

THE CLASS OF 2009

GREEN VISIONS FOR EUROPE



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Heinrich-Böll-Stiftung

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FOREWORD

There are many different ways of getting involved in Green politics and mine was certainly very different. In 1987 I was director of a Belgian catering company in Brussels and, in that capacity, responsible for the menus in the restaurant of the European Parliament. Every day we had to supply 700 meals in 90 minutes taking into account the varying tastes of twelve nationalities. We were also boycotting South-African products. As if this was not already difficult enough, a staff member of the Greens one day entered our kitchen requesting that a vegetarian dish be added to the daily menu. This was outrageous! I was not amused and neither was the chef. The Green would not give in. In the end, I did but it took me seven long months to persuade the chef. I dragged him to all the vegetarian restaurants then in Brussels, each one even more esoteric than the last, and it cost me innumerable bottles of wine to whip up his enthusiasm for meatless cooking. In the end, the chef surrendered. Since then the European Parliament restaurant has always featured a vegetarian course on the menu and I have been hooked on Green politics.

In those days the Greens were a rather chaotic lot: seven Germans, two Dutch and two Belgians, if I remember correctly. In fact, their exact number was hard to tell, because every Green Member of Parliament had to share his or her term of office with a designated successor (*Nachrücker*), a rotation system nobody in their right mind could actually understand. They called themselves the *Green Alternative European Link* (GRAEL) and, being too few in number to be recognised as a parliamentary group, they had to join the Rainbow Group, another exotic ensemble encompassing various regionalists as well as the *Danish People's Movement against the European Community*. The German presence in the Green Group was pre-eminent and at times even suffocating for the representatives of the smaller countries; Green attitudes towards the European Community, its institutions and policies were unclear; common goals were hard to define, strategies on how to

achieve them often passionately contested. What kept them together was a common feeling of ecological responsibility, environmental preservation and the search for an alternative economy and society. The established parties and the institutional bureaucracy watched the newcomers with suspicion. The somewhat motley crew, bizarrely dressed and coiffed, 'desecrated' the sacred halls of the European Parliament by organising conferences on racial equality, gay rights, AIDS and the rights of prostitutes and did not even shrink from inviting the target groups into the shrine of European democracy. The establishment was appalled; some – to their credit – were amused and even curious. These were tough and exciting times for Green politics. It was also a period of learning, not only from each other but also from the initially despised establishment. Sometimes everything seemed to sink into chaos (the 'rotation system' only contributed to the general hullabaloo) but, in the end, reason almost always prevailed. After five years, the first Green Group bowed out with dignity. They had come of age and they had made a difference – not only regarding the menu! The scepticism of the establishment towards the 'intruders' had declined. After all, the sacred walls of the parliament were still standing – even though they had become more permeable – and some of the Greens had proved to be hard workers and had earned the respect of their colleagues. The next Green Group in the European Parliament were able to enter a period of consolidation, even though their political ambitions and attitude towards the European Community were still far from clearly defined.

In the 1989 elections the Green parties won 26 seats, an astonishing breakthrough. The delegations from Germany (7) and France (8) were almost equally strong and the South was represented by four Italians (from two different Green parties) and members from Spain and Portugal. The Greens were now big enough to separate from the Rainbow Group and form their own parliamentary group under the name Green Group.

The activism of the first five years diminished as the Greens became more involved in the nuts and bolts of parliamentary work. When the Wall and the Iron Curtain fell in 1989, the Green Group actively promoted the swift deepening of relations with the countries of central and eastern Europe. In November 1993, when the Maastricht treaty entered into force and the European Community turned into the European Union, the Greens seemed ready to embrace the European project. They had understood that social, environmental and other issues could be best addressed at European level.

When my professional life brought me back to Brussels on that memorable day in September 2001 that has gone down in history as 9/11, Europe was well on the way to reunification. East and West Germany had become one and the ex-communist countries of central and eastern Europe were knocking at the door of the European Union. The Greens embraced enlargement but failed to take root in central and eastern Europe. When the European elections came only a few weeks after enlargement had taken place, the Greens – the most ardent supporters of the integration of ‘the East’ – found themselves without representatives from the new Member States. After a pan-European election campaign that had started with the founding of the European Green Party (EGP), the first Europe-wide party, in Rome in February 2004, they won 35 seats. The Greens became prominent in the debate on European

integration and Green members took an active part in the Convention that drafted the ill-fated European constitution.

In the 2009 elections, the Greens emerged, unexpectedly, as winners. Even though there are still no Green members from central and eastern Europe and southern Europe is clearly under-represented, the EGP member parties won 46 seats, their best ever result. The new Green Group is driven by a strong French-German motor and by the enthusiasm of many new, young parliamentarians. They will need perseverance, wisdom, imagination and a sense of reality to master the many difficult challenges ahead: climate change; the financial and economic crises; the expansion of the EU’s enlargement process; the further democratisation of the European institutions; a humane migration policy; the protection of civil rights and the role of the EU as an actor in foreign and security policy. But, the new group can start with a clean slate: the tug-of-war over the Lisbon treaty is finally over; new windows of opportunity have opened. In this spirit the European Union office of the Heinrich-Böll-Stiftung has invited eleven new Green Members of the European Parliament from five different countries to write about their ambitions for Europe. The Greens have come a long way since their first tentative steps in Brussels and Strasbourg and I am extremely grateful that I have had the chance to watch them grow up.



Claude Weinber has been the Director of the European Union office of the Heinrich-Böll-Stiftung (hbs) in Brussels since September 2001. Previously, he was Director of the hbs Regional Office in Tel Aviv. From 1994 to 1997 he worked as a foreign and security policy advisor to Angelika Köster-Lossack, member of the German Bundestag from BÜNDNIS 90/DIE GRÜNEN. Claude Weinber was executive director of the Institute for applied environmental research *Katalyse* e.V. in Cologne (1992-1994), coordinator of Ami(e)s de la Terre (CEAT-FoEE) in Brussels (1988-1991), and director of the catering company Belgorest S.A., also in Brussels (1986-1989).

INTRODUCTION

HELMUT WEIXLER

Election success is our mandate – what the Greens will need to achieve by 2014

To the surprise of some opinion pollsters and political commentators it became clear late in the evening of 7 June 2009 that the real winners in the European elections were the Greens. They were the only political group in the European Parliament (EP) that had managed to increase their number of seats. Few would have forecast this even a few days before. Indeed many would have seen maintaining the same number of seats as a victory. As it was, the new European Parliament saw not 35 Green members but 46. Together with the regionalists of the European Free Alliance (EFA) and later with the affiliation of the Swedish Pirate Party, the parliamentary group of The Greens/EFA even expanded from 44 to 55 members. When one considers that the total number of seats in the European Parliament has been reduced from 785 to 736, the result is in fact better than it would first appear. The Greens are now the fourth largest political group in the EP. The conservatives also won more seats but the European People's Party grouping actually declined with the departure of the British Tories and other Eurosceptic parties.

This victory means that we have a duty to justify the enormous electoral support we have received by ensuring a successful Green agenda in the coming five years. How should we measure our success and failure when looking back in 2014? What criteria should we use? In my view we should be able to measure our success in terms of answers to the following three questions:

- How far have we been able to steer EU policies into a sustainable Green direction?
- How far have we been able to strengthen Green parties throughout the whole of the EU?
- How successful have we been in promoting and strengthening the idea of European unity?

The Green New Deal

When answering the first question we will need to remember that the Greens won the European elections of 2009 on the promise of a Green New Deal. This was seen as a comprehensive response to the multiple crises that have confronted Europe and the world since the beginning of the 21st century with the most dramatic example being the economic and financial crisis during the 2009 election campaign. The spectre of the 1930s depression, with its mass unemployment, has returned to haunt us. A more long-term and serious threat is climate change, for which countermeasures are only painfully slowly being undertaken. In addition, there is the social crisis brought about by decades of neo-liberal policies that have ever widened the economic gap between rich and poor and resulted in a new underclass. We should also not forget the crisis brought about by mankind's wasteful use of natural resources, consuming as though we had two planets to draw on.

The Greens have promised to address these crises with a thorough reform of Europe's economic and social systems. The basic idea is simple: using the Keynesian method of government spending to prime the economy, the Greens favour investment in restructuring that protects the environment, combats climate change and creates millions of new 'green' jobs.

The electorate responded positively in those areas where this visionary Green New Deal was a key element in the campaign. Still, even though the parliamentary group of The Greens/EFA has increased, its political strength is limited given that the EP has 736 members. The overall political situation is also not ideal as there has been a general shift to the

right as the socialists have lost considerable ground. The EU Member State governments are mostly in conservative hands. If the Greens are to have any success in pushing through their ambitious vision for Europe, one of their main challenges will be finding suitable coalition partners. Only then will they be able to ensure that future EU construction follows a 'green blueprint'.

European construction

What follows is a quick look at where more needs to be done and what the markers of Green success will be. Of necessity we can only consider the major challenges rather than the full list of policies requiring a green input. The following is an outline with greater detail being supplied in other chapters of this publication.

The Lisbon treaty, which is finally fully ratified, provides the European house with a solid foundation after eight years of drama. The treaty provides the Union with new areas of competence that will need further development, especially in foreign, justice and home affairs and agriculture. In the coming years we will have to restructure traditional policies, predominantly those concerning economics and the environment.

Construction 1: reform of financial markets. The Greens must do all in their power to ensure that the measures undertaken in the wake of the threatened financial collapse become a firm system of control for financial markets and institutions that is rigorously applied. Now that the crisis seems to have been overcome, many politicians are leaning towards a softening of these controls. Bankers would naturally like to return to business as usual with the chance to make money in the global market and pocket fat bonuses. This should not be allowed to happen. The Greens must be vigilant in the EP debates on the reform of financial markets that the lessons of the 2008 crash have been well and truly learned. Such a crash must never be allowed to happen again. Individual measures could serve as a measure of green success: shutting off the tax havens that make it possible to avoid tax and launder money; introduce a system that goes beyond the classical Tobin tax on currency exchange to include all financial transac-

tions by 2014. These measures will have two positive effects: they will curtail speculation and bring in millions in extra income that can be used to construct a more environmentally friendly economic and social system or provide additional development aid. If a global financial transaction tax proves impossible, the EU should have the courage to go it alone.

Construction 2: climate change policy. The Greens need to push the EU towards a more ambitious climate change policy. In 2007, the EU agreed a 20/20/20 target for 2020: 20% reduction in CO₂ emissions, 20% reduction in energy consumption and 20% more energy from renewable resources. Attractive as this formula sounds, it will not be enough to tackle climate change. Estimates made by scientists and international organisations such as the Intergovernmental Panel for Climate Change become gloomier by the year. It would appear that a 40% reduction in EU greenhouse gas emissions by 2020 is an absolute necessity if we are to hold to the target of keeping global warming to 2°C degree above the pre-industrial temperature. Europe must have the courage to take the drastic measures required on its own if the other major CO₂ emitters such as China, the US, Russia and Japan decide not to join in. In the short term, this may well result in a loss of competitiveness. This should be balanced, however, by well-targeted restructuring assistance and lower tariffs for goods produced using environmentally friendly methods. In the long term, such a forward looking policy of industrial modernisation will improve Europe's competitiveness. Another green success would be the introduction of a CO₂ tax that would encourage low emissions production and consumption methods. The earlier vehement opposition of some countries to this tax has visibly diminished as it has become clear that the European emissions trading system introduced as an alternative has not achieved the desired results.

Construction 3: making economies more environmentally friendly. This will be the real test of how successfully the Greens will be able to translate their New Deal into reality. It is a gigantic task and implies nothing less than a revolution in the way we produce, consume and transport. It means a radical departure from our current method of measuring growth. There is, however, no reason for consumer orientated

citizens to fear that it means a Spartan existence in an eco-dictatorship. The Green New Deal actually foresees improvements in the quality of life with the magic formula of 'prosperity without growth'. At least it implies a definition of growth that includes social and environmental factors that have positive effects on economic activity and counts destructive factors such as pollution as having a negative impact. There are plenty of proposals for new ways to measure prosperity and growth and even French President Nicolas Sarkozy has spoken in favour of new indicators. The introduction of a 'green' gross domestic product or whatever it might be called, would give impetus to the Green New Deal. This would lead to a completely different approach to both public and private investment. There would be a clear expansion in investment in energy efficiency, eco-friendly product design, renewable energy and all the other items on the New Deal agenda.

The Lisbon strategy could provide the crucial impetus to a swift and successful restructuring of the EU economy. This strategy, announced with much pomp and ceremony by the heads of state and government in Lisbon (hence its name) in 2000 has the rather boastful aim of making Europe *"the most dynamic and competitive knowledge-based economy in the world capable of sustainable economic growth with more and better jobs and greater social cohesion, and respect for the environment by 2010"*. Ten years down the road and one can only comment that this appears to have been all hot air. These ambitious aims have for the most part remained unfulfilled. The idea of modernising the economy by providing generous subsidies to research and education that would also help increase employment opportunities for the most disadvantaged (women and older people) was correct. The strategy is also supposed to have had a social aspect – at least politicians have repeatedly referred to it in their speeches. One area that the Lisbon strategy originally failed to mention was the environment. This missing third component (the other two being the economy and social factors) was added on some 18 months later at the Gothenburg summit but very little notice has subsequently been paid to it. Commission President José Barroso finally put paid to it in 2004. In spite of everything, the Lisbon strategy deserves a second chance. If the aims of the Green New Deal are respected at

all levels it might well achieve the historical success it desires – albeit with a different definition of its goal. How about: to make the Union the world's most advanced proponent of policies to reduce climate change, protect the environment and establish a properly sustainable economy?

Construction 4: immigration and asylum policy.

This is an area that will be enormously important for Europe's future. In principle it means a fortress Europe with a gate and a drawbridge. Currently too many people are drowning in the moat as they try to reach the crumbs falling from the EU's groaning tables. Everyone knows that the Union needs immigration. Demographic forecasts are worrying, as a rapidly aging population will make it ever more difficult for the EU to maintain its economic and social systems. Numerous studies have shown that those countries that allow immigration have found it to have positive effects. Why are immigrants still viewed as interlopers against whom Europeans have to barricade themselves behind high walls? Without a rational immigration policy dealing with this problem, the future will become even more difficult. The EU has now undertaken a reform of immigration policy and the resultant Stockholm programme is in the pipeline. In the immigration debate, the Greens will have an important role to play in curbing growing populist sentiment, exposing the cynical actions of ministers of home affairs and helping find ways to a rational solution.

If, by 2014, we have a rational and humane immigration policy, we will have achieved a great deal. And if at the same time we can prevent immigration being used as a cover for the introduction of an immense surveillance system that also covers EU citizens, then the Greens will have done a good job. We should, however, not ignore the problems that immigration can raise. We especially need to do far more to help migrants integrate. Asylum policy also needs to be updated and responsibility for asylum seekers needs to be better shared among the EU Member States.

Construction 5: a new foreign policy. Henry Kissinger once said that he would believe in a united Europe when there was a telephone number he could use to call the EU's foreign minister. Such

a number is now available. Although British Eurosceptics prevent the use of the title foreign minister, de facto the office now exists in the form of the High Representative for the Common Foreign and Security Policy, who symbolises the beginning of a real common foreign policy¹. This new policy will develop and improve in the coming years. The principles underpinning this policy should clearly reflect Green party values in that the EU should operate as the honest broker of international relations, active in promoting peace and conflict prevention. This implies that the EU should desist from imposing disadvantageous cooperation agreements on developing countries in order to further its own economic interests and defend human rights even when this could negatively impact relations with more cynical powers.

Construction 6: Social Europe. The economic and financial crisis has caused the collapse of the neo-liberal system of liberalisation and privatisation that has been in the ascendant for more than 30 years. This does not, however, mean that Social Europe that has for years been under neo-liberal attack is now safe – we will still have to fight for it. In recent years there have been numerous attempts to undermine Europe's social model with the best known being the infamous Services Directive. This sought to erode social standards in the wealthier EU states by allowing the much lower standards of the new Member States to be applied in older Member States.

One striking success in the social area would be the introduction of a minimum wage in all Member States to curb the downward spiral in wages. Naturally the wide differences in the living standards within the EU would make it impossible to have the same minimum wage in all countries.

Construction 7: the internet society. The revolution brought about by the fantastic possibilities opened up by the internet requires a new legal framework. The Greens are working hard to find an intelligent way to balance the interest of internet users and those of the authors and artists, who

require copyright protection. This problem, along with the thorny question of internet censorship, has led to the founding of so called pirate parties in some European countries. We need to find solutions that secure internet freedom and encourage new debate on intellectual property rights. This legislative period will probably see major information technology companies once more attempting to introduce some form of software patent in order to optimise their profits. The Greens have already fought off these attempts in the EP and will do so again!

Geographical consolidation

If the Greens are to see this legislative period crowned with success they will need to do more than give the Union's main political projects a clear green accent. Foremost is the task of consolidating the Greens' geographical basis as there are now two classes of countries. There are those where the Greens are strong and able to achieve double digit percentages in elections. These are mostly in the western and central European countries of the old EU of 15 (Germany, France, Benelux and Austria) plus Scandinavia. In other countries the Greens are stagnating in a political outer darkness. These problem regions are to be found in the new Member States and southern Europe. There is, however, some glimmer of hope. The Czech Greens made it into the national parliament and the government before internal quarrels stymied their success in the European elections and, for the first time, a Green member from Greece now sits in the EP. In contrast, for the first time since 1984 there is no Green representation in the EP from Italy and there is only one Spanish member from Catalonia. We are still awaiting the election of Polish Green party members to the EP.

There are some promising new developments in Hungary where a new generation is providing new impetus to green ideas in politics. There is currently a new attempt in Spain to bring together the various green splinter groups. These fragile plants will not flourish without some European care and attention. It will require an enormous common effort if

1 Ironically, the first EU "foreign minister" is from the UK (the editor).

these parties are to achieve political relevance in their various countries. The European Green Party, the Greens in the European Parliament, the Green think tanks such as the European Green Foundation and the Heinrich-Böll-Stiftung need to cooperate to produce a strategy that would help green ideas make a breakthrough in eastern and southern Europe. It is a question of money, training, ideas and personalities. One model that could be used successfully in the south and east is the French *EuropeEcologie* that helped the green movement achieve such brilliant electoral results. Opening up the Green parties to representatives of other movements, non-governmental organisations (NGOs), civil society and intellectuals, without demanding party membership, could be one way to revitalise the environmental movement in Europe.

Studies show that there is a significant pool of potential Green voters in all EU countries and the Green parties will need to work hard in the coming years to gather, convince and enthuse (politics is after all emotion) these men and women.

European unification

Another task for the Greens will be to close the gap between European and national politics and between Brussels and the capitals. The Lisbon treaty can provide help here as it not only strengthens the role of the EP but also better involves national parliaments in the European legislative process. The German Constitutional Court in Karlsruhe has ruled to support this development even if many pro-Europeans were unhappy about the rather national orientation of its decision. But we need to use all these factors in a positive manner. There has to be a clear understanding that European politics is an integral part of national politics and vice versa. We must not accept that there is a planet Brussels and a planet Berlin and never the two shall meet.

Europe has to be firmly fixed in the day-to-day politics of the Member States and for this reason the Greens must intensify cooperation between European Parliament members and national parliamentarians. This can be put to strategic use with

cleverly coordinated initiatives in both national parliaments and the EP. This would be most useful in those areas where the EU, despite the Lisbon treaty, still has little or no competence (social affairs, taxation). Why not have parallel initiatives from the Greens in a number of national parliaments and in the EP in an attempt to broker a European solution?

Of fundamental significance for the future will be making the Union a more secure and complete democracy. The Lisbon treaty contains important advances, not just in giving more power to the European and national parliaments but also with the introduction of direct democracy – the European Citizens' Initiative (ECI). If one million citizens sign a petition demanding specific action, the European Commission will be obliged to consider the request and if necessary draft suitable legislation. The Greens must use this instrument to the maximum in the coming years either for their own initiatives or to support the proposals of others when they conform to the Greens' vision for Europe.

In many countries the Greens are the most pro-European party in the political spectrum. The majority of these parties were anti-European or Eurosceptic when they began but over time have become supporters of unity as the only way to tackle the problems of climate change and pollution that cannot be solved at national level. The Swedish Greens removed the demand for Sweden to leave the EU from their programme before the European elections and as a result doubled their vote. Opinion surveys have also shown that in most countries it is the Green voters, who are most positive about Europe.

The Greens' resounding 'yes' to the European Union has always been in tandem with a sharply critical view of its current state. The Europe we have today is by no means the one we actually want. If the Greens succeed in the next five years in moving Europe in the direction of more democracy, more sustainability and more solidarity, in other words a better Europe, then we will have fulfilled our mission. The following chapters detail the path we intend to follow and the real work we know awaits us on the way.



Helmut Weixler has been the spokesman for the Greens/EFA Group in the European Parliament since 1996. Born in Austria, he studied economics and trade in Vienna. After graduation he joined the *Wiener Zeitung* as an economics journalist. In 1990 he moved to the economic section of the news magazine *profil*. With the commencement of Austrian negotiations to join the EU, Weixler became the magazine's Brussels correspondent in 1993. He has also studied at the Fundação Getúlio Vargas in Rio de Janeiro, Brazil, and undertook internships at the World Bank and the International Monetary Fund in Washington D.C. In 2006, together with Michel Reimon he wrote "Die sieben Todsünden Europas. Vom Ausverkauf einer großen Idee."

1. JAN PHILIPP ALBRECHT

For a Europe of citizens' rights

In the legislative period of the new European Parliament (2009 to 2014) European security policy will forge a new dimension. The Lisbon treaty will not only strengthen the co-decision of the parliament in many areas; it will also mean a change to the procedures in almost all legislation proposals concerning police and judicial cooperation. Above all, the new treaty basis will lead to the spheres of the previously so-called third pillar of the European Union being incorporated into Community law. At the same time a binding fundamental rights catalogue – the Charter of Fundamental Rights – will become part of EU law. In the whole of Europe? Not quite. Poland, the Czech Republic and the United Kingdom still oppose the application of the Charter. This in spite of the fact that the European Convention on Human Rights (ECHR) – a convention of all EU Member States within the framework of the Council of Europe and upheld by the European Court of Human Rights in Strasbourg – already stipulates a similar level of rights in these countries as those proposed by the EU Charter. Clearly the Polish, Czech and British governments are afraid (this fear and consternation is also evident in the interior ministries of the other EU member states) that the citizens of Europe could decide to take legal action in support of the fundamental rights which they and their ancestors fought for in the last decades and centuries against numerous authoritarian powers. Increasing numbers of people realise that they would be fully justified in doing so.

The freedom to be safe from the state – and its enemies

As Greens – in Europe and worldwide – we know how important binding and enforceable citizens' rights are for a functioning democracy. Every day we stand up for a peaceful, ecological, solidly united world, in which all people enjoy the same right to justice, respect and freedom. We do this through campaigns on the street, in organisations

and in parliaments. Again and again we have had to struggle hard to maintain or even win back citizens' rights. After the terror attacks of 11 September 2001 in New York and Washington D.C. as well as in Madrid in 2004 and London in 2005 we have once again found ourselves in a similar struggle. The state of shock caused by the presumed new perilous situation of an unpredictable threat quickly gave rise to an emotional knee-jerk reaction in Western security policy. In view of frontier-free globalisation, all states were suddenly faced with this danger that was supposedly everywhere. Within a short time, every person was declared a potential public enemy or terrorist. In this confusing situation several measures were taken which in general reduced the freedom of all for the alleged safety of all. These ranged from dragnet investigations and the extensive compilation and circulation of personal data to biometric fingerprinting, far-reaching bugging measures and the unfounded surveillance of telecommunications systems. After a decade of fear Europe is now on the verge of becoming a surveillance society.

In January 2007 the German Federal Minister of the Interior, Schäuble, published his agenda for Germany's presidency of the EU under the slogan 'Living Europe safely'. Anyone looking at this closely would have detected the way European interior ministers were shaping European domestic and judicial policy: security before freedom. What freedom, however, is actually meant here – the freedom of the citizens before the state or the power of the state before the citizen – and the question as to when Europe would be safe enough for a little more freedom is not answered. Instead the 'room for freedom, security and rights' is bandied about across the board without spelling out how the regularly called for extension of the competences of the security authorities will translate into more concrete and visible security for Europe's citizens.

