Written evidence from Lord David Owen and David Ludlow (EUR0018)

Executive Summary

- The UK’s relationship with the EU post-Brexit should be based on Article 8 of the Treaty of Lisbon, focused on good neighbourliness and cooperation.
- The UK should be extremely wary of seeing formalising EU foreign and defence policy linkages as a priority.
- NATO and the UN should form the cornerstones of our foreign and security policy.
- The UK should commit to increase defence spending 2.5 per cent of GDP by 2022.
- The National Security Council should play a greater role in developing a coherent strategy for all aspects of the UK’s international relations.
- Bilateral and multilateral defence arrangements will form the basis for enhanced cooperation in the context of the UN, in particular in developing a naval Rapid Reaction Force.
- The P5+1 model which worked successfully on Iran could be used to address other major challenges.
- Increased resources must be made available to strengthen the capabilities of the FCO.

Submission

1. Having recently published a book entitled British Foreign Policy After Brexit, we were asked to make a written submission to the Committee.

2. In concluding the book, we stated that ‘post-1945 British, French and German relations are too deep to die away by the mere act of the UK leaving the EU. Rather they will improve as a result of the clarity Brexit will bring to all three countries.’ We believe that after leaving the EU, the UK has the potential to play, with confidence, a full and constructive role in a shifting global environment. A key element of this will be shaping a new relationship of mutual benefit with our twenty-seven former partners in the EU in the framework of Article 8 of the Treaty of Lisbon:

   ‘The Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation.’

3. There is no doubt that the UK’s presence in Brussels can and should remain significant. The UK Mission to the EU and Delegation to NATO will be the two key day-to-day channels for building a successful post-Brexit partnership in the spirit of Article 8, and strengthening the defence relationship. However, the UK Mission to the UN in New York needs to be the main hub of foreign policy outside London. An increased focus on driving our foreign policy through the framework of the UN, and the Security Council in particular, will require a change in our approach to lobbying. A renewed focus on the fifty-one Commonwealth countries in the General Assembly needs to be undertaken.

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quietly but seriously, to both help and inform them about UN Security Council matters. While this is clearly a much looser grouping, the aim should be to provide the sort of sustained relationship that the UK has given to formal and informal EU consultations on a regular basis since 1973 in New York. It will also be very important to reassess the deployment of FCO diplomatic resources post-Brexit between London and New York, and to deliberately establish new schemes to widen the base of diplomats and allow more of them who have spent a high percentage of their time on EU business to gain UN experience in New York and London. If this distorts global staffing structures for a few years, that is a price worth paying.

4. The UK and the EU will have to feel their way gradually to building a new relationship and it would be premature to look at putting in place any new structures at this point. Experience has shown that agreeing a coherent and effective foreign policy became harder as the EU expanded. Ultimately, this group of twenty-eight made major mistakes over Ukraine. According to a House of Lords report it ‘above all, underestimated the depth of Russian hostility towards the Association Agreement’ with Ukraine. There was also ‘a strong element of sleep walking’ into a war that has so far cost around 10,000 lives. In the light of this, the UK should be extremely wary of seeing formalising EU foreign and defence policy linkages as a priority. While the UK has undoubtedly benefited in some areas from pooling knowledge on foreign and security policy with other EU member states, outside of the constraints of CFSP, the UK’s approach can gain some of the clarity or harder edge that cannot usually be found in an EU policy agreed amongst twenty-seven other countries. Existing structures, such as NATO, and the G7 and G20, provide credible fora for continued UK involvement in wider European foreign policy making. After Brexit, we must use our freedom to engage with the appropriate partners for the situation at hand, which will vary according to the circumstances, rather than simply segue into an institutionalised EU27+1 relationship.

5. Against that backdrop, we see intensified cooperation in the context of NATO and an increase in our activity under the UN Charter and within the UN Security Council as cornerstones of our foreign and security policy after Brexit. But to carry conviction, a realigned global British foreign policy needs to be matched by an appropriate military strategy. A post-Brexit UK must be ready to take risks for peace and continue to get down in the dust and turmoil of much of our modern world. This requires the means, in terms of personnel, equipment and other resources, of implementing our policies. The last thing a new global strategy needs is talk of defence cutbacks. It is imperative that UK politicians and military leaders undertake an urgent fundamental reassessment of the nation’s needs.

