Europe freer, safer, stronger

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INTRODUCTION

The European Union and its Member States face many serious challenges in the globalized world of nowadays. Be it international terrorism, climate change, security of energy supplies, or uncontrolled immigration, European nations are by no means able to address these challenges alone. This generally accepted fact is also reflected in public opinion. A majority of EU citizens would like to see the fight against terrorism (81%), protecting the environment (73%), energy (68%), defence and foreign affairs (67%) and immigration (63%) to be dealt with at the European Union level (Eurobarometer 68). External pressure and public demand explain why a common approach within the EU is needed even more today than it has ever been. Common policies in various fields are a necessary, but not sufficient, precondition for the EU to be effective internally and influential to the outside. For that, the EU has to become a real political community with a strong civil society and common public space where policies are formulated, discussed and finally accepted.

Such a common political public space has not yet fully emerged, and EU policies and institutional developments are either debated only by political elites or within separate national contexts. Real European public debate is missing, and it is not something that can be artificially crated. However, it may come about gradually with party political competition at the European level, namely within the elections to the European Parliament, and with transnational activities of civil society, including intensive interactions of various individuals, groups, and associations representing different interests and preferences.

The European Values Network has been developed as an attempt to contribute to the advancement of the European civil society debate, and in turn to the enhancement of a real European political community. It constitutes an innovative effort to come up with alternative policy recommendations addressing some of the major challenges the EU is facing today from a

different perspective than those of a purely academic or political nature. The EVN has been designed as a platform for like-minded young scholars and professionals from all around Europe who believe that the EU should become a real political community consciously rooted in its cultural heritage and values, such as freedom, personal responsibility, and active civil society.

The policy papers contained in this publication are the result of the collective efforts of five working groups of the European Values Network 2008, involving forty-five participants from fifteen EU countries, who gathered in Brussels and Prague in order to engage in discussions with prominent EU political and institutional personalities, and to formulate their recommendations. It is to be underlined that the working groups were led independently of any kind of direction or supervision by the organizers as to the content of their policy papers, which do not necessarily represent the opinion of either the EVN organizers or its partners.

The first paper attempts to address problems of EU institutional design, particularly the lack of legitimacy of the European Commission. It recommends, in line with the Lisbon Treaty, that the Commission President should be chosen by absolute majority in the European Parliament and nominated by the qualified majority in the European Council, but that, furthermore, the composition of the College should be left to the discretion of its President.

The second paper aims at delivering proposals to reform the current European Neighbourhood Policy towards Eastern Europe. It focuses on empowering integrative effects of the policy in specific aspects, while its basic assumption is that further enlargement eastwards in not a sustainable option.

The third paper puts forward concrete security, legal, and development-oriented recommendations for the prevention of illegal immigration to the EU, which is constantly increasing and poses a major security, integration, and development challenge for the EU and its member states.

Strengthening the transatlantic partnership in the new security environment is the subject of the fourth paper, which recommends closer cooperation on terrorism, weapons of mass destruction, energy, international development, illegal immigration, and regional conflicts.

The fifth paper makes proposals on how to combine the continuing growth of the EU's economic competitiveness, while guaranteeing social consensus across Europe. It recommends the implementation of "flexicurity," based on creating a favourable environment for innovation and dynamism to improve competitiveness, ensuring a minimum of social protection, effective integration in the labour market, improving social dialogue, easing professional transition, and lifelong learning.

Dear readers, I hope that the policy papers presented in this publication bring you enrichment and inspiration in your field of work or study. Should you consider the proposals and recommendations put forward in the papers useful and stimulating in your studies, writing, policy making, or discussions and exchanges, this publication shall be considered as having fulfilled its mission. On behalf of the organizers of the European Values Network 2008 and its particpants, I deem this a positive encouragement for the next editions of the European Values Network's Policy Papers.

Radko Hokovsky
President of the European Values Network 2008

POLICY PAPER I

Legitimate government in the EU: What system for the formation of the European Commission?

INTRODUCTION

This policy paper is based on the idea that legitimacy is a process parallel to European integration. It is evolutionary as it adapts itself to the dynamics of integration. Consequently, the integration process must be accompanied by the permanent ambition to improve the Union's legitimating mechanisms.

The reforms proposed by the Convention for the Future of Europe – and finally embedded in the text of the Lisbon Treaty – illustrate that the problem is not purely academic. Its significance is rooted mostly in practical concerns. The questions that arise are similar to those faced by the founding fathers of the American federation: how to build *"government of the people, by the people and for the people"* (Abraham Lincoln). So far, the Communities

have tended to be mainly a system for the people (eventually with the people). The difficulties associated with ratifying the Treaties of Maastricht and, more recently, the constitutional treaty show that the legitimacy of the EU is still in doubt.

This phenomenon requires revisiting questions of legitimacy once again. However, it is problematic to apply similar standards to the European Union as to the national state. If a 'national perspective' was taken, the primarily regulatory activity of the EU would have to be acknowledged – regulatory policies are also at the national level often distanced from democratic responsiveness. Yet, the EU is a different system from the nation state, which suggests that new forms of legitimacy might be needed. The comparison with the national state should neither serve to credit nor to discredit the EU. Constantly searching for sources of legitimacy is thus a vitally significant challenge for the advancing EU system.

Legitimacy is a key issue when the democratic organisation of any authority is under discussion. Searching for sources of legitimacy for such an organisation as the EU, and specifically the European Commission, is a double challenge. Firstly, due to the fact that normative theories of democracy have been largely concentrated on the state (and sub-state) level so far, they have not produced satisfactory conclusions relating to the supranational domain. Secondly, because the rich academic discourse on the EU legitimacy deficit has been inconclusive – to such an extent that even the titans of European studies – international relations and political science have not agreed whether there is a problem or not.

The Lisbon Treaty is expected to introduce vital reforms improving the decision making process and legitimacy of the Union. For instance, it is supposed to increase the democratic quality of the EU by choosing the Commission President according to the majority in Parliament. Further, the European party federations intend to put forward their own candidates during the 2009 EP elections. Two points can be mentioned. First, whether this new process will make EU politics more visible at the national level is

uncertain. Second, these changes might not go far enough, as the College will still be a multi-party formation rather than being politically bound to the Parliament.

Two further points have to be considered when discussing the legitimacy of the EU. First, it is multi-level polity, and, as such, actors operate on and across different levels. Therefore, discussions of EU legitimacy need not be confined to EU-level politics and actors. The role of national parliaments and governments has to be taken into account. Also, chains of legitimacy should operate across levels. Second, there are different conceptions of legitimacy – input and output dimensions, legal or social legitimacy, etc. Recommendations on how to legitimate the European Union can, therefore, be drawn from various sources.

In what follows, we outline different options available to enhance the legitimacy of the EU and make recommendations on how to implement them. Our primary concern lies with the changes in the process of forming the European Commission introduced by the Lisbon Treaty. We discuss the virtues and pitfalls of the new system and develop recommendations for further improvement. While the formation of the Commission is our focus, we intend to stress that other options for legitimation exist. We outline two relating to the role of national parliaments and EU citizens. While we do not develop these options in detail, we hope to demonstrate that further exploration would be warranted.

Two further notes of caution are necessary. First, it should be noted that ambitions to enhance the Union's legitimacy are not equivalent with saying that there is no legitimacy already. From the legal point of view, the EU is a legitimate system. When justifying the EU's actions, legal legitimacy is often stressed. Second, there are wider systemic aspects of legitimacy that are beyond our scope and, consequently, will only be touched upon where warranted in the discussion. Particularly, from the citizens' perspective, so-called "social legitimacy" is important. Social legitimacy in general refers to the social context of a political system. Every democratic political system

needs the support of the citizens, and institutions can only settle norms when a majority of the population accepts their power.

POLICY OPTIONS

In terms of policy options, we consider the possibilities of the enhancement of the EU's legitimacy through three actors: the European Parliament, national parliaments, and citizens.

The EU's democratic legitimacy is derived via two institutions. First, from the European Parliament (EP), which enjoys direct legitimacy from European citizens; second, from the Council of Ministers (and the European Council), where member state governments are represented. However, the legitimacy obtained from the Council is not a direct one, because it comes from already indirectly instituted bodies (representing only majorities from national parliaments), which, in addition, have to search qualified majority within the Council and thus some governments could even be put in minority.

Our focus concerns the EP. The power of the EP has been increased from the 1970s through competences in budgetary domain, legislative procedure and the formation of the Commission. Concerning the latter, currently its approval for the President-nominee as well as for the composition of the whole College is necessary. In addition, the EP, even though this is not formally established in the Treaties, has developed a system of hearings of the Commissioner-designates and has been able to force through changes of portfolios and even candidates. Last but not least, the Commission is accountable to the EP, although it is not accountable politically in a permanent mode. Accountability is episodical, as it is confined to the moment of voting the Commission into office. Also, the motion of censure procedure cannot alleviate this concern, as discussed under recommendations.

The Lisbon Treaty, if ratified, will introduce an important change. The European Council should take into account the results of the EP elections when nominating the President, who now has to secure the absolute majority of MEPs. As a consequence, the major European parties could well present a candidate for President of the Commission in elections in 2009. Indeed, at least the European People's Party has expressed its intention to do so. Yet, even though the President could have a stronger political mandate, the composition of the college still depends on a common accord between the President and the European Council. Thus, the President with a mandate from an absolute majority of MEPs would be constrained by a college of Commissioners who do not share the same political ideas.

The change introduced by the Lisbon Treaty goes in the direction of politicization. However, it does not overcome the episodical nature of EP-Commission relations. A way forward would be to make Colleges possible that are politically closer affiliated with the majority in the EP. This point is taken up in the recommendations section.

NATIONAL PARLIAMENTS

The development of the EP's powers was advocated as necessary for the democratisation of the European political system and as a remedy to the fact that national parliaments have lost much control over their executives in EU matters (the so-called executive bias).

From the perspective of legal and democratic legitimacy, the idea of involving national parliaments more closely is appealing. National parliaments have formally (and arguably also in practice) the closest links to citizens.

The first step in order to increase the participation of national parliaments would come with the Lisbon Treaty – national parliaments will ensure the compliance of the Commissions' legislation proposals with the principle of subsidiarity. This could have the effect that national parliaments become familiar with what is being done on the EU level

from the very beginning. National parliaments would have an incentive to develop better links between them and the national media could be informed as well. Such a parliamentary scrutiny of the principle of subsidiarity enhances the legitimacy of the Commission's actions. It is likely that more cooperation between national parliaments develops, because in order to refuse a Commission's proposal one third of votes of national parliaments is needed.

Moreover, national parliaments, knowing what is being dealt with at the European level, could impose themselves more vis-à-vis their national governments, i.e. force them to explain their positions in the Council or even, according to the Danish case, give them an explicit mandate for negotiation within the Council. However, the Danish example could limit the possibility of governments compromising during negotiations within the Council.

Therefore, we suggest that obligatory ex post hearings of national ministers in respective parliament committees should be introduced after Council meetings. This would increase the legitimacy of the EU decision-making process, increase its transparency and mainly oblige the government to be responsible for its positions taken during the negotiations in front of national parliaments and public opinion. As stressed, we cannot develop this option in detail at this point. However, it seems worth investigating as it might enhance the role of national parliaments. It might also oblige national governments to resist blame-shifting to 'Brussels' as they have to account more formally for their own conduct in the EU negotiation system.

CONSULTATIVE REFERENDA

Additionally one has to remember that citizens are at the core of any democratic system. Therefore, the improvement of the legitimacy of the EU system requires their involvement.

From the viewpoint of legal legitimacy, on the one hand, the links to citizens in the treaty reform process should be improved. On the other

hand, treaty reform is a complicated process in which a number of conflict dimensions co-exist (left-right, national-national, national-EU, north-south, etc.). Any recommendations must not render the process more complex to the extent that it does not function anymore, as this would pose a serious problem to the future evolution of the EU.

One option here is to involve citizens through a consultative, pan-European referendum in advance of the treaty negotiations. This referendum would consult on general questions – for instance, whether the expansion of EU competences in certain policy areas should be considered. This would still leave enough room for negotiators to carve out details and strike compromises. The ratification of treaty changes could then take place in national parliaments, a practice that is already widespread. All the procedures, from the consultative referenda through Treaty bargaining until the ratification procedure, should be limited in time in order to sustain the democratic mandate consistency. Note again, that a number of important questions would have to be specified further, most notably, those regarding the nature of the questions to be put to citizens (and who prepares them), as well as the details of organising the referenda.

POLICY RECOMMENDATIONS

Our primary concern in this paper is the relationship of the European Parliament and the European Commission. This section makes recommendations for strengthening the bond between the EP and the Commission, without upsetting some basic principles of representation of Members States.

As already introduced with the Lisbon Treaty, the President should be chosen by absolute majority in the EP and nominated by the qualified majority in the European Council. Beyond the provisions of the Lisbon Treaty, however, the composition of the College should be left to the

President. Let it be noted though that the President would have to respect the provisions of the Lisbon Treaty concerning the nationalities represented within the College. Still, by choosing the College, the President's selection could reflect the political constellation in the EP that brought him/her into office.

With our recommendation, the President would not only have a strong mandate from the EP. Allowing a less constrained selection of Commissioners would overcome the constraints implied in an ideologically diverse College. Under the Lisbon Treaty, the College would reflect the political composition of national governments. This means that it would be an ideologically diverse team complicating the implementation of the President's agenda. On the contrary, a College chosen by the President would reflect her/his political affiliation and that of the majority in the EP. This would make possible the implementation of her/his agenda on the basis of which he/she was elected by the EP. This would create an *ideological* bond between the Parliament and the Commission.

Yet, in order to overcome the episodical nature of EP-Commission relations, a credible mechanism is required to remove the Commission from office. Consequently, the threshold for the motion of censure should be adapted. Instead of a two thirds majority (art. 201 TEC), an absolute majority of the MEPs should be required instead. The reason for this is that the same majority that has brought the Commission President to office should suffice for his or her dismissal. A "constructive" vote of no confidence would contribute to the stability of the EU executive. Through this adaptation, the bond between the Commission and the EP would not only be ideologically underpinned but also *permanent* rather than episodical.

This recommendation primarily affects the EP-Commission relationship at the European level. Yet in a multi-level polity, effects for other levels of governance can be expected. However, we are cautious in predicting these effects. Different scenarios are conceivable: one is positive, one negative,

and one suggests limited cross-level effects. Given the ambiguity in predicting effects, we seek to stress below that implementing our recommendations is justifiable independently.

The positive version suggests that EU politics becomes more visible and easier to understand for citizens thanks to increased political contestation and media coverage. With a concrete and feasible agenda – concrete because of the previous political contestation during EP elections and feasible because of a College which corresponds to the President's political affiliation – a stronger link could be established between citizens and the Commission. In effect, citizens' will expressed by the majority in the EP would be translated into the agenda of the Commission. If the citizens are not satisfied with the work of the Commission, they could punish it in the next elections. Last but not least, the campaign for the EP elections could produce more political debate, media coverage and new ideas.