Technocrats' wish lists – the Future Group and the Stockholm Programme

Instead of looking at the above questions, the Member State ministries play about with wish lists. For example, the German ex-Federal Minister of the Interior, Wolfgang Schäuble, and the then EU Justice Commissioner, Franco Frattini, established an Informal High Level Advisory Group on the Future of European Home Affairs Policy (Future Group), whose recommendations for justice and home affairs 2010 to 2014 were announced in June 2008. The tenor of their recommendations was so alarming that numerous civil rights activists and politicians vociferously warned that the EU was mutating into a European Union of surveillance. The report submitted by the Future Group argued for further dovetailing of EU and US security policy. Above all, data exchange should be made easier. Domestic and foreign security policies should be further merged and include extended data exchange between EU states as well as between police and secret services. There should be a network of so-called anti-terrorist centres to impede 'recruitment and radicalisation.' Above all, there should be strengthened surveillance of the internet and the introduction of international standards of criminal law. Refugees are also further criminalised. The Future Group is literally demanding "new and flexible means for deportation and surveillance". Video surveillance should be of greater significance. EU security services like EUROPOL, EUROJUST and FRONTEX should be expanded and EU border controls should be upgraded in their technical equipment and have military presence as in the US.

It is bad enough that it was civil servants in the Future Group who, in their enthusiasm for the obviously technically unlimited possibilities of new surveillance structures, drew up plans for the dystopia of a total control system. It sends a shiver down one's spine, however, when one realises how uncritically and with what enthusiasm Europe's security politicians incorporated these proposals into their repertoire of measures. With the so-called Stockholm Programme, EU security policy is geared towards the Future Group's vision and only embellished with very vaguely formulated guarantees for the protection of citizens' rights. The stated trend is

continuing. The willingness to anticipate a state of emergency challenges even the last bastion of a free constitutional state exposing it as a bolthole for terrorists. Politicians are regularly found wanting when it comes to providing proof of these allegations.

We can obviously no longer expect the 'etatists' in the interior ministries to protect European citizens' basic rights and guarantees. This is left to a small group of 'grumblers' and the constitutional courts. The freedom that these have so bitterly tried to defend is publicly conveyed to and regarded as being a danger. When a 'concrete, terrorist threat' is conjured up – as is happening repeatedly – those who campaign for the defence of abstract basic principles are actually the ones seen as a danger to security. They protect the terrorists, they even act as accomplices. At least, this is what Europe's politicians have been saying for years every time they put in place a new security measure. These measures are put together in such a piece-meal way that anyone claiming to see a trend in the legislation could regularly be branded a conspiracy theorist.

The Stockholm Programme purports to find a balance between basic human rights and citizens' rights on the one hand and security and control on the other. We European Greens are opposed to the idea that people's fundamental rights can be weighed against the security measures of the state. Our society is based on the principle that basic and human rights are upheld in every case, an exception only being an individual situation based on detailed justification and accompanied by comprehensive legal protection. Constitutional basic rights, like a fair trial and the presumption of innocence, must remain inviolable. Unfortunately, this is all becoming more and more of a farce as the executive-biased policy of recent years has consistently tried to introduce security as a new constitutional principle and, amidst the fear of terrorist attack, turn everyone into a potential criminal – some such as immigrants, asylum seekers and Muslims more than others. Arbitrariness is creeping into our constitution-based systems.

Boundless information exchange – the end of meaning and purpose

A European data bank and information network was set up as early as last year during the German presidency to enable Member State security forces to access automatically the DNA and fingerprint data of police authorities as well as the car registration details of all the other EU members. Furthermore, it is now possible to transfer speedily information stored in national data banks about individuals considered to be 'terrorist suspects' and 'criminals'. The Schengen Information System (SIS) and its proposed replacement, SIS II, already contains 28 million entries including personal descriptions and details on genetic finger-prints in the form of DNA. This shows the madness of collecting more and more data for supposed security purposes. SIS is both an information source for manhunt purposes based on details from the arrest warrants of wanted individuals and a data bank of the details of those who are merely 'suspects', witnesses and 'undesirables'. This latter illustrates also the potential for misuse as here the boundaries between criminal prosecution and political repression begin to merge. Such was the case in September 1998 of a Greenpeace activist who was refused entry into the Netherlands; she had protested against the French atom bomb tests in 1995 and had been declared an 'undesirable' by the French. Alongside SIS there is SIRENE, the decentralised data banks of the national police forces. It is through these that so-called soft data are exchanged – a code for uncontrolled documentation and surveillance according to seemingly arbitrary criteria. The European data protection commissioner, Peter Hustinx, rightly called this EU-wide exchange of information a "nightmare".

The European police authority EUROPOL is also to gain access to the fingerprints of asylum seekers through the central data bank on asylum EURODAC. The flight from poverty, war and oppression is thus technically criminalised and placed on the same level as ordinary crime. This goes hand in hand with the case of undocumented migrants, who are increasingly stigmatised as 'illegal' both by the law and institutions. EURODAC stores these fingerprints for ten years and it already contains 1.3 million entries. Even larger and more sinister is another

project being developed: in future all the security services of EU Member States and EUROPOL will be able to access the computer of the new visa information system, in which all the data pertaining to visa applications and to those legally entering with them are stored. With proposed data entries of up to 70 million it will be the world's largest biometric data bank and available to the police. There is no end to the ideas that security fanatics have come up with: even the details of EU citizens and legal residents who invite business partners, family members or friends from third countries requiring an EU entry visa will, in future, be stored as if they were criminals or potential terrorists. Such are the proposals of the EU for these so-called inviter and invitee data.

It is no longer just about police investigating specific cases of criminal activities. It is about the free flow of personal information between the police and asylum authorities, consulates and secret services. The activities of joint investigatory bodies allow data from EUROPOL to flow into the data banks of national security forces and vice versa. Representatives of the secret services and police authorities of third states, namely the USA, are also involved here. Authorised national security services and law enforcement bodies have direct access to EUROPOL data banks. The distinction between preventative and repressive elements is increasingly disappearing – the obligatory separation in Germany between the police and the secret services is being increasingly sidelined. The detour via the EU-wide network provides the technical basis and EUROPOL the data 'laundering'. The Stockholm Programme already provides standardisation of IT with which the uncontrolled flow of personal information will become even easier. Of the principles of data protection – the limitation in purpose, access only in justifiable circumstances and the obligation to erase stored data – there is no trace.

The loss of proportionality – the retention of data

As if these millions of data were not enough, in some areas there is blanket surveillance of the general public. Under current regulations on data retention, the telecommunications data of all 450 million EU citizens are stored for at least six months

and made accessible to security authorities – without there having to be any hint of suspicion or acute danger. This serious encroachment on the right of all to freedom was pushed through in the fastest legislative procedure in the history of the EU – it took less than three months from the presentation of the commission's draft to the vote in parliament. There was no open debate with data protection bodies and the public despite Privacy International and European Digital Rights having collected more than 50.000 signatures against the proposal in a very short time.

The principle of the presumption of innocence is virtually on the brink of collapse. The fact that private telecommunications networks and companies are forced to structure their technical installations to suit security policies already has lawyers talking about the emergence of a police state. The fact that there has been no real necessity is largely ignored. According to the German Federal Office of Criminal Investigation's own figures, in only 0.006% of cases has a lack of telecommunications data led to a crime not being solved. In contrast, the ever-increasing accumulation of data is a disproportionate encroachment on the individual's right to private communication and informational self-determination. Moreover, it gives rise to further security risks as the danger of misuse and unauthorised disclosure is always lurking in these data stockpiles. The anti-terrorist strategy that you can find a needle in a haystack by increasing the size of the haystack has long been proved to be an illusion. This argument is only promoted by the surveillance industry able to use such technology to make a profit out of the constant panic-making.

When the German Federal Law on data retention was implemented at the beginning of 2008, a petition against it signed by more than 34.000 people was handed in to the Federal Constitutional Court. This has been the largest constitutional complaint in the history of the Federal Republic and its magnitude shows how disconnected EU security policy is from public debate. It is no coincidence that new, considerably stronger citizens' rights movements have sprung up as a result of data retention policy. It shows that people are finding it outrageous and illegitimate that they are repeatedly spied on and

indiscriminately suspected by the state. The example of the retention of data also shows that civil society and the public are organised too much on a national level. In future it must be possible to prevent these proposals by intervening and mobilising appropriate action at the EU level. There will be a sufficient number of occasions to do this in future.

The institutionalisation of paranoia – agencies and agreements

For years the EU has been setting up increasing numbers of special security-related agencies. Officially their function is to overcome 'technical challenges' and to facilitate co-operation between national authorities. We now have the border agency FRONTEX, the police agency EUROPOL, the public prosecution agency EUROJUST, the European defence agency in the military field and the proposed IT agency for data banks. These agencies, however, are not only a means of cooperation but they are also creating their own independent existence. They are gaining ever-increasing power without being subject to any proper parliamentary control. FRONTEX, for example, is an independent legal body able to carry out its own operations to keep refugee boats at bay. Like EUROPOL, FRONTEX will, in future, be able to make independent agreements with third countries for exchange of data. Such agreements are foreseen with Russia, China, Bolivia or Morocco – countries whose basic rights system does not even reach half the standard of that in the EU and where the police are regularly used as an organ of political repression.

Surveillance mania and the protection of 'Fortress Europe' are thus becoming increasingly institutionalised. With important decisions being entrusted to the administrators of the new agencies, basic areas of authority may well be slipping out of the hands of the European and national parliaments. We Greens are therefore demanding that responsibility for security policy be returned to parliaments. In the case of existing agencies the time has finally come for the European Parliament to appoint members responsible for reporting on their activities with extensive access to information. In addition, every agency should have to present its annual programme to the European Parliament. In this manner

the EP can decide programme amendments and exercise more effective budgetary control.

It is not only EUROPOL, FRONTEX, SIS and VIS² that are coming in for increasing criticism. In particular, individual agreements with third states, such as those concerning bank and flight passenger data (SWIFT and PNR), highlight the continuing loss of basic rights and control. It is becoming increasingly recognised that there are numerous encroachments upon fundamental rights but nowhere near an equivalent mechanism for the protection of minimum standards. There has been no proper protection of fundamental rights for years. Ever more gaps and ever more arbitrary exceptions to the rule of law are becoming apparent. The reaction of the US to terror has led in many places to criminal law designed for enemies being applied to suspects and a military firewall being constructed against potential domestic and foreign sources of danger. We Greens consider it our task to question this development and explain the danger it poses to a free and democratic society.

The emergency brake and the rule of law – a moratorium on security

Not only the separation of police and secret services, domestic and foreign security but also the prevailing principle of proportionality in areas of state security is being increasingly sacrificed in the conflict between collective security and personal freedom. There is rarely any comprehensive assessment of the level of fundamental freedom in the light of European constitutions. A lack of involvement in decision-making, such as those providing legal protection for parliaments and citizens, are resulting in shortcomings in inquiries into the fundamental rights of EU citizens. Particularly when it is a question of protecting the individual against state interference in sensitive issues substantially stronger monitoring instruments are required. Left to their own devices, national governments and the European Council will not desist from their unbridled insistence on surveillance. Only strong public pressure for treaty changes in the areas of justice and

home affairs and for well-founded citizens' rights in the EU, will bring about a much-needed U-turn. It needs to become clear that even today the Union's basic principles apply definite limits to EU security policy. In addition, independent bodies must ensure the enforcement of minimum standards especially regarding data protection.

In the last ten years many repressive measures have been taken. Among these are the compulsory storage of all telecommunication data, military border controls through FRONTEX and EU co-operation with undemocratic states such as Libya directed at migrants and refugees. Not all of these measures have shown any kind of result. Some have been and continue to be dangerous and have provoked sharp criticism from human rights organisations. Preventing refugees from landing around the Mediterranean with the help of FRONTEX has already cost many lives. Before new measures are decided it is essential to check what has been done so far and what measures have proved inadequate or are in conflict with the European understanding of human dignity, fundamental and citizens' rights. We need to put a stop to further proposals regarding surveillance and the sealing off of borders before independently evaluating the measures that have been decided so far. The European Union Agency for Fundamental Rights in Vienna can and must receive a substantially extended mandate and be better equipped.

We Greens are equally opposed to the approach of the commission and council to include only EU citizens in the group of those whose fundamental rights need to be protected and 'guaranteed'. When looking back at the development of surveillance and other repressive instruments it becomes quite clear that regulations for citizens from third countries and disadvantaged groups in society often represent the first step to the oppression of society as a whole. In addition, this attitude begs the question as to how credibly the EU can campaign for democracy, human rights and civil freedom in the rest of the world. The debate about internet blocking in Germany has already led to China happily pointing out before the

United Nations that digital censorship is already a broadly accepted fact. This disgraceful state of affairs must be remedied as soon as possible.

Data collection does not prevent terror – what really counts

George Orwell's portrayal of a comprehensive surveillance state is, little by little, becoming reality. Surveillance mania is a helpless attempt to cover up policy failures in other areas with draconian methods. On the whole, public debate on security issues does not include discussion about the complex causes of terrorism. The exception is when religious fanaticism is used in a populist manner as the single cause for terrorist acts. The fact that religious fanaticism needs a breeding ground and that an unjust world economic order provides it is generally overlooked. Terrorism is not the cause but a symptom of this global illness. The failure to realise this is developing slowly but surely into a danger for freedom, democracy and the rule of law. The experiences of the Weimar Republic show how easily freedom, once attained, can be lost again. In Germany we have also had to experience how quickly surveillance can lead to the restriction of democratic co-determination. It is precisely Germany and the German public that should ensure that loss of individual and collective freedom as the result of fanatical state security efforts never happens again.

Those interested in reducing the crime rate and thus effectively combating serious crimes and terrorism must turn their backs on the symbolic gestures of experimental politicians and concentrate on the difficult challenges posed by important societal problems. Therefore the alternative security policy that the Greens are pursuing is aimed at combating all the dangers faced by people and the environment in whatever area. Whoever ponders the causes of criminality, terror and war will soon come up with rather banal reasons such as poverty, lack of education, environmental problems and dictatorships. To think that you can solve these problems with surveillance cameras and data banks is not only absurd but also foolish. Behind the constantly recurring demands of security lurks, above all, a lack of enforcement. The police and security forces in Europe are not suffering from a lack of author-

ity but from a lack of equipment across the board. The EU Member States are doing little about this – to the detriment of the citizens and their rights. This is where it would be necessary to take the essential, time consuming and costly measures, something that is generally unpopular in politics. Instead, the meaning of fundamental rights is stood on its head whereby it is not the encroachment of the state on fundamental rights but rather the limit of state investigation that requires justification. This shows, in an exemplary way, the importance of independent – not merely legal – controls where fundamental rights are concerned. In this time of a rapidly advancing information society this is especially relevant for personal data protection.

Legally there is therefore a problem in that the individual has no comprehensive right of complaint at the European Court of Justice (there is no equivalent to the German Federal Constitutional Court at the European level). The data retention case shows that in the area of data protection standards and, above all, in ensuring the balance between the security interests of the state and personal freedom there are massive gaps in the existing legislation of the European Union. The circumstances and debate about data retention arouse the suspicion that the arrangement is seemingly less essential for the enforcement agencies in the fight against terrorism but more important for the large media groups wanting to guard their intellectual property rights. It does not matter what the motives really are; losing the balance between individual freedom and state intervention is not acceptable in a country where there is rule of law.

An alternative security policy for Europe – without doubt Green

The Greens' justice and home affairs policy is based on clear legal principles, effectiveness and the prevention of conflict. That means that there should be above all no arbitrariness on the part of the state. The relationship between the authority 'state' and the sovereign 'population' should be one of unbroken, recognisable legitimacy and constant control. Therefore the core element of Green security policy is constant and comprehensive evaluation of existing security measures. Three basic elements are of

prime importance: 1) the effectiveness of the measures; 2) the necessity of the measures; 3) their effect on fundamental and constitutional rights. Not only has not enough consideration been given to these three principles in the debate on security; they have, against better judgement, simply been ignored. As a result, in not one case has there been any proper debate – be it at international, European or Member State level – as to whether the measures that have been put in place have actually provided better security. Security has always been presented as preventing horrific terror attacks and serious criminal acts. Criminologists, however, have known for years that extending the powers of security authorities does not lead to any significant reduction in the number of crimes. Anyone deciding to contravene the norms of society and the law will not be prevented from doing so merely as a result of security measures. As long as there is no all-embracing elimination of all freedom of action, criminals will always find a means of committing their criminal acts. Thus, the present focus on increasing security regimes in fact creates an element of insecurity. It prevents us fighting the real causes and lulls society into a false sense of security.

In order to provide effectively for the greatest possible security we must instead focus on the causes of crime and terror. A good justice and home

affairs policy must concentrate on correcting existing deficits in investigation and enforcement, invest more in justice and crime prevention as well as better training and equipment of police authorities at local level. We Greens want the European security laws of the last few years to be re-examined. We also want EU fundamental rights to be not only legally binding but that all citizens have the right to enforce their claim by legal action. Citizens' rights campaigner and humanist, Burkhard Hirsch, recently responded to the former German Minister of the Interior, Wolfgang Schäuble, with the words: *"Citizens have a right to a parliament and a government with the same strength of nerve, the same sense of right and wrong, the same self-assured pride in our legal system and a similarly strong commitment to defend them as the judges in Karlsruhe³."* It is finally time for all European citizens to campaign actively for this right and in so doing for citizens' rights, democracy and freedom. The Greens in the European Parliament want, together with other movements, to lay the foundations for a policy U-turn that will free us from the psyche of a society of fear and lead us into a Union where law is supreme and there is recognition of the causes of danger and that with the engagement of the people these can be minimized. In view of the present mood and the conservative parliamentary majorities this will be an enormous challenge but we Greens are the right people to take this on.



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2. MARIJE CORNELISSEN

Toward a flexible social society

On one of my first trips as a new Member of the European Parliament, I went to Montenegro in October 2009. We visited an aluminium factory that provided a case study of most of the social dilemmas we are facing today. The plant, Kombinat Aluminijuma Podgorica, employs 4,500 people. Rather a lot, considering that Montenegro only has about 630,000 inhabitants. Many of the employees started working at the factory at a tender age, as did their fathers and grandfathers before them, and stayed there all their working years. The company has been hit seriously by the crisis, since their market is mainly the car industry, which has collapsed. Production has declined by half and around 2,500 people have had to be laid off. These are mostly people over 50, who are given 13,000 euros compensation if they resign voluntarily.

As the crisis measures entail a restructuring of the company, they have taken the opportunity to modernise production methods and ensure greater efficiency. Computers are being introduced to assist planning and operate machines, previously operated by hand. Laid off workers over 50 will probably never find employment with this company again. They have skills that are no longer needed. Their chances of finding other employment when they have never done anything other than work in an aluminium factory are, however, very slim. The 13,000 euros redundancy money might sound like a lot to some of them now but it might have to last them for the 15 years of unemployment they will have until their state pension starts – a recipe for poverty. The company, on the other hand, will be short of people with computer skills (rather than machine operators) when production increases again and the aging society starts taking its toll.

Three challenges

I see three main challenges in the social field today, all reflected in the case of the aluminium fac-

tory. First, the financial, economic and social crisis: a relatively sudden challenge that, at present, touches everyone's life one way or another. It entails the collapse of some industries like the car industry and the textile industry, causing unemployment in these sectors and all those related to them. The collapse of the car industry in Italy and Germany has thus had the knock-on effect of unemployment in the aluminium industry in Montenegro. Secondly, an aging society: a much more gradual challenge that we have long seen coming but to which we have not found all the answers as yet. It will mean that there are more people unemployed but fewer people to fill vacancies. The aluminium plant in Montenegro is now laying off 2,500 workers in its bauxite mine and smelter and there will only be around 30 new engineers graduating from Podgorica University annually in the years to come. Poverty is the third social challenge. It is a constant challenge that deserves sustained attention until it is eradicated.

These three social challenges are closely inter-related. A crisis means that jobs are lost and unemployment rises in the short term. The aging society, however, means that the working population will decrease in relation to the size of the non-working population, i.e. the old and the young, thus causing a shortage of workers. Both have an effect on poverty. People at risk of poverty in low wage jobs or precarious work and older workers are among the first to lose their jobs in times of crisis. Poverty among pensioners and the elderly is much more widespread than among other age groups, especially as they no longer have the opportunity to improve their financial situation through paid work. Their numbers will grow in an aging society.

Action is needed

One might think that the aging society will, in time, solve the problems of the current crisis, even if we do nothing. People, who lose their jobs in times

of crisis, will find new ones as they replace workers, who have retired. I doubt that this will be the case. The people, who are losing their jobs now, will not be in a good position to gain new employment in the post-crisis labour market. Among the people now losing their jobs, those over 50 years of age, are often the first group to be fired. The chances of them finding new employment are slim. In surveys, employers have indicated that they are very reluctant to hire older workers, meaning workers over 40. That means that many people over 50 will probably remain unemployed for the 15 years or more before they receive their pension when they could have otherwise worked. Furthermore, the skills necessary in a post-crisis labour market might not be the same as those required pre-crisis. Many of those losing their jobs have done the same work for decades and are not accustomed to either training for new kinds of work or to applying for a new job.

My fear is that the crisis will only temporarily delay the effects of an aging society. With the shortage of labour being felt only later there will be a delay in the adaptation of the labour market. This might exacerbate the effects of an aging society. If the people losing their jobs now do not return to the labour market or fail to gain extra or different skills, the working population will have declined even more than would otherwise have been the case.

Including everyone

Combating social exclusion and discrimination should be at the heart of any approach to tackle these interrelated problems of unemployment, poverty and the future shortage of labour. The groups of people most at risk of poverty and unemployment are exactly those that are most discriminated against and socially excluded. And the groups of people that most need to be prepared for the paid labour market in an aging society are, again, those that are most discriminated against and socially excluded: women, older workers, people with disabilities, people from ethnic or religious minority groups, gays and lesbians and migrants. If we manage to eradicate discrimination and create a society and a labour market that are capable of including everyone, there does not have to be a future shortage of labour and the problem of poverty will be greatly decreased.

To create a society and a labour market capable of including everyone, a rather radical change of thought about the place work has in our lives is needed. At the moment, the labour market and the organisation of society as a whole are still tailored to the old-fashioned image of a male breadwinner with an uninterrupted career starting between the ages of 15 and 25 and ending around the age of 65 with a dependent female caregiver to raise children and care for the elderly. Of course, there have been some changes over the past decades. Women are much more often active in (part-time) paid labour than before and men are slightly more active in child-rearing and filial care and more attention is given to life-long learning. But the way in which society thinks about labour and everything related to it such as social security, leave entitlement, life-long learning and career path has fundamentally remained the same.

Targeting the labour market and society

In an aging society, we will need everyone in the labour market. Groups that are at present inactive or less active, like women, older workers, migrants and people with disabilities, need to be activated. Government policies to do this are often targeted mainly at those groups which do not participate in paid work. The idea is that if benefits are decreased, people will be prompted to enter the labour market. But what is the use of trying to force single parents into the labour market by cutting their social benefits if there is no adequate childcare available? What is the use of trying to force people over 55 years of age into the labour market by cutting off their chances of early retirement if employers do not want to hire older workers? What is the use of trying to decrease the number of people with disability benefits by changing the award criteria, if employers are not willing to or capable of adapting working conditions to allow disabled people to work? Policies that only target people will create more poverty, not more employees. Policies should, instead, be far more targeted at the labour market and employers.

I am not in principle against policies that put pressure on people to enter the labour market – far from it. Everyone should have and take the opportunity to work, take care of others and have spare time.

But as long as the preconditions to do this are not in place, these policies will only lead to more poverty and hardship for those who cannot live up to expectations or are hindered by practical obstacles.

Flexible working time

I advocate approaching the issue from a much more positive side: how can we make working as attractive as possible? For most women and many men, working would be much more attractive if it were easier to combine with caring for children and other loved ones. This is partly a question of time. The standard working time is still five days a week from nine to five, which is very hard to combine with the care of children. Everyone should have the right to work part-time if he or she wishes. Best of all would be if the working week could be customised according to the personal situation and wishes of the employee. People with children of school age could adapt their working week to school times, each parent could choose to stay at home one day or more a week, divorced parents could be home earlier when their child is with them and work longer days when their child is with the other parent and people, who want to work longer hours or more days because they choose not to have children or organise their family life differently can do so, too.

In the Netherlands, *GroenLinks*⁴ initiated a law on part-time labour and got it adopted. It means that everyone has the right to ask their employer for part-time work and the employer may only refuse in exceptional cases where it is proven that it harms the company unduly. This right to part-time work should exist for everyone but is not enough in itself. Society and the organisation of the labour market have to adapt to part-time workers as well. At the moment, men, who want to work part-time to care for their children are in many sectors, at best, not taken seriously anymore and, at worst, actively dissuaded. Another issue is that it is often impossible to rise through the ranks with a part-time job. If you want a career, you have to be willing to work full-time and overtime. So even if in the Netherlands there is theoretically a free choice to work part-time or full-

time, in practice men hardly get a chance to work part-time while women often work fewer hours than they would like to.

