



***International Development
and the new EU Reform Treaty
BOND
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At the end of 2007 the new EU Reform Treaty was added to the existing treaty base of the European Union. In 2008 the aim is for all EU member states to ratify the Treaty in time for the 2009 European Parliament elections.

The new EU Reform Treaty presents a series of extremely important opportunities for institutional reform. The creation of the new post of **High Representative of the Union for Foreign Affairs and Security Policy** and the **European External Action Service** mean that there will be new institutional structures in place, which will have a very significant impact on the EU's development policies.

The implementation of the EU Reform Treaty will be the only real opportunity between now and the next Financial Perspectives in 2014 to ensure that there is greater coherence between development cooperation and other EU's external action policies and to improve effectiveness and impact of EC development cooperation.

This position paper outlines the positive aspects of the new Treaty but also the concerns of development advocates and calls for:

- A strong and independent voice for development within EU External Relations.
- A development policy that maintains and operates on the basis of its own principles, objectives, institutions and instruments and is on an equal footing with EU foreign, security and commercial policy agendas.
- An institutional set-up that offers a coherent and effective approach to development cooperation and developing countries, where policy, programming and implementation go hand in hand.
- An External Action Service that takes fully into account development objectives.

What is at stake in the EU Reform Treaty negotiations? EC aid and foreign policy

Development cooperation and humanitarian aid are dealt with under Title III of the EU Reform Treaty (*Cooperation with third countries and humanitarian aid*). The two main articles that deal with development cooperation and humanitarian aid (Article III-118b and 118j) set the eradication of poverty as the primary objective of development cooperation, call for coherence between EU policies that affect developing countries and development goals and require member states and EU development cooperation to complement and reinforce each other.

BOND strongly welcomes the proposed legal framework for development policy with poverty eradication at its heart, and the legally enshrined principle of the coherence of EU policies

with development objectives. However, it is vital that these laudable principles are translated into effective institutional structures, which will allow for effective action and will ensure effective implementation of the commitments made in 2005.

Key issues include:

- The creation of a post of **High Representative of the Union for Foreign Affairs and Security Policy**. This new EU foreign policy chief will permanently chair ministerial meetings of the GAERC as well as serve as Vice-President of the Commission, merging the jobs of High Representative and external relations Commissioner. The High Representative will come with a **significant aid budget and staff**.
- The High Representative will be supported by the **European External Action Service (EEAS)** made up of national and EU diplomats and officials from the Commission. The EEAS will have responsibility for providing staff for EU Delegations in third countries. The EU Delegations will replace the existing Commission's Delegations.
- The **number of EU Commissioners** will be reduced by two thirds (from 27 to 18) by 2014.

Key development concerns in the draft Reform Treaty text:

Attempts to consolidate the EU's profile on foreign and security policy risk sidelining commitments on development. The proposal to merge the jobs of High Representative and External Relations Commissioner into a High Representative for Foreign Affairs and Security Policy may be an opportunity to strengthen EU external action and strategic vision, but it must not lead to sidelining commitments on development.

The proposal that the High Representative, responsible for the implementation of the Common Foreign and Security policy, also has at his or her disposal a significant aid budget and staff within an External Action Service suggests a potential danger of increased politicisation of development cooperation or instrumentalisation of development funds for implementing foreign policy objectives.

A reduction in the number of Commissioners could mean that there would be no Commissioner for Development.

What is at stake is the future political space for development within a new institutional structure, which is to include the European External Action Service. Proposals on the table include incorporating all EU external actions, including development, into the External Action Service. This would not only blur the division of powers between the institutions but it would also allow development policy to be at the disposal of the High Representative.

The development chapter in the Treaty does not mention links between effectiveness, impact and quality of development work and a long-term strategic approach to activities, and has not taken on board the fundamental principle of **partnership in development cooperation**.

The chapter on humanitarian aid omits the **principle of independence**. The concept of independence is central to the institutional framework of ECHO (European Community Humanitarian Office) but is missing from the EU Reform Treaty text. This is a concern because there is a risk that humanitarian response will be subjugated to political objectives.

We oppose the creation of a **European Voluntary Humanitarian Aid Corps** in Title III Chapter III Article 118j. Humanitarian response is for experienced, trained professionals, not for volunteers, especially in dangerous crises. Professional humanitarian actors respect and subscribe to The Humanitarian Charter, The Code of Conduct for the International Red Cross

and Red Crescent Movement and NGOs in Disaster Relief, and Minimum Standards in Disaster Response, as a commitment to respecting humanitarian principles, and achieving quality and accountability in humanitarian response. A voluntary aid corps would not necessarily be guided by such principles and commitments.

Recommendations

- There should be a dedicated **administrative structure** responsible for EU development policy and its implementation that has a clear focus on development objectives and sufficient capacity. Development Cooperation and Humanitarian Aid should be on equal footing with the CFSP (Common Foreign and Security Policy) within the rest of the Treaty. This separation should be reflected within the structure of the European Commission by maintaining a clear and strong institutional and political place for Development Cooperation, clearly independent from the CFSP. The new Development Service should be able to ensure that other policies are consistent with development objectives.
- There should be a **Commissioner for Development** who is on equal footing with the High Representative and is in a position to promote the interest of EU development policy within the College and towards the Council. The Commissioner should have a say not only on policy formulation and funding but also in implementation of development policies in order to end the inconsistencies caused by the gap between policy and implementation in the current structure (see diagram).
- The Development Service should be responsible for development policy and programming in all developing countries – African, Caribbean, Pacific, Asian and Latin American countries - to avoid current inconsistencies between treatment of the ACP and other developing countries due to the split between DG Development and DG Relex (see diagram).
- EuropeAid should be merged or at least have a strong link with DG Development.
- The new EU Delegations should include development professionals as well as trade professionals and diplomats working on foreign policy. Development officials within the Delegations should report directly to the Commissioner for Development, and work closely with the political desks to ensure coherence. It is important to ensure that development expertise is maintained and strengthened within the Delegations, and the development voice is heard. Heads of Delegations should have responsibility for engaging with civil society (especially in ACP countries).
- Development policy objectives should be fully reflected in the cooperation with developing countries within the European Neighbourhood and Partnership Instrument (ENPI) zone.
- It is important to ensure that, if neighbouring countries are going to be under the responsibility of the External Action Service, the Treaty commitments, and international commitments on Official Development Assistance (ODA) apply to ODA destined to neighbouring countries.

Current EU External Relations structures