The negative scenario has several aspects. First, if Euro-parties put forward candidates for the Commission president from a given nationality, this might cause adverse reactions. This might particularly be the case if, for various reasons, the choice of candidate is of a sensitive nature. For instance, it might be that elections centre on the nationality of the candidate rather than their agenda. Second, raised stakes during elections could lead to false expectations as to what is possible within the framework of the treaty. Third, politicisation might not only entail left-right competition. Also a pro-anti EU cleavage could be politicised.

The third scenario might be that there are only limited effects on the national level. First, it is conceivable that public disinterest would not be affected by changed institutional procedures. This is particularly the case as reasons other than the nature of the EU contribute to public disinterest. Second, elections might continue to be fought within the framework of national politics – i.e. by national parties with their candidates and a very limited role for any potential Euro-group President-designate. Third, would there actually be more contestation? European politics is strongly consensus-

oriented both in terms of institutional rules and organisational culture. Fourth, the budget of the EU is limited compared to national budgets (keeping in mind the size of the constituency). Major redistributive policies continue to be in the hands of national governments. Regulatory policies make the identification of winners and losers as well as the explanation of decisions difficult – voters might not feel that their vote makes a difference.

In sum, the effects are difficult to predict. Nonetheless, increasing the responsiveness of the Commission to the EP is backed by normative ideals about holding executives accountable by legislatures. Also, it strengthens the formal chain of delegation from publics to the Commission (an argument of legal as well as democratic legitimacy).

A note on the feasibility of the politicisation project might be in place. Letting the Commission President appoint the College requires adaptations of the Treaties. This might seem unrealistic. Would governments be willing to surrender the right to nominate "their" Commissioner? In this context, it is worth recalling that national governments were also ready to accept the reduction of the total number of Commissioners from 2014 (Lisbon Treaty). Also, in the name of legitimacy, national governments have progressively ceded power in favour of the European Parliament. Legitimacy continues to be politically powerful, even vis-à-vis apparent national interest. There are three other points to make in order to stress that our proposal is not as unrealistic as it might seem at first sight.

First, the distribution of competences would not be affected – neither in the first pillar nor between the pillars. So the Council remains in a powerful position in the legislative process. There is no major piece of legislation that can be passed against the Council. In the second and third pillars, the Commission's role would still be limited. Thus, enhancing the responsiveness of the Commission vis-à-vis the EP does not imply the creation of an all-powerful European government.

Second, the process of treaty reform is not affected. It continues to be in the hands of national governments meeting at Intergovernmental

Conferences. Thus, member states retain the option of changing the rules of the game. Competences given to the EU can also be withdrawn. Moreover, the Lisbon Treaty provides member states with the explicit option to leave the Union (although the feasibility of this could be debated).

So, what would the Council and the Member States actually lose if the linkage between Commission and EP was strengthened? The Member States lose the ability to nominate "their" Commissioners. But, there will still be a Commissioner from each nationality or – once the rotation is established – no more than one Commissioner from any country. The right to *choose* the Commission president is already lost to the European Council with the entry into force of the Lisbon Treaty. It only *nominates* taking into account the EP majority. Thus, it is essentially only national governments that lose some powers. This has to be balanced against the fact that their role will still be crucial in the EU system – the legitimacy of which might be fostered (arguably one of the stated ambitions of many national politicians).

Finally, the emerging powers of national parliaments in EU policy making (especially the control of the subsidiarity principle) add further constraints on the policy options available at the EU level. In consequence, also the range of options that could be proposed by the Commission with reasonable prospects for adoption becomes limited.

FINAL REMARKS

The Lisbon Treaty contains reform provisions regarding the relationship between Parliament and Commission. This is meant to strengthen the link between the citizens' preferences (expressed in elections) and the European executive. The Lisbon Treaty, however, does not tackle the episodical qualities of Commission accountability vis-à-vis the European Parliament. Also, the ideological diversity of the College is retained. The recommendations we make could change this. Although consequences on

the national level are uncertain, these recommendations are worthwhile for the improvement of legitimacy of the EU. We also argued that they are more feasible than could be thought at first sight.

We have primarily dealt with the EP-Commission relationship. However, this relationship is part of a wider system in which different dimensions of legitimacy co-exist. Therefore, the discussion needs to be contextualised in the broader understanding of legitimacy. For instance, whether the effects of our recommendation on national politics are positive, negative or neutral is related to questions of social legitimacy, identity and political culture.

POLICY PAPER II

New architecture for Europe: How to integrate the Eastern EU neighbours without offering full membership?

After two successive, and ostensibly successful, eastward enlargements of the EU in 2004 and 2007, the political map of Europe has been drastically reshaped. Further incorporation of new members in the East seems not to be a realistic political option at this point. Internally, the EU has struggled to reform its institutions to the new reality of 27 members and the rejection of the constitution by both French and Dutch voters was partly motivated by restraint vis-à-vis future enlargements. Externally, the EU is committed to stabilizing the Western Balkans by offering the countries concerned medium-term perspectives on membership and struggles with the precise nature of the relationship with Turkey.

Given this reality, the EU needed to come up with a policy towards its Eastern neighbours that does not encompass full membership, but somehow was still attractive enough to ensure effective relationships between the EU

and those countries. In order to address this, the European Neighbourhood Policy has been created: this policy aims to create a ring of friends around the EU. By offering them a stake in the internal market and participation in a number of European programmes, a common European project could emerge, without the need for full membership.

As this is a policy paper, we do not aim to tackle theoretical issues behind this policy or try to construct an ideal type of policy towards the Eastern neighbours. The ENP has been the result of a process of political dialogue and negotiating and it seems unlikely that another structure will emerge quickly in this policy field. Therefore this paper can be considered as a tentative assessment of the ENP which offers an overview on the most pressing issues that are considered the main weaknesses of the policy at this point and potential ways to cure these problems.

POLICY OPTIONS

ONE SINGLE POLICY?

The original aim of the ENP was the creation of European policy that would constitute the framework for cooperation with the EU's Eastern neighbours. Eventually, the policy was extended to countries from the former Barcelona Process, in North Africa and the Middle East, although there was too little time to carefully and sufficiently prepare a full-grown policy. The effect is that the ENP is unprepared, and lacks institutions and working mechanisms that regulate bilateral relations. As a consequence, the original idea and the outcome do not match each other.

Binding these two regions into one policy was an inappropriate solution because of cultural, historical and geographical differences among them. Criticism is seen, for example, in Ukraine, Moldova, and Georgia, because

the EU does not offer them what they really expected: an explicit promise of membership. The situation looks the same the other way around – the European Union expects various forms of behaviour from Eastern and Southern neighbours. Each country has its own foreign policy priorities, therefore it is impossible to formulate one single policy that would suit every neighbouring state. Moreover, the similarity of Action Plans signed by the neighbouring countries makes it hard to fulfil the needs and expectations of both sides. There is a risk that emphasising certain countries or areas can mean less attention for the other countries involved. The proposal made by the President of France, Mr. Sarkozy, on the creation of the Mediterranean Union which would supersede the Barcelona Process, places the emphasis on the southern neighbours of the EU. It shows that the member states have different priorities and pay attention to different neighbours.

EMPOWERING THE POLICY

Not only the initial set-up and development of the European Neighbourhood Policy, but also the implementation of the programme is far from concrete and therefore problematic. Due to a lack of concrete benchmarks and goals, the programme struggles to achieve progress in the future. Furthermore, a lack of monitoring and data can easily lead to difficult decision making about the programme in the future.

In an attempt to achieve the ENP's specific goals, an Action Plan has been made for each specific country involved in the ENP. However, the content of these Action Plans is often far from concrete. For example, in the Action Plan for Moldova, one of the goals is to "ensure equal treatment". The step described towards this goal is "continuing efforts to ensure the equality of men and women in society and economic life, based on non-discrimination". However, no concrete steps are given in order to reach this goal in practice. Ensuring the equality of men and women is a vague goal incorporated in many policies and charters, but it needs further explanation

and a plan consisting of concrete steps in order to achieve any progress. By describing only what has to happen, without developing specific steps in order to actually do this, the programme does not work as well as it could be.

Furthermore, the ENP programme and its Action Plans have a lack of data or deadlines by which progress should have been made. Due to this lack of clarity about when specific steps towards reaching the ENP objectives should have been carried out, there is no pressure to make a real effort. Therefore, the implementation of the ENP in practice is not as optimal as it could be. Moreover, due to a lack of deadlines, monitoring the achieved progress is difficult. This in turn leads to an unclear picture about how the programme is really working.

INTERNAL PREFERENCES

Internal conflicts among the EU member states on the purpose and outcome of the ENP continue to confuse the Eastern ENP countries because the EU does not speak with one voice. As in any other EU policy; the EU's internal complexity reduces its external impact towards its neighbours who need a coherent message, especially concerning possible membership. This can lead to incoherent policies of the EU because the institutions have different priorities. As a consequence, the EU can end up putting forward conflicting requirements for the Eastern neighbours.

Not only can conflicting signals be sent at the EU-level – member states also face various problems depending on their own neighbourhood, which of course will affect their preferences. As a consequence, member states put the emphasis on solving their own problems instead of viewing it from the point of view of the Union itself. The danger is that the individual member states are forced to come up with solutions to the problems themselves and can, for instance, end up signing bilateral agreements with the Eastern neighbours themselves. This has happened in the case of border problems and visa facilitation after a number of new Member States joined the

Schengen cooperation agreement in December 2007. Visa facilitation is an issue addressed in the ENP action plans, but the number of bilateral agreements signed in the past couple of months between ENP countries and the bordering EU member states can be seen as a failure of the ENP, as the EU has not been able to come up with common solutions.

Divergent member states' preferences can undermine the credibility of the EU as an international actor. For instance, statements on democracy and human rights are included in the actions plans, but member states could be inclined to ignore these and focus on their own interests. This inconsistency between the EU as a promoter of democracy and the EU member states as more driven by a realist calculus could undermine the union's credibility.

LACK OF MOTIVATION

The policies developed and implemented during the Enlargement Policy are not suitable in the case of the Neighbourhood Policy because of the different projected outcomes. This discrepancy opens up room for scepticism among the neighbouring states. Because of economic and security reasons, it is in the interest of the EU to cooperate with Eastern Europe, taking into account the current geopolitical reality of Europe after the last enlargement process.

The same goes for the countries from the region; they need good neighbouring relations with the EU at least as much as in the opposite direction. The majority of the Eastern Neighbours are motivated by prospective membership, but as the ENP does not provide this, there is a lack of motivation. The potential danger lies in the fact that this could crowd out the inherent significance of the norms and values. The message thus is no longer that adhering to certain norms and values can lead to a stabile and prosperous society and state, but that the only reason to push for changes towards a free market and democracy is future membership. The difference between why the EU tries to export its norms and values and the reason for the willingness to adhere to them in the Eastern European countries can

lead to tensions in the long run. As membership is not an option, and the benefits offered to the ENP countries are quite limited, the main motivation for change has to be found within these countries themselves.

THE ROLE OF RUSSIA IN THE ENP AND ENERGY DEPENDENCE

Russia's role concerning the integration of the EU's Eastern neighbours has three dimensions: the need for cooperation, competition over the influence, especially in Ukraine and Moldova, and the interdependence between the EU and Russia regarding energy resources.

All Eastern neighbours are economically, politically and historically tied to their powerful neighbour, Russia. Without considering Russia's perspective it will not be possible to install any changes in these countries. All attempts to consult Russia's position and develop common goals (as was tried through the strategic partnership or the four common spaces concept of 2005) failed. They lacked a vision of how to develop a relationship and were mainly just words but no action. It is not surprising that Russia did not join the ENP because its concerns were not mentioned in it at all. From Russia's perspective, the EU treated its close neighbourhood as objects of the EU. Neglecting Russia's role in the ENP is one reason why Russia follows a power policies concept and developed a zero sum game perspective. It is important to overcome this perception and consider Russia's positions. But it is also true that this partnership is shaped by a lot of contentions. The EU and Russia try to shape the Eastern neighbours' region according to their different visions. It is important that the EU does not overthrow its principles just to please Russia. That is why the EU has to decide what weighs more in each case: its relations with Russia, or support for democratic change in the ENP-countries.

Though in some cases the Eastern neighbours really have to make their decision between East and West, it is important not to pressure the new neighbours too much. In the past, the EU policy sometimes lacked

understanding for the complicated situation of these countries, and did not support a step towards a stronger presence of the EU. As a consequence, conflicts have arisen between the Eastern ENP-countries and Russia due to the EU policy demands.

Another important dimension deals with the energy-interdependence of the EU and Russia. The fear that Russia could use its power as the main energy supplier of the EU influences the policy towards the new Eastern neighbours in different ways. First, there are voices pointing out that transition processes in the Eastern ENP-countries could lead to destabilisation. Ukraine and Moldova are transit countries, and instability as well as conflict with Russia could cause high energy insecurity. This concern and the search for energy diversity tend to dominate policies towards the Eastern ENP-countries. As a consequence, other parts of the ENP are not emphasized enough. The energy policy towards Russia influences the eastern ENP-countries in another way as well. By holding back criticism towards Russia because of the dependence on it, the EU gives out the wrong signals to the new Eastern neighbours and jeopardizes its credibility.

LACK OF REGIONALISM

As the EU itself is a model of regional integration, one would expect that this would be imitated, or at least resonate, in the EU's policy towards its own neighbourhood. However, the eastern dimension of the ENP resembles more a "hub-and-spoke" model than a truly multilateral platform. The core of the ENP consists of the bilateral Action Plans between the states involved and the EU. It is somehow contradictory that the ENP has chosen to pursue a bilateral approach even if it is a product of a multilateral system, the Barcelona Process. The EU has recently started to acknowledge this lack of a regional dimension, together with the absence of cross border cooperation projects, and has started to take steps to improve regional integration. The case of an increasing regional approach to the South Caucasus is used to describe the current state of affairs.

Within the context of the South Caucasus frozen conflicts, the EU's role has traditionally been very limited. Indeed, as opposed to the UN and the OSCE, whose presence in the region has been long established, the EU has only taken an interest in the SC in the recent years. One of the main difficulties that the EU has been facing has been to clearly define what approach to pursue in dealing with the South Caucasus states. There is a big difference between the way the SC countries are perceived by the EU and the way they see themselves. In other terms, the view from Brussels is that these three countries form a compact group that should be addressed as a whole. But the reality is that Georgia, Azerbaijan, and Armenia do not share this perspective, favouring instead a bilateral relationship with the EU. Historical tensions and past conflicts have created great levels of mistrust among the Caucasus states, meaning that any attempt to create a regional organisation in the area is, very likely, destined to fail.

Nevertheless there is potential for the development of more intense relations among these states. Such a process has to be conducted gradually and focus on small achievements and successes as opposed to greatly ambitious plans. Focus on some areas where this cooperation is more likely to succeed has already been taking place, the Black Sea Synergy being the most prominent example. Through the Black Sea Synergy, the EU intends to promote regional cooperation within the region through offering its own experience and know-how in the field.