Flexible pensions

Another group for whom working would be more attractive if they had the possibility to work part-time are older people. Many people would welcome the chance to pull out of the labour market gradually instead of abruptly going from full-time to not working at all anymore. In some countries it is, however, financially very unattractive to work part-time at the end of one's career because pensions are based on last earnings before leaving work. Also, the negative image that many employers have of older workers prevents them from looking at the possibilities of keeping older workers in their companies longer. Instead, employers often try to get rid of people over 50 so they can hire someone younger in their place. Finally, there is in many countries an upper age limit for working. In many sectors it is simply legally not possible to work once the pensionable age has been reached. It would be welcome if governments made working longer possible by promoting part-time work, combating age discrimination and making the legal pensionable age flexible, instead of just raising the pensionable age, thereby creating a large group of people, who will be unemployed for longer.

It is not only the government and employers that prevent older workers from working part-time. They are themselves often unwilling to agree to a reduction in salary, and with the higher costs of older workers, it is not profitable for employers to retain people over 40 or 50 if they do not. Adapting the pension system to a career with flexible working time is one part of the equation, accepting a lower salary on the part of the employee is the other part. Unions are also firmly resisting a more flexible pensionable age. They are afraid that creating the right to work longer will before long lead to an obligation. This fear may be justified but unions will not be able to maintain this point of view. With the future shortage of workers, the pensionable age will rise anyway and the unions' rigid stance will prevent those people

4 The "Green-Left" Party.

who now want to work longer from doing so. Unions should instead use the leverage they have in these negotiations to make sure the conditions surrounding the extension of the working age are improved.

One way to make the pensionable age more flexible is not to define the age at which people have a right to pension benefits, but to define the number of years one has to have worked before this right can be invoked. This would also do justice to the difference in age when people start working. For people with less education this is often far earlier than for those with higher education and the difference can be up to ten years.

Flexible workplace

For some people, a flexible workplace might be the right answer. People with a disability could in some cases be greatly helped if they could work from home or if their workplace were properly adapted to their needs. In a few European countries, an employer can ask for financial help from the authorities to adapt a place of work for someone with a disability, for instance by making the doors wide enough for a wheelchair or using an adapted computer. This can help get into the workforce people who otherwise cannot work because of physical problems.

For some people with caregiving duties, a flexible workplace could also be the answer to their problems. I know a fair number of women and a few men with small children who have chosen to work mostly from home, so they can be there for the children when they get back from school and work for a few hours more after the children have gone to sleep at night. They work full-time – or to be honest, more than full-time – but they can combine the job with their caring commitments by being flexible about when they work instead of how much they work.

Of course, this can only be done in some types of jobs and not in others. In our Montenegrin factory, the smelters cannot really work from home. Workers have to be there physically to operate the machines. The planners who make the rosters on a computer could do this partly at home and the managers could write their management reports at home. As

the shortage of labour in this factory will mostly be in the higher educated ranks with more desk work than manual labour, more flexibility in working time or workplace might attract people who would otherwise not have ever considered working there.

Leave package

Aside from part-time work, a good leave package will make working more attractive. Many women now stop working altogether when they have a baby, because their maternity leave is too short and they cannot face working so soon after, or because they are faced with a double burden because the father cannot (or will not) share the caring duties. Taking leave to have and care for a baby should be a package, containing possibilities of leave for both parents. Fathers can then be involved in caring for babies immediately after birth, making the division of caring tasks less one-sided from the beginning and mothers can breastfeed and recuperate properly before going back to work. This should not only be the case for employees, but also for self-employed workers.

Another type of leave that is important in an aging society is filial care. When there are more elderly people in need of care, there is also a need for more people to provide it. Of course there should be enough high-quality professional care for those who need and want it but for those who choose to organise care informally, arrangements should be made. People should be able to take a certain number of days a year off to care for others, or work part-time to do so.

Life-long learning

Creating a real choice between full-time and part-time work and enough leave to care for children, parents or other loved ones will give parents and older workers the opportunity to become or stay active in the labour market. It does not, however, solve the mismatch between skills learnt early in life and the needs of a modern economy.

Montenegro is again a good example. High unemployment and a shortage of labour coexist there. In the tourism industry, Montenegro badly

needs extra people. The 2,500 people laid off at the aluminium plant do not, however, have the skills to fill these vacancies. They do not speak English and have never done anything but work in a mine or operate a machine. It should be normal and financially possible for people to continue learning throughout their working lives, making them more versatile and employable. This would facilitate a career shift when unemployment in their sector rises or when a job becomes physically too demanding.

Making labour in the service sector cheaper

Some of the people working in the aluminium factory might be able to get a new job there if they had access to schooling that would prepare them for a different type of work, but some others will not have the intellectual skills to do so. A solution for them might be to do all kinds of service jobs that do not require as much study, like gardening, grocery shopping, dog walking, driving children to school and picking them up, cleaning, doing laundry and chores around the house, etc. The fact that these services are provided for would, in turn, give people in higher skilled jobs more time to work. It would enable the new engineers with computer skills to work more hours in the aluminium plant, reducing the shortage of highly educated labour. All this requires shifting taxes from labour to profit and pollution. If labour were taxed less, services mainly consisting of man hours would be a lot cheaper so more people could make use of them or provide them.

Migrant workers and free movement of workers

All of this will probably still not be enough to fulfil the need for labour in an aging society. We will need workers from countries outside the EU where aging is not such an issue. A new common policy for migration should widen the possibilities for people to fill vacancies within the EU. Also, free movement of workers still needs improvement, for instance in the field of social security rights. That might make it possible for aluminium workers from Montenegro to fill vacancies in the agricultural sector in the Netherlands for instance, once their country becomes a member of the EU.

Flexible employers

Flexible working time, a better leave package, a flexible workplace, lifelong learning and a less homogenous group of employees all require a lot of flexibility from employers. They need to become more sensitive to combating discrimination and promoting diversity in the workplace and be ready to adapt the way work is organised. The problem is that these changes will only pay off in the long run, while employers are often busy keeping their companies afloat in the short run, especially in times of crisis. Politics should make a great effort to focus the attention of employers on the long term with discussion, campaigns, measures and information.

It should, for instance, be clear to all employers that older workers can be as productive as younger ones. It is not the age of the worker that influences their productivity negatively but the number of years they have been doing the same job. Older workers with new challenges are as productive as young people for whom work is challenging by definition. Allowing people to work part-time also improves their productivity. Full-time workers often spend relatively more unproductive hours going to meetings, answering email and chatting to colleagues, while part-time workers tend to organise work more efficiently and do things like going to the dentist on their day off. More research should be done in these and other areas of employment and the results should be spread more widely and be taken into consideration by policy makers.

Flexible society

It will not be enough to change thinking about employment alone. Society as a whole will need to become more flexible if we are to have the maximum number engaged in paid employment. There will need to be sufficient childcare facilities available, at reasonable prices or for free, so people can have young children and work. There will need to be facilities for life-long learning. But there is a need for far more than that: more flexible opening hours of stores and government offices; considering the needs of people who work and provide care, when planning new neighbourhoods and housing, would also help. There are some inspiring initiatives like

'kangaroo houses' where a small house for elderly parents is built next to a family home to facilitate filial care, or day care centres for children are built next to homes which have the same purpose.

The changes in labour organisation might well have a knock-on effect on other policy areas. Making working at home a possibility might have an effect on transport policy. Making labour cheaper requires a shift in tax policy. Many policy fields are in one way or another related to labour policy and need to be considered in the light of making it easier for people to work and provide care.

European policies for a flexible social society

The great thing about the aging society is that it necessitates social and labour market changes that we would like to see anyway. The call for better opportunities to combine work and care provision has existed for a long time. Now finally there is a reason for employers and governments to make the hard choices they should have made long ago. What the economic crisis is to the Green New Deal, the aging society is to a flexible society.

There are different ways to tackle these issues at the European level. New directives are being prepared on working time, maternity leave and discrimination outside of employment situations. The challenge will be to create a Working Time Directive that offers flexibility to workers, protects them from abuse, includes a package for paternity and filial

leave instead of only maternity leave and for the Council of the European Union to adopt a far-reaching directive to combat discrimination. Hopefully, there will be new initiatives from the European Commission in the next five years. With the Treaty of Lisbon coming into force, the EU will, for instance, start working on a common migration and asylum policy. The Greens have to try to make this policy inclusive and caring for those from third countries, who want to fill vacancies left by an aging society.

Another way is to monitor the implementation of existing directives such as those against discrimination in the labour market, the free movement of workers and the implementation of programmes aimed at combating poverty and social exclusion, such as PROGRESS⁵ or the Globalisation Adjustment Fund⁶.

In some areas such as pensions, taxation and employment the EU has no competence. On these issues the Member States have to decide their own goals and how to attain them. The revision of the Lisbon strategy (started in 2000) that runs until 2010 is a chance to influence these areas.

Where the Greens can make the most difference, is in trying to change thinking about labour. By presenting alternative visions, funding research, pointing out where EU policies are incoherent and making creative use of all the instruments that are at our disposal. The Green parliamentary group may be relatively small in numbers but is very big on ideas.



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5 <http://ec.europa.eu/social/main.jsp?catId=327&langId=en>

6 <http://ec.europa.eu/social/main.jsp?catId=326>

3. HEIDI HAUTALA

Mainstreaming human rights in EU institutions and policies

Introduction

Any discussion of human rights in 2009 must take into account the impact of the 2008 economic crisis that resulted in the implosion of the global financial structure. The funding needed and in some cases already pledged for human rights was suddenly no longer available. Much greater sums were required to bail out banks and other institutions and stimulus packages were hurriedly put together to keep economies from going under. To make matters worse the impact of the economic crisis was increasingly felt in the human rights sphere as the fallout resulted in rising rates of poverty, unemployment, hunger and homelessness, to name just a few of the consequences. As the human cost of the economic crisis has unfolded, it is clear that 2009 has been the most difficult year in recent times and it is against this background that we must consider the future.

Poverty and inequality

Even before the financial crisis catapulted inequality and deprivation to new heights, global efforts to reduce the many faces and side effects of poverty had been wholly unsatisfactory and a large scale failure; over one billion people live in slums and about two thirds of the world's population has no meaningful access to justice. This travesty must prompt a renewed commitment by UN Member States to the Millennium Development Goals of reducing poverty. Here is an opportunity for EU countries to take the lead.

Immigration

As the effects of the financial meltdown have unsettled large segments of population in develop-

ing countries, the pressure to migrate has increased. The EU remains a popular goal for vast numbers of migrants but so far has not taken satisfactory measures to adjust to this fact. The position of the Union and its Member States has been incoherent and at times clearly unacceptable on human rights. One could begin by having a proper debate on the ill-founded Dublin system⁷.

In practice, the 2008 EU directive on the return of illegal immigrants leaves those who arrive on our shores illicitly without any guarantee of their fundamental rights. Furthermore, some Member States have entered into bilateral agreements with certain countries of origin to prevent people from leaving. While restricting free movement is contrary to the core principles of the EU and international human rights law, this blanket license to detain people has also resulted in wide-scale violations of human rights in some of these third countries. If the EU truly aims to be a first-rate human rights actor in the international arena, this state of affairs must stop and all Member States must ensure that this challenge is addressed in line with their human rights commitments.

Racism

Racism and xenophobia have been pervasive in the EU for some time but as the economic meltdown has increased immigration and social tension, this trend is alarmingly on the rise. The communities that suffer most from prejudice, racism and doubtful state policies are the Roma and Sinti, Jews, Muslims and migrants. The situation of the Roma and Sinti is at last being recognised as a serious human rights issue above and beyond inequality and social exclusion and the European Parliament must therefore insist that the EU draft an effective policy to protect

7 The Dublin Convention and its successor, the Dublin Regulation, set the rules as to which Member State is responsible for handling an asylum application. The objective of the system is to avoid multiple asylum applications.

their civil, political, economic, social and cultural rights. We must also put an end to the systematic stigmatisation, the violent abuse and the mistreatment that occurs in the camps of this community. The EU's response has not been strong enough to stop these developments, nor are there sufficient mechanisms to protect the various vulnerable groups. I fully expect these issues to be better dealt with once the Lisbon treaty comes into force.

Civil and political rights

Respect for fundamental freedoms has been declining on a global scale for several years and some areas have actually been languishing at a stand still. The negative impact of Russia, both inside and outside its borders, must be noted with specific concern. These negative tendencies are not simply attacks on fundamental freedoms: they are also symptoms of a profound political malfunction and must clearly be addressed as such by the EU.

Freedom of speech/human rights defenders

Freedom of speech is the cornerstone of democracy and respect for human rights and the EU has already established itself as a committed supporter of the defenders of human rights. Restrictions on freedom of speech, media censorship and attacks on democracy, however, have continued to worsen throughout the world, partly due to the financial crisis. Non-governmental organisations have increasingly suffered from repressive laws and regulation and human rights defenders have been threatened, detained and killed. In line with these violations the flow of information has become more difficult and the internet and other new media have endured repeated attacks. We must ensure that the European Parliament remains a vocal defender of these fundamental human rights throughout the next five years. We must publicly support dissidents and their work by meeting them, inviting them to speak at the parliament and visiting them in their home countries. Furthermore, we must ensure that

the EU Guidelines on Human Rights Defenders (2004)⁸ are fully implemented and that support for civil society is incorporated into the external relations of the Union.

The fight against terrorism

The new US administration has made a vigorous start by actively engaging in international human rights issues. President Obama decided to close the Guantanamo Bay prison camp, terminated the operation of secret CIA prisons and unequivocally denounced torture. The EU was strongly implicated in the human rights violations of the previous US administration and as the new administration has moved to uncover the truth and roll back the erosion of civil liberties, the EU must join in this effort. We must ensure that the EU will act upon Obama's call for transparency and accountability and this must begin with a full and public account of EU complicity in the CIA programme of extraordinary renditions and other illegal activities carried out in this context.

Torture

In the fight against terrorism and related human rights violations the EU has maintained a high profile as a force to be reckoned with in the combat against torture. The EU has systematically raised this issue in its relations with third countries, taken initiatives at international level and supported civil society in efforts to prevent this kind of ill treatment. It is, however, to be noted that the EU Guidelines on Torture (2001, updated 2008)⁹ remain insufficiently implemented. We need a full report on the justification of internal counter-terrorism policies and the recently emerged information about torture and other cruel, inhuman and degrading activities in the EU's efforts to fight terrorism side by side with the US. It is also of utmost importance that all EU Member States sign, ratify and implement the Optional Protocol of the UN Convention against Torture¹⁰. Furthermore, the EU must restate the absolute nature of the non-

8 <http://www.consilium.europa.eu/uedocs/cmsUpload/GuidelinesDefenders.pdf>

9 http://ec.europa.eu/external_relations/human_rights/torture/docs/background_en.pdf

10 <http://www2.ohchr.org/english/law/cat-one.htm>

refoulement principle and reject unconditionally the legitimacy of diplomatic assurances concerning the sending of people for interrogation purposes to countries that practice torture. Until Member States fulfil these basic requirements, the EU will have no credibility in the global fight against torture.

The death penalty

The EU is a strong advocate of the abolition of the death penalty. The Union has taken action in the form of death penalty guidelines (1998, updated in 2008)¹¹, supported efforts in the international arena, most notably at the UN, and has often raised the issue in its relations with third countries. As the global human rights agenda is a living agenda, however, constant effort is needed to keep up the pressure and maintain momentum. The resolutions of the UN General Assembly of December 2007 and 2008 are important accomplishments and the EU should promote them at international and national levels.

The International Criminal Court/impunity

The EU's founding principles oblige it to ensure accountability for serious human rights violations at all times. The EU is therefore committed to the fight against the most serious human rights violations such as genocide, crimes against humanity and war crimes, over which the International Criminal Court has jurisdiction. The European Parliament is a long-standing supporter and promoter of the universal ratification of the Rome Statute (the statute of the Court)¹². The Union is also a dedicated partner in cross-regional, -jurisdictional and -institutional efforts to combat impunity for these crimes. In line with this ethos the EU has lent its support to the International Criminal Tribunal for Rwanda, the International Criminal Tribunal for the former Yugoslavia, the Extraordinary Chambers of the Courts of Cambodia and the Special Court for Sierra Leone. There is, however, still room to mainstream the International Criminal Court into the external relations of the EU and the ratification of the Statute of the Court should be systematically

included as a requirement in the Union's dealings with third countries.

EU human rights tools

Fundamental rights and freedoms, rule of law, equality and justice form the core of EU ethos and aspirations. Furthermore, it has been explicitly agreed that human rights lie at the centre of the EU Common Foreign and Security Policy. Even though the achievements in promoting those values have often been less than commendable, we must remember that we have a wide range of excellent tools at our disposal.

One of the most useful tools is the series of human rights guidelines on issues that are of great importance to the EU and its Member States. These guidelines aim to help different EU actors promote human rights by offering practical advice. All together the EU has seven guidelines: on the Death Penalty (1998, updated 2008); Torture (2001, updated 2008); Dialogues with Third Countries (2001); Children Affected by Armed Conflict (2003, updated 2008); Human Rights Defenders (2004); the Promotion and Protection of the Rights of the Child (2007) and Violence against Women and Girls and Combating all Forms of Discrimination against Them (2008). Guidelines on promoting compliance with the International Humanitarian Law (2005), aiming to create operational tools for the use of the EU in this sphere will also be important as the European Security and Defence Policy evolves. The duty of the European Parliament is to monitor the implementation of the guidelines and to remind actors inside and outside the EU of their importance.

Human rights dialogues are another essential item in the Union's human rights toolbox. They form a vital part of the EU's external strategy and thereby offer a useful platform for the advancement of the Union's human rights policy. There are currently around 30 human rights dialogues between the EU and third countries and they vary greatly in form and volume. Not all of these dialogues are satisfactory

11 http://europa.eu/legislation_summaries/human_rights/human_rights_in_third_countries/r10106_en.htm

12 <http://www.un.org/law/icc/index.html>

and some have stalled completely. It is our role as Greens in the parliament to keep the pressure on and demand more transparency, civil society input, benchmarking and commitments from the dialogue parties. Human rights issues have also been effectively raised in the context of political dialogue with the ACP countries under articles 8¹³ and 96 of the Cotonou Agreement¹⁴. While these are not de facto human rights dialogues and should never be taken as a fully-fledged substitute for them, these are paths we should undoubtedly explore and use should the opportunity arise. Using these possibilities is nothing less than human rights mainstreaming across the board at its best.

Elections alone do not safeguard democracy but they do offer a chance for its promotion. Promotion of democracy lies at the heart of the EU's foreign and security policy. While there is much to improve in the coherence of the EU's democracy promotion efforts, one dimension has nevertheless proved to be very useful – the EU Election Observation Missions¹⁵. These missions, however, cannot have a sustained impact on democracy promotion unless they overall are properly resourced. We must make sure that all aspects of democracy promotion receive adequate funding and that the 25% ceiling of the EIDHR¹⁶ -budget to the Election Observation Missions is fully granted. Furthermore, we have to ensure that the EU adopts a common strategy on democracy promotion abroad.

The Treaty of Lisbon

We must ensure that the Union and especially the European Parliament fully utilise the additional powers in the area of human rights that the Treaty of Lisbon provides. This will require a conscious change of attitude of both European citizens and their representatives in Brussels. Post Lisbon, they will not only be able to criticise EU policies but also act as gatekeepers. Moreover, this will enable us to mainstream human rights into the EU institutions and the EU's foreign relations.

The Treaty of Lisbon increases the powers of the parliament and thus enables it to insist on sufficient financial and human resources and the inclusion of human rights clauses in EU policies, agreements and decisions. Should EU institutions not respect this, the parliament has the power to terminate the agreement. We finally have the opportunity and the tools to protect and promote human rights effectively in Europe and beyond. We must use them well.

Under the Lisbon treaty the EU Charter on Fundamental Rights and Freedoms will become binding EU law and the European Union will be able to become a party to additional human rights treaties. The Union has already signed up to the UN convention on the Rights of Persons with Disabilities and the next one will most likely be the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights, ECHR). At present, EU institutions are not explicitly bound by the convention, unlike individual EU Member States, and signing up to it will bring into EU remit the long awaited accountability on human rights. EU institutions will become accountable to the European Court of Human Rights on issues concerning the convention. EU law will also be interpreted in the light of the convention and in turn the convention will directly apply to EU law. This constitutes a paradigm shift in the European human rights field and, during this initial stage, the European Parliament must keep a close watch to make sure the human rights commitments and obligations contained in the convention are fully implemented and enforced.

The human rights commissioner

This legislative period will probably also usher in the new post of Commissioner for Civil Rights and Fundamental Freedoms. Whilst we welcome this news we must remain vigilant that the mandate of the new commissioner will be enough to deal with human rights issues effectively. The mandate should enable the commissioner to tackle human rights

13 http://ec.europa.eu/development/body/publications/courier/courier200/pdf/en_018.pdf

14 http://europa.eu/legislation_summaries/development/african_caribbean_pacific_states/r12101_en.htm

15 http://ec.europa.eu/external_relations/human_rights/election_observation/index_en.htm

16 http://ec.europa.eu/europeaid/how/finance/eidhr_en.htm

discrepancies and violations within the EU remit and beyond the Union's borders. The new commissioner must be integrated into the decision making process of the new External Action Service to ensure human rights are integrated into EU policy. Sufficient resources therefore must be guaranteed to this office.

The European Union and human rights

We must ensure that the EU becomes a first-rate actor in the international human rights arena. Although strong on issues like freedom of speech and the death penalty, the record of action has been persistently inconsistent and compromised. At home the Union has failed to settle issues like xenophobia, racism and discrimination. The state of the Roma and Sinti community is a scandal of international proportions. In external relations the Union has been remiss and elusive in its human rights commitments. This has undoubtedly contributed to the downgrading of human rights issues on the international agenda. The EU must abandon the mindset that human rights issues abroad are of no concern to us because the reality is that their effects ripple into the EU. It is simply not possible to isolate the effects of human rights violations.

The EU will become a first-rate human rights actor only when there are no grounds for accusations of double standards, elusiveness and incoherence. Tackling the discrepancy between human rights standards applied internally and externally must be a priority. Once the Treaty of Lisbon comes into force, the citizens of Europe and the European Parliament will have a key role to play in ensuring this.

The Union must hone its strategy towards oppressive regimes. While inconsistency undermines the credibility of the EU in the international arena, we must have the courage to be flexible and even creative in our efforts. Isolation of repressive governments is not an effective strategy and will most likely be counterproductive and outright condemnation is only likely to increase animosity. Engagement with adversaries is not the same thing as concurring with their domestic travesties. While upholding our founding principles, we must systematically engage in constructive and substantive dialogue, diplomacy and interaction.

The EU and international institutions working on human rights

The EU has not cooperated with other international institutions in the field of human rights as well as it could have. This seems to be slowly changing. There is better cooperation with the Council of Europe and the UN has opened a regional office in Brussels. This offers tremendous opportunities for the EU to improve its human rights policies and contribute to the creation of a strong European regional human rights system.

The EU and the Council of Europe

As the EU ratifies the Convention for the Protection of Human Rights and Fundamental Freedoms and becomes subject to the jurisdiction of the European Court of Human Rights, cooperation with the Council of Europe will grow in importance. The increased institutional presence of the European Union at the Council of Europe is an excellent development but we must be vigilant that our activities do not overlap and thereby waste resources. Sharing information and expertise will be mutually enriching. The EU must take more into account the work of the Council of Europe and its expertise in the human rights field especially in the European Neighbourhood Policy. Moreover, the relationship between the Parliamentary Assembly of the Council of Europe and the European Parliament should be strengthened. We must do more together, meet more often and take joint action, on several levels. More specifically, we must benefit from each other's initiatives. While the 'quadripartite' meetings have proved useful, the parliamentary element in the discussions is missing. Both, the Council of Europe and the European Union parliamentary institutions must be integrated into these talks. These efforts must be guided by the Memorandum of Understanding between the Council of Europe and the European Union. The Memorandum of Understanding will be reviewed in 2011 to make it correspond with the institutional developments in Europe and the European Parliament must fully participate in this task.

The United Nations Office of the High Commissioner for Human Rights

The opening of an OHCHR regional office in Brussels marks a new beginning in the relationship between the UN and the EU. Cooperation must be intensified, coherence improved and efforts systematically coordinated. We need to exchange views on best practice as there is much we can learn from each other. Furthermore, I especially wish for closer cooperation between the European Parliament and the Human Rights Council and its special procedures.

