic Declaration of 1990, has served us well and continues to play an important role in structuring Ministerial and Summit level meetings. Speaking as one who was 'present at the creation' of that process, however, it is clear that the NTA needs a **fresh infusion of political momentum** to effectively take the next decade of transatlantic partnership forward.

On the EU side, the occasion of the historic entry into force of a European Constitution during the term of the incoming leaders on both sides of the Atlantic could present an opportunity to further strengthen political commitment to EU-US partnership. Such a commitment could take the form of a binding document of some sort, maybe entitled "Transatlantic Declaration of Interdependence", recalling President Kennedy's famous address of 4 July 1962 that foresaw the day when Europe could engage with the US in a true partnership of equals.