There is room for development regarding cross-border relations between the Caucasus states. The European Commission promotes the creation of synergies where they can be found, as well as programmes involving national, but especially regional, administrations. Areas such as the road and railroad building connecting the different countries have to be agreed on by the governments involved, and represent a good opportunity for the building of trust among the leaders. The major focus has been on developing a framework of cooperation in more technical fields such as fisheries, transport, and environment. Examples of this would be the common interest of the EU

and countries in the region to focus on a solid environmental framework to protect the Black Sea and its river basins, and programmes involving local authorities, and supporting activities in civil society and people to people contacts.

RELUCTANT NEIGHBOURS

As the ENP is based on the equality of the different partners, i.e. the EU and national governments, the commitment of both is necessary. As most of the eastern neighbours have a clearly stated pro-European attitude and are at the demand side of a closer relation with the EU, this seems not to pose too many problems. This benevolence towards the ENP from these countries is not a given fact; one can imagine that in the long run disappointment with the outcome of the policy, or a shift in the local or regional political balance, could lead to a change in this situation. Is the ENP capable of dealing with reluctant neighbours, because, after all, being neighbours does not automatically mean that you get along. Belarus has been a case in point, and a short outline of EU-Belarus relations serves as an example of this issue.

The EU defined the underpinnings in regard of the policy towards Belarus in 1997 and these still serve up till now. Regardless of whatever strategy the EU countries applied vis-à-vis Belarus, it has not brought tangible results and its objectives were not achieved. Partly, it could be justified by reference to the poor perception of what the real situation in Belarus is, as well as an inability to prepare a coherent strategy of the EU in this regard. The policy towards Belarus is worth studying for the following reasons: over those 10 years no major changes towards democracy have been witnessed and the EU has not succeeded in promoting them. On the contrary the Orange Revolution in Ukraine is a good example of the EU's support of civil society movements. But generally the EU lacks a pro active stance in developing a clear notion of what actions have to be taken in case

of political turnover. In addition, Belarus is a market of which the opening could create good conditions for the development of business and capital investments.

POLICY RECOMMENDATIONS

SINGLE POLICY OPTION AND EMPOWERMENT

Regarding the differences between the South and the East, the ENP should be divided along a southern and eastern dimension. All the neighbouring countries should be treated equally but separately in respect of their needs and demands.

Furthermore, there is a need for a full evaluation of the whole ENP, starting from its conception to the current time, because of the rush there was during its preparation.

This can be linked to the next recommendation. The ENP should stop using instruments of enlargement: the ENP can gain credibility by developing its own instruments and processes.

Second, the Action Plans need to be more concrete. In order to achive this, clear benchmarks are needed to measure the progress that each country is making. By clearly monitoring the (lack of) progress, the Action Plans can be adjusted in the future. Clear benchmarks, for example, the cases of the World Bank and the Millenium Challenge, should be used.

Finally, more attention for the ENP and the progress of the countries involved could and should be generated by creating a civil society. Media and other third parties can function as a "watchdog" to monitor the progress and development of the ENP countries.

LACK OF MOTIVATION

Creating local representations of the EU to help the local population get acquainted with the legal and organized framework of the EU would benefit the ENP, such as following similar initiatives to the model of the British Council, and the concept of e-Diplomacy used by the USA through the Virtual Presence Posts.

Also, the simple existence of an official envoy, representing the ENP in those countries, and widely open towards civil society besides the political elites, would increase the credibility of the EU in the eyes of citizens.

Improving the people to people contacts with all the countries could help to increase the support of the population towards change. A larger amount of the ENP budget for 2007 – 2013 should be directed at the special needs of every single country at this point. For example, in Belarus, even if the current government does not want to cooperate with the EU, efforts should be made to support civil society and NGOs. This also has benefits for government in the countries concerned: this softens the price that the ENP countries have to pay in the short and medium term for implementing potentially unpopular reforms. Finally, this would prevent the local political elites losing credibility when promoting those reforms.

RUSSIA AND ENERGY DEPENDENCE

To overcome the zero sum game perspective, it is important to give Russia the signal that its inclusion is sought. It is recommended to create a forum to exchange common goals and actions between Russia and the EU.

Russia's inclusion can occur on several dimensions, although the security level is certainly the most sensitive one. It's not likely that Russia will participate in EU-led security efforts, but there are more realistic options to include Russia, such as establishing good working relations with the CIS structures and Collective Security Treaty Organisations

As was shown, there are a lot of different perspectives between Russia and the EU concerning norms and values. Such fundamental issues should figure prominently on the EU's agenda and should not be open for bargaining. To clarify these different standpoints, it is recommended to formulate proper priority considerations.

Concerning the energy dimension, the EU should not ask for a liberalisation of the Russian energy market while the EU hasn't opened its own market yet. That would strengthen Russia's perspective of win or lose. As was shown, energy is a sensitive issue also affecting ENP-countries directly.

To avoid sparking off future political crises, it is recommended to first provide Europe and the new Eastern neighbours with diversified energy supplies, for example by launching the Nabucco pipeline. Secondly, the energy dialogue between the Eastern neighbours and the EU can be improved by proceeding with access of the Eastern ENP-countries to the European Energy Community and provide Eastern transit countries with technological know-how regarding alternative energy resources.

To avoid the internal resistance against transition processes in the ENP-countries connected to the energy issue, it is recommended to develop a common energy policy and show credibility through fulfilling EU values in the common energy policy.

Regarding the dimension of competition over the Eastern neighbours, it is important not to pressure the Eastern ENP-countries too much and show Russia that the EU is not its enemy. Therefore it is recommended to encourage the Eastern ENP-countries to take part in non-competitive geographical formats like the Black Sea Economic Cooperation Organisation.

For cases where there are opposed goals concerning the development in the Eastern ENP-countries, the EU has to consider that Russia is a great pull factor and often does not tie its policies to conditions like the EU does. Therefore it is recommended to come up with a coherent stance on what the

EU's policies are when an Eastern ENP-country finds itself in a position of growing antagonism towards Russia.

REGIONALISM

In order to avoid a multiplication of efforts, the EU should strengthen its cooperation with other International Organisations present in the field. It should also develop synergies between the different EU actors and representatives in the region. If positive results are to be achieved, the EU must define a realistic staged approach through agreements with national governments in order to clearly define a set of benchmarks and steps to take.

Civil society must play a more active role within the ENP. It is beneficial for the EU to enlarge the scope of the programme and to broaden the channels of communication beyond government officials. Finally, the EU should increase its support for regional cooperation programmes together with sponsoring cross border activities and exchanges.

POLICY PAPER III

Illegal migration: What effective measures to prevent it?

PROBLEM DESCRIPTION

The EU is considered worldwide as a model of wellbeing, democracy and human rights. These factors, together with the asymmetrical wealth distribution in the world, have turned it into one of the preferred destinations for migrants and asylum seekers. According to the International Organization for Migration the EU has experienced a steady increase in the number of immigrants entering its territory, unfortunately not only by legal means. There are roughly 30 to 40 million unauthorized migrants worldwide, comprising around 15 to 20 percent of the world's immigrant stock. The urgency to implement effective measures to prevent illegal immigration is due to the multiple problems stemming from this challenge:

On the one hand, it affects countries of destination by increasing the burden on the social welfare system (i.e. healthcare or education). Sometimes

the inevitability of having to meet basic needs can lead to the proliferation of criminality. Moreover, illegal immigration can be controlled by mafias, therefore encouraging organized crime through the client system. The fact that illegal immigrants are often not well integrated in the hosting societies can lead to a wave of xenophobia and racism, paving the way for extreme right wing parties to act.

On the other hand, as to the countries of origin, the risk of "brain drain" is quite high; demographic problems also need to be taken into consideration. Significant fluxes can lead to structural problems in the societies of origin as generally they imply movement of a great number of people of the same age, or of the same sex. Their inability to control their borders from mafias and corruption can have a negative impact on their image in the international arena, leading to a loss of decision-making capability worldwide.

Finally, as to the immigrants, the risk of social exclusion must be considered, as this is linked with limited civil and political, economic, social and cultural participation. This includes restrictions as to acceding public services and the risk of being trapped by human trafficking criminal organizations. Illegal migrants are often victims of different crimes (slavery); they are afraid to contact authorities because they would be returned to their countries.

Due to the implications explained above, preventing the flux of illegal immigrants is desirable. However, this goal might be too unrealistic considering the current world order. Therefore, the measures proposed will aim to reduce the migratory flux as much as possible. Due to time and space constrains, our proposal will focus on measures bearing in mind a common European framework. Therefore our policy options will be categorized as follows:

- Security measures, including repatriation agreements and different types of border control;

- Fight against sham marriages, mafias, smuggling and human trafficking through police cooperation;
- Development measures implemented in the countries of origin of immigrants;
- Increase of legal options for immigrants to come to Europe;
- Raise awareness about the real situation of illegal immigrants in Europe.

POLICY OPTIONS

The different options will be analysed in detail below.

1. SECURITY MEASURES (INCLUDING REPATRIATION AGREEMENTS)

The focus on **border control** and external security has been the predominant approach of EU migration policies especially since the terrorist attacks of 9/11 in New York.

We are aware of the different policies which can be chosen to tackle this problem, but we consider that the most important ones regarding this area are the followings:

Border Control: there have been significant developments in this area, such as the Schengen Information System (SIS) and the FRONTEX agency.

Border control however, is not yet strong enough and we are still facing some problems with illegal entries. To counter this weakness, the Commission is studying the use of biometrics in this area. This new system has many advantages, such as improving border control, providing more information at entry, and reducing waiting time (control on the airports). This information could automatically detect expired visas and spread this information to all the national police forces.

However, biometrics is not an ideal solution since it is at an early stage of development, and it also raises some ethical concerns regarding data privacy.

An efficient coordination of national police forces is still essential. The creation of FRONTEX was an important step forward in coordinating joint operations. However, its scope of action is limited to Mediterranean countries.

In spite of the enormous effort made by the EU to control its borders, there are still a considerable number of illegal immigrants in its territory. An effective implementation of re-admission agreements could help to solve this problem and also discourage potential immigrants from coming to Europe illegally. Therefore, repatriation agreements can be considered as a preventive measure.

There are a number of problems regarding this policy option: although EU legislation tries to establish general guidelines on repatriation, EU Member States need common standards and procedures in order to act coherently when returning illegally staying third-country nationals. The actual trend of signing bilateral agreements by a Member State and a third country hinders the achievement of a common policy.

In this regard, the Commission has been keen on enhancing the creation of Readmission agreements between the EU and third countries, including clauses of development and financial aid. However, these agreements should be renegotiated with the countries of origin.

Repatriation itself can be difficult. The absence of identification of the irregular migrants, and the consequent difficulty to establish their nationality; bureaucracy stemmed from the lack of common standards and specialized staff are some of the main challenges to be faced.

2. FIGHT AGAINST MAFIAS, SMUGGLING, HUMAN TRAFFICKING AND SHAM MARRIAGES THROUGH POLICE COOPERATION

Organized crime is generally linked to the demand for cheap illegal labour and therefore acts as a pull factor for illegal immigration. As such, the fight against human trafficking and organize crime could be considered a preventive measure against illegal migration. Human trafficking and smuggling are often organized by internationally operating criminal networks which makes cooperation between member states essential.

For a long time, the EU focused on the fight against human trafficking, neglecting preventive measures. The 2005 Commission Communication represents a turning point on the way to approach the fight against human trafficking, proposing to take into consideration the root causes of human trafficking and, indirectly, the fight against illegal immigration. Nevertheless, the proposals included in this Communication have not yet been enacted due to the lack of political will of the Member States. Their lack of commitment on this issue is clearly shown by the fact that only ten Member States have ratified the 2005 Convention on action against the trafficking of human beings, which only entered into force in February 2008.

The same client relationship existing between the illegal immigrants and the illegal organizations also exists between the employer and the illegal employee. Up to date there are no European measures fighting against this abuse and aiming to punish the employer of illegal immigrants.

Marriages of convenience are also a tool encouraging illegal immigration. Although recognized as such since 1997 by the EU Council, at the moment, on an EU level no step forward has yet been taken. The 1997 Resolution has no binding effect for the Member States. The implementation of the Resolution by the Member States has never been reviewed by the Council and the 2004 Hague Programme makes no reference to this topic.

The EC has no competence in regulating the fight against sham marriages, but it can offer the framework for establishing a uniform regime of national measures. As the 1997 Resolution pointed out, it is essential to establish factors which can provide grounds of the existence of a sham marriage.

Evidence shows that the lack of political will, together with the impossibility of the Member states to implement preventive measures in the fight against human trafficking, sham marriages, organized crime and illegal labour, make further legal developments on this issue difficult.

3. DEVELOPMENT-RELATED MEASURES

Since the adoption of the Global Approach to Migration by the Commission in 2005 (1), the EU has come to recognize the importance and reciprocity between migration and development. As underdevelopment continues to extenuate the inequalities between the developed and the developing world, pull factors will continue to draw individuals from developing country towards developed countries, even at the cost of their becoming illegal immigrants. Therefore addressing such pull factors is tantamount to addressing the prevention of illegal immigration.

The importance of involving diasporas in the prevention of illegal immigration has been acknowledged at the EU level. On the one hand diasporas contribute to development by encouraging infra-structural investment, increasing aid through donations, and channelling support on multiple levels, such as through health and education initiatives and the supply of food. On the other hand, diasporas serve as a vehicle facilitating the transfer of "social remittances". Social remittances constitute cultural ideas, values, beliefs, experience, expertise, and the sense of belonging at a community level which diasporic organisations and individuals can pass back to their countries of origin.

In 2006, €26 billion was sent back to developing countries, through remittances, by migrants living in the EU27. In fact, inflows through remittance are higher than the equivalent figures for official aid and more stable than Foreign Direct Investment (FDI). On this basis the European Commission (EC) focuses on maximising the utility of these remittances. The EC proposes the improvement of data collection, reducing the costs and inefficiency of the transfer of remittances, and enhancing the development impact of such remittances. Migrants need to be encouraged to channel their remittances in a way that maximizes the development impact, such as through encouraging savings and investment initiatives.

While policy options focusing on enhancing the effectiveness of contributions by emigrants are important to development, it is important to be aware that developing countries may become dependent on such contributions. These contributions may provide diasporic organizations and individuals with political influence that may countervail development.

Highly qualified workers tend to leave developing countries in search of better opportunities elsewhere. The result of this is a loss of skills and expertise – elements crucial to improving the situation in developing countries and thereby reducing the pull factors leading to illegal immigration. To deal with such a brain drain, the EC proposes the facilitation of return migration and the promotion of circular migration. Bilateral agreements provide the opportunity to negotiate portable social security benefits, thereby motivating skilled immigrants to return to their country of origin. Finally, by cautioning Member States to practice discretion in the recruitment of skilled individuals from developing countries, the EC seeks to minimize the negative impacts of such recruitment.