The UN/Human Rights Council

As the most recent global development in the human rights field, the birth of the UN Human Rights Council in 2006 cannot be ignored and we also need to scrutinise the role of the EU within the Council. The Human Rights Council is heir to the unsuccessful Commission on Human Rights and was created solely to deliver where its predecessor had failed. During its first years, the fear that the new body would repeat the failures of its predecessor has materialised and the EU has failed to contribute to the building of a strong and effective Human Rights Council.

Today the Human Rights Council is plagued by block mentality, polarisation and double standards. The most vocal leaders of this development are Egypt in the name of the African group, Pakistan in the name of the Organisation of the Islamic Conference as well as more discreetly Russia and China. The aim of these countries and groups is to render the

Human Rights Council powerless to scrutinise their human rights records and those of their friends. The EU and the Western group's own efforts have been incoherent, unsystematic and defeatist.

The European Parliament – Green ambitions

The parliament is arguably the most vocal defender of human rights amongst the EU institutions and is very active in the human rights field. Within the work of the EU institutions the European Parliament should be able to make a greater contribution to issues concerning human rights. The EU institutions should take advantage of this vast potential, especially given the persistent criticism of their own poor performance in the human rights field. During my term as chair of the European Parliament Subcommittee on Human Rights, I aim to help the European Parliament achieve this goal.

The subcommittee has already become an important forum able to influence the strategies and targets of European Union human rights policy. Overall, the Greens' target for the subcommittee during this legislature must be mainstreaming human rights both in EU institutions and policies and improving cooperation between the international organisations working in this field. We must also ensure that the subcommittee continues to lend solid support to freedom of speech and human rights defenders. Finally, the subcommittee must push the EU to become a more coherent and consistent human rights actor in the international arena. If we have achieved these aims at the end of this five year term we will not have done too badly.



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4. JUDITH SARGENTINI

Making the most of labour migration

Imagine you are a child in Niger, Africa. Your parents cannot afford to spend more than one euro a day on your needs. They might not be able to send you to school. They probably cannot read or write themselves. You may expect to live some 50 years.

Now imagine you are a child in the Netherlands. About 60 times more money is available for you than for a child in Niger. You will certainly go to school for at least twelve years. Your life expectancy is 80 years.

The chances people get in life differ enormously according to the country where they are born. This 'lottery of birth' is fundamentally unfair. Unfortunately, a more just distribution of opportunity cannot be organised overnight. But should the child from Niger, once it can make its own choices, not at least have the opportunity to move to the Netherlands in order to improve its chances in life?

Towards open borders

The cosmopolitan ideal of open borders is an attractive vision, especially for the Greens. This ideal has to a great extent already been realised within the European Union. Free movement across borders has become a fundamental right for EU citizens. But this has only been possible because wealth is more evenly spread among the countries of the EU than worldwide. Indeed, the remaining limitations on the free movement of labour within the EU are applied to workers from less wealthy, new member states, such as Poland and Romania, by national governments that fear their labour market will be disrupted by an influx of cheap labour. If governments lift these temporary restrictions before their official expiry date - which I sincerely hope - this will be because more Poles and Romanians hope to find a rewarding job at home instead of abroad. Unfortunately, many people outside the EU have less reason to be optimistic about their own countries' development.

The opening of borders within the EU has been a gradual process. On a global scale, it will necessarily take much more time before people can move freely. A sudden abolition of the rich countries' borders would be too big a shock for their labour markets and social security systems. It would threaten the jobs and income of low-skilled workers in particular. They would experience this as a breach of the social contract, especially if their government is no longer able to guarantee basic social rights. The painful truth is that our welfare states are based on the exclusion of outsiders.

The EU example shows that letting in outsiders becomes easier as the wealth gap between countries decreases. Can controlled forms of labour migration be organised in such a way that they actually contribute to the closing of this gap? That is one of the questions, on which I would like to focus in the coming years in two European Parliament Committees: Civil Liberties, Justice and Home Affairs; and Development.

It is important to distinguish labour migration from other forms of migration, such as family reunification and asylum. Respecting the right to family life and protecting refugees are obligations for the EU and its Member States. They derive from human rights' treaties that, to a large extent, preclude economic considerations. By contrast, when it comes to labour or educational migration, we may use economic criteria for selection. As Greens we should aim to balance the interests of an aging Europe with the interests of developing countries and of the migrants themselves.

Illegal migration

Of course, in practice, there is a link between different forms of migration. The absence of legal channels of labour migration, especially for lower-skilled workers, fosters illegal migration and poorly

justified asylum claims. This process is fuelled by a demand from employers for cheap migrant workers, willing to do the tough and boring jobs that many Europeans no longer want to perform.

Already, there are between four and eight million migrants in the EU, who work without a permit. Their shameless exploitation by traffickers and employers amounts to unfair competition for legal workers doing the same kind of job, both native and immigrant, and is a human rights tragedy in itself. There is nothing romantic about being an illegal alien, living in constant fear of being arrested and deported. And these are the lucky ones: each year, hundreds of immigrants die before they reach Europe's shores. The Mediterranean Sea is becoming a vast graveyard.

The EU is turning itself into a 'gated community' to stop new illegal workers from coming in. Border fences, navy patrols and visa restrictions are the ugly downside of free movement within the EU's borders. It is questionable, though, if this will ever stop clandestine immigration, as long as we do not open up legal channels of migration.

In fact, we can hardly do without low-skilled migrant workers. In my own country, The Netherlands, the problem of unemployment would already have been superseded by the problem of labour shortages, if it had not been for the financial and economic crisis. In other EU countries, such as Germany, the working population is aging at an even faster pace.

Structural reforms to increase labour participation, such as raising retirement ages and improving childcare facilities, are indispensable for long-term financial stability, the viability of the euro and the preservation of Europe's place in the world. But higher labour participation will also boost the demand for cleaners, pizza delivery staff, babysitters and so forth, the low-paid occupations, which are already hard to fill. Once the economy recovers, the European debate on labour migration might well heat up.

Green strategy

How can we as Greens foster this debate and make sure we are listened to? Our group in the European Parliament was right to criticise the 'blue card' plans as they stand, because this card only facilitates entry for migrants with higher education – and might not even be attractive enough for them. Since labour migration is a reality, there should also be European work permits for lower-skilled migrants offering a humane alternative to illegal immigration.

But these arguments, valid as they may be, are not sufficient to reshape the European debate. Perhaps we need to question our strategy. As Greens, we are inclined to increase the rights of labour migrants. The policy paper which the European Green Party adopted last year, for instance, states that temporary work permits should become lasting residence permits after two or three years. That clearly serves the interest of those labour migrants admitted legally but it may also mean that very few of them will actually be admitted, for fear that they become an extra burden to the welfare state. Moreover, an approach that focuses on the individual migrant is not necessarily the one, which most serves the development of his or her country of origin. Thus, we Greens might well remain on the defensive: stuck between conservative and nationalist scare tactics about cultural tensions and the hidden costs of migration, and a leftist-populist narrative equating migration with the exploitation of workers and the 'brain drain'. Perhaps we should take a different approach, one that aims to make labour migration profitable for an aging Europe, for migrants seeking a better life *and* for their countries of origin.

Profit and cost of migration

The World Bank once made an estimate of what would happen if the rich countries admitted 3% more labour migrants, about 13 million people (World Bank 2006). It estimated this would cause global income to rise by 350 billion dollars – more than what we can expect from trade liberalisation, if the Doha round is successfully concluded by the World Trade Organization (SCP & CPB 2009). The new migrants would gain 143 billion dollars and

their countries of origin 162 billion. The native populations of the rich countries would see their income rise by 139 billion dollars, but immigrants, who already live in rich countries, would lose 88 billion.

These figures suggest that labour immigration can be turned into a 'win-win' situation, provided the rich countries compensate their 'old' migrants. Here, shifting the tax burden from low-income workers to capital and pollution would seem a sensible policy.

But there are also numerous studies that suggest Europe has nothing to gain from large-scale immigration. In the long run, the cost of health-care, education, pensions and social security for the newcomers and their families will exceed their tax contribution and they will not therefore alleviate the financial consequences of an aging population on national budgets (CPB 2003).

It is likely that the difference between these estimates can be explained by the use of varying timeframes and/or assumptions about which social rights labour migrants will claim and whether their stay is permanent or temporary. In many cases, extending the rights of migrant workers might be expected to tend towards having a negative effect on the long-term wealth of the receiving countries. We also need to include the social effects of failed integration, as many migrant workers may end up unemployed or locked into poor neighbourhoods where tensions accumulate and poverty proliferates. Work, after all, is the key to successful integration and giving immigrants a positive image.

Brain drain and brain gain

The beneficial effect of labour migration on the countries of origin, as predicted by the World Bank, is also contested. Some poor countries and many non-governmental organisations in the field of development cooperation complain about a 'brain drain'. Selective migration policies by rich countries can rob developing countries of their trained professionals, thus undermining essential public services such as healthcare.

It is doubtful, however, that these professionals would have had the facilities, the pay and the motivation to work effectively for the health and wealth of their countries, had they not left. As the United Nations Development Programme (UNDP) puts it in its latest Human Development Report¹⁷, "migration is more accurately portrayed as a symptom, not a cause, of failing health systems".

The UNDP also points out that half of the skilled emigrants return to their home countries, usually after five years. We may assume that many of them have become better skilled while working in the developed world. The UNDP prefers speaking of 'brain circulation' instead of 'brain drain'. Moreover, the prospect of a profitable career overseas motivates others to undertake higher education. The 'brain gain' of emigration would not exist if all avenues to rich countries were closed.

Apart from the brain gain, there is the financial gain of emigration. A substantial part of the money that migrant workers earn in rich countries is transferred to their families and communities in the country of origin. In 2007, officially recorded remittances to developing countries amounted to about four times the size of Official Development Aid (UNDP 2009). Even though the financial and economic crisis might have reduced this amount as migrants lose their jobs, this contribution to the wealth of developing countries still remains considerable.

Remittances are not only of a financial kind. There are also economic, social and political remittances. Migration to the developing world boosts trade. It introduces more liberal ways of thinking in developing countries and may increase the demand for a more accountable government.

We should note, however, that remittances to the country of origin are higher under temporary migration. Once migrants are settled with their families for good in a rich country, they are less inclined to send a large part of their earnings to relatives in the country of origin. Their motivation to engage in other ways to shape a better future for their home country might also diminish once they have found

17 <http://hdr.undp.org/en/reports/global/hdr2009>

a new home. This is a phenomenon we should not overlook if we want to maximise the positive impacts of labour migration on developing countries.

Benefits of circular migration

The previous two sections suggest that it is profitable for both destination and countries of origin if labour migration has a certain degree of circularity. Our policies should stimulate labour migrants to use the knowledge, skills, contacts and capital they acquire in Europe for the development of their countries of origin. In doing so, we reduce the financial risks to the European welfare states and may convince more people that an aging Europe does indeed need more immigrants.

Already today, most work permits are temporary. It could hardly be different, since not all migrant workers succeed in finding a job in the European labour market. In some sectors, such as agriculture and tourism, there is only a shortage of workers at certain times of the year. For these sectors, which nowadays draw heavily on clandestine labour, a seasonal programme of migrant workers seems particularly fitting.

To make such a programme or any temporary labour scheme successful, there are a number of problems that have to be overcome. First of all, employers need to abstain from hiring clandestine workers. These will always be cheaper, unless both the size of the financial penalties and the frequency of inspections drive up the cost of breaking the law. The recent EU directive on sanctions for employers of third country nationals without a work permit goes some way to discouraging illegal practices. Regrettably, it does not offer sufficient compensation for the migrant workers who, for much of the time, are victims of exploitation.

The risk of exploitative practices still exists when migrant workers have legal status. Tough government inspections of working conditions, working times and payment will be needed. If an employer finds ways to withhold part of the promised earnings to temporary migrants, they will not reach their savings target. This will increase the temptation to overstay the duration of the work permit illegally (Ruhs 2005).

Employers will have less power to exploit migrant workers if the latter has the right to leave one employment and find another. 'Employment portability' strengthens the hand of migrant workers, even when their work permit is restricted to certain sectors of the economy. Employment portability is best achieved if the selection of migrant workers is not left entirely to employers. EU Immigration Desks in 'sending' countries, like the experimental one that was set up in Mali last year, could do part of this job. These desks should ensure that the costs of temporary migration – obtaining a passport, travel tickets etc. – do not exceed the expected earnings. Excessive 'transaction' costs would also tempt migrant workers to overstay their permits and enter the illegal labour market.

Overstaying is the Achilles heel of any temporary migration scheme but countering this risk does not have to rely entirely on repressive measures. For instance, we might allow migrants, who return to their country of origin, to have their social insurance contributions paid as a lump sum upon return. Switzerland and Sweden already do so. This money could then be used as start up capital for an enterprise back home. In any case, it would increase remittances. Temporary labour migrants should also have the right to travel freely, especially to their country of origin. This way, they can maintain their networks at home (Ruhs 2005).

Most importantly, if we want migrant workers to return at the end of their permitted time, future return should become less irrevocable. Consider the Polish workers, who have entered the labour markets of western European countries in large numbers after Poland's accession to the EU. Why do so few of them opt for unemployment benefits now that the crisis has reduced their job opportunities? Why do so many of them return to Poland? Probably, because they know that they can come back once new opportunities arise.

Similarly, temporary workers from outside the EU must have a chance to close the circle. By returning to their country of origin as required by their permit, they should increase their eligibility for a new work permit or a visitor's visa. Canada has been running such a scheme for seasonal workers from

Mexico for years and hardly any of them overstay their work permit. The circular migrants invest their earnings in land, businesses, their children's education and better houses. Their remittances boost the economies of their villages. Had there not been the option of circular migration, they would never have stood a chance of entering the Canadian labour market legally.

Such models of circular migration are worthy of attention, if we Greens want to escape out of our lonely corner in the migration debate.

Limits of circular migration

Circular migration is not 'the egg of Columbus'. It would probably be unwise to impose it on highly skilled workers. This would further reduce Europe's attractiveness, compared to other destinations with lower income taxes such as the United States. Precluding a permanent stay is also not necessary to prevent a brain drain, since half of the highly skilled workers from developing countries return to their country of origin anyway.

Temporary or circular migration is also ill-suited to professionals such as nurses and teachers, or so limited evidence suggests. Successful interaction with patients or pupils demands an intimate knowledge of the culture of the host country. For the acquisition of this knowledge, a prolonged stay is required, as well as the prospect of citizenship (SCP & CPB 2009).

Similarly, employers in other sectors might have to invest so much in the training of migrant workers for certain jobs that it would be unreasonable to expect the employment contract to terminate after one or two years. In these cases, there should be an option to prolong the migrant's work permit and even the perspective of permanent stay and citizenship.

According to the EU's directive on long-term residents, third-country nationals get permanent status after five years of residence. They risk losing this status, however, if they leave EU territory for more than a year. This unnecessary obstacle to circular migration should be removed as it denies the transnational reality in which many migrants live.

A differentiated approach to labour migration with varying forms of work permits for different sectors and jobs seems to be appropriate. From the moment the migrant worker applies for a work permit, it should be clear under which conditions the permit, if at all, can be extended.

To reduce the spillover effect, there should be maximum harmonisation of European work permits, even though quotas for initial entry will remain a national prerogative. Life will always be more complex than the politicians' ability to plan and steer. Some temporary migrants, for instance, will fall in love with EU citizens. Marriage might give them the right to stay. That is not only inevitable, it is good. Migrants are not just units of labour; they are flesh and blood, people with passions.

Migration and development

I have argued that extending the rights of migrant workers is not necessarily in the best interest of their countries of origin. Temporary migrants produce more remittances for developing countries than permanent migrants. Temporary migration, even in circular schemes, gives more individuals a chance to earn good money in Europe, instead of being exploited as clandestine workers. A seasonable job in Europe may not offer a child from Niger the life it dreams of. But if, once grown up, this child can be a legal worker in Europe instead of an illegal alien, it will make as much difference as night and day.

Along with the earnings come new skills, new contacts, cultural learning and opportunities for trade. The EU could do more to maximise these benefits. The sending of remittances should be made cheaper. More migrant saving should end up in bank accounts in the countries of origin, so that the money can be lent out for productive investments, instead of being kept under mattresses. Returning migrants should get support for setting up their own businesses, even though future success will depend on 'good governance' in the home country.

To put an end to the brain drain debate, once and for all, EU countries should accept more students from developing countries. They should be charged no more in tuition fees for higher educa-

tion than students who already reside here. Those migrant students, who return home after their studies will compensate the developing countries for their perceived brain drain. Those who choose to stay in Europe, and are allowed to because they find a professional job within a year or so, will be our share in the brain gain.

Tackling labour and educational migration at the same time can maximise their positive impacts on the development of poor countries. If these impacts are sizeable enough to help reduce the wealth gap between rich and poor countries, the migration of a lucky few will eventually contribute to a world without borders for all.

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At the age of 25, Sargentini became a councillor in the municipality of Amsterdam. She was a consultant for Eurostep, the network of European non-governmental development organisations and, for many years, she worked as a lobbyist for the Netherlands Institute for Southern Africa. Sargentini was also international campaign coordinator of Fatal Transactions, a public campaign on conflict diamonds and the economics of warfare.

5. SVEN GIEGOLD

Financial markets and the Green New Deal: a shift to the long term

The globalisation of our western way of life has been caught up in a disastrous series of crises. Admittedly, several hundred million people in the newly industrialised countries have been able to increase their incomes significantly and there has been an expansion of the middle classes in China, India and Brazil. The price explosion in oil, gas, metal and foodstuffs, however, has made it impossible for the poor to access food and fuel. The world's hungry now number in excess of one billion, the highest figure in the history of mankind. Our consumer driven economy and society have also resulted in climate change – the greatest of all the global crises. The gap between rich and poor continues to widen: the world's poor vie with each other for low paid jobs. Those with the best incomes are able to command an ever-larger share of global wealth and, thanks to the free movement of capital, are able to secure tax advantages for the income derived from their wealth. The growth of this liquidity was also the basis for the enormous international financial speculation bubble that burst in the autumn of 2008. In the wake of neo-liberal globalisation, barriers for banks, hedge funds and other financial institutions disappeared but economic regulation remained for the most part in the national domain and was increasingly eroded as financial centres frantically competed with each other. This ended with nearly all the major banks having billions of toxic debt on their balance sheets that could not be covered by their own (totally insufficient) capital reserves. The world now finds itself in the worst economic crisis since the 1920s. Countries have had to prevent a total collapse of the financial system with enormous rescue and stimulus packages as well as minimum central bank interest rates – all, of course, financed on credit.

These crises have one cause in common: they all lacked any control framework geared to the common good. The pursuit of profit takes place at global level but those representing public interest are predominantly local and national, be they nation states or

critical civil society representatives. The scourges of globalisation – inequality, shortage of raw materials, climate change, environmental damage and macro-economic instability – can no longer be controlled by national politics. Even worse is the way power structures within states have shifted. Internationally mobile concerns, financial funds and highly qualified individuals have increased their power and influence while trade unions and other workers' organisations have lost out. For this reason it has become increasingly rare for national authorities to use what margin they have to promote the common good. The current inability to get a grip on the problems of globalisation throws even democracy, in the sense of sovereignty of the people, into a crisis.

The answers: de-globalisation and the globalisation of democracy

The anti-globalisation movement as well as the world's green parties offer two typical responses to the problems of globalisation. The first one is to reverse economic globalisation – 'small is beautiful' being their battle cry. The second supports the globalisation of politics. They would like to see an international body responsible for regulation for the sake of common economic welfare. In the same manner as political liberalisation opened a global Pandora's Box, environmental, social and economic regulation can also be internationalised.

At least as far as Europe is concerned, it would appear that the proponents of the internationalisation of politics have won the debate. There are still some green and globalisation localists but their numbers have clearly decreased. What is quite clear is that any consistent attempt to increase decentralisation will not solve global problems. In addition, globalisation has simply too many attractive attributes. There is hardly anyone, even in green circles, who would give up international exchange and the development aspects of economic

globalisation. It is no coincidence that the anti-globalisation movement, even in nationally-aware France, no longer talks of 'anti-mondialisation' but 'altermondialisation'.

Key environmental issues can only be solved with global co-operation. Even if all borders were closed, individual countries could still mess up the climate all on their own. It is for this reason that building global problem solving capacity will be crucial to getting on top of the problems of globalisation. One of the consequences of such action could well be that some economic sectors would be de-globalised or be globalised in a different way. International efforts to combat climate change could see some parts of agriculture and energy production returning to the regions. This, however, is fundamentally different to the general retreat from globalisation as demanded by the localists.

Under the crisis: the beach

The escalation of the crisis has decisively changed the nature of the globalisation debate. The proponents of a global 'free' market with minimum regulation have been thrown increasingly on the defensive. Apart from a few who remain unconvinced, the free marketeers now recognise the necessity for international efforts to combat climate change and environmental damage. There are increasing numbers of eco-friendly economic liberals, who accept global regulation of the environment but remain hard core neo-liberals. The economics section of major German newspaper *Frankfurter Allgemeine Zeitung* was a dogged defender of this position. The financial crisis, however, dealt such eco-friendly economic liberals a severe blow. Of all things, it was the financial markets with their greedy profit seekers and investors that turned out to be the Waterloo of economic platitudes. Even the ordoliberalism¹⁸ popular in some German green circles was unable to explain the crisis. Certainly, poor financial regulation or lack thereof, contributed to the financial crisis. At the same time, however, there was a gigantic speculation bubble of which the

well-informed were only too aware. In spite of that, the herd instinct to maximise utility (as described by Keynes and Minsky among others) took place. Enthusiasm for market efficiency has also been a casualty of the crisis. Market failure went much further than even the German ordoliberals were prepared to accept. This double crisis in market credibility presents a great opportunity for environmental and social policy. The majority of those profiting from neo-liberal globalisation are still sticking to their economic interests but the ideological basis is now badly damaged and the financial crisis has also created a growing number of losers within the group. We need to make the most of this with our Green New Deal.

The Green New Deal: ambitious and realistic

The Green New Deal (GND) is a packet of measures to tackle the global crises. It seeks to:

- regulate financial markets and increase international economic cooperation to improve macroeconomic stability;
- increase investment in measures to combat climate change;
- improve social cohesion both domestically and internationally.

Its aim is nothing less than to help move the trillions of dollars awash in global markets into investments geared to creating a more environmentally friendly and socially aware economic system. In order to do this we will need to offer incentives so that investment in measures to protect the climate such as development of renewable energy and raw materials can also be profitable. At the same time we need to improve efficiency by changing our methods of production and consumption. In order for this change to take place globally as well as nationally we need a better social balance. Developing countries will only be able to tackle climate change and protect the environment when there is a more equitable system of global trade and finance. They will only participate when the rich countries tackle climate

18 A school of economics developed in post-war Germany that teaches that state regulations can help the free market produce results close to its theoretical potential.

damage and undertake technology transfer. Even in the industrialised nations, the cost of restructuring the economic system will only be met if the system is deemed fair. Any policy that increases social divisions in our country is not only unjust; it is also a disservice to climate protection.

The GND is an ambitious programme intended for the social-environmental restructuring of our economy. The GND, however, is not designed to solve capitalism's recent problems but is a way to tackle issues quickly and decisively. You do not have to be against capitalism to support GND - you can be a fan of a socio-environmental market economy or realist critical of capitalism.

To avoid any misunderstanding: fundamental doubts about capitalism are certainly justifiable. Capitalism pushes for growth and the economic utilisation of anything unutilised. Of course one has to doubt that our limited planet can support continuous endless economic growth. The impressive study by Tim Jackson *Prosperity without growth* for the British Sustainable Development Council has shown that efficiency and technology cannot solve the problems of climate change and resource availability. An efficiency factor of 10 per unit of gross domestic product is no longer sufficient to reach the goal of 2°C. If economic growth continues unabated and developing countries wish to attain the same level as the developed world, then in order to maintain the 2°C goal, we will need to achieve an efficiency factor of 60. You would have to be very optimistic about technical developments to think such a goal possible. Even renewable energies could not achieve this.

