

## STRENGTHENING EUROPE'S AID WITH THE EU TREATY

By Simon Stocker, Director of Eurostep

The ratification of the Lisbon Treaty over the coming months will be important if we are to capitalise on the gains that that it contains. When in December 2002 the European Council launched the process to update the Union's Treaties to enable the enlarged membership to work more efficiently NGOs saw it as an opportunity to strengthen and clarify the legal base for Europe's development cooperation policy. The result has been all that was sought. The Lisbon Treaty clearly identifies that the Union's development policy provides the principal governing the EU's cooperation with all developing countries. A policy for which the eradication of poverty is the overarching objective, and for which the achievement of the Millennium Development Goals (MDGs) is central. The Treaty also maintains the principle that all EU policies having an impact on developing countries are coherent with the Union's development policies and their implementation. Additionally for the first time it also includes a legal provision within the Treaties for the EU's humanitarian assistance to all parts of the world.

However, ratification in itself is not sufficient. The Lisbon Treaty will result in some significant changes in the way in which the EU relates to the rest of the world. One of the aims of the new Treaty is to increase the EU's political role in the world, something that is significantly constrained by the current Treaties. This is surely positive, particularly when one looks at the overall objectives for the Union's relations with the rest of the world. These state that *"it shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and development of international law, including respect for the principles of the United Nations Charter."*

To increase the effectiveness of the EU's role in the world a High Representative of the Union for Foreign Affairs and Security Policy will be appointed. As the title suggests the High Representative will be responsible for the EU's external policies, will be based in the Council of the EU, and will chair the EU's Council of Ministers dealing with external issues – the General Affairs and External Relations Council (GAERC). The High Representative will also have a foot in the Commission as a Vice-President with the role to coordinate all of the EU's external policy areas: the foreign and security policies that fall under the remit of the Council, as well as those for which the Commission has competence – including development, trade, economic cooperation, and humanitarian aid. The appointment of the "double-hatted" High Representative seeks to increase consistency between the different policy areas of the Union's external policies. In other words the different policies should work together to achieve the EU's overall objectives – a result that would be beneficial for development as long as the principle of coherence is maintained.

The Treaty makes provision for the establishment of an EU diplomatic service – called the European External Action Service (EEAS). Comprised of officials drawn from the Council, Commission and Member States, the EEAS will support the High Representative in the implementation of her/his role in both the Council and the Commission. It is in this context that many questions remain open. Although the Lisbon Treaty provides for the establishment of the EEAS, the “*organization and functioning of the EEAS*” will be determined by the Council (on the basis of a proposal from the High Representative). The scope and composition of the EEAS is already being discussed within the Commission and Council with a view to a conclusion being reached later in the year. Inevitably the establishment of the EEAS will result in the re-organisation of the Commission’s services dealing with external policy issues. It is the result of these negotiations that will determine whether the intentions set out in the Lisbon Treaty for development, to be implemented as distinct areas of competence on the basis of its own objectives, will be realized.

So while the process of ratification will increase the debate in each member state on the role and functioning of the Union, we must not lose sight of the negotiations on the mechanisms being put in place for implementing the Treaty’s new provisions. The appointment of the High Representative and the establishment of the EEAS could be positive for increasing the effectiveness of EU development policy, but there is a danger that the significant levels of EU development funds will be used to finance the EU’s foreign policy objectives. After all, while the Treaty provides for strengthening the structural means for implementing EU foreign policy, there are no plans for any additional funding for its implementation from the member states, nor any significant shift of power over foreign policy envisaged from member state governments to the EU.

As NGOs that have followed this process since the Council’s 2002 launch of the process that has eventually brought us to the Lisbon Treaty we have consistently argued that the EU’s development policy and its objectives should define the framework for the EU’s relations with all developing countries (as defined by the OECD/DAC). It is on this question that the gains in the Lisbon Treaty are important. On the back of these gains the EU’s development policy has become central to the regulations covering the use of EU development funds in Asia and Latin America in particular, and to a lesser extent in countries of the southern Mediterranean, southern Caucuses and eastern Europe covered by the European Neighbourhood Policy. This has led to increased consistency in the implementation of EU development policy towards all parts of the developing world.

For this to continue in future it is crucially important that the programming cycle for the EU’s development policy is re-integrated. The current division of responsibilities between two Commissioners and three separate Commission services fragments the management of the EU’s development policy. With the establishment of the EEAS parts of the three services (partially) dealing with development programming and implementation should be reunited under one service with one clear public face: EuropeAid. In 2000 the then Commissioners Patten and Nielson vowed to create an effective European service for the spending of its extensive financial support for international development and for creating much greater public visibility of this effort. EuropeAid was created and has developed into a very effective and cost-efficient service, with well-developed communication policies, that have created greater awareness of the EU’s international support for development. The name EuropeAid has

contributed to creating greater visibility. It would be inconceivable after all the investments in EuropeAid, and the positive results this has yielded, for it now to be made redundant.

NGOs have long argued that the political accountability and visibility remains important to sustain long-term support for the EU's development efforts. Therefore the enhanced EuropeAid should be overseen by one Commissioner for Development, which logically follows from the Treaty, in which development co-operation is identified as a distinct policy area.

The resulting service, which would be associated with the EEAS, would help assure the integrity of the EU's development policy. The Commissioner responsible for this service would then naturally be accountable to the Development Committee of the European Parliament in all the aspects of his/her work.

In a similar way, ECHO, which is responsible for the EU's humanitarian policies and its implementation should equally relate to the EEAS, based on a clear humanitarian mission and de-linked from geo-political interests.

In the October edition of the Networker UK government ministers Gareth Thomas and Jim Murphy expressed their optimism over the outcome of the Lisbon Treaty and how this would result in better implementation of the EU's development policies on the basis of its objectives. For this optimism to be realized it will be necessary for UK ministers, together with their counterparts across the EU, to ensure that the means to do this are clearly put in place. Over the coming months the debates on the EU around ratification of the Treaty will provide opportunities that can be used to promote a responsible global role for the EU. The European Parliament will also play a crucial role. Parliamentarians will have a say in the appointment of the High Representative as well as in defining the organization and functioning of the EEAS. It must play its part in ensuring that the EU's development policy provides the principal framework for the EU's relations with developing countries.