Two other important policy areas for development are trade agreements and financial aid. Access to international markets is essential for developing countries to further expand their economies. In this regard the EU, through its trade policy, pushes for liberalization across all non-agricultural products. The EU also focuses on increasing real market access for most developing

countries, through tariff and quota-free access to EU markets. Nonetheless, the EU has been criticized for policy incoherence in this regard. Large parts of the EU economy have been kept off the negotiation table, and non-tariff barriers continue to exist, with agricultural subsidies through CAP being the most obvious example.

Regional arrangements such as the European Neighbourhood Policy and the Cotenou agreement, with African, Carribean and Pacific (ACP) states, allow the EU to provide development support both through the facilitation of trade and the provision of financial aid. While EU neighbouring countries, the focus of ENP, often serve as transit countries or countries of origin of illegal immigrants, ACP states constitute the countries of origin for the majority of illegal immigrants. However, despite the EU's development efforts, neighbouring countries do not always have the absorption capacity to benefit from the amount of aid provided.

4. LEGAL OPTIONS

Without a harmonized procedure at the EU level for the selection of immigrants, they tend to either choose another destination or enter Europe illegally. By harmonizing this procedure, the EU will ease the legal entrance, encouraging this option rather than the illegal one. Since the free movement of people between MS already exists, it makes no sense to keep different national standards for the entry procedure.

There have been previous attempts to create a legal European framework that covers the entry criteria for all kinds of immigrant labour force. The lack of political will within the different member states impeded any development at the EU level in this area. This has forced the Commission to try to progressively move towards harmonization.

The first step taken towards this harmonization is currently being discussed: the Commission's Blue Card proposal. However, this proposal covers only high skilled migrants, leaving the criteria for the selection of

unskilled workers as a choice for the national governments. The Blue Card proposal aims to attract skilled workers to the EU for an initial period of two years, after which they can freely move to another Member State. Although the selection criteria will be harmonized, the Member States maintain the competence to decide the number of immigrants needed in their country. This proposal has already received some criticism, such as contributing to the "brain drain" effect in the countries of origin and being too bureaucratic, impeding the attraction of the skilled workers needed in Europe. In addition, it is very hard to believe in this proposal when the EU still keeps many labour market restrictions for the citizens of the new member states.

5. INCREASE AWARENESS ABOUT THE REAL SITUATION OF ILLEGAL IMMIGRANTS IN EUROPE

Most of the time people migrate with high expectations on their future life in Europe, not understanding fully the implications thereof (especially as to illegal immigration). One of the reasons for this is the lack of communication between institutions of third countries and the nationals of that country; sometimes countries of origin are not aware of the dimensions of this phenomenon. That is why the EC recommends the creation of databases in order to understand the size and implications of migration flows and diasporas, building links between countries. Moreover, the EC also proposed the creation of a European Migration Observatory to deepen the analyses of immigration and to monitor the situation, including the implementation of a pre-travel information system. This can be achieved also by a sounder cooperation with the NGO sector, something which has not been fully explored yet.

Cooperation at the level of MS has taken more steps forward. Thanks to ICONet, officials working in different EU countries are now connected through the intranet. This is used as an early warning system, when coordinating repatriations, and as a platform for information exchange

for Immigration Liaison Officers. It also provides information from the countries of origin as to illegal immigration.

New technologies have also been used to create a number of web sites for people wishing to leave their country, such as the EU Asylum Portal, or the EURES network. The creation of an EU Immigration Portal and an EU integration website has been foreseen. However, it is not obvious that potential immigrants will know about these web pages and use them as an information resource.

RECOMMENDATIONS

The increase of uncontrolled migration fluxes and the enhancement of the security debate since the events of September 11 have had a deep impact on EU migration policies. The fight against illegal migration through border control has become a center point of the migration policy debate, but neglecting other options such as the prevention of illegal migration through development policies.

We acknowledge that the only way to manage migration and effectively prevent illegal immigration is through a comprehensive approach that allows us to benefit from the synergies between the different EU policies such as development, foreign policy, trade, and border control. More specifically, illegal immigration should be tackled on all the different fronts: development policies, the offering of legal options to migrate, repatriation agreements, border control, etc.

At the same time, illegal migration is a European problem as a whole and, as such, all the EU Member States should contribute in some way to its solution. In addition, a more flexible financial instrument would be needed in order to effectively react to the urgent needs that may arise.

Even though developments have been made in the area of border security, there is still room for improvement. It is desirable that the EU

evolves through better coordination between national police forces, the improvement of the Schengen Information System, and the implementation of new technologies, such as radars and biometrics in border control.

In order to avoid overstayed visas, we propose the development of a finger print data base shared between the EU embassies network and migration authorities. People willing to enter European territory should be encouraged to follow a legal route of migration by registering in a European embassy in their country of origin. Accordingly, if their application is rejected and they attempt to enter the EU illegally, they can be repatriated because their identity would be known, hence avoiding the problem of establishing the identity of undocumented migrants.

The development of a common legal framework for Repatriation at the European level is also desirable. Therefore all Member States will act coherently, applying the same criteria and procedures when repatriating. In addition, this will provide the European Member States with a stronger position when negotiating the repatriation agreements with third countries. Besides, more readmission agreements at the European level should be signed, avoiding bilateral ones.

Concerning their content, these agreements should include some supplementary development clauses such as technical and financial assistance, debt relief, and preferential market access. At the same time, these agreements can provide an incentive for the countries of origin to cooperate in the fight against illegal migration. A clause facilitating visas for the countries that strongly cooperate with EU would be an example.

Without disregarding the previous option, we strongly believe that voluntary returns should be encouraged and facilitated.

The fight against human trafficking or smuggling should be encouraged in the countries of origin, since it is often the source of the mafia's labor force. This fight is only possible through police cooperation and economic development in those regions. The EU should offer capacity-building

and institutional support to countries of origin in order to fight against these crimes.

When fighting against organized crime, one must consider that illegal migrants are often victims of those organizations, and that they are afraid to contact the authorities because they fear for their family or to be returned to their countries of origin. Guaranteeing the security of the victims and their families will be the best way to ensure the collaboration of illegal migrants against organized crime, as well as preventing them from being abused by these organizations.

On the other hand, the fight against sham marriages should start with the adoption of a directive establishing criminal sanctions, although a consensus on the matter may be difficult to achieve. Since it involves citizens from third countries, the EU should improve coordination between the judicial systems of those countries. Pre-marriage control is preferred to a posteriori control, and registers should be empowered with more competencies in the fight against sham marriages. The people participating in sham marriages, directly or indirectly, should be held criminally responsible.

One of the main pull factors for immigrants to come to Europe is work. If we aim to prevent illegal immigration we should focus first on the pull factors for illegal labour. A priority then should be to fight against the employers and sub-contractors responsible for the illegal status of the immigrants. The Commission has made a proposal on this matter, providing for sanctions against employers of illegally staying third-country nationals. This proposal has not yet entered into force and further progress needs to be made on this aspect.

In the areas of development, the ENP has been hailed as an effective way of enhancing progress in neighbouring countries. While non-neighbouring countries are outside the scope of the ENP, similar initiatives can be implemented to provide the same level of development success with non-neighbouring countries of origin of illegal immigrants.

When preventing immigration through development measures, we should also keep in mind that such measures might have, in the short term, the opposite effect than that expected. When implemented, the number of immigrants trying to reach Europe may increase since, they gradually higher income is used to pay the trip. Only in the long run, when the situation of the country improves, are these measures effective in preventing illegal immigration.

So far EU policies have suffered from not coherently addressing singular objectives. As a result, conflicting aims have compromised the effectiveness of development initiatives. Seeking more coherent policies must be at the heart of future EU development policy.

Diasporic contributions have been recognized as one of the most important dimensions of development efforts. The EU must continue to focus more on the effectiveness of such contributions.

Circular migration can be an important tool in addressing the problem of brain drain, one of the major obstacles to sustainable development. Circular migration facilitates the return of skilled individuals to their country of origin, thereby increasing the level of skills in developing countries. Circular migration also provides a legal alternative to illegal immigration.

Finally, this policy paper stresses the importance of investing more in the dissemination of information on the risk and consequences related to illegal migration and on the legal alternatives available. Reducing misconceptions and inflated ideas on the benefits of migration and increasing awareness on the costs of illegal migration will influence the decision making process through which migrants choose to resort to illegal channels. The dissemination of information could be achieved through dedicated EU offices in countries of origin and local media networks, as well as through local educational systems. The aim of these offices should be to offer to potential migrants assistance and support to come to Europe legally and the organization of seminars informing them of the risks of illegal migration.

POLICY PAPER IV

The New Security Environment: What Strategies for Transatlantic Partners?

INTRODUCTION

The collapse of the Berlin Wall in 1989 became a huge challenge for the roots of the transatlantic partnership. The post-cold war period inaugurated a fuzzy period in international relations that was mainly shaped by an unprecedented US military hegemony and an ambiguous evolution of the EU as a political entity reflected in the Maastricht Treaty's CFSP pillar.

Indeed, the nineties proved that US and EU policies were not enough to open an age of peace that would have contrasted the perpetual frictions and risks of nuclear war of the Cold War. Moreover, ethnic and regional conflicts erupted radically in almost all continents. Both the Rwandan genocide and the Balkans wars reflected the global failure to prevent major tragedies. The situation became more complicated after 9/11. International

Counter-Terrorism did not become the transatlantic 'glue factor' that many experts forecasted after intervention in Afghanistan in 2002.

Nowadays, there are two factors that have been influencing this evident 'transatlantic drift'. Firstly, there has been a collision of 'military approaches' between Brussels and Washington. While America has decided to build an incontestable military machine with the UN's Security Council legitimacy 'á la carte', the EU tried to temperate the US model by investing in soft power tools such as conflict prevention, international law enforcement, and principles of multilateralism.

Secondly, the international system's mutation has fuelled divergence and complexity to US-EU relationships. The traditional definitions of 'national security' became old-fashioned due to their constant 'widening effect'. Put simply, security now goes well beyond a 'targeted military threat,' as it includes new related topics such as climate change, energy, migration, and religion.

In brief, external and concrete bilateral factors between Brussels and Washington are affecting the strongest alliance that built the so called 'West' in the Cold War. The need to create new bridges to inspire actors and promote common interests is an urgent demand, since a strong EU-US strong partnership will not only shape a more democratic and safer world, but will pave the way to a better integration of emerging powers into the international system.

POLICY OPTIONS

WAR ON TERROR OR FIGHT AGAINST TERRORISM? DIVERGENT PERSPECTIVES ON A COMMON ENEMY

Since 11 September 2001, terrorism has become one of the most challenging global threats to human and military security for both sides of

the Atlantic. After the US-led intervention to Iraq in 2003 the transatlantic community was disunited over the use of preemptive measures in international relation. Security strategies of both transatlantic partners underlined a gap in strategic thinking between European and American policymakers.

The EU perceives terrorism as one of the most serious threats to security, the values of democratic societies, the free exercise of human rights, and economic and social development. It defines terrorism as a criminal offence according to the common definition established in Council Framework Decision on Combating Terrorism 2002/475/JHA. According to the 2003 European Security Strategy (ESS), terrorism is a "growing strategic threat" which has complex causes, rooted also within European societies. ESS addresses the motivation of terrorist acts linked to violent religious extremism, including pressures of modernization, cultural, social and political crisis, and alienation of young people living in foreign societies. The EU rejects the supposed one-dimensional nature of terrorism and its explicit equation with the Arab and Muslim world. The greatest threat to security, according to the ESS, is not terrorism, but the proliferation of weapons of mass destruction (WMDs), which however can be linked to terrorist groups acquiring them. The EU emphasizes threats of regional conflicts and rogue states which can lead to the emergence of extremism and terrorism.

The US defines terrorism as "premeditated, politically motivated violence against innocents". The 2002 National Security Strategy (NSS) perceives terrorism as one of the main three "deadly challenges" which have inflicted a sense of vulnerability upon the US. The other two challenges are rogue states (perpetrators of violence and supporters of terrorism) and WMD (not as such but as far as they are linked to International terrorists cells within states). The US identifies roots of terrorism in Islamic societies, and is thus emerging from outside of America and the free democratic world. Neither NSS nor the 2003 National Strategy for Combating Terrorism analyzes the causes of terrorism; they only briefly mention its motivations, such as the will to produce fear and effective political change.

The EU emphasises international cooperation in law enforcement and intelligence sharing in addressing terrorism. Negotiations, persuasion, and the rule of law are essential parts of EU's strategic goals. According to the ESS, military action can be used in order to restore order, not to change it. Thus, the EU promotes a multilateral international order.

The US perceives itself as a benign hegemony which tends to defend itself and its allies. Its strategic goals are not only defense and the preservation of freedom, but also its consolidation through the creation of free and open societies. NSS reaffirms the essential role of American military power and the necessity for pre-emptive action as a matter of common sense and self defense. Despite the differences in strategic cultures and the tense political climate, the New York, London and Madrid attacks gave new impulse for EU-US cooperation in justice and home affairs. Since 2001, in this area transatlantic cooperation has been successfully extended: the US and EU have agreed on a number of concrete counter-terrorism measures to improve cooperation, such as biometric passports, visa requirements, information sharing, and judicial cooperation in the criminal sphere.

WEAPONS OF MASS DESTRUCTION: CAN THE STATUS QUO BE SURPASSED?

Today seven countries are in possession of nuclear weapons, the so-called P5 (the United States, Russia, France, the UK and China), India and Pakistan. North Korea also has announced the development and successful testing of nuclear weapons. Moreover, Israel is suspected of having hundreds of nuclear warheads, but the government has never confirmed this – nor denied it. Concerning biological and chemical weapons, it would be difficult to determine the exact number of countries possessing them. On the one hand, many countries – including the US and Russia – have announced the end of production of such weapons, while on the other hand, the production of these agents requires a considerably lower amount of resources, and thus

they can be produced easily. While the production of nuclear weapons by non-state actors is unlikely to become a reality, examples of the use of biological and chemical weapons even by terrorist groups have been recorded before, like the attack of the Aum Shinrikyo cult against the Japanese metro in 1995. Due to the complexity of the problem, there is no single platform which could successfully challenge either the production or proliferation of WMDs.

Many international organizations, such as the UN, G8, and the EU have created instruments to prevent proliferation, while bi- and multilateral treaties have also been ratified during the past decades. Nowadays, three main agreements have been adopted, one for each type of WMD – the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Chemical Weapons Convention (CWC), and the Biological Weapons Convention (BWC). Although these treaties can be considered successful, some states have not yet signed all of them – the only state which has not joined any of the three treaties is Israel, although is on its way to ratifying the CWC.

There are two main challenges and deficiencies concerning the regulation of WMDs. The first is that no regime can successfully monitor non-governmental (or rather non-state, as "non-governmental" is usually associated with NGOs) actors which might pursue the use of these kinds of weapons. Another major issue is the lack of international agreements concerning the development of new kinds of WMDs, such as artificial earthquakes, infra-voice weapons, and new types of viruses.