Independent of the monetary value of the economy in 2050, taking environmental factors into account, we will rapidly need to reduce our use of natural resources and lower greenhouse gas emissions. In the next few years there needs to be massive investment in buildings and energy provision, new forms of transport and changes in farming methods. In the past, increased investment was always accompanied by a growth in gross national product. The indications are that the GND will achieve similar results. Gross domestic product will grow in monetary terms to enable the consumption

of natural resources to decline. This does not make a fundamental criticism of capitalism and growth passé. The 'greening' of capitalism will not alter its dubious cultural influence, as consumerism and materialism will always be with us. A good life seems hardly possible under a dictatorship of efficiency and speed, exploitation and flexibility, pressure to perform and competition. Until now we have been unable to produce any alternative to capitalism for an open, plural society. But it is worthwhile to search for an economic model that includes more cooperation and less competition and that also experiments with projects such as local markets and commerce, household solar energy provision, local currencies, housing associations, producer and consumer cooperatives and crisis rocked businesses being taken over by their employers.

It is right to debate what sort of system we need now as doubts about capitalism are being widely expressed. It would be wrong not to use this opportunity to push for the necessary change. Put clearly: in view of climate change we need to make the necessary environmental changes so fast that they will have to be done within the framework of the capitalist system. We will have to do our best to use the system's strengths (the desire for profit and the pull of competition) to bring about change. This pact with the capitalist monster can only work if policies clearly define environmental limits and offer incentives. Left to itself, the capitalist market is a destructive force. The rejection of eco-capitalism on the grounds that it does not properly challenge the fundamentals of our economic system or that it helps stabilise it, is, in the current crisis, overly cynical.

Financial markets: a change to long-termism

Other parts of this publication deal with different areas of the GND but this contribution concentrates on the first pillar: regulation of financial markets that will play a decisive role in the implementation of GNP. Making economies more ecologically friendly requires taking a long-term view. During these last few years it was more profitable for banks and investors to speculate in the short term rather than invest for the long term. The changes we want mean invest-

ment in real goods not just speculation. As long as it is more attractive to put gigantic sums of money into high-risk ventures the outlook for the financing of more sustainable investment does not look good. This will require additional central control and/or better fine-tuning to regulate financial systems.

Europe holds the key

Setting rules for financial markets is an EU competence. Individual Member States can also approve additional regulations within their (still) national financial market supervision. Even so, it is expedient that the EU's single market should have a common regulatory framework. Current EU financial market regulation needs to be revised and extended and the EU Commission's De Larosière working group has proposed measures to deal with this. Based on these proposals the commission has tabled a catalogue of measures which will require the approval of the Council of the European Union and the European Parliament that has full co-decision rights. Sometime in 2010 these measures will be decided and the Greens propose the following:

Capital reserves and the liability of banks, etc.

People take greater risks if they think they are not going to have to pay for their mistakes. For this reason it is necessary to raise the amount of capital banks are required to hold in reserve. This will ensure that the bank owners bear the cost of any losses rather than call on the taxpayers to bail them out. Long-term investment will therefore once again become a more attractive option for the banks. Capital requirements need to be constructed to allow for reserves to be built up when times are good so that in more difficult times credit availability will not have to be cut. In addition, all off balance sheet items will need to be included when calculating a financial institution's capital reserve. It is the banks' ability to provide credit that makes them central to any financial system. It is therefore most important that the Reform IV of the Capital Requirements Directive will properly implement these guidelines.

All financial market operators subject to the same regulation

In order to ensure that stricter banking rules are not sidestepped, all financial institutions should,

as far as possible, be regulated in the same way. No significant financial player must be left without control and supervision. It is therefore most important that the EU's Directive on Alternative Investment Fund Managers is implemented so that hedge and equity funds are brought under regulation. We will also press the commission to ensure that their forthcoming derivative regulation guidelines are fully comprehensive.

Limit management salaries and concentrate on long-term success

The practice of rewarding managers with substantial bonuses for short-term gains has resulted in the financial sector taking excessive risks. Rewards based on such short-term results must therefore be discontinued. Management salaries must be based on long-term company performance. It is therefore imperative that as much care should be given to the proposed EU guidelines on fund management salaries as to the Reform III of the Capital Requirements Directive.

Rating agencies: getting rid of harmful incentives

The rating agencies that assess credit worthiness have a rather strange way of operating. They award credit ratings for which they are paid by the organisations they rate. In other words companies can choose who will rate them. This means that the agencies have an incentive to award the best possible rating. There is no commercial incentive to ensure that ratings are properly accurate. This needs to be rectified. The Reform III of the EU's Capital Requirements Directive must take this into account.

European supervision of financial markets

Up to now, financial market regulation has been in the hands of national authorities, operating with varying degrees of thoroughness and efficiency. Alongside regulatory duties, many of these supervisory institutions have also been concerned with making their financial markets as attractive as possible to internationally mobile capital. To this end, we need an effective European body to control financial markets and stop the race to the bottom of ever-lower standards and lighter supervision.

The risk taker must pay: time for a tax on financial transactions

The final cost of the global financial crisis is still not known but it is quite clear that it will be extremely expensive. It is not just the billions spent bailing out the banks and providing stimulus packages but also the even higher indirect cost of loss of prosperity. The majority of political parties and interest groups are shirking the question as to how these costs can be financed. The Greens in Germany have demanded that income from capital should be taxed in the same progressive manner as tax levied on the income of employed workers. We also want to see a wealth tax to offset the continual rise in state indebtedness resulting from the crisis. We would like to see a comprehensive financial transaction tax at least in the Eurozone.

Closure of tax havens rather than giving in to competition to provide a lower taxed environment

In order to ensure that income from capital and other assets makes a proper fiscal contribution, we need to put an end to competition among countries to provide the lowest tax environment. At present, countries have high incentives to use low tax rates to attract international companies and this has proved popular with both companies and wealthy individuals. This leaves small and medium businesses and the honest taxpayer looking rather foolish. In a similar manner, often the same countries engage in competition to provide the loosest control and supervision of financial markets. If we are to have a just tax policy and proper financial market supervision we will need to put an end to these tax havens.

The key to this lies in Europe. The first thing to do is to come to some agreement with tax havens on minimum regulatory standards. This will most likely not be sufficient. With no global standards, achieving stronger European tax and financial regulation will require us to internationalise our efforts. The EU's large internal market offers a number of possibilities. European financial market regulations should apply to all those who operate in Europe, regardless of whether or not they are subsidiary companies. New regulations governing investment funds should also apply to all funds open to EU investors. In future, banks and insurance companies will have to decide if they want to operate in the EU or in tax havens.

Initial European financial market supervision: weak EU plan perpetuates out of date parochialism

As if there had not been enough damage, the European Commission has proposed an EU supervisory structure that is both fragmented and toothless. In future, there will be three EU authorities to supervise financial institutions involved in cross-border activities. There will be one each for banks, insurance and securities based in Paris, Frankfurt and London respectively. In addition, there will be a special council in the European Central Bank that will study risk and keep a general eye on macroeconomic stability.

Instead of creating a monolithic structure to supervise the billionaire financial conglomerates, the EU has given us a three-part body. This is bizarre given the advanced nature of the financial markets. The largest financial concerns are often equally exposed to all sectors as they gamble in bank, insurance and securities deals. The threefold division of the planned new agency is merely an extension of the current European regulatory structure that so clearly was unable to prevent the current crisis. It is therefore no wonder that those responsible at the European Central Bank (openly) and the European Commission (less openly) say that this kind of supervision is not appropriate to current conditions. More appropriate would be the sort of all embracing supervisory body that the United Kingdom has in the form of the Financial Services Authority and Germany, in principle, in the form of the *Bundesanstalt für Finanzdienstleistungsaufsicht* (BaFin).

The results of the European Commission's proposals are not just the fragmentation of supervision but also a growing burden of inter-governmentalism. The EU structure means that when the going gets tough none of the European supervisory bodies will be able to do anything. Whenever public money is required to prop up a bank, it will be the Member States alone that decide. In this manner key questions thrown up by the financial crisis remain unanswered: who provides the funds to save a bank present in more than one country? How are the various interests in the different countries to be reconciled?

The European taxpayer has paid dearly for this lack of clarity. For many years, Ireland made money from its low tax, low regulation regime but it is now the German taxpayer who is stumping up for the Hypo Real Estate (HRE) bankruptcy¹⁹. Ireland that made it possible for banks and large concerns to avoid regulation will not have to pay for the bail-outs. Admittedly, it is German banking supervision and finance policy that carries the main responsibility for the HRE disaster but the incentive to engage in 'regulatory' dumping is strong when not all countries are involved in the bail-out schemes.

Another example is the crash of the Benelux bank, Fortis. As the Netherlands and Belgium were unable to agree as to how much each should pay of the billions lost, the crisis intensified and cost even more money. These examples demonstrate how much better it would be if there was cross border regulation that made the allocation of liability clear in advance of a crisis. This could best be provided by a European regulatory authority covering all financial services.

Also annoying is the fact that special purpose vehicles used by the banks will not fall under the remit of the European supervisory authority. Instead of bringing light to the shadows, the European Commission has not even managed to strike a match! It was these special vehicles that were also partly responsible for the HRE and BayernLB crashes. These two institutions lost heavily on speculations made via off-balance sheet vehicles established in the tax havens of Dublin and Delaware (U.S.). The new banking regulations do not even touch on this question in a footnote.

If you discuss these issues with commission officials they are unable to provide sound technical reasons for their half-heartedness. Instead they point out that large Member States such as Germany and the United Kingdom do not want a strong European body to supervise financial markets. Even the current commission proposals go too far for the UK government. Discussing supervision of the London financial market arouses a feeling of Euroscepticism

even greater than what one is used to. Of all people singing in tune with the British was the then German finance minister, Steinbrück, usually a vocal critic of the 'City'. Initial discussions in the council on the commission's already rather weak proposals ended with a whole series of watered-down measures.

A Europe for the people and the environment – not parish pump politics

The actions of the commission bear the typical hallmarks of its president, Barroso. Instead of properly pursuing the interests of the whole Union and following the European treaties, he has confused the job of the European Commission with that of a general secretariat for the larger Member States. Instead of being the guardian of the treaties, he has been the fainthearted advocate of national governments that no longer believe in the European dream.

In the next ten months a package of measures to guide and regulate financial markets will be negotiated by the European Commission, Member States and the European Parliament. Given the enormous consequences of the current crisis there is too much at stake to allow the tunnel vision of national competence to block what is appropriate and reasonable: strong and measured regulation of European financial markets by EU institutions, capable of applying the rules. The European Parliament must keep in mind the interests of European citizens rather than defend imagined national scope for action that globalisation has long since put paid to. It is encouraging that the Committee on Economic and Monetary Affairs of the European Parliament was able to reject the council's watered-down measures for financial market supervision with a joint statement from representatives of the EPP (European People's Party), the PES (Party of European Socialists) the ALDE (Alliance of Liberals and Democrats for Europe) and the Greens.

A new coalition for the Green New Deal

Even though it is growing in importance, the European Parliament alone is in no position to push

19 See <http://www.irishtimes.com/newspaper/finance/2009/0807/1224252148990.html>

through the Green New Deal, neither in the regulation of financial markets nor in the provision of the necessary investment to make our economies more environmentally and socially friendly. To do this we need a coalition to promote change. There are four groups that have an important role to play here: consumer organisations, trade unions, producers of the products of the future and critical non-governmental organisations. We need to institute a continuous dialogue with these partners to identify broad common initiatives.

Democracy

Financial markets especially provide a good example as to how unequally power is distributed. Those who have been damaged by the financial crisis are ordinary citizens who are seldom members of organisations that deal with financial affairs. In contrast, the most important beneficiaries of weakly regulated financial markets such as banks and funds are members of well-organised and powerful lob-

bies whose influence is constantly in evidence in the European Parliament's economic committee. The European Commission's expert groups are dominated by individuals, who also have interests in financial service organisations or actors.

If we want more effective regulation of the global economy then we need to limit the power of these lobbies. We need to separate the common interest from those of individuals in the same manner as church and state were separated in the past. Europe needs a compulsory lobby register. Anyone who has had a job in politics or administration should be forbidden from taking up employment in either a private company or interest group connected with their previous appointment until their 'cooling-off time' has elapsed. Election campaigns and political parties need to manage without large financial donations. This battle for democratic rules will be decisive if we are to have a globalisation that is socially aware and environmentally friendly.



Sven Giegold was elected to the European Parliament in June 2009. He is a member of the Green/European Free Alliance Group and their coordinator in the economic and monetary committee. Before joining BÜNDNIS 90/DIE GRÜNEN in 2008, Giegold and others founded Attac Deutschland (2000) und the European Coordination of Attac (2002). From 1991 to 1996 he studied economics and politics and adult education in Bremen and Birmingham (UK) where he obtained his master's degree in social science. Following this, he founded, with friends, an environmental centre that has created 40 jobs. Sven Giegold has written articles and books on globalisation, taxation and socially responsible economies.

6. MARTIN HÄUSLING

Green agricultural policy: the wider perspective

The next five years will see a complete re-evaluation of agricultural policy including a revision of its financial framework that will take place in 2013. We will also need to investigate how far the policy of recent years has been sensible and purposeful.

Evaluation of the current situation

In recent years, both the European Commission and Council have agreed that agricultural policy needs to be freed from its rigid system of regulation, one example being the abolition of milk quotas. The European Commission wants a policy of complete liberalisation that will make EU agriculture fit for the world market and thus strengthen its export position.

As European Greens, we reject this policy as being neither in the interest of producers nor consumers. The announcement of the abolition of production restrictions and the gradual increase of milk quotas have had a ruinous effect on dairy producers. A disastrous reduction of nearly 50% in the price paid to the farmer has only translated into an 8% fall in supermarket price.

The fall in price has only been to the benefit of the dairy industry and trade. The outmoded response of European agricultural policy has been to reintroduce export subsidies. Europe's butter and milk surpluses have been swept onto the world market. Such actions only serve to disrupt the emergence of domestic milk production in developing countries and put local small farmers out of business. The Greens have long demanded an end to such dumping. What has just occurred in the milk sector demonstrates how wrong the focus of this policy is and how much we need to change it.

Gearing European agricultural policy to world markets is totally the wrong way to go. The European Court of Auditors criticised milk exports in October 2009 saying that: *"The Commission and the Member States should therefore focus primarily on satisfying the needs of the European domestic market, and also on the production of cheeses and other products of high added value which can be exported without budgetary assistance²⁰."*

Instead of swamping the world market with subsidised surplus production (courtesy of the tax payer), the Greens believe that policy should be directed towards promoting regional markets. The goal should be fair prices for both producers and consumers and more employment in rural areas. Priority should be given to the EU's domestic market. Globally seen, world trade has little significance for agricultural products. Only 8% of EU agricultural produce goes to the world market while 90% is consumed in the region where it was produced. The world market therefore only plays a minor role.

The wider perspective of Green agricultural policy

It is about time to fill the concept of the European agricultural model with life. Green agricultural policy is rural development policy. Its priorities will be high food standards and, most importantly, environmental issues like adapting to climate change and the contribution of agriculture to the reduction of green house gases. The current policy has led to a massive loss of rural employment. EU subsidies favour the expansion of farms and hence further encourage the industrialisation of production.

Creating jobs not emptying the countryside

The current policy of structural change has caused the loss of hundreds of thousands of jobs, a fact that seems to have gone almost unnoticed. Farmers increasingly see no future in agriculture. There are currently some 13.1 million farms in the EU of which 350 daily go out of business and in many parts of Europe there are few other alternative sources of income.

For social and ecological reasons there should be no further promotion of industrialised agriculture. Instead, assistance to agricultural enterprises should take into account how many jobs they can provide. Up until the present, EU agricultural subsidies of the first pillar have favoured enterprises with the greatest production units. The success of EU agricultural policy needs to be measured by how well it can ensure jobs in rural areas.

Protecting the environment has been largely ignored. Concentration in agriculture has resulted in a uniform and rather featureless landscape. One example is the ever increasing production of maize in central Europe and the planting of wheat varieties with a limited genetic profile. At the same time protein rich plants such as beans and peas are being cultivated in ever decreasing quantities. Animal and plant varieties that are adapted to regional conditions are losing out to cheap mass-produced goods.

The last review of agricultural policy reported that the new challenges of climate change and biological diversity needed to be given greater prominence but this declaration has been backed up by neither symbolic nor concrete action. At the three-week UN conference on biodiversity in Berlin in May 2008, the host, federal environment minister, Horst Seehofer was most notable for his absence. It would appear that biodiversity is still viewed as imposing restrictions on farmers to protect butterflies rather than a key factor in tackling climate change.

Programmes designed to reward farmers for using environmentally friendly methods have also included agendas for combating climate change and promoting biodiversity. They have, however, not been adequate to encourage the cultivation of

traditional plant varieties. Biodiversity will not only secure our future food supply but ensure we have varieties resistant to pest and disease as well as able to cope with changes in consumer preference. One good example is the reintroduction of a traditional German plant, rucola. It was only after the plant was rediscovered as a popular ingredient in Italian cuisine that it experienced a renaissance.

Climate change and agriculture

Agriculture is one of the areas most affected by climate change and at the same time one of the main factors causing it. Between 17 and 30% of the impact on the climate is the result of agriculture. These figures only include direct emissions (17%) and the greenhouse gases released with the burning and clearance of rain forests for land use (an additional 13%). Emissions due to transport associated with agriculture are calculated separately and not included here.

Industrialised agriculture is very energy-intensive and consumes large amounts of fossil fuels, particularly in the manufacture of mineral fertilisers and synthesised pesticides. We would like to see a greater use of solar energy and a reduction in the use of fossil fuels in agriculture. One approach would be the expansion of crops such as peas and beans in all their varieties, which will not only contribute to diversification but also reduce soybean imports from North and South America. The production of soybeans (much of it used to fatten cattle and poultry in the EU) has been a major factor in the clearing of rain forest. It must therefore be counted as another negative effect agriculture has on climate change.

Intensive animal husbandry is one of the biggest challenges facing agriculture as it has severed all ties with the natural cycle. Advanced industrialisation, particularly in the production of poultry and in some cases pork, has resulted in chicken being sold in supermarkets at a cheaper price than dog food. What is currently marketed as a climate friendly agricultural development turns out to be just the latest technology for spreading liquid manure on the fields in order to lower nitrogen loss. Agriculture is going to have to do better than that to combat climate change.

There must be targets for agriculture in the fight against climate change and we must reward methods that protect the environment such as the planting of crops that will in the long term bind more CO₂ into the soil than they release into the atmosphere. Organic farming is energy efficient and its methods produce less CO₂. Crop rotation contributes to a CO₂ neutral agriculture.

Agriculture must make more efficient use of remnants in its increasing production of raw materials and fuel. There needs to be a more consistent use of methane from both manure and slurry in the production of biofuels. This will contribute to a reduction in greenhouse gas, as methane is one of its most damaging components.

Genetically modified organisms (GMOs) – neither in the field nor on the plate

The precautionary principle must be our central aim in food production. It is not just the end product that needs to be certified but the whole process should be free of risk. Food safety is more than just high-quality food processing. We need to adopt a flexible approach towards small and medium-sized processors with their regional and cultural specialities as a countermeasure to the increasing dominance of industrial food manufacture.

A green agricultural and food stuffs policy envisions GMO-free food and prohibits the use of GMOs in both arable farming and animal husbandry. Moreover, the use of GMOs means that agriculture has become dependent on a few transnational companies. In recent years GMO plants have been patented especially in the EU and other developed countries. Even more recently, there has been a new development as patents have been filed on the various technical stages in the breeding of conventional animals and plants. The peculiarities of European patent law also allow the results of these breeding methods (offspring and some plants for human consumption) to be patented in their turn. Our revision of the EU biotechnology patent directive²¹ will make clear that

we want to see naturally bred animals, plants and their genotype excluded from patenting on ethical, social and legal grounds. It should not be up to businesses to decide what and how we eat. Regions will be legally allowed to ban GMOs in their area.

Fairer rules in the food market

One of the aims of EU policy is to secure export markets for the foodstuffs sector. As the EU is one of the largest domestic markets in the world, one is bound to ask what advantage this presents to its farmers and consumers. Looking at the example of Canada one can see that a restructuring of the milk market to domestic requirements has resulted in higher prices for producers and reasonable prices for consumers. Compared to the USA, the government spends less on the milk sector and supermarket prices are also lower. Since the beginning of the year, EU surpluses have once more been dumped onto the world market disrupting domestic milk production in developing countries.

Our aim of just trade in agricultural products is based on the idea of an EcoFair Trade that respects the environment. When there is unfair competition we need to help those who are disadvantaged. It is not always fair to have a uniform application of the rules. We must be flexible in our approach to the poorest nations if their agriculture is to be protected. In these countries between 50 and 80% of the population depends directly on agriculture for their income. Opening up 50% of the domestic market, as for example the EU's partnership agreement with West Africa aspires, destroys regional integration and takes away any room for manoeuvre third country governments or parliaments might have to shape their own food and agricultural policies. The West African economic region of ECOWAS²² decided to liberalise the regional market for meat products but continue to protect the most important crops of rice, millet and maize. Developing countries must be allowed to exercise such a flexible approach in the future. We believe in promoting trade that is socially and environmentally responsible. Free

21 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:1998:213:0013:0021:EN:PDF>

22 Economic Community Of West African States.

trade for imports from developing countries should be targeted to enable small farmers to make a living from what they sell.

The food crisis of 2008 demonstrated the consequences of market liberalisation for the poorest of the poor. The Philippines opened their rice market as demanded by the World Trade Organisation and as a result were no longer self sufficient. When rice prices rose to 1000 dollars per ton on the international exchanges, the poor in the Philippines were scarcely able to afford one rice meal a day.

If we re-regionalise trade and give small farmers in the South targeted privileged market access, this will remove the unfair competition that they currently suffer and secure them a better income. Hunger has many causes and in only a few cases will market access to the EU improve the economic situation of the poor. In the majority of cases, however, the solutions are to be found elsewhere. About half of all the world's one billion hungry are small farmers in developing countries – ironically those who produce food. They are hungry because they have no access to land and because independent advice about production methods has disappeared years ago. They also lack appropriate seeds and access to credit.

Healthy and tasty food

European Greens believe in a food policy that includes a variety of dietary cultures and styles. Instead of a global one-size-fits-all approach we want more local markets and food production that shortens the distance between field and plate using species appropriate animal husbandry. We want no GMOs either on plates or in the feed troughs. We are sceptical about animal cloning because in the case

of animal protection there is much more to consider than pure species designation.

New research priorities

A new approach to agricultural research is needed: we must reintroduce the cultivation of protein rich plants not only to increase diversity but also to protect the rain forest from further destruction and reduce the resultant negative effect on climate change. Biodiversity, along with energy efficient methods of production and distribution are goals that have only just come onto the agenda. The diversification of rural economies and establishing links between sustainable tourism, farming, food processing and distribution will secure the future of food production. As a global report on agriculture has shown, farmers all over the world have extensive knowledge and experience that must be better utilised in research projects. The University of Kassel demonstrated the success of this approach in a study of animal welfare that included observations made by small farmers. It was their input and enthusiasm that brought about the successful initiative to reintroduce a variety of winter pea, the cultivation of which had long been abandoned and from which biofuel can be extracted.

Vision for the future

In five years time we will have a flourishing countryside with fields full of old and new crop varieties, meadows of cows and sheep and better employment opportunities in agriculture and the craft sector, especially in eastern Europe. Fairer and more regional trade and production should have lifted poor farmers in developing countries out of extreme poverty and thus provided their children with better education opportunities.



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7. ISABELLE DURANT

Transport must cease to live on environmental credit

After 50 years of common effort, transport in Europe has undergone profound change. The free movement of goods and persons within the European Union, the opening up of the national economies to both Europe and the rest of the world, as well as just-in-time production methods are some of the factors that have brought far-reaching change on the transport scene and resulted in a considerable increase in the number of people and volume of goods transported. There are mobile warehouses driving along European roads and the very high number of cars, vans, lorries and container trucks has resulted in increasingly unmanageable congestion.

The lack of appropriate and diversified infrastructure pricing has meant that goods transported by rail are at a disadvantage compared to those moved by road. In addition there is such keen competition within individual transport sectors that (social) security issues and the working conditions of those in the industry are frequently compromised. With the introduction of the hub system, airfreight, previously reserved for specific goods and distances, has grown to rival haulage transport on the road in an effort to decrease delivery times, even over relatively short distances. Logistic companies have developed around airfreight terminals and have become economic development motors in many European regions. There is much competition between these centres to attract companies and investors and, in the bid for economic expansion and employment creation, little attention has been paid to noise pollution.

There has been a huge increase in air passenger traffic in line with the rapid expansion of low cost airlines that have often signed exclusive deals with regional airports and demonstrated ingenuity in cost-cutting with tax deals and low labour costs. Today, with a few ten euro notes you could fly 500 kilometres but the same distance by train would be much more expensive.

