

European Union security concerns vs. human security aspirations

The strengthening of the European Union's role in the world must respect the principles enshrined in the first European Constitution that provides a clear and solid independent legal basis for development co-operation and humanitarian aid. Europe must provide strong institutional and financial backing for these two policies if it wants to be a responsible actor contributing to the eradication of world poverty. The increasing emphasis on security issues, the fight against terrorism and concerns over weapons of mass destruction threaten to overshadow all European foreign policy, leaving little or no room for policies geared towards human security.

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In recent years the European Union's strong emphasis on the fight against terrorism has been a central part of its foreign policy. This is an immediate consequence of the position adopted after the 9/11 attacks on the World Trade Centre and the Pentagon in 2001. The integration of foreign policies around the theme of security follow from the Conclusions and Plan of Action agreed by the Extraordinary European Council Meeting on 21 September 2001.

This meeting agreed that "the fight against terrorism will, more than ever, be a priority objective of the European Union." The Council also agreed that "The European Union will step up its actions against terrorism through a co-ordinated and inter-disciplinary approach embracing all Union policies."²

The General Affairs Council was charged with the role of "co-ordination and providing impetus in the fight against terrorism. ... The Common Foreign and Security Policy (CFSP) will have to integrate further the fight against terrorism."³

The integration of all policies under the major banner of security has since threatened the independence of policies for development co-operation and humanitarian assistance. These have been made increasingly subordinate to and integrated with foreign security and defence policy objectives. A first step towards this end was the sudden inclusion of the Development Council into a newly established General Affairs and External Relations Council (GAERC) in June 2002, which could co-ordinate internal and external actions in "the fight against terrorism".

The European Security Strategy

The need to integrate all instruments of foreign policies was further emphasised by the European Council on 12 December 2003 through the adoption of a Security Strategy proposed by Javier Solana, High Representative for

the CFSP. The paper identifies five key threats: Terrorism, Proliferation of Weapons of Mass Destruction, Regional Conflicts, State Failure and Organised Crime.

These threats must be tackled by "bringing together the different instruments and capabilities: European assistance programmes, the European Development Fund, military and civilian capabilities from Member States and other instruments. All of these can have an impact on our security and on that of third countries. Security is the first condition for development. Diplomatic efforts, development, trade and environmental policies should follow the same agenda. In a crisis there is no substitute for unity of command."⁴

This Security Strategy has already been reflected in various proposals on the Draft Constitution (article III-210) as well as in the Commission's proposal for Europe's financing from 2007 to 2013.

The fight against global terrorism

The Action Plan to fight Terrorism adopted by the European Council in 2001 is still being implemented. The rotating Presidency of the EU is held by Ireland in the first half of 2004, which has stated its full commitment to the Action Plan. The Irish Presidency's programme for the six months includes "the fight against terrorism through full use of the Union's internal and external instruments".⁵ The Presidency also plans to make the issue of combating global terrorism an important element of EU dialogue with third countries.

Enlargement and the new Constitutional Treaty

The year 2004 will be a landmark for the EU. In May ten new Member States will accede to the EU.⁶ In order to prepare for this enlargement of the Union the Member States have been negotiating the establishment of a Constitutional Treaty, which will need to be approved and ratified by all 25 Member States of the enlarged Union. However, in December 2003 negotiations on the Constitutional Treaty failed, notably because governments could not agree on the powers of the new European Foreign Minister, particularly in the context of greater powers envisaged for Europe's se-

curity and defence policy. Negotiations on the Constitutional Treaty are expected to continue in 2004.

Security, defence and the fight against terrorism in the Draft Constitutional Treaty

The increased international focus on fighting terrorism and security as part of a foreign policy agenda has motivated important provisions in the Draft Constitutional Treaty. This now includes an expanded foreign policy with increased powers in security and defence. In earlier drafts the Treaty included explanations that resources for development policy could be used for defence and security purposes, including the fight against terrorism. The Treaty introduces a European Foreign Minister who could use EU resources (like development co-operation or humanitarian aid) to finance the Common Foreign Security and Defence Policy (Articles I-39 and I-40).

The Treaty also contains a solidarity clause (Article I-42)⁷ which sets out that "the Union and its Member States shall act jointly in a spirit of solidarity if a Member State is the victim of terrorist attack or natural or man-made disaster. The Union shall mobilise all the instruments at its disposal, including the military resources made available by the Member States, to:

- (a) - prevent the terrorist threat in the territory of the Member States;
 - protect democratic institutions and the civilian population from any terrorist attack;
 - assist a Member State in its territory at its request in the event of a terrorist attack;
- (b) - assist a Member State in its territory at its request in the event of a disaster."