In this context, the EU and the US have acknowledged in their respective security strategies the need to prevent international terrorism from using WMDs against Western states. Indeed, it seems that both actors share the idea that 'international terrorist's cells' in possession of operational WMDs is a more immediate threat than the classical inter-state nuclear wars. Nonetheless, there is still a big divergence in policy implementation when it comes to bilateral relationships, notably with the Russian Federation. In other words, the transatlantic partners are far from

having solid and coherent cooperation in the field of WMD since the end of the Cold War.

ENERGY POLICY: A TYPICAL GO-ALONE POLICY FOR WASHINGTON AND BRUSSELS?

The connection between the increasing global demand of energy resources and the stability of the international order has recently become a top issue on the international agenda. Indeed, energy not only represents a fundamental element of human well-being, but it also influences security, both vertically (individual, community, state, region) and horizontally (policy areas such as the economy, the environment, etc.).

The US and the EU clearly share one critical situation: they are both increasingly dependent on foreign energy supplies. Moreover, this situation shapes their geopolitical behaviour and their perceptions.

Nowadays, the main challenges that the EU is facing is energy import dependency, combined with the increase in global energy supply and demand. In order to mitigate the negative impacts of climatic and economic factors related to increasing energy demands, the EU realized that radical measures are necessary. In this context, the EU has created the conditions for a single energy market that would encourage efficiency, competitiveness, and better pricing policies. Also, by investing in energy research, new environmental friendly technologies are being developed in order to boost further economic growth and development. Another of the EU's energy policy pillars is represented by market-based incentives, such as the Emission Trading Scheme (EU-ETS) and harmonized energy taxation, which aims to encourage lower energy use for consumers and producers, in order to conserve energy resources and mitigate pollution.

On the contrary, the strategic objective pursued by US is that of ensuring the resources needed for a healthy national economic performance. This goal is based on the need to liberalize global energy

markets. Washington acknowledges that global efforts are needed in terms of security stabilization through more open markets, stronger democratic values and transparency.

The US interests in Central Asia are an example of this global policy strategy. While the EU is trying to create a 'ring of friends' to attract Central Asian countries into its sphere of influence, the US is focusing on maintaining stability to ensure new energy resources, from the Middle East.

CLIMATE CHANGE: THE INCONVENIENT REALITY OF OUR DAYS

Given the simmering state of our planet, the statement that Americans are from Mars and Europeans from Venus qualifies as wishful thinking. Climate change is increasingly acknowledged as the inconvenient reality of our days, one that requires concerted and thorough policy responses.

Essentially a multi-cause and multi-effect phenomenon, climate change is severe, transnational, and evolving. This statement has been proven by scientific insight, such as the research of the 2007 Nobel peace prize co-laureate United Nations Intergovernmental Panel on Climate Change, which largely attributes climate change to human activity (in addition to natural variability). Principally due to inefficient production processes, high levels of consumption, population growth and movement, economic development, urbanization, and environmentally unfriendly technological use, the negative impacts of human-generated environmental degradation on natural and human systems are already visible: sea levels are rising and threatening life on coasts and islands, glacier and ice cap melting pressuring water availability, extreme weather events like storms, floods, draughts and heat waves endangering human security.

The threat of climate change is tackled by mitigation and adaptation strategies at international, regional and local levels. The UN Framework Convention on Climate Change (UNFCCC) and its Kyoto Protocol are the

main legal instruments of the international climate change regime. While the EU has developed into its most fervent supporter, the US has been hiding under the mask of skepticism. The world's largest emitter of greenhouse gases (which are responsible for global warming and implicitly for climatic changes), the US is an essential piece of the climate change combat puzzle.

As opposed to the Kyoto architecture which imposes short-term, strict and binding greenhouse gas emissions reduction targets for industrialized countries, the US employs alternative models based on voluntary emissions systems, dynamic targets, and research and development policies. Unlike the EU's enthusiasm for highly regulated measures to abate greenhouse gases, the Bush administration stubbornly pursues unilateralism, backed up by influential industry lobby groups and by a persistent party-line division in Congress. In the context of Middle East tensions, the US's dependence on foreign oil supply is a neuralgic point.

A clear-eyed picture of the climate change issue puts the EU and the US in the same boat. Despite their political and ideological disagreements and their divergent policy options, Europe and America must learn to "row in unison". America's chance might be a new approach of the coming administration and in a more unified domestic, environmentally-aware stakeholder constellation. Europe must pursue its diplomatic efforts to bring the US into the deal by providing learn-by-example incentives and agreeing to more flexible, long-term, and broad participation climate change international mechanisms.

INTERNATIONAL DEVELOPMENT: AGREEING TO DISAGREE

More than one billion people live in extreme poverty with less than one US dollar per day. Poverty means living in insecurity, having no prospects of a better future, and no voice. Today many people are still dangerously exposed to diseases, natural disasters and violent conflicts. This shows the necessity of international development. As a result of war-torn European

history, we can use the experience of peaceful development, cooperation and integration. Due to the colonial history of many European countries, the EU feels a 'moral obligation' to help these countries develop.

Figures are impressive when we refer to EU development aid. More than half of all global public funding comes from the EU and its member states. The EU represents one of the largest single markets in the world, and is also a major trading partner for many developing countries. In principle, the EU is the global leader in international development issues.

But there are also voices which criticise the work of the EU, especially in terms of long decision processes, lack of transparency, and poor policy delivery. Under the light of the Millennium development agreement, which set 2015 global goals, the European Commission has conceived cooperation in a more result-oriented perspective to ensure its overall performance. In many political areas the EU makes decisions which are related immediately to developing countries, for instance agricultural policy.

On the contrary, the US tends to act in a more unilateral approach in helping developing countries. The financial aid and investments of the US prove that they privilege bilateral agreements with developing countries instead of multilateral strategies.

A good example of the transatlantic divergence is Kenya. Some time ago, Kenya was considered as a positive example of a successful development policy. But since the controversial presidential elections in December 2007, the situation has changed. Despite Kofi Annan's mediation attempts, more than 1000 people lost their lives and the whole country was at the edge of a severe civil war. The EU outlined that political pressure could be an option to stabilize the region. Nearly in most cases it is more efficient to put up political pressure than to give up the necessary cooperation. Whereas the US would not risk by building up political pressure, because Kenya is an important economic stabilizing factor and is considered to be a partner in the war against international terrorism.

MIGRATION: FEARING THE OTHER?

Migration can be potentially beneficial for receiving countries, as well as for countries of origin and migrants themselves. Immigrants can make valuable contributions by relieving labour shortages, increasing labour market efficiency, and acting as catalysts for job creation, innovation and growth. Despite these advantages, which are mostly economic, migration (especially illegal) today is perceived as a potentially threatening phenomenon. The reasons for this perception are multiple. First of all, most people connect migration with an uncertain social environment, job losses, crime and terrorism. Secondly, migration is somewhat unpredictable phenomena that changes and influences citizenship and citizens' perceptions.

Human security has been greatly challenged by the atrocities of 9/11. Almost all counter-terrorism activity is directed against Islamic groups and individuals of predominantly ethnic and immigrant origin. Migration is a challenge both to the US and EU. It is still regulated mainly by state border control, but the problem is becoming more complex, as the actors and threats in the international arena are becoming less visible. This requires more alternative instruments and common policies

The EU still does not have a common policy on migration; however there is a Strategic Committee on Immigration, Frontiers and Asylum (SCIFA) operating in the EU and also FRONTEX – the EU's border control agency, which partly places some migration matters at the EU level. In terms of public perception, migration tends to be viewed increasingly negative throughout Europe

By contrary, the US has a long tradition in these matters, since it is known to be a country of migrants, but even in America, the new challenges of migration are calling for new responses and transatlantic cooperation. The American public views immigrants with a mix of admiration and concern, although it is illegal immigration, far more than legal immigration that stirs public anxiety. The work of international organizations like ILO (labour law,

protection of migrant rights); UNHCR (protection of refugees); the Council of Europe (protection of refugees and migrants and general migration policy activities); IOM (general migration issues, transport of migrants); ICMPD (general migration policy development and intergovernmental cooperation); OSCE (anti-trafficking activities) is very important for transatlantic and regional cooperation.

ETHNIC AND REGIONAL CONFLICTS: A DIVIDED EUROPE, A DISTANT AMERICA

Many questions arise while discussing the interests of the world powers and their perception of dealing with regional and ethnic conflicts. Without any doubts, regional and ethnic conflicts are matters that engage American and European actors.

Regional conflicts affect us, even if they happen thousands of miles away. After the end of the Cold War the US and the EU realized that frozen conflicts hidden for half a century had broke out with hostility. Quickly the EU as well as the US realized that they are not compatible to react rapidly. Cooperation instead of competition was the major necessity. Both actors perceive regional conflicts as a challenge to be faced. A conflict when unresolved may spread and pose a threat on a larger scale. Regional clashes are seen as a real threat, which will not resolve itself without support from the international community. Nowadays ethnic conflicts spread beyond borders, causing suffering and fueling smoldering hatred among civilians and regions. American and European points of view stress that unresolved conflicts have important repercussions, such as instability, human rights abuses, and increases in organized crime. The US, as well the EU, highlight the regional conflicts in their Security Strategies as a responsibility and matter do be dealt with.

An illustrative example is the Balkan conflicts and the reaction of the US and the EU to the atrocities that took place in South Western Europe during

the 1990s. The Balkans was a sore spot of the EU and a diplomatic necessity for the US. The complex conflict that emerged in the Balkans illustrates the distinctions between the American and the European procedures for toppling President Milosevic and restoring stability in the region. The European way focused more on diplomatic means, persuasion, debates, and finally on embargos that were imposed on the Serbian regime, although they remained ineffective.

The EU policy was characterised by a strongly rooted conviction that diplomacy is the right cure. European 'endless' diplomacy counterpoised the American approach towards the Balkans. The US Administration was unwilling to intervene in the conflict, but after the failure of the diplomatic means – and on the request of the European powers – it had considered employing decisive means as the only effective way to end it. The EU as well as the US stresses the necessity of collaboration with international organizations to manage regional conflicts. NATO and the UN are the main actors and partners of the US. The EU highlights the determination to work with regional organizations such as the OSCE, the Council of Europe, and other regional organizations. The EU emphasizes institutionalism and multilateralism.

The US is often skeptical towards the multilateral option. Bilateral partnership is the option which marks and identifies the American strategy.

The main reason for European engagement towards ending regional conflicts derives from the conviction that it is a moral duty to react before their effect will spread on a larger scale. The EU focuses on actions within the European vicinity in order to guarantee safety at and beyond its borders. The American impetus stems from the determination to be an active participant in current worldwide and ongoing affairs to influence the occurrences and to ensure American interests are satisfied.

RECOMMENDATIONS

TRANSATLANTIC COOPERATION ON INTERNATIONAL TERRORISM AND WMDS

1. **Address the causes of terrorism and prevent future attacks**. The aim of cooperation between the EU and the US should become more comprehensive than to defeat global terrorism and to prevent future attacks. It should reveal, research and effectively address the roots of terrorism, radicalization and terrorist recruitment, promote global dialogue, respect, tolerance and justice, with a special focus on Islamic societies, and address their needs and problems in international forums. (This aim should be explicitly mentioned in the upcoming European Security Strategy 2008). To better integrate the UN 'Alliance of civilizations' within the 'EU intercultural dialogue' initiative, which should develop into a common transatlantic intercultural dialogue between the officials of the US government and the European Commission through annual bilateral summits.

2. **The transformation of NATO**. NATO needs to be transformed in order to successfully address the existing challenges of security. Besides its current engagements, NATO has to be able to deal with terrorism on a non-state level and the non-proliferation of WMDs. To fulfill its mission NATO has to be able to:
    -   Gather terrorism-related intelligence information and share it with member countries
    -   Coordinate non-proliferation efforts and conduct disarmament
    -   Prevent the development of further WMD technologies
    -   Enable the use of force not only to defend the member countries, but also to take offensive counter-terrorism operations

- Develop specialized consequence management capabilities which can cooperate with the existing EU task forces, when an emergency response is necessary

3. **Civilian protection in emergency situations and in the application of counter-terrorism measures**. Efficient civilian protection should be assured in actual or potential emergency situations due to terrorist attacks, especially in vulnerable areas such as cities, by reconfiguring urban infrastructures, educating the public to respond efficiently in crisis situations, redesigning health and property insurance systems, and securing vital supply resources. Civilian protection should also be sought in the fight against terrorism. The EU and the US should be reliable guardians of human rights in the application of counter-terrorism measures. It is important that in cases of security measures involving citizens, governments should pay particular attention to avoiding human rights violations (i.e. data protection, wire taping, surveillance data procession, etc.)

4. **The Establishment of research facilities and programmes on WMDs**. There should be established research facilities and programmes within the framework of multilateral cooperation to conduct defensive research of WMDs, while dismantling these efforts on the state level to the minimal extent.

TRANSATLANTIC COOPERATION ON ENERGY AND CLIMATE CHANGE

1. **An integrated approach to climate change and energy policy.** As energy production and use are the main sources of greenhouse gases, responsible for global warming and, as a consequence, for climate change, an efficient mitigation strategy must rely on the principle of the integration of climate change, energy security and economic competitiveness considerations, taking into account the local, regional, and national particularities.

2. **An international binding commitment under the UNFCCC.** EU and US efforts to prevent dangerous climate change must be concentrated under the same multilateral and legally binding agreement. EU economic and diplomatic pressures are likely to reverberate in the US, thus potentially reorienting its position in favour of concerted action within a common global climate regime.

3. **Flexible targets and differentiated commitments**. Allowing for long-term targets, differentiated commitment mechanisms and timetables for greenhouse gas emissions reduction should foster broad participation. Developing countries should be assisted by industrialized countries (of which the US and EU Member States are ideal candidates) in implementing environmentally-friendly technology through foreign investment and economic incentives.

4. **Research and development cooperation and a common energy market**. Long-term options to reduce emissions at the lowest economic cost through alternative technologies should be examined within a cooperative environment, based on the principle of transparent exchange of information. To this end, scientific forums and joint research programmes should be encouraged. A common energy market to encourage efficiency, competitiveness and a harmonised pricing policy should be encouraged.

TRANSATLANTIC COOPERATION ON INTERNATIONAL DEVELOPMENT

1. **A transatlantic aid monitoring and control mechanism under the UNDP**. In order to optimize and increase the coherence of the current international development aid programmes delivered by the transatlantic partners, the UNDP should set non-mandatory guidelines to improve the impact and effectiveness of such funds in critical regions. The UNDP should also assess the results by publishing a 'Transatlantic

Report' on an annual basis and update its guidelines to ease the way towards the Millennium Goals 2015.