European household budgets spend around 15% of their income on travel and one third of this sum is for car purchase. It is noteworthy that about half of all journeys undertaken are less than five kilometres in length. At the same time, in 2008, more than 39,000 people were killed in road accidents in the EU's Member States.

Unsustainable growth, unequal competition

In recent decades, the European Union has been an extremely active legislator in transport matters, in turn viewing it as an independent economic sector, a creator of employment and growth and an indispensable support for the Union's global and European economic activity and competitiveness.

All modes of transport have been included in its many laws and regulations concerning: standardisation, harmonisation and efficiency; the creation of networks; the safety of products and the travelling public; the rights of passengers; signposting, traffic management, air traffic control and port services and the training of pilots and sea captains. As in the energy and telecoms sectors, or more recently that of postal services, the monopoly situation of national companies running railways, airlines or maritime transport has now been broken, as these companies have been opened up to competition. The object of this exercise being to increase the quality of service offered to the customer while lowering the price.

Some 15 years on is perhaps the time to take a critical look at the results. These vary widely according to the mode of transport, the way in which EU legislation was transposed into national law and its practical application (or avoidance). Just as happened in the energy sector, the dismantling of state transport monopolies has also resulted in private monopolies (as successive concentrations of companies and shareholders have taken place) and better quality and lower prices have not been

always achieved. In the meantime, there has been continuing intense competition between the various transport sectors that has resulted in a dizzying growth of road traffic that does not have to pay its real costs. Between 2000 and 2007 there was a 27% increase in the amount of freight moved by road! Air transport that, as we know, pays neither tax on aviation fuel nor on ticket sales has risen by nearly 13% in the same period²³.

As regards the integration of networks, roads and other infrastructure the results are also somewhat mixed. There are still many physical and technical obstacles. Despite the growth of high-speed train tracks and efforts to advance the trans-European networks, the lack of interoperability between the various national rail systems remains a problem. The liberalisation of rail freight that was supposed to create competition by opening up the rail networks, has, for the most part, resulted in a concentration of companies around the former (monopoly) operators, who continue to protect their interests via their choice of technology.

Alarming environmental effects

Such growth and physical restrictions on mobility have had an alarming effect on the environment: from 1990 to 2002, emissions from international aviation increased by almost 70%²⁴. In 2006, 71% of greenhouse gas emissions from transport were caused by road traffic.

In spite of the economic crisis, there will certainly be no reduction in these problem areas: electronic commerce; an aging population; population concentrated in urban areas and the dispersion of production; and the number of journeys generated by these factors will all result in a demand for more transport. The commission communication on "A sustainable future for transport"²⁵ summarises the situation in one sentence: "more people and greater economic affluence mean more mobility and more transport". The same document that is

the pre-ambule to the white paper expected in 2010 emphasises the pricing question. The communication talks about a "smart price" and technological innovation – ideas that the Greens have been proposing for 20 years – that foresee a transport pricing structure in which the external costs (those actually caused by the users) are properly reflected.

It is clear, however, that we cannot reverse the tendency in the next 50 years by means of white papers or measures based exclusively on managing the modes of transport, the infrastructure or technology. We will also need to give equal attention to the demand for mobility and the variety of ways this can be met. It is in this area that the Greens need to offer alternatives and put pressure on the various actors to look at the situation and its future evolution with different eyes. In short, transport must cease to live on environmental credit.

The challenge of climate change is upon us. It is the sole topic of conversation at every opportunity and in all areas. Commission President Barroso's reaction during his campaign to be re-elected was not the right one. Of course he used fashionable expressions such as "de-carbonising the transport sector". This is already a first step, given the effort and imagination that was required in the 1990s to get either the council or the commission to recognise in their documents that climate change was a real issue. But it is by no means sufficient, as every effort to 'de-carbonise' will require concrete measures, intelligent, innovative low-carbon solutions at no or minimum cost to governments. In addition, these measures will have to change the behaviour of private households and companies, create employment, transfer the tax burden to non-renewable resources and generators of CO₂ and promote a more efficient use of existing transport infrastructure (intelligent transport, infrastructure charges, information systems, signposting, etc.).

Even if there is a successor agreement in Copenhagen in December 2009, or shortly after-

23 http://ec.europa.eu/transport/publications/statistics/statistics_en.htm

24 http://ec.europa.eu/environment/climat/aviation/index_en.htm

25 http://ec.europa.eu/transport/publications/doc/2009_future_of_transport_en.pdf

wards, and regardless of how ambitious it is, one can still not allow entire transport sectors to remain outside the scope of serious efforts to mitigate climate change. The first targets announced for maritime and air traffic are completely insufficient.

It would be a mistake to assume that the climate change problem and emission reductions can be solved exclusively by the use of low emission vehicles – inaccurately called ‘clean vehicles.’ In fact, despite an improvement in heavy goods vehicles (including shipping and aeroplanes), the increase in distance travelled has negated the anticipated improvements and has boosted an environmental and climate ‘bill’ that cannot be met by other sectors. A kilometre tax is therefore inevitable and must, in the first instance, fall on those methods of transport that are least environmentally friendly.

Some urgent questions

There are a number of problems that need to be resolved – especially in the case of high-speed trains. Twenty years of experience have shown that these trains are popular with well-off customers and the less wealthy would also like to use them. Their fare prices, however, are way above those for other methods of transport such as the car and aeroplanes. Despite their expensive fares, high-speed train companies such as the French TGV are only just about economically viable. How can one solve this problem? How can we facilitate the expansion of such a system to cover the whole of Europe and lower prices enough to make rail cheaper than air over medium distances?

We also need to find answers to the problems of urban transport. The population of Europe is concentrated in urban areas along with knowledge and service industries but they also suffer traffic congestion and air pollution. The pressure of traffic is constantly increasing and requires enormous construction projects that municipalities are unable to finance. Also, it is precisely the deteriorating quality of life and air that forces the better-off to leave town centres and move to the periphery. They, however,

continue to drive each day into town to work, using services that the municipalities have difficulty providing. Better planning both for urban centres and the periphery, collective systems and the creation of sustainable new neighbourhoods are some of the ways to master and shape transport demand. City tolls, low emission urban public transport networks as well as promotion of cycle use and car sharing are other methods of responding to demand.

A further important adjustment is that we cannot envisage the transport sector decoupled from its environmental consequences: the effects it has not just on emissions (and the resulting impact on global warming) but also on the state of the countryside, biodiversity, the working environment, the health of those who suffer noise and air pollution and poor road safety. We can no longer deal with transport without reference to urban and regional planning. We need to stop thinking and planning in isolation as this results in contradictions and incoherence – as happened within trans-European networks: the zones they cross and the Natura 2000²⁶ designated zones are defined by separate commissioners, ministers and parliamentary committees.

In a similar fashion, the quality of transport and infrastructure safety are closely linked with the social conditions of those employed in the sector and the rights of passengers and other users. We would find it unacceptable that an oil tanker was piloted by an under-qualified and exploited crew, or that long distance lorry drivers were forced by their employers or customers to tamper with their tachographs. The challenge posed by transport is therefore also to ensure that its employees are well-trained and have proper social security protection. For the length of time they drive or work, the quality of their equipment and loads, as well as the standard of their training do not only affect the quality of and security in their work but also those who travel with them, the goods transported by them and all those with whom they come into contact on the road. In this manner the demand for public transport from passengers and other consumers can be met with a high-quality service.

26 The EU network of protected nature and biodiversity areas.

The economic crisis demands that sectors able to provide long-term employment receive favourable treatment. Transport is one of these sectors but investment has to be well-directed. We need to dispel a myth: the belief that all investments in infrastructure will result in long-term economic advantage is untrue. The experiences of the 1990s show that the economic benefits resulting from the investments made with EU assistance in road and airport infrastructure in countries such as Portugal that had recently joined the Union, were wildly over-estimated. In the light of this experience, Portugal has decided to delay planned investment in road and aviation projects during the current economic crisis. Those countries that have most recently joined the EU and will not benefit from the same massive financial aid as Portugal did in the 1990s, should take their lead from this. Investment needs

to be concentrated upstream of transport and the economy, in research and development, education and training on the one hand and on conversion of the car industry, threatened by company concentration and production relocation, on the other.

Future prospects

The European Parliament's Committee on Transport will have a lot to do in the coming legislative period. In addition to this enormous legislative task we will need to get the networks going, exert pressure in the right places and, above all, cooperate with the transport industry. Not least, we must ensure that the European Commission produces a 'transport package' that defines clear emission reduction targets for all transport.



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8. BAS EICKHOUT

Climate change: the need for resource efficiency

Since Al Gore's 2007 Nobel Prize for Peace – shared with the scientists active in the United Nation's (UN) Intergovernmental Panel on Climate Change – the world leaders are increasingly focusing their environmental policies on climate change. Clearly, the issue of climate change demonstrates that our current resource use delivers human wellbeing but at the cost of damaging the global environment. The sustainability of our environment is at stake and eventually it will have enormous adverse consequences for our human prospect. A short-term focus on economic development, however, will – in the long run – undermine our prospects. In the coming years the main challenge will be to promote global development for our growing population, without causing further deterioration in environmental resources. In that sense, climate change is just the first clear signal that our resource use is reaching the end of the world's capacity to fulfil it. Loss of biodiversity is the next sustainability issue that will demand our attention. Let us hope that attention will be paid to this issue before another Nobel Prize has to be awarded. This chapter outlines the Green agenda for improving resource efficiency, essential not for moral reasons but to secure our future.

Energy for development

The consumption of energy is necessary for human activities and economic welfare but the present methods of energy production and consumption have a major impact on the environment. Fossil-fuel combustion is the single most important cause of anthropogenic climate change. Reducing greenhouse gas emissions will arguably be the greatest challenge facing the energy system today. There are various other environmental problems also associated with the production of energy, such as air pollution (regional, urban and local), landscape disturbance, the generation of waste and the risk of nuclear accident. Moreover, energy resources are

limited and unevenly distributed across the world. This begs the question as to whether energy security can be maintained in the long run, especially for resource-poor regions.

Energy consumption is expected to continue to grow worldwide, mainly driven by increasing demand in low-income regions. A typical projection of world energy consumption shows an increase by a factor of 2 to 3, over the 21st century. Without some form of regulation this energy demand will be met by business as usual: more use of fossil fuels, mainly coming from the most abundant source, coal, which is the most polluting and inefficient form of fossil fuel.

All future scenarios based on heavy coal consumption show that global temperatures will rise by a minimum of 4°C but more likely above 6°C. The consequences will be severe: negative impacts on agricultural yields; the loss of sensitive ecosystems (such as coral reefs, mountain ecosystems, Arctic sea ice and the world's glaciers); forests will be hit by wildfires and an increase in extreme weather events will challenge our societies. The world sea level will rise by at least 1.2 metres by the end of the century. Most critically, there is a considerable risk of tipping points being reached that will affect the functioning of the Amazon, the release of methane from tundra/permafrost and the stability of the Greenland and West Antarctic ice sheets.

It's renewable energy, stupid

It is clear that we cannot continue along this path of global warming. Moreover, the burning of coal will lead to further air pollution, especially in urban areas that provide work and housing for increasing numbers of people. Scientists have calculated that by 2050 our greenhouse gas emissions need to be reduced to at least 80% below the 1990 level. In fact, our European greenhouse gas emissions really need

to be zero by 2050. To attain this target we need a different kind of economy: one that is fully based on renewable energy resources. Renewables, ranging from solar and wind to geothermal, tidal and biomass are infinite, clean and evenly distributed throughout the world's regions.

The transition to renewable energy, however, will not be an easy task that can be accomplished within one or two decades. The European Union will need to act now to complete this transition by 2050. Many hurdles, especially political ones, will have to be cleared. Vested interests can exert considerable political pressure and people are generally reluctant to embrace completely new ideas.

Technological barriers also need to be overcome. Given the uncertainty as to technological advance and the varying evaluations as to the benefits and trade-offs of different technologies, it is not possible to determine the optimal technology mix per sector that would bring about the required low emission levels for 2050. In fact, throughout history, there have been many examples of long-term visions for energy systems that turned out to be misguided: one example being that energy policies in several industrialised countries in the 1970s were based on achieving a fully nuclear based system by 2000.

One of the most attractive forms of climate policy, in terms of low cost and ease of implementation, is to decarbonise the central power system. This can be done by using large-scale renewable power production, such as wind power, hydro power or concentrated solar power (CSP). As the complete abolition of fossil-fuel power plants is unlikely, the combination of such power generation with carbon capture and storage (CCS) should not be prohibited. Especially since, in the long-term, the combination of bioenergy-based power plants and CCS is the only option that will remove greenhouse gases thus decreasing concentrations in the atmosphere. The provision of centralised energy from renewable power plants will require that we change to electricity as the primary mode of energy for end use ('all-electric energy system'). Such a strategy will require a transition to electric vehicles for personal travel charged from grid power points. Modes of transport, for which electric motorisation would

probably be more problematic, such as trucks, aeroplanes and ships, could be run either on properly sustainable biofuels or oil-based fuels. Most domestic energy requirements such as heating and cooking could also be based on electricity. Space heating, for instance, could easily be based on efficient heat pumps or solar boiler systems.

Large- and small-scale

An essential part of such energy provision transformation will be extensive investment in the expansion of power grids on a continental scale (super grid). Such super grids will facilitate the extent of the penetration of large-scale renewable energy plants, reducing problems of intermittency. They will also provide the option of transporting electricity on an even larger intercontinental scale (such as from North Africa into Europe). This strategy of increased investment in grids and the phasing in of large 'non-carbon emitting' plants could begin in high-income countries and be followed by a similar strategy in low-income countries. A crucial element in an electricity-based energy system is the development of electricity storage capacity, either in large-scale facilities using pumped hydropower or compressed air, or on a generally smaller scale, using batteries.

The future of renewable energy supply is not only large-scale. The main technologies of small-scale energy provision are solar photovoltaic (PV) systems and small-scale wind turbines, distributed geothermal heating and cooling and biogas-based micro combined heat and power (micro CHP). To integrate such technologies into the energy system would require changes in the distribution grids, with better coordination and grid control mechanisms and development of so-called smart grids. Large-scale local power production would require additional production capacity, which could compromise the overall environmental effect if storage or backup capacity were limited. Since both centralised and decentralised power systems offer significant potential for the inclusion of renewable power production, there is a good argument for maintaining both as a hybrid option in any future sustainable energy system.

Energy efficiency

The technological aspect, however, should not be the only focus of our future policies. Saving energy is an important element in all climate change policy strategies. Studies show that using less energy than we currently do over the next century could achieve substantial emission reductions. Different scenarios show that, with a proper climate change policy (as opposed to no policy), energy saving could achieve on average a 25% reduction in emissions over the next 30 years. Saving energy is an attractive option because it has many other advantages: it reduces dependence on energy imports; it reduces sensitivity to energy price variations and it helps improve the competitiveness of companies and even whole sectors. Substantial acceleration in the rate of energy efficiency improvement is, however, not easy to implement, as it involves so many sectors, applications and a large number of actors.

The most important aspects of energy saving that need to be addressed are the residential and transport sectors. In the context of the present economic crisis, it is clear that sectoral fiscal stimuli for energy efficient buildings and sustainable transport are key options. The retrofitting of buildings is considered a highly effective measure: globally, energy used by buildings could be reduced by almost 30% by 2030, with a long-term zero net cost. Moreover, the application of current building technology could cut energy consumption by around 80% compared to traditional designs.

In the transport sector, current CO₂ legislation is associated with incremental improvements that run the risk of limiting innovative incentives. Therefore, a proper and robust long-term strategy is required to reduce greenhouse gas emissions significantly from transport, avoid lock-in effects and loss of flexibility. Measures for improving general vehicle energy efficiency (aerodynamics, weight reduction) and to address travel behaviour (awareness, pricing measures), are 'no-regret' options for reducing emissions from the transport sector. The issue of behavioural change, however, has not yet been properly addressed by (Green) politicians. Our Green agenda for the 21st century should therefore encompass both a technological focus on 100% renewable

energy resources and the behavioural change necessary to meet stringent energy efficiency targets.

Sustainable development: solving problems without causing new ones

The issue of sustainable development has often been confused by technological fixes that may serve economic development in the short term and but only partly deal with the environmental issues at stake. The case of biofuels is a clear example of such a misguided solution. Setting a 10% target of biofuel consumption for European transport by 2020 amounts to around 35 million tonnes of oil equivalent. If grown in Europe with existing technologies ('first generation'), an area of 20 to 30 million hectares will be required for the production of this quantity of biofuel. Clearly, such an amount of agricultural land will not be available in Europe and therefore biofuels will be grown in developing regions, where increasing areas of agricultural land are already needed to feed growing populations. This will likely lead to additional loss of biodiversity and the displacement effects of agriculture will result in unavoidable additional greenhouse gas emissions. The narrow focus on renewable energy resources will not solve the climate crisis nor will it contribute to poverty alleviation nor prevent loss of biodiversity. In order to avoid negative impacts, it is essential not to set overambitious bioenergy or biofuel targets. For second generation bioenergy the risks of negative biodiversity impact and adverse effects on hunger would appear to be much less severe. Still, it is important to monitor impacts and adjust policies accordingly. In 2050, about 50-150 EJ/yr might be used without having a severe impact on biodiversity, assuming production is restricted to abandoned agricultural land, some of the natural grassland areas and there are additional biodiversity constraints that include agricultural and forest residues. Such numbers, however, are very uncertain.

The example of biofuels demonstrates that our planet is currently heavily over-used and how interconnected many problems are. There are not many technological fixes that do not cause new problems. This means that Green politicians need to advocate solutions that may not be very popular with non-governmental organisations: we cannot afford to

lose options because of unfounded criticism. Green politicians are therefore under an obligation to ensure that their facts and figures are widely communicated.

Resource efficiency

It is important that Green politicians put the issue of resource efficiency back on the political agenda. Climate change cannot simply be overcome by technological fixes especially since other sustainability issues, poverty alleviation and loss of biodiversity, also need to be solved. Focussing only on technological fixes will result in temporary solutions that will divert us from the difficult discussions that must be had. For example, the 'electrification' of transport as described above may, wrongly, give us the impression that we do not need to address our addiction to cars. Even electric cars need to be constructed and our cities do not have the capacity for another billion private vehicles. Therefore, the debate on less private transport and shifts in all forms of transport needs to take place alongside the transition to electric cars.

Other debates are also needed. Meat production currently uses 80% of agricultural land and is the main cause of deforestation but accounts for only 15% of calorie intake. The most land intensive form of meat production is that for beef. Reduced meat (or specifically beef) consumption could contribute substantially to decreasing pressure on land. Research has shown that when meat consumption is replaced by a vegetarian diet based on crops (using protein from pulses and soy) agricultural land use was reduced by more than 50% (mostly grasslands). The same dietary changes that reduce land use would also substantially decrease the greenhouse gas emissions associated with agriculture. In part, directly, by reducing the methane and nitrous oxide emissions associated with animal husbandry but, more importantly, also indirectly by the regeneration of natural vegetation on abandoned agricultural land. Theoretically, a shift to a vegetarian diet could achieve as much as a 20 to 30% share of the emissions reduction required realising the 2°C temperature target.

The 'real' impact of low-meat diets depends on what is used as a substitute: the environmental benefits of switching from meat to artificial 'meat like' substitutes (milk-based), for instance, would provide substantially less gain. Substituting fish for meat is also undesirable as the majority of our fishing grounds are currently overexploited. The question remains as to whether these lifestyle changes are realistic. Financial measures (such as a meat tax) could have some effect but considerable societal resistance can be expected. It has been shown that consumer preferences with respect to meat consumption are hard to change and challenging this will be a tough job for politicians.

To summarise, it is clear that the Greens need to further develop their vision as to how to shape a green energy economy. It cannot be forgotten, however, that climate change is only one of the signals indicating that we are over-using our planet's resources. Therefore, the issue of resource efficiency should also be at the top of our agenda. It has often been argued that consumers will never voluntarily adjust their behaviour to protect the world's resources and that governments will have to impose solutions. It has, however, become increasingly clear that some government policies accelerate resource destruction while some individual consumers have invested time and effort in achieving more sustainable consumption patterns. Behavioural change is not realistically a top-down governmental strategy but one requiring individual motivation for a change in lifestyle. Awareness, recognition and acceptance of the urgency of the problems at hand are crucial pre-conditions for such a fundamental change in lifestyle and individual consumer behaviour. That is the real agenda for future Green policies: to advocate a lifestyle that is more resource efficient without losing the people's support in achieving this. On this specific issue we still have a long road to travel.

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9. FRANZISKA BRANTNER

The EU as a global force for peace, development and the promotion of human rights

Introduction

The EU is currently facing great change. It is highly likely that the pillar system established by the Treaty of Maastricht for external relations will soon be succeeded by new structures as the European External Action Service (EEAS) shortly gets underway. The EEAS, established by the Treaty of Lisbon, will be organised in a way that will cut across the old pillars.

European Security and Defence Policy (ESDP), built up bit by bit since 1998, has successfully completed its first ten years. The question now arises as to whether it is ready to move up a level and meet the strategic and conceptual challenges required of Europe's new foreign policy.

One strategic question that the Greens need to address is the issue of the four financial foreign policy instruments included in the Prodi Package²⁷. These have been in operation since January 2007 and will shortly need to be amended. The question here is how to define where Europe can add value. Is the European Commission – alongside the council's ESDP civilian, policing and military missions – up to playing an active role in formulating strategic foreign and security goals or will it simply continue to deal with issues on an ad hoc basis?

Benchmarks

What counts is not the number of reports, position papers or motions for resolutions but the quality of what we do and the ability to really get things changed. This we can measure by seeing how far we are able to shape the policy agenda, how much green legislation is passed and especially how many resources (money, personnel) are made available

for specific projects. In the European Parliament, any policy to do with external affairs that is not mentioned in the annual budget or the next financial forecast is simply a collection of words.

Whether or not the Greens will be able to win recognition will only be made clear when the agenda is set: are new issues such as mediation, reconciliation, training and peace building and their practical implications explicitly mentioned? Secondly, do finance and personnel in specific budget lines and organisational charts back up Green ideas and priorities? The third criterion is proper implementation. We have already experienced that even when there is a legal basis and sufficient finance, this does not necessarily translate into real change on the spot if the implementation is done in a half-hearted way, as was the case with the Peace Building Partnership under the Instrument for Stability (IfS). In the end it is implementation that really counts. Internal debate in Brussels is both abstract and unhelpful for those living and working in the world's danger zones.

I. Content: overcoming the strategic vacuum

The main problem of European foreign policy is that it lacks an overall concept and as a result consists of a series of piecemeal strategies. The 2003 European Security Strategy (ESS) made a reasonable analysis of many of the international issues but it was not able to do more than outline the most necessary policy objectives. The ESS is far too general to be implemented and six years after its introduction it still lacks second line strategies: strategies to deal with failing and failed states, poverty, scarcity of resources, organised crime, small arms proliferation, migration etc. These strategies have to reshape the problem and formulate a few less concrete goals.

27 http://www.europarl.europa.eu/meetdocs/2004_2009/documents/pr/561/561325/561325en.pdf

In addition, it is very important that all the instruments of the European Commission, the Council and, when possible, those of the Member States and the UN are made available, put to use and advantage is taken of their complementary nature. For the most part there is no overall policy for an individual country and its geographical region.

The current strategic vacuum, however, is not just the result of the attitude of the council and the commission. The European Parliament and many others in business and civil society are also equally short-sighted and small-minded. Many of them are lobbyists and their relationship with the institutions is based exclusively on their own interests. One example is the difficulties non-governmental organisations have in deciding their joint position on future EU development policy. Some of them favour a return to a structure that the commission has already abandoned while others want to introduce a system of short and medium-term crisis management. The EU institutions are, however, heavily dependent on input from civil society. The European Parliament constantly refuses to set priorities and have the difficult political debate that is needed: they much rather prefer to pass inconsequential resolutions on the hobbyhorses of individual members.

1) Peace building, conflict prevention and reconciliation

If you have a successful system of early warning and prevention, expensive and politically risky military interventions will become obsolete. The 2001 Swedish Presidency programme that proposed an EU conflict prevention policy, however, has never been transformed into a practical reality. So far, neither council nor commission feel responsible for it.

It is a similar story for all the areas connected to peace building. This is an area where all kinds of short and medium-term activities can be brought together in the period immediately following the end of violent conflict: intervention, decommissioning, the building of administrative capacity, provision of water and food, social reintegration of combatants including child soldiers, reconciliation and the removal of mines or other ordinance.