The European Foreign Minister would oversee the whole of Europe's foreign policies including trade, defence and security as well as development assistance and humanitarian aid. A new category of co-operation is brought into the Treaty, especially aimed at co-operation with neighbouring countries. This will include policies related to migration and to increasing security on the EU's new outside borders.

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2 Extraordinary European Council. *Conclusions and Plan of Action*. Brussels, 21 September 2001.

3 *Ibid.*

4 European Council. "A secure Europe in a better world", *European Security Strategy*. Brussels, 12 December 2003.

5 Irish Presidency of the EU Council. "Europeans - Working Together", *Programme of the Irish Presidency of the European Union January-June 2004*. Dublin, January 2004.

6 Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia.

7 Draft Treaty establishing a Constitution for Europe. Adopted by consensus by the European Convention on 13 June and 10 July 2003 and submitted to the President of the European Council in Rome on 18 July 2003. Part I, Title V, Chapter II: Special Provisions, Article 42: Solidarity clause. http://europa.eu.int/futurum/constitution/part1/title5/chapter2/index_en.htm

Articles linked with security issues within the Draft Constitution⁸

Article I-15

1. The Union's competence in matters of common foreign and security policy shall cover all areas of foreign policy and all questions relating to the Union's security, including the progressive framing of a common defence policy, which might lead to a common defence.

Article I-27

2. The Union Minister for Foreign Affairs shall conduct the Union's common foreign and security policy. He or she shall contribute by his or her initiatives to the development of that policy, which he or she shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.

3. The Union Minister for Foreign Affairs shall be one of the Vice-Presidents of the Commission. He or she shall be responsible there for handling external relations and for co-ordinating other aspects of the Union's external action. In

exercising these responsibilities within the Commission, and only for these responsibilities, the Union Minister for Foreign Affairs shall be bound by Commission procedures.

Article I-39

4. The common foreign and security policy shall be put into effect by the Union Minister for Foreign Affairs and by the Member States, using national and Union resources.

Article I-40

1. The common security and defence policy shall be an integral part of the common foreign and security policy. It shall provide the Union with an operational capacity drawing on assets civil and military. The Union may use them on missions outside the Union for peacekeeping, conflict prevention and strengthening international security in accordance with the principles of the United Nations Charter. The performance of these tasks shall be undertaken using capabilities provided by the Member States.

4. Decisions on the implementation of the common security and defence policy, including those initiating a mission as referred to in this Article, shall be adopted by the Council acting unanimously on an initiative from the Union Minister for Foreign Affairs or from a Member State. The Union Minister for Foreign Affairs may propose the use of both national resources and Union instruments, together with the Commission where appropriate.

Article III-210

1. The tasks referred to in Article I-40 (1), in the course of which the Union may use civilian and military means, shall include disarmament operations, humanitarian and rescue tasks, advice and assistance tasks, conflict prevention and peace keeping tasks, tasks undertaken for crisis management, including peacemaking and post-conflict stabilisation. All these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories. ■

A widening of the democratic gap

The position and role of the European Foreign Minister is one of the main issues still being negotiated in the Constitutional Treaty. The proposal most seriously considered is that of a so-called "double-hatted" Foreign Minister who would combine the role of Vice-President of the powerful European Commission, with that of Minister functioning under the even more powerful European Council of Member States. No adequate procedures have been proposed to secure clear accountability and control of the activities of this "superman" or "superwoman", who, given the double hats, can turn to various procedures - mostly as he/she would see most appropriate (Article I-27). There is also no role given to the European Parliament to exercise control over the actions of the European Foreign Minister.

Disagreement over the Constitutional Treaty is mainly centred on the relative role of the EU Council or of the European Commission in the implementation of the EU's foreign policy. "Federalists" are claiming a greater role for the European Commission while the "anti-federalists" are seeking a greater role for the EU Council. However, both of these scenarios will widen the democratic gap - and will contribute to a centralisation of decisions in foreign policies without any effective countervailing power or control.

European civil society

European NGOs have been active in influencing the negotiation on the Constitutional Treaty. The *act4europe* campaign was launched by the Civil Society Contact Group that brings human rights, environment, social

and development NGOs together with the trade unions. *Act4europe* has been pressing for greater democratic controls, transparency and civil dialogue alongside specific demands for economic, environmental and social sustainable policies, internally and externally.