2. **Progressive agricultural subsidies reduction**. Due to the evident frictions that the US and EU have had in terms of agricultural subsidies reduction during the last WTO Rounds, it is necessary to create a EC-US committee on agricultural subsidies to find a common position for G-24 demands. The joint document should envisage a reciprocal concession formula that may condition the progressive reduction of agricultural subsidies in the EU and the US to a responsible gradual liberalization of the services market in developing countries.

3. **A sectoral student exchange programme**. An annual exchange programme promoted by the European Commission between students from European developing countries (notably African ones), focusing on sectoral areas such as governance, medical assistance, education, research and technology development should be created. The main goal is to boost a sustainable learning process that could build up a new generation of leaders with a more accurate perception of international development.

4. **Human rights conditionality in international agreements**. The US and EU should establish a compulsory but flexible common framework for ensuring human rights conditionality clauses in all international agreements signed with China, India, Brazil, South Africa, and Russia.

TRANSATLANTIC COOPERATION ON ILLEGAL IMMIGRATION AND ETHNIC/REGIONAL CONFLICTS

1. **Establishment of research agencies in conflict-prone regions**. Since countries with regional conflicts are the main source of illegal immigrants, the EU and the US should stress the need to establish agencies in conflict-prone regions. The agency will collect information, conduct research and share it with the US and EU. Agencies should work closely

with international organizations and NGOs that are dealing with illegal immigration issues. The US and EU could use gathered information for programmes and strategic planning in order to prevent conflicts in particular regions.

2. **Transatlantic joint early peace-keeping actions**. In order to prevent migration flows caused by regional conflicts, EU-US joint early peace-keeping actions should be developed and underpinned by efficient financial and humanitarian aid.

3. **Information-sharing on trafficking and organized crime**. Tightening transatlantic cooperation by exchanging information regarding technology, experience of the US and the EU towards decreasing trafficking and organized crime.

4. **Work permits regulation and illegal employment sanctions for employers**. Regulation on temporary work permits for seasonal workers should be enhanced and stricter sanctions for people who hire illegal immigrants should be implemented.

POLICY PAPER V

The Economy: How to ensure social consensus while making Europe competitive?

PROBLEM DEFINITION

Globalisation does not only refer to "a way of thinking about the world". It also emphasises the dynamics behind the growing global economic and political relations among states and societies, resulting in their increasing interconnectedness. Market globalisation encompasses the growing mobility of capital, goods, services and labour (facilitated by the expansion of information and transportation technologies): capital chooses the most propitious sites in which to locate diverse phases of a geographically disseminated production process, taking account of differences in labour costs, environmental regulations, fiscal incentives, political stability and innovation capacity.

Globalisation and demographic changes have put increasing pressures on the EU and national economies. Together with the fast pace of international economic integration, the rapid development of new technologies and the demographic ageing of European societies, new models of production based on more flexibility have emerged in the last decade: just-in-time management, shortening of the investment horizon, increasing occurrence of demand shifts, etc. In the last decade, the EU has been confronted with major challenges of adapting national economies and businesses to compete with the rest of the world, in particular the rising China, India and South-West Asia, while preserving a certain level of social consensus (satisfactory levels of security, lower unemployment, inclusive society, good education system, social dialogue, etc.). To achieve these objectives, the EU has launched a major strategy, revised in 2005 as the renewed Lisbon Strategy. In short, the Lisbon Strategy aims at making Europe the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth and offering more and better jobs while reinforcing social cohesion. Despite slow and diverging results so far, the European Council has recently confirmed the Lisbon strategy as the cornerstone of the EU social and economic policy, leading to a societal model of development based on knowledge, efficiency, solidarity and flexibility. In this context, labour markets lay at the heart of the interconnectedness of European integration, globalisation and social cohesion.

Labour market adjustments have become a major priority in the rapidly-changing environment. Over time, the traditional national model of labour markets based on permanent full-time employment, the presence of a single entity employer, and labour law has been challenged. The introduction of "contractual diversity" and the development of collective agreements have allowed the segmentation of labour markets in the Member States which has caused severe problems: part of the workforce trapped in a succession of short term, low quality jobs with inadequate social protection, exclusion, growing asymmetries within the labour markets based on gender, age and

ethnic bases, larger gaps between "insiders" and "outsiders" of the labour market, skills deficit, etc. As a result, employees are confronted with more uncertainties regarding their professional careers.

The current debate raises the question of balancing flexibility and security in the labour market for both workers and employers; in other words, the conciliation between competitiveness and social protection. On the one hand, workers need to find flexible solutions to reconcile work and private life and evolve in their careers ("upward mobility"), while companies need to rapidly adjust to new constraints (flexible work organisation) in order to remain competitive. On the other hand, employers need to rely on a skilled labour force (permanent training), while workers expect a certain level of social protection throughout their lives and careers (steady level of income), in particular during unemployment periods. However, a failure to underestimate transition costs would create distortions in the labour market and leave workers in more uncertain circumstances. For these reasons, labour market reforms cannot be dissociated from the modernisation of social security systems.

In December 2007, the European Council approved the definition of common principles of "flexicurity" in the communication "More and better jobs through flexibility and security". In February 2008, the Commission set up the "Mission for Flexicurity" that will study the development and implementation of national pathways in order to propose at the end of the year concrete suggestions to encourage the implementation of 'flexicurity' policy.

POLICY OPTIONS

This section explores the concept of 'flexicurity' and debates the notion of social consensus in the labour market from several perspectives, namely the preferences of several stakeholders (Commission, employers, workers and

unions) towards reforms. This approach is rooted in a general framework presented in the following paragraphs.

GENERAL FRAMEWORK FOR THE SUSTAINABILITY OF THE SOCIAL SECURITY SYSTEM

Adjusting labour markets in the EU leads to the issue of adapting social security systems while making European businesses more competitive. At this stage, it should reminded that many of the supportive social policies have a budgetary cost that has to be supported by "healthy" public finances (conditioned to high economic performance). In this perspective, three paths can be followed:

- **'Maximizing' labour productivity:** this could be achieved by implementing measures such as adequate workforce training, more flexible contracts and better education schemes.
- **'Minimizing' social benefit cost:** given that the European Model is based on solidarity, the level of the social benefits per beneficiary should not be cut off but kept at sufficient levels to ensure social cohesion and dignity, minimal life standards and protection against uncertainty and change. The socially acceptable way to reduce the financial burden of social expenditure is by becoming more cost-effective through modernization of the social security system.
- **'Maximizing' inclusion in the labour market:** a better integration in the labour market can be achieved through adapted policies for the young, females and the elderly, training for the unemployed, incentives for active job research and fostering the creation of self-employment jobs and SMEs.

THE POLICY PACKAGE OF THE EUROPEAN COMMISSION

Flexicurity is an integrated strategy to enhance, at the same time, flexibility and security in the labour market, as well as to lay the basis

of a 'renew' concept of 'professional career' (as the EU Social Affairs Commissioner Vladimir Spidla resumed flexicurity as: "what we must give people in the first place is not the security of having a single job, but a security of career and especially support during a change"). It emphasises institutional changes and adaptation of labour markets and social security systems. Flexicurity is based on four main principles:

- Flexible and reliable contractual arrangements;
- Comprehensive lifelong learning;
- Effective active labour market policies;
- Modern social security systems.

The components of this strategy must be **mutually supportive**; flexicurity and security must be connected with each other and of benefit to all participants in the labour market while guaranteeing competitiveness and employment security. In order to reach the Lisbon objectives, each Member State is required to follow a particular **pathway** of policy and institutional reforms based on their national situation. Some elements of this strategy are debated hereafter:

- **'flexible and reliable contractual arrangements':** this type of contract should become the rule so that firms can easily adapt their workforce to changes in the economic environment and improve their competitiveness. This can be achieved by a reduction of entry barriers to labour markets (often due to an excessive protection of 'insiders') and better access to job transfer and mobility. A 'cohabitation' of different kind of contractual arrangements is necessary. Part-time contracts and job-sharing may ease conciliating family and work, and in some cases distant working would be an efficient option, in particular for the better integration of women in the labour market. However, such reforms may have negative effects in the short term for some categories of workers, but on a longer period time labour markets should become more dynamic and increase opportunities for the active population, including 'outsiders';

- **'comprehensive lifelong learning':** in-house training and investing in human capital within companies are essential to get and keep comparative advantage in the global market. It allows better adjustment to market pressures and upward mobility while making job transfers (from one job to another) easier for workers. Training should be offered on a non-discriminatory basis. In addition, a better educational system is the basis for a flexible and qualified workforce, since empirical evidence shows that countries that cope better with the effects of globalisation have a better educated population. Member States should be encouraged to develop further their education systems and to develop partnerships to offer training solutions to virtually every individual willing to upgrade his/her own skills;

- **'modern social security systems':** provide for adequate unemployment benefits to offset any negative effect on the intensity of job search activities; prevent social status-quo and promote upward mobility during transition periods. The focus is more on adequate unemployment benefits than strict protection against dismissal;

- **'effective active labour market policies':** offer a better (re)integration of unemployed people through training and assistance in job-searching, and furthermore provide for work incentives to avoid any negative effect that could occur due to good unemployment benefits.

The European Commission recommends that social partners and companies support the various **policy packages** and **institutional changes** that will lead to more dynamic labour markets in the EU and create the conditions for the competitiveness of European economies.

FLEXICURITY FOR EMPLOYERS

According to **Business Europe** and **UEAPME** (European Association of Craft, Small and Medium-Sized Enterprises), structural reforms of national labour markets should be adopted in order to reach the Lisbon

objective. Growth and welfare can only be guaranteed in the long term by the regain of leadership in innovation and competitiveness of European companies. Quick adjustments to global pressures and dynamic labour markets are determining to achieve these objectives. Practically, companies should be able to adapt their workforce easily and to find the 'rights skills' at the 'right time'. Therefore, employers associations advocate institutional reforms of labour markets towards higher flexibility and mobility, lower entry barriers to employment and a diversification of contractual solutions. Based on the main components of the flexicurity strategy, several elements need to be emphasised:

- **'flexible and reliable contractual arrangements':** this aspect represents the core of the policy package wanted by representatives of employers and companies in the EU, in particular by SMEs that do not have the same capacity to absorb external shock as big firms do. Labour law regulations should be simplified to facilitate the use of contractual arrangements. Moreover, flexibility should encompass other specific aspects such as working time, contract duration, contract termination, and non-financial instruments of remuneration.

- **'comprehensive lifelong learning strategies':** companies should take an active role in the organisation of lifelong learning programmes as a way of promoting upward mobility and job transfer. In addition, cooperation schemes should be more developed with research centres and universities to create competitiveness poles and on-going training programmes. Closer links with education structures should help companies to find accurate competencies. In this respect, investing in human capital is seen as a major element in creating comparative advantages and defending the competitiveness of European businesses.

- **'effective active labour markets policies':** employers associations support further reforms of national labour laws regulation and the integration of outsiders (long term unemployed, young, women and

elder), but wish that the cost of such policies are not only supported by companies.

- **'modern social security systems':** Any disincentive to enter the labour market should be eliminated. Employers defend social security systems that will provide for adequate benefits when necessary.

FLEXICURITY FOR WORKERS

According to **ETUC**, the most important aspect of flexicurity that should be addressed first is contractual segmentation, since European protection systems already provide for a certain balance between flexibility and security.

- **'flexible and reliable contractual arrangements':** ETUC argues that the use of a myriad of contractual arrangements would lead to a sharp decline in job security. Moreover, 'job quality' would be jeopardised by the co-existence of a variety of contractual arrangements in the work place. In many countries, segmentation of labour markets is a salient problem. The conditions of those that depend on repeated fixed-term contracts, agency work and call work need to be improved. Their status in the work place indeed puts them at higher risks. Most importantly, there is compelling evidence that a huge number of employees ultimately want an open-ended contract; however the latter is often conditioned to the completion of a number of fixed-term or agency contracts. Ultimately, these repeated fixed-term contracts can turn into poverty traps. Therefore, open ended contracts should be seen as a reflection of workers' preferences for stability in the workplace.

- **'comprehensive lifelong learning strategies':** ETUC values lifelong learning as an engine for upward mobility and a sense of personal achievement. Investment in human capital should not be overlooked as it further enhances the competitiveness of companies and contributes to achieving comparative advantages based on additional expertise.

According to this perspective, stricter employment protection legislation should help boost investment in human capital training and eventually stimulate productivity. In addition, lifelong learning strategies meet the employees' aspirations to grasp new knowledge and know-how in order to evolve in their professional careers. Professional learning and training should be provided for every worker.

- **'effective active labour markets policies':** Workers associations welcome efficient labour market policies that tend to integrate outsiders without degrading the status of the current workforce. The key to effective policies lies in the capacity to conclude partnerships between trade unions and employees throughout the policy-making process. Moreover, unions emphasize the need to eliminate social traps that do not push unemployed people towards job opportunities. Active labour market policies should therefore focus on positive activation under the form of effective training and assistance to outsiders with respect to satisfactory levels of social protection.

- **'modern social security systems':** The unions' choice of flexicurity associates open-ended contracts with the integration of the most unstable contracts (e.g. part-time work, agency work) into labour laws, collective agreements, life long learning systems and social security schemes. In the long term, this should contribute to improving social standards for workers, as well as diminishing the unwelcome asymmetries between standard and non-standard contracts. An efficient and modern social system is prerequisite of any fundamental reform linked with the labour market. Social rights should and their transferability should be guaranteed and innovative solutions should be found in order to balance the side-effects of economic shocks for the workforce.

RECOMMENDATIONS

TOWARDS A DEFINITION OF SOCIAL CONSENSUS IN THE EU

The debate around flexicurity is not clearly entrenched. Divergences in the conception of flexibility and security are rooted in national traditions, histories and values of EU Member States. At this stage of the European construction process and the radical transformations of national economies, flexicurity appears as a comprehensive strategy of pursuing competitiveness and reaching a certain degree of social consensus through supportive social systems, social dialogue and the generalisation of flexibility trajectories both at the corporate level (corporate culture) and at the individual level ("Be the Manager of your career"). The graph immediately below offers an overview of the key issues that should be addressed in the context of labour market reforms and the modernisation of social security systems. The EVN group 5 recommends that flexicurity strategies defined by each Member State integrate them more efficiently into the National Employment Programmes:
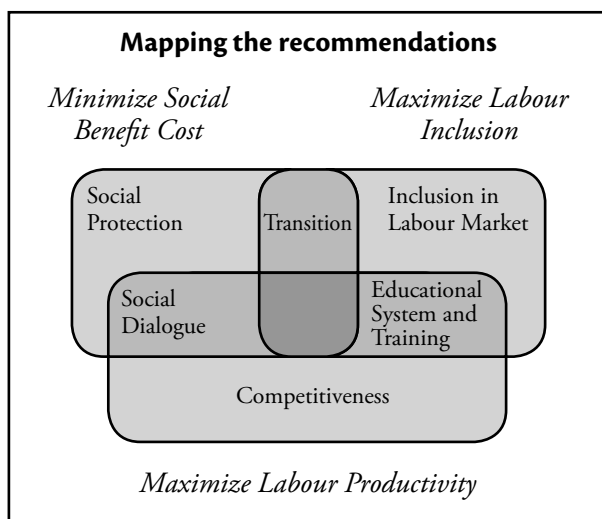

Fig. 1: Mapping the recommendations

SOCIAL PROTECTION

Ensuring a minimum level of social protection across the EU, independent from the working status (unemployment, temporary job, etc.):

- Reducing the gap between standard and non-standard contracts allowing for the same conditions for all workers concerning access to training and access to unemployment benefits;

- The unions should ensure that they represent effectively all the employees, including part-time and self-employed, in order to diminish the insider/outsider problem;

- Ensuring adequate protection for the long-term unemployed, combined with practice-oriented training;

- Promoting common labour standards to prevent a "race to the bottom".

