

# European Parliament : EU Foreign Policy without the EU Constitution

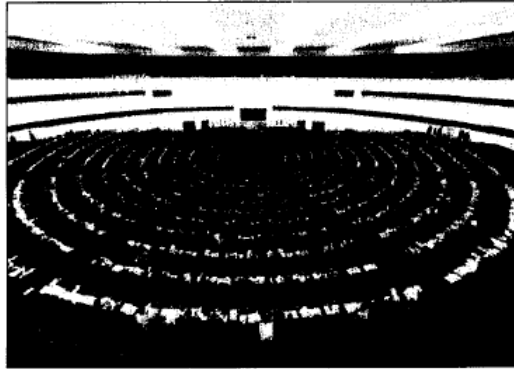
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The double rejection of the Treaty establishing European Constitution has been a setback for prospects of common solutions in the European Union in a variety of policy domains, including the single market, justice and home affairs and foreign policy. Yet, the need for

progress in these areas have become pressing, as Europe with its Member States find themselves stuck in an economic malaise and unable to respond sufficiently quickly and efficiently to its citizens' expectations both internally and outside its borders. It might take years before a new constitution is proposed again, but the EU does not have to (and should not) remain on the sidelines. Europe's solutions and influence can be great when it pulls together, when there is a sufficient political will. Clearly, the will exists in the single market as seen on the intensifying discussion on the free movement of services. In the area of justice and home affairs, only months after the Constitution rejection, the European Parliament adopted wide-ranging measures on preventing and combating terrorism. Even in the area of EU foreign policy, the EU can do much without the existence of a constitutional treaty. However, this is an area where political will as well as capacities are closely interlinked and still much needed in Europe.

Among the goals of the Union's foreign and security policy are to strengthen international security; to promote international cooperation;



and to develop democracy and the rule of law, including human rights. This combination of goals indicates that, first, Europe's internal security cannot be guaranteed without external security, and second, that security is rarely guaranteed without democracy and the rule of law. Therefore,

Europe's recently adopted anti-terrorist measures will be little efficient if security and democracy are not sought outside its borders. This is particularly relevant in today's security context and the process of political change, particularly in the Middle East. There, Europe's effective engagement is crucial if its own security needs are met. What exactly is at stake and how should Europe go about it?

Twelve months from now the Middle East will be a very different region. Irrespective of how we call it - the Broader, the Greater, Great Middle East, Near East - we do face a trembling period. Among the most significant events will be Egyptian parliamentary elections. Egypt is arguably the leading Arab country in the Middle East. It is the cradle of the Middle East civilisation.

Given Egypt's ancient, but developed, structured and culturally rich Arab society, leading decision and opinion makers in the country know and feel quite precisely the meaning and importance of changes occurring in the Middle East. They know that the democratisation process, whereby every (wo)man will be able to decide his/her own life, is gaining on momentum. For Egypt, to keep its millennium old leading position means to become the flagship reforming and democratising country in the Arab world. However, what democratic steps can we expect from Egypt without external political pressure for reform? It is no secret that it has been

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due to the external pressure from the democratic world that any presidential elections took recently place at all and parliamentary elections will soon follow. By the same token, should we expect that other countries in the region, such as Iran and Syria will follow suit? Similarly, is it realistic to wait passively for the emergence of a viable Palestinian state?

In Iraq, months of hope seem to have been replaced by a bitter outcome of the constitutional process. Will the international community witness the great moment of real Iraq's democratic elections based on proper constitutional law? Can anyone foresee this process happening successfully without a sustained day-to-day engagement of the international community in the preparations of parliamentary elections and consequent democratisation steps?

We face turmoil in the Middle East, the outcome of which could be a more stable, democratic and globally cooperative Middle East. However, an opposite scenario is also possible: civil wars, failed states, a further spread of terrorism and Islamic fanaticism. The stake is too high for us to assume the role of mere observers. No doubt, we have to use all the means we have in our hands. What are the objectives of what we want to reach? They are certainly democracy, human rights, the rule of law and a prosperous economy. None of these essential pillars of modern society can be achieved without the rule of law, i.e. legitimacy. Legitimacy is also necessary for the involvement of the international community in the region. The EU harnesses such legitimacy when working alongside the UN.

However, what should be our course of action if no UN approval is secured? I believe that even in this unfavourable situation we cannot stand back and wait, particularly when faced with crises and large-scale human suffering. Paradoxically, the second best option should still follow the logic of the above first: legitimacy should be core if the rule of law is our goal. This is where NATO stabilisation missions may come in even if backed by reduced mandates than what the UN can offer. Kosovo is the example of such a situation. NATO has been adapting to be particularly suited to Europe's involvement not on its continent, but also in its neighbourhood. It has the capacity to do well in peace-enforcing missions which are urgent and risky. Although such missions might be more expensive, more complex and more politically demanding to be deployed, we should consider this option. In addition, NATO's peacekeeping capacity offers sufficient room for NATO governments and their chiefs of staffs to adjust the rules of engagement to respond to the level of public support in their countries. Therefore, no responsible politician should rule out NATO peace enforcing and peace keeping missions in the Middle East. It is, therefore, not surprising that one of the next NATO missions being considered for the region is an aerial and maritime surveillance of the Gaza strip.

The still scarred state of transatlantic relations has encouraged some in NATO and the EU to develop EU-operated missions, such as ISAF 6. Nevertheless, the confusing mix of capacities, capabilities and communication means leave doubts about the effectiveness, cost and feasibility of such missions. It is still up to the defenders of this model of European defence to demonstrate the actual operational modalities and cost sharing/competition with NATO to be a credible defence vehicle. Nevertheless, much depends in the end on the political clarity and courage with which governments push for the rule of law, democracy and human rights. This is the decisive force for Europe behind any engagement in the Middle East with or without the UN mandate. The lack of political will may lead to another crises such as those in Darfur and Kosovo, where the process of bringing peace, democracy and the rule of law has suffered from the shortage of pooled resources and efforts by the international community.

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