The Draft Constitutional Treaty and the MDGs

In response to pressure exercised by civil groups the Draft Constitutional Treaty includes some important principles related to the Millennium Development Goals (MDGs). These are:

Poverty Eradication. The Treaty assigns an important place to poverty eradication, which is identified as the primary goal for development assistance. It also establishes poverty eradication as one of the overarching objectives of the EU's external relations.

Coherence. The Constitutional Treaty incorporates the principle that all policies that affect developing countries should take the development objective of poverty eradication into account.

Independence. The Treaty clearly establishes independent legal bases for development co-operation and for humanitarian assistance, which cannot be subsumed as policies subordinated to EU's external relations.

All developing countries. The Treaty establishes that the EU's development policy is the principal framework governing its co-operation with all developing countries. Recently pressure has been increasing to effectively limit development policies to countries in Africa, the Caribbean and the Pacific. With these proposed changes to the Union's Regulation for co-operation with Asian and Latin American (ALA) countries, the European Commission tried to create possibilities for using these financial resources for the fight against terrorism.

These are crucially important articles given that without these, a legal base would be created to gear instruments for co-operation with developing coun-

tries towards EU security and defence interests, and perceived needs in the fight against terrorism.

Europe's commitment to the MDGs

In January 2004 the Council adopted conclusions on the effectiveness of EU external actions - on proposals from the Irish Presidency. These conclusions addressed three specific issues:

- EU leadership in progressing development issues multilaterally;
- Maximising effectiveness of EU external assistance and
- Meeting the MDGs.

These conclusions⁹ include, among others, the following commitments:

- The EU and its Member States will advocate that UN reform includes efforts to ensure that the UN Economic and Social Council (ECOSOC) fulfils its role more effectively, particularly in the co-ordinated follow-up to the implementation of the outcome of major global conferences;
- In the international architecture, the EU will promote more coherence in trade and development policies between the UN, the WTO and the Bretton Woods institutions. The EU and its Member States will also seek to ensure fully that the governance structures of the Bretton Woods institutions are capable of reflecting the concerns of developing countries.
- Achieving the MDGs is a key objective for the EU and the wider international community. The commitments made by the EU Member States at the 2002 UN Financing for Development Conference

8 These articles proposed by the European Convention on the future of Europe need to be approved by an Intergovernmental Conference (composed of Heads of States from all 25 EU Member States) before they enter into force. The Intergovernmental Conference is likely to adopt the final Constitutional Treaty by the end of 2004.

9 General Affairs and External Relations Council. *Conclusions*. Brussels, 26 January 2004.

Article III-218 of the Draft Constitution on Development Co-operation¹⁰

1. Union policy in the sphere of development co-operation shall be conducted within the framework of the principles and objectives of the Union's external action. The Union's development co-operation policy and that of the Member States shall complement and reinforce each other. Union development co-operation policy shall have as its primary objective the reduction and, in the long term, the eradication of poverty. The Union shall take account of the objectives of development co-operation in the policies that it implements which are likely to affect developing countries.
2. The Union and the Member States shall comply with the commitments and take account of the objectives they have approved in the context of the United Nations and other competent international organisations. ■

in Monterrey reflect the Union's leadership role in the international efforts to achieve the MDGs. The Council:

- Agrees that a major effort will have to be sustained during 2004 to ensure that commitments on increasing ODA levels made by Member States at the Monterrey Conference are met.
- Will ensure that the EU is well positioned to provide leadership in the international stock-taking of the MDGs in 2005.
- Believes that the EU's commitment to the achievement of the MDGs should be reflected across the range of EU policies and its decisions on financial allocations.

Europe's future budget negotiations

The EU works with a seven-year planning of its budgetary framework. The first proposals on the next framework (2007-2013) were released in early 2004 by the European Commission.¹¹ The key objective in the external area, formulated for these financial perspectives, is that "Europe should project a coherent role as a global partner, inspired by its core values in assuming regional responsibilities, promoting development and contributing to civilian and strategic security."

The Commission proposes that External Policies be divided into three different parts within the EU's financial proposal for the years 2007 to 2013.

EU's Neighbourhood Policy. Through different proposals made by President of the European Commission Romano Prodi and new provisions within the Draft Constitution on Europe's immediate environment, the EU is developing a special policy towards its neighbouring countries. This should lead to more stability in Europe, but risks seeing aid retargeted from populations living in poverty towards Europe's neighbours.