INCLUSION IN THE LABOUR MARKET

Providing for the integration of all people in the labour market, including the elderly, women, minority groups, young people, and low-skilled workers:

- Introducing social programmes that include training, scholarships and career advice to facilitate the inclusion of minorities, young people, and low-skilled workers;

- Tackling the exclusion of socially disadvantaged groups from the labour market by regulations imposing quotas, financial incentives for private companies, and awareness campaigns;

- Allowing companies and workers to develop individual working arrangements in, for example, working time, which could help in the integration of the elderly and women in the labour market;

- Developing adequate and integrated reconciliation policies which would take into account the interactions between the different policy elements. These policies should aim primarily at integrating women in the labour market.

- Ensuring that leave policies are adequate to ensure child wellbeing and that do not hinder female participation in the labour market. Namely, by giving both mother and father an exclusive leave, besides some months that can be shared among them;

- Providing for affordable and high-quality childcare. This should not only be supported by governments but also by the private sector. One solution could be private-public partnerships promoting the creation of 'in-house' kindergartens in large companies. Governments should encourage enterprises to implement more flexibility towards employees. This may prove profitable in the long run.

SOCIAL DIALOGUE

Improving social dialogue among all stakeholders, including the "outsiders" of the labour markets:

- Allowing social partners to participate in all respective reforms from the beginning;

- Developing new platforms for social dialogue that include all stakeholders both at nation and European levels (e.g. creating an electronic platform between the different national trade unions and the national parliaments);

- Setting up a European-wide communication strategy in order to increase awareness of labour market problems and on the need to reform. The strategy could use, for example, popular events (e.g. the Eurovision song contest and the European Championships), contests, common media, forums, etc.;

- Promoting a "virtuous circle" on the reforms, measuring and evaluating the results and giving them the adequate visibility, which may reinforce the measures and build confidence. In addition, ensuring that negative effects in the short run are offset by social measures.

TRANSITIONS

Easing professional transition and minimize the risks associated with it:

- Providing a comprehensive financial support for short-term unemployed people, conditioned to real and active job-searches;
- Providing coaching and support for people who want to establish SMEs, for example through employment offices in cooperation with large companies;
- Improving cooperation between companies and schools/universities through cross-fertilisation synergies, to ease the transition into the labour market of young people by equipping them with the proper skills required by the companies (market-oriented learning);
- Increasing the cooperation between employment services/universities and schools to familiarize young people with the labour market challenges and opportunities and the existing academic options, when they are about to decide on their future career;
- Ensuring cross-border portability of rights (e.g. pension rights).

EDUCATIONAL SYSTEM AND TRAINING

Developing sustainable and efficient lifelong learning strategies and deepening relations with the labour market:

- Ensuring that the minimum annual amount of days for training (in-house and external) is respected;
- Offering tax breaks for expenses associated with training for employees;
- Government-funded training for specific training needs and/or for disadvantaged groups;
- Deepening the mutual recognition of qualifications across the EU in order to encourage the mobility of the labour force;
- Introducing more practical elements in the educational curricula, making school more oriented to the actual challenges to smooth the transition between the labour market and the educational system;

- Offering universal access to lifelong learning trough training centres or on-line training;
- Promoting mobility between jobs and firms, in order to develop skills and workers' adaptability.

COMPETITIVENESS

Creating a favourable environment for innovation and dynamism to improve competitiveness and create more jobs:

- Promoting a culture of talent, by 'incentivising' and rewarding it, e.g. in schools/universities by various competitions. This applies not only to the educational system, but also to the companies, which could introduce pay and promotion systems based on performance ;
- Improving contacts of firms with universities, researchers and training centres, e.g. by common scientific projects;
- Increasing productivity by using more efficient and productive methods, both at worker and managerial levels, and by increasing motivation through the internal rotation of workers;
- Facilitating the creation of SMEs by removing bureaucratic obstacles (e.g. through 'one-stop-shop' procedures, online applications, etc.);
- Increasing the legal possibility for firms to adapt to market changes through adjustments of the workforce;
- Concerning the public sector, the introduction of permanent external evaluations of the public administration and increasing the use of new technologies;
- Creating a "European University" funded by the Member States, *alumni* and leading European scholars, which would have enough financial resources to become a top university and to form high-quality human resources.

This review, although not exhaustive, reflects some of the workers and employers' preferences towards higher economic performance, fewer uncertainties, and social consensus. The EVN group 5 also suggest

that reforms should not be delayed but become a major priority for all Member States. In this respect, the EU should play an increasing role in the governance of social and economic affairs to provide for adequate incentives and evaluation processes of national reforms.

European Values Network 2008 in the European Parliament

Mr. Josef Zieleniec MEP discussing with the EVN 2008 participants

Teambuilding in Brussels

Workshop in Brussels

Workshop in Brussels

Discussion in the European Parliamnet with Mr. Alain Lamassoure MEP

Discussion in the European Parliamnet with Dr. Charles Tannock MEP

Discussions in the European Parliament

Workshop in the Bavarian Representation, Brussels

Discussion in Brussels with Mr. Valentin Gescher

Debates of participants – workshop in Prague

Workshop in Prague

Opening of the Final Conference with H.E. Helmut Elfenkämper,
Mr. Michel Pouchepadass, Mr. Radko Hokovsky

Final Conference in Prague – Panel I with Dr. Jiří Pehe and Dr. Jan Karlas

Final Conference in Prague – Panel II with Dr. Elsa Tulmets and
Mr. Jan Marian

Final Conference in Prague – Panel III with Mrs. Lucie Sládková,
Mr. Norbert Cyrus, Mrs. Markéta Pokorná

EUROPEAN VALUES NETWORK

The **European Values Network** (EVN) is a platform open to all who believe that, in order to successfully address global challenges, the European Union should become a real political community consciously rooted in its values and cultural heritage.

The aim of the EVN is to create a **lively network of active European citizens** who want to engage in searching for and formulating alternative solutions to make **Europe freer, safer, stronger,** and more prosperous. The EVN operates through working-groups on the most urgent policy issues, workshop meetings, e-communication, and conferences. The outcome of the EVN is a publication of policy-papers.

The EVN was founded in 2006 by **European Values** – a non-governmental, non-profit, pro-European think-and-action tank that works to promote freedom, personal responsibility, and an active civil society – and is administrated by an international **Organizing Committee**.

EUROPEAN VALUES NETWORK 2008

The **EVN 2008** was organized under the patronage of the President of the European Parliament, **Prof. Hans-Gert Pöttering** and with support of MEP **Mr. Josef Zieleniec**, and its main financial partner was the **European Commission's "Europe for Citizens" program**.

POLICY ISSUES – EVN 2008

1. Legitimate government in the EU: What system for the formation of the European Commission?
2. New architecture for Europe: How to integrate the Eastern EU neighbours without offering full membership
3. Illegal immigration: Effective measures to prevent it
4. New security environment: What strategies for transatlantic partners?
5. The Economy: How to ensure social consensus while making Europe competitive in the globalized world

PROGRAM SCHEDULE – EVN 2008

1. **Enrolment (15 November 2007 – 15 January 2008; announcement 31 January):** advertising throughout the EU – universities, think tanks, NGOs, civil society
2. **Meeting in Brussels (3 – 5 March):** first meeting of the participants, workshops (working in teams), visits to the EU Institutions and discussions with top opinion and policy makers
3. **E-communication (6 March – 3 May; 8 weeks):** research period, participants prepare their contributions to the final papers using an internet-based collaboration tool
4. **Final Conference in Prague (4 – 7 May):** finalizing work in working-groups and plenary presentations, presence of experts, academics and politicians
5. **Policy Papers Distribution (June):** editing and distributing the outcomes in the form of policy papers to universities, think tanks, NGOs, civil society, and the EU and other public institutions
6. **Summer Meeting (mid August):** evaluation of the realized year, integration of selected participants into the Organizing Committee, and planning of EVN 2009

The EVN 2008 participants consist of **45 outstanding young scholars and experts from 15 EU countries**. The participants have met in early March at our **meeting in Brussels** where their work on five challenging issues regarding the EU has been launched through **workshops and discussions** with Members of the European Parliament and the European Commission's representatives.

The meeting in Brussels was followed by a **period of research and internet-based e-communication** between the participants whose work was finally summarised in the policy papers and presented and discussed at the **Final Conference in Prague** on 6-7 May.

GUEST SPEAKERS – EVN 2008 IN BRUSSELS

Josef Zieleniec, Czech MEP, former Foreign Affaires Minister; **Alain Lamassoure,** French MEP, former Minister with special responsibility for European Affairs; **Charles Tannock**, British MEP, UK Conservative Foreign Affairs Spokesman; **Alojz Peterle** – Slovenian MEP, former Foreign Affairs and Prime Minister; **Jean-Louis De Brouwer**, Director, Immigration, Borders and Asylum, JLS DG; and **Valentin Gescher**, Political Relations with the USA, RELEX DG

MAIN PARTNERS – EVN 2008

European Commission's programme "Europe for Citizens", Konrad Adenauer Stiftung, the French Embassy in Prague, the British Embassy in Prague, Bavarian Representation in Brussels, CERGE-EI institute in Prague

ORGANIZING COMMITTEE – EVN 2008

President: Radko Hokovsky
Executive Secretary: Alena Falathová
Programme Assistant: Iva Kudláčková
Communication Management: Jana Tomečková, Veronika Hendrychová

International Members: Cristina Martín Rodríguez (Spain), Thomas Winzen (Germany), Igor Breitner (Hungary), Ester Patay (Hungary) and Agnieszka Pomaska (Poland)

EUROPEAN VALUES NETWORK 2007

The **European Values Network 2007** was held under the auspices of **Mr. Elmar Brok,** MEP. There were **43 participants** from **17 states** of the European Union, who produced 5 policy papers on the following issues.

POLICY ISSUES – EVN 2007

1. How should EU institutions be reformed in order to improve efficiency and motivate citizens to a stronger engagement?
2. Where should the borders of the EU be, and how shall we deal with our diverse neighbourhood?
3. How shall the challenge of immigration to Europe be addressed?
4. How can we comply with responsibility to future generations as far as the economy and the environment are concerned?
5. What should the EU do in order to reinforce the promotion of its interests in the world?

GUEST SPEAKERS – EVN 2007

Klaus Hänsch – MEP, former President of the European Parliament; **Elmar Brok** – MEP, former Chairman of the Foreign Affairs Committee of the EP; **Gunnar Hökmark** – MEP, Committee on Economic and Monetary Affairs; **Eneko Landaburu** – Director-General of the DG External Relations of the European Commission; **Konrad Scharinger –** Minister-Counsellor of the German Embassy in Prague; **Michel Pouchepadass** – First Counsellor of the French Embassy in Prague; **Jiří Pehe** – Director of the New York

University in Prague; **Lenka Rovná –** Head of the Department of West European Studies, Charles University

MAIN PARTNERS – EVN 2007

The European Commission's program "Youth in Action", European Central Bank, German, French and British embassies in Prague, Konrad Adenauer Stiftung, New York University in Prague

PROGRAMMES: BRUSSELS AND PRAGUE MEETINGS

WORKSHOP MEETING IN BRUSSELS, 3 – 5 MARCH 2008

Monday 3 March	
Morning	Arrivals
12.30 – 14.00	**Welcome lunch** sponsored by the Konrad Adenauer Stiftung (Hotel Capital)
15.00 – 20.00	**Working groups & Plenary session** – team-building and introduction to the policy issues, work plan, and group presentations (Hotel Capital)
Tuesday 4 March	
8.00 – 9.00	Breakfast
10.30 – 13.30	**First discussion session with Members of the European Parliament** (European Parliament, Rue Wiertz)
	Josef Zieleniec (Czech MEP, former Foreign Affaires Minister**) – European Values in the EU** **Alain Lamassoure (**French MEP, former Minister with special responsibility for European Affairs**) – Politicisation of the EU** **Charles Tannock (**British MEP, UK Conservative Foreign Affairs Spokesman**) – EU Neighbourhood policy towards the East** **Alojz Peterle (**Slovenian MEP, former Foreign Affairs and Prime Minister**) – EU policy towards Eastern Europe**
13.30 – 14.30	Lunch in the European Parliament

14.30 – 18.00	**Working groups** (Bavarian Representation, Rue Wiertz)
19.30	**Dinner with MEP Josef Zieleniec** (Restaurant "Caprices d´Ambiances")
Wednesday 5 March	
7.00 – 8.15	Breakfast
9.00 – 10.30	**Introduction into E-communication** (Bavarian Representation, Rue Wiertz)
10.30 – 11.00	Coffee break
11.00 – 13.00	**Second discussion session with Commission Representatives** (Bavarian Representation, Rue Wiertz) **Jean-Louis De Brouwer** (Director, Immigration, Borders and Asylum, JLS DG) – **Challenges of illegal immigration to the EU** **Valentin Gescher** (Political Relations with the USA, RELEX DG) – **Transatlantic Partnership**
13.30 – 15.00	Farewell Lunch (Rue Froissart)
Afternoon	Departures

WORKSHOP MEETING AND THE FINAL CONFERENCE IN PRAGUE, 4 – 7 MAY 2008

Sunday, 4 May	
Morning	Arrivals and registration
12.00 – 13.45	**Official Opening and Welcome Lunch** (Hotel IBIS, Plzeňská 14)
15.00 – 17.00	**Workshops – Working groups** (CERGE-EI Institut)
17.00 – 17.30	Coffee break
17.30 – 19.00	**Workshops – Working groups**
19.00 – 19.30	Working dinner
19.30 – 20.30	**Workshops – Working groups**
Evening	Social event – Restaurant "U Švejka"