6. This is particularly critical as our defence relationship, which has to be in the context of NATO, must lie at the heart of our new relationship with Europe. While EU Defence may become a fact of life for the remaining EU members, as evidenced by 23 members signing up for the Permanent Structured Cooperation initiative on 13 November 2017, the UK should be resolute against commitments to participation as a sweetener to Brexit negotiations. The arguments against EU Defence, and the duplications it leads to, are very strong and have been made by every US Secretary for Defense, Democrat or Republican. They have also been made by the British military leadership. We must stay focused on NATO, and in ensuring NATO remains the most effective international
defence organisation in the world. The UK must commit its resources to hard, front-line NATO defence, as well as stabilisation and conflict in the very poorest states. That said, an independent Britain, able to take clear and fast decisions, will remain a valuable, and indeed indispensable, contributor to many aspects of European security. We must build a special relationship with the vice president of the Commission responsible for foreign policy and security issues, and this should be a key part of the mandate of our Permanent Representative to NATO.

7. Europe has been criticized by both President Obama and President Trump for ‘freeloading’. By making a greater contribution to NATO, we will be making a decisive contribution to holding the US firmly in NATO. As a percentage of GDP, we now spend far less on defence than we used to do. We are very close to losing critical mass as a nation with our defence forces. Yet we are facing more challenges, both on the borders of NATO members and beyond. With hard-headed vigilance over rising costs in 2017, a post-Brexit British government committed to deep-seated cooperation within NATO can establish a better balance. Nevertheless, there has to be more funding made available. For the present we are grappling with an emergency in European NATO defence spending and we must address this.

8. Today the government has committed only that the UK will increase defence spending by at least 0.5 per cent above inflation every year to 2022 and meet NATO’s 2 per cent of GDP target (with our contribution standing at 2.17 per cent of GDP in 2016). We believe that the UK must commit to increase defence spending to 2.5 per cent of GDP by 2022. Where it can be justified (bearing in mind international accounting guidelines need changing), this should include using aid budget funds (where we are one of the few current EU members to meet the UN’s target of spending 0.7 per cent of gross national income) on direct and indirect security related measures, given the importance of the present poorest states becoming stable and contributing to global peace and development.

9. We see the National Security Council (NSC) as the forum in which extra resources can and must be found for increased defence and foreign policy spending. We also envisage the NSC having a much broader role than currently appears to be the case in developing and coordinating, at the strategic level, a coherent foreign, security and development policy that genuinely brings together all aspects of the country’s international activity. The priorities need to be set there and then put before the full Cabinet, and the nation as a whole.

10. Building strong bilateral defence arrangements with our allies in Europe should also be an important part of our future strategy. There are already precedents for agreements on defence and security cooperation outside of EU CFSP and CSDP, such as the 2010 Lancaster House Treaties between the UK and France. It is interesting to note that in June 2017, France expressed an interest in joining the Five Power Defence Arrangements which bring Australia, Malaysia, New Zealand, Singapore and the UK together in an Asian defence grouping. A French official was quoted in The Times saying, ‘It makes sense because France wants to remain a power in Asia and because Britain is our closest military friend. With Britain out of Europe, who is to be our partner? Germany is not the same’.

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2 EU ISS Yearbook of European Security 2017, EU ISS, May 2017
11. Such bilateral agreements could form the basis for enhanced cooperation in the context of the UN. For all its acknowledged shortcomings, the UN sits at the centre of many key aspects of multilateral diplomacy, including conflict resolution and peacekeeping, and provides a focal point for the rules-based international system which the UK so rightly champions. It is also where we continue to hold the much-envied position as one of the P5 and we should maximise the influence this gives. We need to learn from the failure of the UK to get its candidate re-elected as a judge at the ICJ because of lack of UNGA support, and the UNGA vote against Britain earlier in the year over a dispute between the UK and Mauritius over the Chagos Archipelago. On the former, we were right to cede to the Indian candidate, but we must review our approach to lobbying outside of the EU bloc.

