

EU-27 WATCH



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On the project

Due to the new treaty provisions of the Lisbon Treaty and the economic crises the enlarged EU of 27 member states is on the search for a new *modus operandi* while also continuing membership talks with candidate countries. The EU-27 Watch project is mapping out discourses on these and more issues in European policies all over Europe. Research institutes from all 27 member states and the four candidate countries give overviews on the discourses in their respective countries.

The reports focus on a **reporting period from December 2009 until May 2010**. This survey was conducted on the basis of a questionnaire that has been elaborated in March and April 2010. Most of the 31 reports were delivered in May 2010. This issue and all previous issues are available on the EU-27 Watch website: www.EU-27Watch.org.

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Estonia**Post-Lisbon realities: much practical work to be done**

Piret Ehin*

With the entering into force of the Lisbon Treaty amidst the ongoing economic malaise, the era of lofty visions and grand designs for the future of Europe has ended, and the focus now is on practical problem-solving, implementing the provisions of the treaty, and searching for new functionality and balance. Putting its house in order and ensuring the smooth functioning of institutions after the changes brought by the Lisbon Treaty will consume most of the Union's energy in 2010. Throughout the process of treaty reform, the Estonian government was a strong proponent of further integration and constitutionalisation. While it would have preferred the original Constitutional Treaty over the watered-down Lisbon version, the Estonian government nevertheless welcomes the opportunity to leave the bargaining behind and "get down to real work." Some commentators, however, argue that "the cure with the Lisbon Treaty has been worse than the disease itself:" while the EU was already off-balance as a result of enlargement, the new treaty produced even greater disorientation and institutional confusion.¹ Such criticism has focused, above all, on the selection of the new President of the European Council and the High Representative of the Union for Foreign Affairs and Security Policy. According to a prominent Estonian EU commentator Ahto Lobjakas, the Lisbon Treaty led to a darwinistic fight for existence in the upper echelons of the EU hierarchy. According to this diagnosis, the Union now has four presidents and one foreign minister without a functioning division of labor. As long as Herman Van Rompuy, José Manuel Barroso, and Catherine Ashton divide territories and learn their jobs, substantive policy-making progress in the EU has been put on a halt. In particular, no progress can be expected in the realm of foreign policy, and the best one can hope for is retaining the status quo.²

The selection of the President of the European Council and High Representative was heavily criticised for lack of transparency, democracy, and public involvement. Some critics pointed out that the process resembled the procedures for selecting the leader of the Soviet Politburo in the 1980s, when after the death of another leader the public was presented with a hitherto unknown name.³ "Can anyone imagine that we would elect the president of Estonia in such a manner? That a week before the electoral college convenes, the media would have to speculate about who the candidates are?" asked one journalist.⁴ Observers complained about the lack of reference to any conceivable meritocratic scale.⁵ Yet others criticised the process from a gender perspective, pointing out that there were far too few women among the candidates for the high EU posts.⁶

Reactions to the results of the selection were equally critical. While Prime Minister Andrus Ansip praised both individuals as "experienced politicians and strong personalities" well-suited to lead the European Council and to direct the Union's foreign policy,⁷ few others seemed to share his optimism. Marko Mihkelson, Chair of the European affairs committee of the Estonian parliament, said Van Rompuy and Ashton were a very "cautious choice."⁸ The ever-critical EU commentator Ahto Lobjakas portrayed the selectees as undistinguished bureaucrats who do not represent any noteworthy centers of power, do not embody any intellectual or ideological current relevant in Europe today, do not speak in the name of anyone, or stand for anything aside from possible personal convictions.⁹ Others suggested that the labels "president" and "foreign minister" create excessive expectations: in reality, the President of the European Council is a secretary general of the European Council whose job is to organise meetings, and the High Representative knows fully well that she cannot go against the will of Paris, London or Berlin. In short, both are policy takers, not makers.¹⁰ It should be noted, however, that in contrast to the initial outpour of opinions, there have been virtually no attempts in the Estonian media to assess the performance of either Van Rompuy or Ashton during their time in office.

The Estonian government regards the creation of the European External Action Service as a priority. The service must be "comprehensive and strong," capable of providing substantial support to the High Representative of the Union for Foreign Affairs and Security Policy, and it should be created "as quickly as possible."¹¹ Estonia emphasises that the service should include aspects of consular work and must be able to help EU citizens in crisis situations. A small country like Estonia has much to gain from a global network of EU representations (Estonia has 44 embassies, consulates and representations around the world, while the European Commission has over 130 delegations and

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offices). According to Foreign Minister Urmas Paet, the service should have “a leading role in planning out financial resources, for the sake of the coherency of the Common Foreign and Security Policy and development aid.”¹² Like several other new member states, Estonia also insists on ensuring geographical balance when choosing personnel for the service. This is particularly important given the fact that new member states are underrepresented in the European Commission and the Council's bureaucracy, while, according to current plans, two-thirds of the staff of the European External Action Service will be recruited from the ranks of these institutions. Hendrik Hololei, head of cabinet for Commissioner Siim Kallas, claimed that “representation of all 27 member states will be the litmus test of the [European] External Action Service.”¹³ On a related note, there appear to be tensions between the Estonian Ministry of Foreign Affairs and Estonians working in EU institutions: for reasons not entirely clear, the ministry backs its own diplomats competing for high-ranking posts in the new service, while Estonians working in EU institutions are left to their own devices.¹⁴

There has been very little public discussion of the rules and procedures for the European Citizens' Initiative, aside from a few articles by representatives of the EU institutions in the main newspapers. However, a potentially significant development is the launching of a web platform,¹⁵ where anyone can post or electronically sign petitions using ID-cards equipped with a computer chip. The petitions launched so far have focused on domestic and local issues, but the platform could be used to collect signatures to support European-wide initiatives.