EU as a Sustainable Development partner. The proposal emphasises the EU's role in the fight against poverty and its commitment to the UN MDGs as the centre-point of its development co-operation policy. It identifies development co-operation and humanitarian aid as crucial elements of the EU's external relations together with the CFSP, trade, enlargement and relations with neighbouring countries. This is consistent with consensus achieved so far on the Draft Constitutional Treaty in the Inter Governmental Conference. Recognising that Europe is a "leading trade power", the Commission puts emphasis on the need for the "global economic player" to have a single voice in multilateral trade negotiations. But, according to the Commission, this voice should be based on the European development model based on "open and competitive markets". Yet while EU seeks to liberalise markets all over the world, including in developing countries where liberalisation is criticised for deepening poverty, it continues to protect its agricultural market from the rest of the world.

EU as a Global Player. The financial proposal suggests a 38% increase, from 2006 to 2013, in the resources allocated to external relations. However, the increase would be for strategic security (heading "EU as a Global Player") with other components of Europe's foreign policies like development co-operation, enlargement or humanitarian aid not benefiting from additional investment. The explanation given for this increase is the growing need for a powerful Europe able to speak with one voice in order to respond to global security concerns. The Commission would like Europe to respond to "fundamental threats: terrorism, the proliferation of weapons of mass destruction, failed states, internal and regional conflicts". This language is drawn from the European Security Strategy paper drafted by Javier Solana.

Coherent EU finances? The financial perspectives are incoherent in that the largest proportion of the budget (in total more than EUR 300 billion in seven years) is allocated to support for the EU's agricultural sector. Less than EUR 100 billion is allocated to foreign policies among which a growing part will be dedicated to Europe's security strategy. This is small compensation for the losses facing farmers in developing countries due to the advantage European farmers will receive from European subsidies.

Conclusions

The EU constantly emphasises its role as the world's largest donor of development and humanitarian assistance, with over half of Official Development Assistance being provided by the EU and its Member States.

However, its predominant role as a donor only remains credible if its co-operation with developing countries is truly focused on eradicating poverty as the principal objective, and in working effectively for the realisation of the MDGs.

Europe's development policy indeed has the eradication of poverty as its overarching objective, but its development policy is part of a general external actions framework that has security as the overarching objective since 11 September 2001. This increasing paradox is clearly detrimental to EU's co-operation with developing countries.

The economic strength of the Union, reflected by the scale of its trade and investment with the rest of the world, as well as its role as major player in development and humanitarian aid, give Europe an enormous potential for becoming a strong force in global development.

Its economic and development policies have defined the image that the EU has in the globalised world. But Europe's political role is currently too weak to be considered as an important factor in defining EU's role in the world. However with the adoption of the Draft Constitutional Treaty and the increasing will of citizens and governments to see their continent active in the world stage, the political role played globally by the old continent is likely to increase in the coming years.

Europe's chance to become a global player is in providing an alternative to the increasingly unilateral world order. Security threats need to be evaluated not just in terms of military analysis, but also in costs on human security. If the security threats destroy the very values on which Europe has been built and demolish the democratic nature of its institutions, they will remove the European project further from its original intention and from what its citizens want. This, eventually will undermine the whole European project.

Europe's role should be in stabilising a new world order, and this will strengthen its political role in a constructive way forward. Development policy is an indispensable part of this approach. This is the way European citizens see the role of the EU. More than two thirds of all Europeans see the Union as a continent contributing to the eradication of world poverty. The strengthening of EU's role in the world must respect the nature of the first European Constitution that provides a clear and strong independent legal basis for development co-operation and humanitarian aid. Europe therefore needs to offer clear and strong institutional and financial capacity to those two policies if it wants to be a responsible actor in the world.

Europe's history is based on its diversity of cultures and languages. The EU should approach other parts of the world in a responsible manner by offering its founding values of democracy, equality, solidarity, social justice, human rights, tolerance and a strong commitment to international rule of law. Europe's values and background should be at the centre of its external relations. The EU should promote a concept of human security, promoting global diversity and advocating shared partnerships between world citizens. ■

10 Draft Treaty establishing a Constitution for Europe, *op cit.* Part III, Title V, Chapter IV: Cooperation with third countries and humanitarian aid, Section 1: Development cooperation. http://europa.eu.int/futurum/constitution/part3/title5/chapter4/section1/index_en.htm

11 Commission of the European Communities, COM(2004)101. *Building our common Future; Policy challenges and Budgetary means of the Enlarged Union 2007-2013*. Brussels, 10 February 2004.