12. It is a sad demonstration of the lack of political will globally that, despite experience in the Balkans, Libya, Rwanda, Sierra Leone and South Sudan, the UN still lacks a well-trained and well-equipped Rapid Reaction Force (RRF) for short-term missions. The UN needs to be able to rely on a force that is instantly available for global threats and of such a sufficient sophistication that it can overcome initial resistance. We believe the establishment of such a force should be a key initiative for a new global British foreign and security policy. The UK’s commitment to the establishment of a Joint Expeditionary Force (JEF), which brings together a number of European countries to provide a force capable of combat and humanitarian missions, is a welcome step forward. Given that the Royal Navy will have two aircraft carriers, a naval RRF could make a significant contribution by 2020, which could also involve the French, with their single aircraft carrier.

13. There should be significant other opportunities to work bilaterally with the France and Germany in the UN context. The P5 plus Germany (P5+1) achieved a very worthwhile outcome in extraordinarily difficult circumstances in negotiating with Iran over halting its nuclear weapons programme and putting in place the JCPOA. This P5+1 model could provide the basis for tackling other seemingly intractable issues, such as a wider Middle East settlement, and, in the European context, the issues around Russia’s borders. In the latter case, the Minsk process involving France, Germany, Russia and Ukraine has so far achieved little, despite offering a route for Russia to the removal of sanctions. An overall serious and well thought through regional stability negotiation under the same P5+1 model – and addressing the issues of Crimea, Eastern Ukraine, Transnistria, Abkhazia, South Ossetia, Nagorno-Karabakh (and perhaps also Kosovo) –may now offer the best prospect of a solution, by unblocking the present stand-off in negotiating directly with Ukraine and setting the dialogue in terms of other potential boundary changes. It should be quietly explored by the Foreign Secretary when he visits Russia. Some might argue over involving China, a non-regional power, even though it is a permanent member of the UNSC. Yet China’s presence may be a reassurance to Russia, but the clinching arguments for their involvement are twofold: China is now the second most powerful country in the world and is demonstrating a maturity that comes with more and more exposure to global issues, but also, very importantly, there is an automaticity about their presence that avoids ad hoc discrimination amongst the five. Germany’s involvement is justified as it is clearly a major influence in the region, and showed its worth in this

combination in the Iran negotiations.

14. The scope of P5+1 negotiations would primarily establish a new international map of the many controversial boundaries in the areas already spelt out. Confidence-building agreements should help ensure there are no violations. These limited P5+1 negotiations would be a first step. They will hopefully lead on to detailed negotiations on specific bilateral matters as well, such as nuclear and conventional weapon reductions, military exercises and conventional force reductions and limitations in both regions. In theory, the boundary questions should not take long to conclude, as the issues are known to all countries whose territory will be discussed, and they must be fully represented in any specific negotiation on their boundaries. The process should be time limited from the start to run for no more than a year. Existing sanctions could be temporarily, partially or totally lifted as negotiations proceeded.

15. Some will not like making any concessions, as they will see them, to Russia over the boundaries of NATO. Yet NATO has made a number of moves to recognise Russia’s special position, such as the establishment of the NATO–Russia Council, and bringing Yeltsin’s Russia into the G8. Putin’s Russia is moving towards an Asian and European identity. There needs to be a much greater level of genuine engagement on Russian concerns and some greater limits set on NATO expansion than has been the case in the recent past. Working patiently in the P5+1 could help to rebuild the relationship between Russia, Europe and the US, as well as help redefine the UK’s role in foreign policy making.

16. Realigning our foreign policy away from the focus on the EU’s CFSP and CSDP will require an in-depth review of the diplomatic resources required post-Brexit (and it should go without saying that resources which have been diverted to DExEU should be reintegrated into the FCO post-Brexit). Even without the additional demands this will place on the FCO, it has become increasingly clear that the existing resources are insufficient for the tasks in hand and preparing for those which may arise in the future. The imbalance between the protection of the aid budget and the cuts imposed on the FCO suggests preventative diplomacy has been at best undervalued. The erosion of traditional expertise, including linguistic skills, and the negative impact this has had, has been noted on numerous occasions in parliamentary inquiries and in the press (in relation to, for example, the handling of the EU/Ukraine Association Agreement negotiations). This needs to be addressed – as a starting point, resources currently allocated to the EU Action Service budget should generally be re-allocated to the FCO. Likewise, it will be important to rebuild our diplomatic presence in key European capitals, which have seen the numbers of UK based staff whittled away over the years.

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