¹ Ahto Lobjakas: Euroopa hoovõturaja lõpp, Postimees, 05.01.2010.

² Ahto Lobjakas: Brüsseli suits ja peeglid, Postimees, 03.03.2010.

³ Sulev Vedler, cited in Raul Sulbi: Vedler: ELi presidendi valimine meenutab poliitbüroo juhi valimist, Postimees, 14.11.2009.

⁴ Ibid.

⁵ Ahto Lobjakas: Euroopa absoluutne nullpunkt, Postimees, 23.11.2009.

⁶ Anna-Maria Penu: Soopimeda Euroopa Liidu Eikeegid, Postimees, 09.12.2009.

⁷ Postimees: Paet ja Ansip tervitasid ELi juhtide valimist, 19.11.2009.

⁸ Eesti Päevaleht: Mihkelson: Rompuy ja Ashton olid väga ettevaatlik valik, 20.11.2009.

⁹ Ahto Lobjakas: Euroopa absoluutne nullpunkt, Postimees, 23.11.2009.

¹⁰ Martin Kala: Et Euroopas võidaks julgus, Postimees, 18.12.2009.

¹¹ Ministry of Foreign Affairs: Foreign Minister Paet: EU Needs Strong European External Action Service That Can Help Citizens of Union in Crisis Situations, press release No 76-E, 06.03.2010, available at: <http://www.vm.ee/?q=en/taxonomy/term/61> (last access: 01.06.2010).

¹² Ibid.

¹³ Kadri Kukk: EL-i välisesteenistusse kandideerimine tekitab paksu verd, 30.03.2010, available at: <http://uudised.err.ee/index.php?06198955> (last access: 01.06.2010).

¹⁴ Ibid.

¹⁵ See the website www.petitsioon.ee (last access: 01.06.2010).

Questionnaire for EU-27 Watch, No. 9

Reporting period December 2009 until May 2010 – Deadline for country reports 21 May

All questions refer to the position/assessment of your country's government, opposition, political parties, civil society organisations, pressure groups, press/media, and public opinion. Please name sources wherever possible!

1. Implementation of the Lisbon Treaty

On the 1 December 2009 the EU-reform ended with the entering into force of the Lisbon Treaty. However, the new treaty provisions still have to be implemented. Some procedures and conditions have to be determined. In other cases, procedures, power relations, and decision-making mechanisms will change due to the new provisions.

- How is the work of the new President of the European Council, Herman Van Rompuy, assessed in your country? Which changes to the role of the rotating council presidency are expected?
- How is the work of the new High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton, assessed in your country? Please take into particular consideration both her role within the European Commission and her relationship to the Council of the European Union.
- On 25 March 2010 a "Proposal for a Council Decision establishing the organisation and functioning of the European External Action Service" was presented. How is this concept perceived in your country? Which alternatives are discussed?
- On 31 March 2010 the European Commission presented a proposal defining the rules and procedures for the European Citizens' Initiative (ECI). What are the expectations for the ECI in your country? What are the various positions concerning the rules and procedures?

2. Enlargement and European Neighbourhood Policy

The European Commission has given its opinion on Iceland's application for EU-membership and a decision from the Council is expected before the end of June. Croatia seems to have settled its border dispute with Slovenia. Against this background:

- Which countries does your country expect to become members of the European Union in the next enlargement round? What are the opinions in your country on the membership of these countries?
- How are the membership perspectives of those countries discussed, which are not expected to become a member in the next enlargement round?

The Eastern Partnership and the Union for the Mediterranean were the last major projects dealing with the European neighbourhood:

- How are these projects assessed in your country?

3. European economic policy and the financial and economic crisis

The European Council agreed on 25/26 March on the key elements of the Europe 2020 strategy, the successor of the Lisbon strategy. While not being on the formal agenda the economic and financial situation in Greece was discussed. The European Council agreed on a finance package combining bilateral loans from the eurozone and financing through the International Monetary Fund.

- How is the finance package for Greece assessed in your country? Are there any opinions on the process, how the agreement on the package was reached?
- Which lessons should be drawn from the Greek case for a reform of the Stability and Growth Pact?
- How is the idea of "a strong coordination of economic policies in Europe" perceived in your country? What concepts of an European economic governance are discussed in your country and which role do they assign to the Euro group?
- How is the Europe 2020 strategy discussed in your country? What are the priorities for the Europe 2020 strategy from your country's perspective?

4. Climate and energy policy

The climate conference in Copenhagen took note of the Copenhagen Accord but did not reach a binding agreement. The next conference of the parties (COP 16 & CMP 6) will take place at the end of November 2010.

- How is the Copenhagen conference assessed in your country? Please take into consideration the negotiation strategy of European Union and the results of the conference.
- Does the European Union need to change its own energy and climate policy in order to give a new impulse to the international negotiations?
- Is a global agreement within the UNFCCC the best strategy to fight climate change? If not, which alternative strategy should the European Union follow?
- What is your country's position on financing mitigation and adaptation efforts in developing countries?

5. Current issues and discourses in your country

Which other topics and discourses are highly salient in your country but not covered by this questionnaire?