Monday, 5 May	
6.30 – 8.45	Breakfast (Hotel restaurant)
9.30 – 11.00	**Workshops – Working groups** (CERGE-EI & Institut Francais de Prague)
11.00 – 11.30	Coffee break
11.30 – 13.00	**Workshops – Working groups**
13.00 – 15.00	Free time for lunch in groups
15.00 – 17.00	**Workshops – Working groups**
17.00 – 17.30	Coffee break
17.30 – 19.00	**Workshops – Working groups –** preparing for the conference presentation
19.00 – 19.30	**Plenary meeting –** coordination for the conference presentations, organizational matters
Evening	Social event – dinner in a traditional Czech restaurant, "U Zeleného stromu" & evening sight-seeing
Tuesday, 6 May	
8.00 – 9.00	Breakfast (Hotel restaurant)
10.00 – 10.30	**Opening session** of the conference, opening and introductory remarks from the organizers and partners **H.E. Mr. Helmut Elfenkämper** (Ambassador of the Federal Republic of Germany in Prague) **Mr. Michel Pouchepadass (**First Counsellor, Embassy of the French Republic in Prague**)**

10.30 – 12.00	**Panel 1: Legitimate government in the EU: What system for the formation of the European Commission?**
	Jan Karlas (Head of research department, Institute of International Relations in Prague, Member of working group of the Office of Government for Czech EU presidency, Assistant Professor at Charles University in Prague, studied International Relations at Charles University in Prague and the Central European University in Budapest, focuses on European integration and its institutionalization) **Jiří Pehe** (Director of the New York University in Prague, political analyst and author of several books, has written hundreds of articles and analytical studies on developments in Eastern Europe for American, Czech, and German periodicals and academic journals, from 1997 to 1999 was Director of the Political Department of Czech President Václav Havel and later served as President Havel's adviser)
12.00 – 13.30	Lunch
13.30 – 15.00	**Panel 2: New architecture for Europe: How to integrate Eastern EU neighbours without offering full membership**
	Elsa Tulmets (Research Fellow, Institute of International Relations in Prague, Associated researcher – CEFRES in Prague, Associated researcher, Centre March Bloch in Berlin, Co-editor of the online journal European *Political Economy Review*, focuses on EU Enlargement and European Neighbourhood Policy) **Jan Marian** (Consultant at the Prague Security Studies Institute, Member of the Board, Association of International Affairs, Prague, Member of Civic Belarus Association, studied Russian and Eastern European Studies at Charles University, focuses on East European Affairs)
15.00 – 15.30	Coffee break

15.30 – 17.00	**Panel 3: Illegal immigration: Effective measures to prevent it**
	Lucie Sládková (Director of the International Organization for Migration, Mission in Prague, worked at the Ministry of Interior at the Immigration and border protection department, graduated at the Charles University in Prague and in 1994-95 studied immigration at the University of Maryland in the US)
	Norbert Cyrus (Member of the Interdisciplinary Centre for Education and Communication in Migratory Processes of the University of Oldenburg in Germany, Researcher in the EU-funded research project POLITIS on immigration, studied Social and Cultural Anthropology, focuses on configurations of irregular immigration and its public control)
	Markéta Pokorná (Head of Unit of Immigration and Border Protection, Department for Asylum and Migration Policy, Ministry of the Interior of the Czech Republic)
17.00 – 19.00	Reception
Wednesday, 7 May	
6.30 – 8.10	Breakfast (Hotel restaurant)
9.15 – 9.30	**Opening session** of the second day of the conference
9.30 – 11.00	**Panel 4: New security environment: Strategies for transatlantic partners**
	Mitchell A. Belfer (Editor in Chief of the Central European Journal of International & Security Studies, lecturer at the department of International Relations and European Studies of the Metropolitan University Prague, studied International Relations Theory at the University of Manchester, focuses on International and Security Studies)
	Tomáš Karásek (Lecturer at the Institute of Political Studies, Faculty of Social Sciences, Charles University in Prague, lecturer at the Metropolitan University Prague, Assistant to the Member of the Chamber of Deputies of the Czech Republic, focuses on European foreign and security policy)
11.00 – 11.30	Coffee break

11.30 – 13.00	**Panel 5: The Economy: How to ensure social consensus while making Europe competitive**
	Tomáš Sedláček (Chief macroeconomic strategist of ČSOB bank – KBC Group; Lecturer in economics at Charles University and University of New York Prague, former advisor to the Minister of Finance and to President Vaclav Havel, educated at Charles University, Harvard, Yale, and Georgetown)
	Andreas Ortmann (Senior Researcher and Associate Professor at CERGE-EI, since June 2005 ESC Tenured Member, 2006-2007 Visiting Scholar, Harvard Business School, Cambridge, Boston Consulting Group Professor at CERGE-EI, focuses on industrial organization, financial markets, public finance, and the history of economic thought)
13.00 – 13.30	Closing remarks and Farewell
13.30 – 14.00	Refreshments
Afternoon	Free time & Departures

MEMBERS OF THE EVN 2008

WORKING GROUP 1

Legitimate government in the EU: What system for the formation of the European Commission?

Co-ordinator: Rafal Riedel (Poland) – Adjunct at State University of Opole, PhD in International Relations at Silesian University in Katowice, studied marketing and management at the Academy of Economics, holds a degree in EU, self-government and communication from Silesian University, was visiting professor at the University of Valencia and the University of Rotterdam.

Group Members:
Marion Doßner (Germany)
Lorena Elvira (Spain)
Linda Flanderova (Czech Rep.)
Sigita Lialyte (Lithuania)
Kamil Valica (Czech Rep.)
Thomas Winzen (Germany)
Alexander Yanakiev (Bulgaria)

WORKING GROUP 2

New architecture for Europe: How to integrate Eastern EU neighbours without offering full membership

Co-ordinator: Thijs Rommens (Belgium) – Teaching assistant and PhD candidate at the Institute for International and European Policy at University of Leuven, studied at Moscow State University, Leuven School of Business and Economics and KU Leuven, Masters thesis written on "The role of Islam in the conflict in Chechnya".

Group Members:
Line Andersen (Denmark)

Robert Sandor Bencze (Romania)
Raluca-Ioana Horea-Serban (Romania)
Egle Jaceviciute (Lithuania)
Paula Marcinkowska (Poland)
Louise Nass (Netherlands)
António Miguel Neves Costa (Portugal)
Lisa Schnell (Germany)

WORKING GROUP 3

Illegal immigration: Effective measures to prevent it

Co-ordinator: Cristina Martín Rodríguez (Spain) – Consultant at Burson-Marsteller in Brussels, holds Masters Degree in European Political Studies from the College of Europe and parallel degree in Law and Business Management and Administration at the University Carlos III of Madrid, completed internship at the European Commission – DG Aid and Cooperation.

Group Members:
Novella Benedetti (Italy)
Ana Sofia Figueira de Sousa e Silva (Portugal)
Matthew Gatt (Malta)
David Rodríguez Guillén (Spain)
Raluca Ionescu (Romania)
María Méndez (Spain)
Ana Vilkeviciute (Lithuania)
Elena Villanueva (Spain)

WORKING GROUP 4

New security environment: strategies for transatlantic partners

Co-ordinator: Máximo Miccinilli (Italy) – Consultant at Burson-Marsteller in Brussels, holds a Masters Degree in European Political and Administrative Studies from the College of Europe and a degree in International Relations

from USAL in Argentina (EU-Russia security relations), completed internship at the European Commission – DG External Relations.

Group Members:

Igor Breitner (Hungary)

Ioana Creitaru (Romania)

Maya Ilieva (Bulgaria)

Paulina Kocuła (Poland)

Milda Macenaite (Lithuania)

Andreea Elena Onofrei (Romania)

Annette Sorg (Germany)

Elena Villanueva (Spain)

WORKING GROUP 5

The Economy: How to ensure social consensus while making Europe competitive in the globalized world

Co-ordinator: Florence Terranova (Belgium) – Director of the Local Support Agency for economic development and assistance for SME development, holds PhD in European Studies (Politics) from the University of Exeter, MBA from the University of Antwerp, and Licence in Political & Administrative Sciences from University of Mons.

Group Members:

Eduarda Cardoso (Portugal)

Hugo Córdova (Spain)

Sarah Drexler (Germany)

Xavier Ignasi Farrero Gonzalez (Spain)

Mounir Kenaissi (France)

Andreea Elena Onofrei (Romania)

Annette Sorg (Germany)

Elena Villanueva (Spain)

EUROPEAN VALUES O.S. – THE FOUNDER OF THE EVN

European Values is a non-governmental, not-for-profit, pro-European think-and-action tank that works to promote freedom, personal responsibility, and active civil society. Based in Prague, European Values is active Europe-wide.

MISSION STATEMENT OF EUROPEAN VALUES

Our vision is of a European society aware of the values and identity it is based on. We stand for a European political community that draws from these values and is able to protect and promote them.

We endorse the values we consider to be the very foundation of the development of Western civilization. We insist on personal freedom and responsibility, human dignity, solidarity, active civil society, the market economy, democracy, and the rule of law.

However, the preservation of the European way of life based on these values is far from certain today. Europe may easily turn into a passive object of global developments, and thus lose any chance of determining its own destiny.

Our mission is to formulate and promote solutions to enhance Europe's freedom, safety, strength, and prosperity. Hence we conduct research and educational activities, and address politicians, experts, and the wider public.

EUROPEAN VALUES' PROGRAMMES

EUROPEAN VALUES NETWORK

• International program for young European experts who wish to engage in searching for and formulating alternative solutions to make Europe freer, safer, stronger, and more prosperous

INTERNATIONAL CONFERENCE

• Our annual international conference aims to create conditions for leading European experts to discuss and analyze the biggest challenges facing the EU today

Conference 2006: European Values and Identity for the 21st Century

European values such as personal freedom and responsibility, human dignity, solidarity, active civil society, market economy, democracy and the role of law were at the core of the discussions. The panellists evaluated to what extent the current policies of the European Union reflect the essential values of European civilisation.

Conference 2007: Enlargement, Borders, and Neighbourhood of the EU

The issues of enlargement, borders and neighbourhood are of eminent importance to the future existence of the European Union. The conference analysed the direct connection between outer borders and inner organisation and orientation of the Union. This topic was discussed from different perspectives – the first panel was devoted to the criteria for borders of a political community, while the second panel addressed the limits of enlargement in relation to our partners and, finally, the third panel analysed the direction towards a strong Europe from the political perspective.

SUMMER SCHOOL / WORKSHOP / STUDY TRIP

- Interactive educational programmes for university students and young experts, with lectures delivered by leading insiders with political experience, such as diplomats, politicians, etc.
- **Summer School (2006):** From Identity towards European Integration, incl. simulation – Session of the European Council on the question of Turkey's membership
- **Summer School (2007):** Ways towards an effective European Union, including a simulation model of the European Parliament
- **Study Trip to Brussels (2007):** Enlargement, Borders and Neighbourhood of the EU – discussions with Members of the European Parliament and Commissions Representatives
- **Expert Workshop (2008):** Political Marketing for Elections to the European Parliament

EUROPEAN CLUB

- Regular public debates between politicians, scholars and experts from various fields addressing issues of great importance to our society and the European continent

Among the discussed topics were:
- The Founding Values of European Civilization
- The EU and the US: partners or rivals on the world stage?
- Islam and democracy – democratisation of Islam or Islamisation of democracy?
- The Missile defence system and European security
- Turkey: member or partner of the EU?

PARTNERS OF THE EUROPEAN VALUES

Among our partners are institutions of the European Union, the public administration of the Czech Republic, the embassies of various European countries, foundations, non-profit, research and educational organizations, the media, as well as Czech and foreign companies.

ACKNOWLEDGEMENTS

This publication and the whole program of the European Values Network 2008 would not be possible without kind and generous support of many individuals and institutions, to whom we would like to express our true gratitude.

First of all, we are very grateful to Mr. **Josef Zieleniec**, Member of the European Parliament, who is long-term kind supporter and friend of the European Values Network. It was thanks to Mr. Zieleniec, and to the effortless help of his assistant Mr. **Vaclav Lebeda**, that the EVN 2008 could organize its programme in Brussels and in the European Parliament, and to publish and distribute this brochure. Our special gratefulness goes to the President of the European Parliament, Prof. **Hans-Gert Pöttering**, who has granted his patronage to the EVN 2008.

The EVN 2008 could not be realized without its main partners: The **European Commission's** "Europe for Citizens" programme provided the main co-financing. Publication of this brochure was kindly financed by the **European People's Party – European Democrats** Group. **The British Embassy in Prague** provided funding for the initial phase of the programme. The EU Office of the **Konrad Adenauer Stiftung** supported our program in Brussels. **Representation of the Free State of Bavaria** to the EU was very kind to host two days of our program in its attractive premises. **The French Embassy in Prague** provided the premises of the *Institut Francais de Prague* for the EVN workshops. **CERGE-EI** hosted both the workshops and the EVN Final Conference in Prague and we are very grateful for the supportive cooperation to its kind employees. Last but not least, it would not have

been possible to organize the EVN 2008 without the long-term support of **MAITREA** a.s. and The Institute of Finance and Administration (**VSFS**).

Members of the EVN 2008 benefited greatly from lectures and discussions with Members of the European Parliament who kindly accepted our initiation to share their views on the EVN policy issues: **Alain Lamassoure, Alojz Peterle, Charles Tannock** and **Josef Zieleniec**. Also, two representatives of the European Commission participated at the EVN discussion sessions in Brussels: **Jean-Louis De Brouwer** from the Justice and Home Affairs DG, and **Valentin Gescher** of the External Relations DG. The EVN Final Conference was kindly opened by H.E. Mr. **Helmut Elfenkämper**, Ambassador of the Federal Republic of Germany in Prague, and Mr. **Michel Pouchepadass,** First Counsellor, Embassy of the French Republic in Prague. Each panel of the Final Conference was attended by distinguished experts in their respective fields: **Mitchell A. Belfer, Norbert Cyrus, Tomáš Karásek, Jan Karlas, Jan Marian, Andreas Ortmann, Jiří Pehe, Markéta Pokorná, Tomáš Sedláček, Lucie Sládková, Elsa Tulmets.** We are very thankful to all the guest speakers who accepted our invitation and took part in the program both in Brussels and in Prague! Their contribution was important for the EVN Members' work on the respective Policy Papers.

It would, however, be impossible to list here each and every institution and individual who in some way helped to realize the European Values Network 2008. It should be emphasised that none of the above mentioned bears, of course, any responsibility for the content of this publication.

On the side of those who made the whole program and this publication a reality, we would like to thanks the co-ordinators who were guided the working groups, moderating their discussions, and editing the papers: **Rafal Riedel, Thijs Rommens, Cristina Martín Rodríguez, Máximo Miccinilli,** and **Florence Terranova**. An important role was played especially in the initial phase of the program by the EVN Organizing Committee, with **Cristina Martín Rodríguez**, **Thomas Winzen**, **Ester Patay** and **Agnieszka**

Pomaska. Great work on the final form of this publication was done by **Charles Robinson** (language editing) and **Hana Bartošková** (design).

Our final words of gratitude go to the members of the executive team who spent many days and nights organizing the EVN 2008: **Jana Tomečková** and **Veronika Hendrychová** as communication managers, **Iva Kudláčková** as program assistant, and **Alena Falathová** as executive secretary.

Radko Hokovsky
On behalf of the EVN 2008