For the Greens, the EU needs to do what the UN has been doing for a long time: a lot more mediation and reconciliation. The EU itself has been a gigantic mediation and reconciliation project for its members but it has not yet succeeded in translating this capacity to the outside world. For mediation to work well we need a better early warning system capable of recognising global windows of opportunity where swift and uncomplicated intervention would work. We could then send a team drawn from a pool of trained mediation experts but all this has to happen at great speed, which would require low administrative hurdles. One good example is the timely intervention in the Aceh conflict in 2005. We should have been able to be equally successful in Sri Lanka, Georgia and other areas.

A second function that we need to integrate into the EU's future mediation capacity is the training of local mediators. Civil society representatives have for years done a similar job but they often have very limited financial resources. It pays off to have conflict prevention professionals already in the towns and villages of areas of tension ready to intervene and organise. There is nearly always a violence free option but what is often missing is a neutral figure or at least a person commanding respect and trust, who can create the necessary atmosphere of confidence.

It is a similar situation in the case of reconciliation work, which is mostly lacking at the EU level. Reconciliation work is extremely important if peace is to be maintained and further conflict prevented. Statistics show that war and armed conflict occur where there was previously fighting. There is a high rate of fighting reoccurring as not enough investment is made in confidence building measures among the general population. Reconciliation was successful in South Africa and Rwanda. In Sri Lanka and Georgia it was not only necessary but would have been just as important as the EU's current observer mission. South Ossetia and Georgia need to find some kind of *modus vivendi* for future coexistence.

2) Human rights once more a priority

Although the EU has potentially effective instruments to promote human rights, political decisions

made in recent times demonstrate that this is less and less of a priority. The human rights clauses in third country agreements and the European Instrument for Democracy and Human Rights (EIDHR) are now treated very much as poor relations. In addition, there is a growing readiness to sacrifice human rights for other interests: one recalls the comments of French Foreign Minister Kouchner on this topic. As far as we can tell, the application of the human rights clause is seldom touched upon with third countries even when they are known to have substantially violated international norms. The EIDHR is so short-staffed that it cannot develop and implement any meaningful programmes.

The battle to have human rights accepted universally goes on at the global level and here the EU lacks a strategy to promote human rights in the UN context. The EU Member States, the U.S. along with a number of countries from Central and Latin America are confronted with a bloc of increasingly aggressive countries that includes China and Russia wanting to steadily reduce the importance of human rights to preserve their national sovereignty. Organisations such as the UN Human Rights Committee are used by this bloc to give legitimacy to incidents such as the Sri Lankan military action against the Tamils. Instead of there being increasing support for the idea of the right to interfere in a country's domestic affairs under the motto of 'responsibility to protect', recent events demonstrate that the trend is actually in the opposite direction.

Against this background, the EU must prepare its strategy for the UN Human Rights Committee universal periodic review process in 2011. It must therefore ensure that its working groups CONUN²⁸ and COHOM²⁹ produce a strategy that can be used at the review conference to push through a liberal and universal interpretation of human rights in the face of the opposition bloc described above. Other UN members, preferably non-EU countries need to be contacted and consulted in good time to get agreement on a common strategy. With this in mind, it would be expedient to set up a high-level working group of the EU, the U.S. and other liberal countries

dedicated to organising the necessary voting majorities ahead of the conference.

3) Ending resources, climate change and energy security

The European Security Strategy talks about the battle against the waste of resources but has there ever been any practical policy to address the issue? In 2005, the High Representative for the Common Foreign and Security Policy, Javier Solana, developed with the Commission a strategy paper on the EU's external energy policy. Four years later it is still unclear as to how we will solve the next disagreement we have with Russia over gas supplies and which pipeline we favour for delivery to the EU. As to the questions concerning sustainable use of the resources in the Arctic and throughout Africa, there are even fewer ideas.

From the Green point of view, we can quickly say that if we change to renewable energy we will no longer have to deal with geostrategic issues concerning pipelines or their blackmail potential. Part of the EU's external energy policy should therefore be directed at the development of renewable sources in developing countries. The questions concerning resources and climate change, however, go beyond decisions on energy carriers. When deciding strategies for resources or Africa, the EU will have to consider conflict with China, which is now beginning to follow Europeans in plundering the continent. Part of this strategy must be to readjust the fisheries policy. The security problems in Somalia and West Sahara are not just the result of civil war, they also exist because local fishermen are no longer able to make a living in the wake of a disadvantageous agreement with the EU and have adopted criminal means to make money.

The Greens will also need to measure the EU against how successfully it develops a strategy for the Arctic. In recent years the U.S., Canada, Russia and Norway have been in a race to exploit the resources underneath the ever-diminishing ice cap. This also has a security dimension as Norway hopes to have

28 Council working group for the United Nations.

29 Working Party on Human Rights.

NATO support in its increasing number of disputes with Russia. The EU therefore needs a strategy that sets down exactly what we want and do not want in this region. The Greens must act to ensure sustainability and that the Arctic is protected by a treaty so as to avoid the damage caused by climate change being further intensified by uncontrolled exploitation.

4) Non-proliferation – we must take Obama's word for it

One of the few strategies to emerge from the ESS is that of nuclear non-proliferation but the problem is its vagueness and the fact that, to the present, it has had no influence on global negotiations. The last commission on the Treaty of Non-Proliferation of Nuclear Weapons (NPT) failed, partly because the countries with nuclear weapons hindered discussion about reductions in their arsenals. The U.S. president has now taken initiative for a global reduction in nuclear weapons and put it on the UN Security Council agenda. The British prime minister has also announced that the UK will reduce its arsenal. The EU, however, that has a special representative for this issue, has remained silent.

The Greens will need to promote discussion on the French and British nuclear weapons. If those states with weapons send out clear signals about reductions this could have an enormous influence on states with nuclear ambitions and persuade them to abandon risky and expensive experiments and programmes. Looking forward to the May 2010 conference to revise the NPT, there is a second important point to consider: we need to remove nuclear energy from the remit of the International Atomic Energy Organisation so that it is only responsible for combating the spread of nuclear weapons and disarmament. We should also campaign for an international nuclear fuel bank.

Moreover, there is a need for a strategy to cover conventional weapons. The EU has agreed to a global Arms Trade Treaty but has done nothing to implement it. There are similar situations with the fight against the use of mines and small arms. The Greens must do everything they can to ensure that funding for mine clearance (in decline since 2007) flows once more and that the Instrument for Stability produces

and implements measures to tackle the important issue of small arms by 2010 at the latest.

5) Police and military stabilising forces

European Security and Defence Policy (ESDP) has undertaken more than 20 operations in the last six years – an impressive number. The majority of the missions were welcome. In only a few cases, such as in the Congo and Chad, the local political situation is so non-transparent that evaluation is difficult. With the exception of the so-called battle groups, ESDP has made use of just about all the various combinations of deployment at its disposal. It is now, however, time to take the plunge and set up a strategic group. What this means is not an intervention mission but rather a clear delineation of police and military instruments in the context of regional or whole country strategies.

One example is Bosnia and Herzegovina (BiH) from where the ALTHEA mission should be withdrawn as soon as possible. The German defence minister in particular has pushed for such a move. The EU is present in many forms in BiH: the special representative; the commission representation office that is working on the Stabilisation and Association Agreement, the visa dialogue and preparations for eventual membership; part of the office of the special representative; the police mission and finally the military mission, ALTHEA that serves to guarantee security. All of these functions are not, however, integrated into a BiH strategy, onto which Brussels has been able to force some kind of order. The council presidency has intervened punctually in the case of constitutional reform, important in the context of membership, whereas this issue did not engage the commission. Without committing to any progress in the country (i.e. overcoming the constitution set up by the Dayton Agreement that causes a good deal of political tension) the council has announced an early withdrawal of the military mission that would have been more useful after constitutional reform had had a positive effect. The current dithering only serves to increase insecurity for which the real cause is the lack of a proper strategy.

II. New structures for a new foreign policy

With the introduction of the European External Action Service (EEAS) the EU has the chance to make a real quality leap. The inflexible division between diplomacy, military and civilians prevalent in the 18th century can now be abrogated. An integrated foreign policy under the control of civilian politics is now within grasp if a number of key issues are taken into account.

It is correct that the European Parliament demanded that the EEAS be established within the commission. This was a negotiating tactic as the over-powerful Member States would prefer to see the service in the council. If the final result is a sui generis entity equally separate from both council and commission then we will have already taken a significant step. Otherwise there is always the danger that it just means an expansion of either the commission or the council secretariat and this will not lead to any improvement in quality.

The Greens would like to see a sui generis model because this would generate a greater number of new and integrated policies than present structures currently do. A new beginning could also make possible a proper gender architecture, human rights mainstreaming and a clear strategy for sustainability. The citizens of Europe expect this value added to come via the Treaty of Lisbon.

1) A peace building division

There are currently three people in the commission working on peace building. This is in contrast to the around 200 working in the council on military aspects of European Security and Defence Policy and the two dozen dealing with civilian aspects. The EU cannot, however, just rely on a policy of fire fighting. As we have seen above, it is not just that the EU does not have an EU peace building policy; it also lacks the necessary structures and personnel.

The Greens in the European Parliament therefore, in the spirit of the Brok report³⁰, proposed

that a unit for Peace Building and Civilian Crisis Management be established. Our proposal failed to carry by eight votes. But this is not the end of the issue as the work on the EEAS continues.

One important function of this unit could be that ESDP and civilian operations were planned in a coordinated manner under the IfS. Secondly, this unit must plan a long-term strategic programme together with those responsible for development policy. In this fashion we can close the gap between medium-term crisis management and long-term development aid.

Finally, the peace building unit should have at its disposal sufficient capacity to establish a subdivision capable of supporting mediation missions. This task force would manage a pool of experts, who could be swiftly dispatched as events required.

2) New training – a foreign affairs academy

To date a defence college under the ESDP has been established. Some now demand the setting up of a peace institute. The European Parliament's report on the EEAS calls for a diplomat academy to be set up. To give the EU's external relations a new and integrated image, we have suggested to establish for all EU actors a common and uniform training centre that provides individual courses for specific functions. A European value added can only be realised if there is a process of socialisation delivered in an interdisciplinary fashion.

3) Strengthen parliamentary control

With the Treaty of Lisbon the EU must become more democratic not less. There are plans to once more remove the European Parliament's democratic control and right to co-decide on the ESDP policy instruments of the so-called Prodi package. This is unacceptable to the Greens and to the European public, for whom Lisbon promised more transparency and democracy. A second dimension to the measurement of a more democratic Europe is whether or not there could be at least a rudimentary

30 http://www.europarl.europa.eu/meetdocs/2009_2014/documents/afco/pr/790/790952/790952en.pdf

parliamentary control on ESDP. Currently, no proposals during the planning stage of ESDP missions are presented to the Subcommittee on Security and Defence (SEDE) of the European Parliament. It is only after decisions have been taken that it is informed.

As long as there is no European army, it will be the national defence ministries that will control the posting of military personnel. This national authority is non-negotiable. The SEDE will never be able to take over this function. In the spirit of the Lisbon treaty, however, and in the context of ever closer political union there needs to be some attempt at ensuring the SEDE is notified of operations ahead of time. At the very least, one owes it to those being sent that everything has been done to gather the widest possible support. Secondly, the SEDE could, of its own accord, seek to cooperate with the national defence ministries and even formalise the relationship. Regular exchanges could offset the frequent information gaps and in this manner create a mechanism for parliamentary control that was not foreseen in the new treaty.

The EP additionally needs to strengthen its control over existing missions. The defence committee

must inspect the nature and purpose of these missions and instigate a wide-ranging debate.

Conclusion

How far Green priorities in the area of foreign and security policy can be achieved can be measured in the context of the implementation of the Treaty of Lisbon. The four content areas and the three structural priorities described in this chapter are an attempt to utilise Lisbon to achieve a quality improvement.

It is likely that there will be few similar opportunities in the future for the EU to undertake such fundamental reform at the same time as a new U.S. administration takes steps to reduce nuclear weapons and promote human rights. We need to seize these opportunities. What EU foreign policy requires is the courage to think and act strategically: in an integrated, medium and long-term manner free of national competition. The goal is clear: an EU that is a global force for peace, development and the promotion of human rights. As Kofi Annan put it: "There will be no peace without development, no development without peace, and neither peace nor development without human rights."



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10. SKA KELLER³¹

Enlargement fatigue? – No thank you!

Enlargement fatigue is doing the rounds at the same time as it is claimed that the time of great vision in Europe has now passed. Europe is in the midst of a crisis, nothing fires enthusiasm and politicians and commission officials appear only to deal with the day-to-day agenda rather than be pro-active. But is this true? I believe there is a vision shared by many and one that spurs me on in my political work: the idea that I can look at the map of Europe and no longer see any blank spaces in the middle of the continent, people from south-east Europe can finally come and participate in our youth activities without needing a visa and Europe will never again see divided cities or countries. I would like to see the word 'Europe' no longer automatically associated with the West and Christianity but one whose meaning is enriched by the addition of a reformed Turkey.

Visions rarely evolve easily into reality and certainly never from one day to the next. As important as they are for long-term planning and for inspiring the necessary passion that politics in general and the Europe project in particular requires, visions need to be broken down into concrete political goals that one can work towards. The question is therefore how we can have a more active and 'greener' European Union enlargement policy in the coming years.

No final product

From the beginning, the EU was an open project with neither a strictly defined institutional structure nor geographical limits. Integration and enlargement are inevitably bound together and run in parallel. What began as an experiment between a small number of states became ever more successful and therefore increasingly attractive to others.

The EU has grown continuously and to the present has successfully managed a number of enlargements. The negotiations were often accompanied by political opposition of varying hues both in the Member States and the aspirant countries. There were concerns about economic and financial effects, crises about identity focussing on a perceived loss of national independence or cultural individuality. There was strong opposition to the entry of the United Kingdom, especially from France, as Charles de Gaulle feared France would lose its leading role. The UK finally entered the then European Community (EC) in 1973 during the first round of enlargement. A few years later another applicant country sparked a new wave of discussion – this time it was Greece. Many Member States were suspicious of a country just emerging from a military dictatorship and its tense relations with Turkey caused many to fear that they had brought a cuckoo into the European nest.

Each round of enlargement has changed the shape of the EU (or the EC, respectively). This is a good thing and part of the attraction of the European idea. New cultures, languages and traditions were added and new political coalitions emerged in the council. There were regular fights about the distribution of structural and other funds as the constellations of rich and poor nations shifted. Each enlargement also changed the new Member States as they became more 'EUropean', not just because they were subject to the same legislation but also because it was now normal to have the right to travel, live and work anywhere in the EU. Unfortunately, some countries like Germany make an exception to this and still limit the rights of citizens from the new eastern Member States to seek employment in their economies.

31 With Anna Cavazzini.

History has shown how successful enlargement has been. We all know the story of Ireland that rose from being one of Europe's poverty stricken rural backwaters to a model of economic success. A few years later, the accession of Spain and Portugal was an important factor in overthrowing dictatorships and establishing the rule of law and democracy. Certainly the most symbolic was the eastern enlargement in 2004 that brought an end to decades of division in Europe.

Sound reasons for an active enlargement policy

Despite internal problems and lack of interest on the part of its population, the EU has not lost its attractiveness to its neighbours. But what is the logic of bringing more states into the EU? The EU stands for peace, freedom and political stability and it is for this reason that it is not only desirable, but also necessary to enlarge it so that increasing numbers of people can share these values. Enlargement makes sense even looking at it from an EU point of view. We have structures that guarantee democracy and the rule of law, factors that can be exported to neighbouring countries that will in turn increase the stability and security of the EU. Aside from a political perspective, the communication strategies of the commission and the Member States also concentrate on economic factors when trying to persuade their citizens of the advantages of bringing new members into the Union. A large internal market – within a clear political and institutional framework – will offer better economic opportunities to producers and customers as well as employers and employees. The famous four freedoms – free movement of goods, services, capital and people – will be extended over a larger area and will bring economic prosperity to more individuals. Personally, I would like to see the EU apply higher standards (applicable to all Member States) in more areas, especially those concerning environment and social policy.

How do you join the club?

The EU operates in the same manner as any club, in that its members have to observe its rules; and the Union has a number of criteria that accession countries need to meet. Membership of the EU is linked to the fulfilment of clearly defined requirements so that the 'new ones' are able to participate in common policy areas and the sin-

gle market. This accession conditionality is the EU's most powerful instrument to help forge and speed up the democratic and legal reforms in third countries.

The initial requirement to be a candidate for the EU is acceptance of its basic principles: *"The Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to the Member States"*³². Any 'European country' sharing these principles is free to apply for membership. The definition as to what constitutes 'European' is left open to interpretation. It is clear that what is meant by this is not a geographical definition but rather one based on political and cultural factors and includes at least those who are members of the Council of Europe.

It was only in 1993, with the Copenhagen criteria, that the EU defined exactly what conditions accession countries would be required to meet. On the political side, they need to demonstrate an institutional stability capable of guaranteeing democracy and the rule of law, recognition of human rights as well as the rights and protection of minorities. The economic dimension requires a functioning market economy and the so-called *acquis* criterion ensures that the whole of EU law is transposed into national law and fully implemented. In order for accession negotiations to begin, the political criteria must have already been met.

The EU uses the experience gained in previous rounds of enlargement and is continually developing its policies. In the course of its negotiations with Rumania and Bulgaria a number of extra conditions were introduced specifically geared to these two countries that, for example, emphasised the necessity of reform of the judicial system. In addition, the EU's new enlargement strategy concentrates on the 'three c's': consolidation; conditionality and communication. The central plank of the strategy remains the conditionality described above. Consolidation refers to securing and implementing membership obligations and communication is to ensure that the public is fully behind accession. Recently, the commission has developed a new system of benchmarking that makes the opening and closing of the various negotiation chapters dependent on the attainment of specific standards (or benchmarks). This is

32 See Art 6 § 1 Treaty on European Union.

also to speed up the accession countries' ability to implement the new legislation. Before accession, there are often years of strategies to introduce and encourage reform to make a country 'ready for Europe'. In 2007, the large number of instruments for use in specific areas was replaced by the Instrument of Pre-Accession Assistance to channel, in a systematic way, the financial aid destined for (potential) accession countries.

The priorities of the EU and the Member States concerning applicant (and potential applicant) countries are very different. The application of Iceland would appear to be undisputed by the EU with the exception of the demand by some Member States that there is compensation for the small investors who lost out when Iceland's banks collapsed. The countries of the Western Balkans have had a number of indications that they could apply for EU membership but any advance in their applications largely depends on their own efforts and the rate of reform in the different countries varies widely. In contrast to the clear promise of membership made to the Western Balkans, Turkey's prospects, regardless of its reforms and its 40 year association agreement, seem to be ever diminishing in the face of opposition from the German and French governments. What is clear is that Turkey could only complete negotiations in 2014 at the earliest after there has been agreement on the new financial framework. To date, no country has had to meet such strict membership conditions.

Green fundamentals

Each round of enlargement also throws up new questions: how far does the EU stretch? What does it mean to be European? If we continue to take in new members, will this be detrimental to the functioning of EU institutions and further integration?

My central point is that the boundaries of the EU should not be fixed beforehand and that the openness of the European project should continue to be one of its fundamental principles. It is misleading to use enlargement as grounds for a debate about Europe's borders. This only leads to a debate that focuses on those states less 'welcome' than others and shifts the arguments away from objective criteria to arbitrariness. Each round of enlargement must be

open and honest and gauging the 'Europe readiness' of individual countries should be done according to the same criteria not according to whether or not they are culturally in step with us. The EU must name an accession date when all the criteria have been fulfilled. A hesitant and untrustworthy EU that adopts stalling tactics during negotiations will play right into the hands of those against reform in the applicant countries and provoke frustration and disappointment.

At the same time, it is also important that enlarging the EU is not used against internal reform and that instead of more integration a free trade zone plus is established, as a number of EU heads of government unfortunately desire. On the other hand, it would be fatal to use EU reforms as a precondition for letting in new members. This would be a gift for enlargement opponents, as the position of the CDU in Germany on Turkey has already demonstrated. The newly introduced absorption and suspension clauses that could lead to negotiations being suspended if the EU's integration process is endangered or the applicant country violates the Union's fundamental principles should not be used for selfish political reasons or as an excuse to block negotiations. The reform of the institutions must actively continue, as a Union of 30 can naturally not function in the same manner as one of 15 members. Both processes need to proceed in tandem otherwise one derides the applicant countries. Frankly, is it the aspirant country's fault, if the EU cannot manage to reform itself? The inclusion clause specifically designed to ensure that, should negotiations with Turkey fail, the country would still have the closest association possible with the EU, is, from one point of view, a positive development. On the other hand, it opens the door to those, who would prefer a privileged partnership to full membership. In addition, it begs the question, why should Turkey of all countries need such a clause and why would one assume that it will be unable to fulfil all the necessary membership requirements?

The European Parliament and enlargement

The European Parliament, the only directly elected EU body does not have such a strong role in the accession process as democratic legitimacy

would demand. The commission conducts the negotiations and the Member States are the gatekeepers when it comes to deciding when to open and close chapters. This is particularly noticeable when France for example blocks chapters in the negotiations with Turkey.

Nevertheless, the parliament, with its Committee on Foreign Affairs taking the lead, is quick to comment and oversees the work of the commission. An absolute parliamentary majority is required to approve any enlargement. Members of the EP follow the reform process in the candidate countries with critical but constructive suggestions and there is a constant dialogue with the parliaments in the applicant countries. For example, there is the committee that brings together representatives from the EP and the Turkish parliament, led on the European side by the French Green, H el ene Flautre. As the EP, along with the council is responsible for the approval of the EU budget and hence the financial aspects of enlargement, it is important for the other institutions that it is involved in the enlargement process from the very beginning.

Early on, during the enlargement process to the east, the EP spoke in favour of a wide-ranging enlargement strategy that allowed for a flexible evaluation system based on individual progress. In a 2006 decision³³, the EP repeated its strong support for the continuation of the enlargement process, demanded close multilateral relations between the EU and the applicant states and reminded the Commission of its obligations to these countries. From the Green point of view, this paper took the wrong direction in one area. It signalled, with its emphasis on the EU's absorption capacity, that the European boat was almost full. The EP was even more circumspect the following year in another opinion on enlargement³⁴ concerning the EU's geostrategic interests, in which emphasis was given to the EU's ability for further expansion and demanded that each round of enlargement should be followed by a consolidation phase. This demonstrates that the Greens must exert

more influence if the EP is not to act as a break on the process – particularly now that the conservatives are in the majority.

Priorities for the coming years

The process of enlargement needs to be moved forward actively. The first task is to support those countries next in line for EU membership in their reform efforts. The Greens in the EP must continue to represent the interests of these states, as they have no legal voice at European level. It must be emphasised that the Greens, in the context of enlargement to the east, were always the most enthusiastic supporters of the acceptance of new members and they continue to be so. In spite of this, they have lost out politically, as the new eastern members have sent representatives to the EP that have joined all political groups, except the Greens.

The EU has a special responsibility to the countries of the Western Balkans. Binding them to the EU will bring stability and counteract any return to the crisis situation of the 1990s. These countries, however, are at very different stages in the process of meeting EU requirements, ranging from the model pupil Croatia to the de facto divided Bosnia and Herzegovina (BiH). The EU needs to ensure that, in meeting membership criteria, no further division is created in the region as the simplification of visa procedure has done with some countries receiving more preferential treatment. Care must be taken that economic integration in the region is not brought to a standstill when one or a number of countries achieve EU membership.

The Former Yugoslav Republic of Macedonia (FYROM) needs to be given a date for the beginning of accession negotiations as soon as possible. The country has made progress and the dispute with Greece over its name should not be used as an excuse to block the process. Civil society needs to receive more support in Serbia, as it is an important factor in the critical efforts to overcome recent his-

33 Decision of the European Parliament on the Commission Communication on its 2005 Enlargement Strategy (2005/2206(INI)).

34 Decision of the European Parliament 10 July 2008 on the Commission Communication on its 2007 Enlargement Strategy (2007/2271(INI)).

tory. There also needs to be more effort to diminish nationalist and revisionist forces that could, in turn, spur the government to better cooperation with the International Court for the former Yugoslavia, a fundamental condition for EU application. The lack of progress in BiH demonstrates that the carrot of EU accession is not attractive enough to generate the necessary reform when real prospects of membership lie far into the future. The priorities for BiH in the next few years should first of all ensure that they are not left alone to deal with their problems. Secondly, we should encourage dialogue to show how they can tackle the necessary reform needed to free the country from the Dayton dilemma and steer them onto the path leading to EU membership.

The focus of my work on enlargement in the coming years will be Turkey. I would like to help remove the current prejudice about the country and encourage a new debate in the EU and dialogue with Turkey. Ignorance is often the root cause of fear and this is frequently evident in the current debate in the EU about Turkey. One way of getting a new debate going that is different to what there has been in the past, is the involvement of young people. I am particularly in favour of bringing young people in Turkey and the EU together particularly by means of youth exchanges with Germany. The many people in Germany of Turkish origin will also need to play their part in this process. They could act as a bridgehead between the two communities and ambassadors for transmitting a different picture of Turkey that would lead to more acceptance in Germany. I would also like to promote civil society and the green movement in Turkey so as to move the reform process forward. To this end, *Yesiller*, the Turkish Greens, need to receive more practical support and be brought closer to the European Green Party.

A successful integration of Turkey will result in many opportunities for the EU. Turkey can provide a special bridge to the Islamic world and act as a prime example of how Islam and democracy can be combined. Such an image will send a signal to the Islamic world and free the EU from its 'Christian club image'. Of course, Turkey will have to fulfil all the accession requirements, just as any applicant country, and this will include issues ranging from Cyprus to the protection of human and citizens' rights. The

necessary reforms must not simply exist on paper. They must be properly implemented, a fact that currently seems to pose problems in some areas. The process of reform in Turkey is a prime example as to how important it is that negotiations be conducted in an honest manner: the accession process and constructive criticism will strengthen and support the forces in favour of reform in Turkey. When, however, European politicians make it clear that they are against Turkish membership, this undermines reform efforts and only serves to increase the influence of those who oppose the social and political changes that have taken place in recent years (think Armenia, democracy and civil society).

All potential accession countries need to have better opportunities to participate in EU activities before they join, including the adoption of some EU legislation. They could, for example, join in youth programmes or areas dealing with research and the environment. One innovation is the Energy Community with its own regulations already exported to third countries before negotiations even begin – although from the Greens' point of view there needs to be more emphasis on renewable energy sources. In the context of such cooperation, countries need to have some kind of role in decision making before accession in order to give EU policies greater legitimacy with those country's populations and ensure that the process is not just one for the elites but one in which all citizens can partake. Above all, people need to be actively encouraged towards the EU, but this will require the dismantling of travel restrictions. Even within the EU, more people need to be brought on board to ensure and strengthen the acceptance of enlargement policy. Europe's citizens have the right to transparency and should be able to understand why enlargement is important for all concerned.

The bottom line

In the next five years, the Greens must actively pursue these goals. At the end of this legislative period, I would like to see at least some of them achieved: Croatia, FYROM and Iceland could already be members of the Union, the other Balkan states would have become candidates and Turkey could well be about to negotiate its final chapters.

Discussions in the EU will then concentrate on Ukraine, Belarus and Moldova. Support for Turkey's membership will have grown and the Greens will be represented in the Turkish parliament. I hope that by then the expression 'enlargement fatigue' will have disappeared from EU vocabulary.



Ska Keller (1981) was elected to the European Parliament in June 2009 and is a member of the Committee on Development, a substitute member of the Committee on Civil Liberties, Justice and Home Affairs and a member of the Turkey delegation. In 2002, she joined the local branch of BÜNDNIS 90/DIE GRÜNEN in the Spree-Neiße district becoming its leader in 2005. From 2005 to 2009 she chaired the Brandenburg Executive Committee and was spokesperson for women's affairs. Ska Keller is also a member of the party's special commission on right wing extremism. She has been a member of the Green youth movement since 2001 and held office as executive board member. Until 2007 she was spokesperson of the Federation of Young European Greens (FYEG). Ska Keller studied Islam, Turkish Culture and Judaism. She speaks English, French, Spanish, Turkish, Arabic, Ottoman and Old Turkish.

10. EVA JOLY

Toward a more efficient development policy

With an expected 53.4 billion euros dedicated to development policy in 2009, the European Union and its Member States are the largest donor in terms of Official Development Assistance (ODA) worldwide. In 2005, they committed themselves to assigning 0.56% and 0.7% of GDP to ODA in 2010 and 2015, respectively. Being in such a position should not, however, keep us from questioning our actions and their efficiency. Due to historical and structural reasons, European development policy has not been very successful during the last 50 years. It has not been able to reduce poverty and hunger significantly. Some developing countries facing the ‘paradox of plenty’ are even poorer than before: they are rich in natural resources but have achieved lower growth on average than other countries over the past 40 years. Elsewhere, the modest progress that has been made is now endangered by the global financial crisis and climate change. The time has come to ask ourselves – in the light of our successes and failures – what constitutes fair, coherent and fruitful development cooperation. Hopefully, as Greens, we can grasp the opportunity presented by parliamentary reports and the current crisis to start an honest and vital debate on development policy: its goals, funding and the coherence of our external policies in relation to it.

Post-colonialism

After 50 years, European development policy has achieved rather paltry results. In many countries, the people have been relegated to a permanent state of material deprivation and debilitating poverty. Amongst the recipients of the roughly 50 billion euros annual ODA, few miracles have taken place and for a very good reason: not all donor country policies were meant to improve the standard of living of these populations. Launched in the 1960s, mainly toward the countries which would later form the African, Caribbean

and Pacific Group of States (ACP), European development policy has been formulated more as a prolongation of the colonial ties, endangered by the creation of the European Economic Community, than real development cooperation aimed at giving autonomy to former colonies. As a consequence, European development policy has been formulated on a ‘post-colonialist’ basis, keeping developing countries in a state of perverse dependence on what used to be the ‘mother country’. For the Member States, integrating into the then Common market would, in any case, have compromised the well established colonial system. In return for small concessions in the form of development policy, there was continued privileged access to the developing countries’ natural resources and markets. What could have been a means for southern countries to disconnect from an insidious bilateral aid tool has been used to make them even more dependent. Fortunately, the heavily criticised ‘tied aid’, by means of which Member States financed development projects on condition that their own companies were awarded the contracts (thus using their own services and goods), has been progressively abandoned. Development was thus not only a way to keep poor countries dependent but it also allowed an increase in donor country GDP. Even though developing country political leaders must also bear some of the responsibility for this poor state of affairs, they can also be considered victims of a hypocritical policy that intrinsically bore the seeds of its own failure.

Aggressive trade policy

The schizophrenic attitude of the EU also explains the inefficiency of its development policies. Used mainly as an alibi, development policy has never been considered a priority. As a consequence, when implementing other EU policies, no consideration was given to the effects this might

have on development aid. In 1993, the Maastricht treaty clearly stated that the EU should take into account development cooperation objectives – sustainable development and poverty eradication – in other policies that impact on developing countries. EU policy, however, often contradicts development goals, most obviously in the areas of trade, fisheries and agriculture. Thus, EU development policy has been seriously undermined by its aggressive trade policy, especially the Global Europe Strategy launched in 2006 that aims to obtain unrestrained access to raw materials. Although free trade is frequently touted as a means to inject wealth into and spur progress in developing countries, it can actually have the opposite effect. In fact, the EU pursuit of swift market liberalisation in these countries has been detrimental to their social and economic development. This policy endangers their food security by progressively destroying local farming communities that cannot compete with massively subsidised imports from the EU. The numerous bilateral free trade agreements such as the Economic Partnership Agreements have failed to undertake proper assessments on their impact on development objectives. The loss of tax income due to liberalisation (because taxes are no longer imposed on imports) has never been considered but the consequences are far from being negligible for developing country budgets. On the one hand, EU countries are still massively exporting to developing countries and thereby destabilising their weak markets. On the other hand, they counterbalance the damaging impacts of their external policies through development aid to relieve their conscience. EU fishing policy provides another example. Many developing countries suffer from over-fishing by massive and much more efficient European boats. This threatens local fishermen's jobs, food security and fish resources but there is a lack of political will to get this issue under control.

Lack of policy coherence

The European Investment Bank (EIB) is another matter of concern in terms of policy coherence. The financing of some projects is sometimes in contradiction to EU development policy as in the case of Zambia. Between 2000 and 2006,

the EU allocated money from the European Fund for Development (EFD) for a diversification programme to help the country move out of the traditional mining sectors that provide few jobs and are environmentally harmful. At the same time, the projects funded in Zambia by the EIB through the EFD were exclusively (i.e. 100% of the granted loans) focused on the opening or expansion of copper mines.

Another explanation for the relative failure of EU development policy could be the fragmentation of measures and the scattering of available funding. Development policy is a 'shared parallel competence'. This means that the EU implements a fully autonomous policy in parallel to the autonomous policies of the Member States. The latter allocate about 50 billion euros to development aid that is managed by 27 different bilateral cooperation agencies and the European Commission, which is in charge of 1/7 of the total. A recent study from the commission has estimated that the annual cost of the 'non-EU' component in the cooperation sector is five to seven billion euros and this is due to bad coordination, duplication of actions etc (about 10 to 13% of Official Development Assistance). For the EU to act in a coherent way, a clear mandate from the Member States is essential as are designated and appropriate resources to support the EU's external actions. A centralised and common development policy would be cheaper and more efficient.

During the coming years, the problem of identifying funding will increase. A recent Eurobarometer poll on development aid shows that 90% of European citizens believe that development is important and 72% of them want EU aid commitments to developing countries to be honoured or even surpassed. In reality, the EU is far from being generous. Facing the consequences of the financial crisis such as unemployment and decline in growth in their own countries, Member States are keen to demonstrate to their taxpayers that every single euro is used properly. Whereas, over the past years tens of trillions of euros have been committed to bail out financial institutions, ODA is the first policy to be 're-appreciated' when financial resources are lacking. The European

Commissioner Karl de Gucht admitted recently that EU collective ODA would increase to 53.4 billion euros in 2009 (0.44%) and to 58.7 billion euros in 2010 (0.48%). This means that despite the collective commitment of the European Union and its Member States to assign 0.56% and 0.7% of GDP to ODA in 2010 and 2015, respectively, the collective targets for 2010 will not be achieved, unless additional steps are taken to fulfil individual targets. Unfortunately, aid from certain Member States has already decreased.

ODA+

Another topic on which the Greens should focus is the 'ODA+' concept. The European Commission proposes to count foreign direct investment, remittances and technology transfers as part of ODA. While it is indeed laudable for governments to try to encourage these flows, they cannot claim responsibility for their impact, nor can they demonstrate that the flows have development as their primary purpose or effect. In addition to undermining the definition of ODA and its focus on poverty eradication, this move would serve as an excuse for delaying the EU roadmap target of 0.56% in 2010 and 0.7% in 2015. This initiative might be used to make it easier for Member States to fulfil their ODA commitments, which are already falling dramatically behind in the wake of the global crisis. It could also lead to the privatisation of development assistance, something to be avoided at all costs.

As European development policy has had constantly decreasing funding and because of its rather hypocritical and inefficient character, massive structural reform is necessary. A necessity greatly increased by the global economic crisis and the impact of climate change, both of which seriously affect the poorest countries.

Financial crisis

The consequences of the financial crisis for developed countries cannot be denied. It has been, however, much more dramatic for developing countries as they had not been able to recover from the effects of the previous food shortage

crisis and rising oil prices. The global financial crisis may ruin a decade of economic growth and hinder the modest progress made by some developing countries in the reduction of extreme poverty. Whereas the achievement of the eight United Nations Millennium Development Goals (MDG) due in 2015 had already been in question before the crisis, it would now appear to be impossible, especially in Sub-Saharan Africa. The first MDG, the eradication of extreme poverty and hunger, is severely threatened. According to the UN in 2009, 55 to 99 million more people will live in extreme poverty than was estimated before the crisis. Chronic hunger will rise to impact more than 1 billion people. A huge decline in growth in the developing countries is also expected. According to estimates, GDP growth in developing countries will be a quarter of what had previously been anticipated. For developing countries growth for 2009 is likely to be 1.6% on average, compared to 8.1% in 2006-2007. In 50 developing countries, GDP per capita is expected to decline.

Climate change

In addition to the global crisis, developing countries face another burden as a direct consequence of climate change, the cost of which they cannot sustain. According to the experts on the Intergovernmental Panel on Climate Change, developing countries – especially small insular states – are the first victims of climate change. African countries, whose economies are already precarious, are hardest hit, despite being the least responsible for the problem. Indeed, per capita greenhouse gas emissions in the world's least developed countries are almost negligible. Around 100 countries, most of them poor, account for only 3% of global emissions. They have contributed least to climate change but are facing its most severe consequences due to their geographical vulnerability, heavy dependence on the primary sector (agriculture and fisheries) and limited infrastructure for dealing with climate change impact, with the poorest part of the population being disproportionately affected. Economic losses due to climate change – of which 90% are borne by developing countries – currently amount to more than 84.2 billion euros a year; this means twice

the annual European ODA. They could reach 400 billion euros a year by 2030. This makes climate change another major threat to the realisation of the MDG since the developing countries face extra costs for measures to combat this threat. Available money might well not be used for social, education or health programmes thus endangering development. In donor countries, on the eve of the Copenhagen conference in December 2009, there is a strong temptation to divert the funds originally earmarked for development aid to climate change policy. Given the high stakes involved, aid should be increased not diverted. The future of ODA is at stake. We will have to ensure that there is new financial support to reduce the effects of climate change in developing countries that is additional to the already promised development funds aimed at eradicating extreme hunger and poverty. All European poverty reduction strategies, projects and programmes for the attainment of MDG will have to integrate adaptation and mitigation aspects into their efforts to combat climate change. Without strong global support for this, none of the MDG will be achieved within the foreseen time frame.

In addition to its financial costs, climate change has also dramatic human costs. It has already pushed over 12 million people into poverty and 20 million more will sink into poverty by 2030. Climate change also causes population displacement. Thus, a recent Oxfam report calculates that 26 million people have already been forced to migrate because of climate change and other forms of environmental degradation. By the middle of this century, such environmental refugees could number 200 million. Considering that most migrants move to adjoining countries this might well result in the destabilisation of countries already hit by extreme poverty and conflicts due to climate change or war. These forced migrations will have to be adequately addressed by the international community. During the coming years, in addition to the support we will have to provide to avoid such serious situations, we will also have to identify and address the legal shortfall that exists with respect to the protection of climate change refugees and initiate specific assistance and protection systems.

Radical policy reform

There is an urgent need for radical policy reform to address the systemic causes of the food and financial crises and for putting in place new democratic and transparent regulations for international trade and the international financial system. In addition, massive supplementary and additional funds are urgently required. Unfortunately, the financial crisis and the first effects of climate change have not only generated tremendous extra costs in developing countries. Developed countries' budgets dedicated to ODA have also seen reductions just at the moment when they are of critical importance. One of our main tasks will be to convince the Member States that, despite the ongoing crisis, they should not only maintain but even increase their contributions to ODA. The objective to devote 0.56% of GDP for development aid in 2010 has to be a top priority. Maintained or increased ODA, however, cannot be considered a long-term solution. Although, international aid – the only 'sure' source of financing – is absolutely crucial, developing countries should not depend on this inadequate source. The current crisis only serves to emphasise the necessity for reform. New forms of both development cooperation and funding have to be explored.

In this context, the EU has to reconsider seriously its damaging external and agricultural policies. At the same time, developing countries more than ever need to free themselves from inadequate foreign aid. Putting an end to tax havens and helping developing countries consolidate their fiscal administration could be seen as a step toward independent and long-term development.

As stressed earlier, poor countries are deeply affected by aggressive EU external policies. Fully liberalised trade would be damaging for their development. A radical policy change is therefore needed. Development policy has to shift from free trade solutions towards a 'greener' approach. Fair, equitable, coherent, socially and environmentally sound policies must replace the current 'free trade only' policy.

A first step to fair and efficient development cooperation would be to stop invading developing countries' local markets with subsidised products and help them develop these markets with globally agreed protection measures. Indeed, if traded products were produced closer to where consumers live, it would not only reduce the long-distance movement of goods contributing to climate change, it would create the conditions for local development through which, among other positive consequences, jobs would be created.

Not only must there be an end to the European strategy of broad and free access to developing countries' markets, there is also an urgent need to upgrade the role of agriculture in development strategies. For most African, Caribbean and Pacific (ACP) countries, agriculture is a vital economic sector. It provides food, employment, and income. In ACP countries 60% of all employment is in the agricultural sector. Despite the fact that the majority of the poor live in rural areas, neither national governments nor EU development cooperation policy give priority to this vital sector. In the 9th European Development Fund for ACP countries, only 1% was dedicated to agriculture. Instead of being encouraged to produce for their local market, ACP countries are pushed to produce for the international market and import subsidised food staples from rich countries for domestic consumption. In Cameroon for example, 87% of rice is imported – to the detriment of local producers. EU export subsidies for agricultural goods must be eliminated and developing countries should have the ability to protect their markets to maintain local farming communities and ensure domestic food supplies.

The External Action Service established by the Lisbon treaty will be set up in the near future. The place dedicated to the General Directorate for Development and its attribution will provide a valuable clue on how the EU development policy will be considered. Either it will be a real policy, with both poverty alleviation and population welfare as a major concern; or it will be another external policy tool for the EU to achieve economic and political success.

Taxes

Developing countries' needs are increasing in inverse proportion to the funding available. Thus, some new sources have to be explored. The oldest means for governments to raise money – taxes – could be the long-term solution for poor countries. Eradicating tax havens, reinforcing budgetary control and widening taxable incomes could be one of the solutions to allocate more money to development policies.

Considering what is at stake, a tax on financial transactions – the Tobin Tax – could be part of the answer, since profits from capital are insufficiently taxed. According to recent estimates, a charge of 0.005% on each transaction – 5 cents for a 1000 euros transaction – might raise 30 billion euros annually, which could then be used to redress the balance. It would be a very welcome source that could be used either for development policies or for a climate change adaptation and mitigation fund. The task of collecting these taxes could be entrusted to central banks or any other nationally responsible organ. Recently re-launched by the French Foreign Affairs Minister Bernard Kouchner and mentioned in European Parliament resolutions, this first step towards an international tax system would be more than welcome and deserves to be discussed at international level in the coming years.

As dramatic as the current financial, economic and social crisis may be, it has, nevertheless, contributed to increasing public debate on tax havens. Citizens are now aware that the reality of tax havens is far less simplistic, romantic and distant than the sunny paradise island cliché we generally associate with them. Tax havens have huge repercussions on citizens' daily lives. In providing facilities to circumvent national legislation they first impact on the stability of the global financial system, then facilitate international crime by making money laundering possible and lastly they weaken taxation systems both in developed and developing countries. Tax havens provide major corporations and wealthy individuals with opportunities to escape tax obligations by offering low or no tax regimes for non-residents or companies

doing business outside their jurisdiction. Thus, they deprive developed countries of tax revenues therefore threatening public services and economic infrastructure. Even worse, they represent a real obstacle to poverty reduction in developing countries. Instead of using resources to create economic opportunity for the general population, elites divert money to bank accounts in tax havens, this being the best way to protect money acquired illegally from crime, corruption and/or misappropriation of ODA, natural resources and government budgets. Tax havens incite over-fishing; deforestation and overexploitation of natural resources in a general manner. Around 700 to 800 billion dollars, 80% of the loans contracted by African countries have thus been diverted by their leaders to offshore accounts.

According to the Tax Justice Network, the estimated size of funds held in tax havens by individuals was 11-12 trillion dollars in 2004. This corresponds to an annual loss of tax revenue of about 250 billion dollars. That is to say: five times what the World Bank estimated to be the finance needed to achieve the UN Millennium Development Goals! 30% of Sub-Saharan African GDP is annually diverted thanks to the use of tax havens, tax evasion and illicit capital flight. In the mid 1990's, capital flight was estimated to be 274 billion dollars, or 145% of the entire debt of these countries.

The time would now appear to be right to assist development through the eradication of tax havens. The UN General Assembly itself recognised in a report assessing the path to Doha in August 2007 that *"there is growing recognition that international cooperation in combating tax evasion is not only indispensable in the fight against international crime and terrorism, but also that such cooperation could actually constitute an innovative source of finance for development by reducing revenue leakage"*³⁵. The money we need to achieve the MDG by 2015 is available. We just need a strong political will from the European Union, its Member States and the U.S. government to tackle these unfair and damaging tax havens. Instead of

continuing to allocate aid, which is far from being sufficient and has not yet proven its efficiency, we should set up international taxation standards to avoid unfair tax rates and prevent assets in developing countries, estimated at 124 billion dollars a year by Oxfam in March 2009, leaking into offshore tax havens.

The EU – and other developed countries – should stop being hypocritical. Tax evasion and illicit capital flows are made possible by an army of bankers, lawyers, accountants, mainly from developed countries. Additionally, the EU shelters on its own territory countries that could be considered tax havens or at least harmful preferential tax regimes, Monaco, of course, but also some less famous or unexpected ones: the Netherlands, Luxembourg or the United Kingdom. Of the 72 estimated tax havens, 35 are juridically, economically or historically linked to the United Kingdom!

The EU should take action to eradicate the use of tax havens, tax evasion and illicit capital flight from developing countries. It should call for a new binding global financial agreement, which would force transnational corporations automatically to disclose the profits made and the taxes paid on a country-by-country basis so as to ensure transparency as to what they pay in each developing country where they operate.

Tax havens and harmful preferential tax regimes are not only responsible for revenue leakage but they also threaten tax systems. In the face of competition many developing countries have lowered corporate tax rates on foreign companies to avoid their relocation. In most of them, those rates are now far below the 20% generally sought for in OECD countries, entailing an estimate loss of 50 billion dollars. This is to be compared to the 50 billion euros the European Union and its Member States gave as ODA in 2007.

The more developing countries lose in tax revenues, the more they become dependent on inadequate foreign aid. According to a recent

35 http://www.taxjustice.net/cms/upload/pdf/UN_FFD_0708_follow-up.pdf

Norwegian report³⁶, the world's poorest countries lose 600 billion euros every year through illegal capital flight which corresponds to approximately ten times the financial assistance given to developing countries. According to recent studies these illicit flows might grow at a rate of about 18% per year, dwarfing the 50 billions euros European ODA.

Strong and efficient institutions are also key tools for development. We have to support developing countries in establishing effective financial and budgetary control as well as impose some international rules to stop illicit (money from crimes, corruption) and unfair financial flows (artificial transfer pricing by multinationals) which constitute damaging losses. Developing countries will thus master their own resources

in an independent and autonomous way. They will be able to redistribute fairly the proceeds of national wealth into social, education and health programmes. In other words, they could achieve the MDG with their own means.

Thus development policy is at a critical point. Either we keep on applying the same old and inefficient recipes, maintaining developing countries in counterproductive dependence or we assume our full responsibilities by cleaning up the international financial system and give developing countries the tools with which to improve their tax income. The task is tremendous. As Greens we are aware of our huge responsibility and will strive every day towards a fairer and more peaceful world.

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Eva Joly, who was born in Norway and has the Norwegian and French nationality, was chosen into the European Parliament in June 2009 on the French EuropeÉcologie list. She is Chairwoman of the EP's Committee on Development and advises the Icelandic government in its investigations into the bank meltdown. Working as a secretary, she studied law at night school. Joly specialised in financial affairs and in 1990 became an investigating judge at the High Court of Paris. She made a name with her tireless crusade against corruption, in particular with taking on, among others, former French minister Bernard Tapie, the bank Crédit Lyonnais and, most famously, France's leading oil company – Elf. She holds an honorary doctorate from the University of Bergen and was chosen 'European of the year' by *Reader's Digest* in 2002. In her book *Plan for en bedre verden (Plan for a better world)*, published in 2004, Eva Joly describes her views on development assistance, globalisation and the fight against poverty.



To the surprise of many opinion pollsters and political commentators it became clear late in the evening of 7 June 2009 that the real winners in the European elections were the Greens. They were the only political group in the European Parliament that had managed to increase their number of seats. Few would have forecast this even a few days before. Indeed many would have seen maintaining the same number of seats as a victory. As it was, the new European Parliament saw not 35 Green members but 46. The new Green Group is driven by a strong French-German motor and by the enthusiasm of many new, many young parliamentarians. They will need perseverance, imagination and a sense of reality to

master the many difficult challenges ahead: the tackling of climate change; the response to the financial and economic crisis; the expansion of the EU's enlargement process; the further democratisation of the European institutions; the development of a humane migration policy; the protection of civil rights and the strengthening of the role of the EU as an actor in foreign and security policy, to name just a few. The European Union office of the Heinrich-Böll-Stiftung has invited eleven new Green Members of the European Parliament from five different countries to write about their ambitions for Europe. What are the goals of the new Greens and how do they want to achieve them?

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