



## The TTIP bandwagon rumbles on



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250,000 people protested against TTIP and CETA in Berlin in October. Photo Credit: Anderson2011101 CC licence

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"Our work in the world is not to turn everyone to God, or to convince everybody to be Quakers. Our work is to build a more just, more peaceful, more loving world" – Laura Magnani, 2013.

## News

### Quakers call for Climate Justice



(Left-right) Cornelius Ambiah from Nairobi YM joins QCEA's Andrew Lane and George Thurley  
Photo Credit: QCEA

Thousands took part in a human chain formed in Brussels city centre on 29 November 2015 to call on world leaders to take strong action against climate change in Paris.

The transition to a low-carbon world must be founded on justice - those who have done least to cause global warming, suffer the worst of its effects. Globally access to energy is unequally spread.

### Quakers to host European Network Against the Arms Trade worker

The European Network Against the Arms Trade (ENAAT) has decided to locate its new EU Programme Officer within the QCEA team in Brussels. In recent years arms trade lobbyists have been increasingly active in national capitals and within the European institutions in Brussels. In December 2013, the heads of government of every EU Member State agreed that giving economic support to arms manufacturers would become a priority for the EU.

Laetitia Sédou has been appointed and will start in January 2016. Laetitia has a long history of coordinating advocacy in Brussels, including 8 years managing the World Organisation Against Torture. The role will keep national ENAAT member organisations and Brussels-based policy-makers informed about opportunities to protect people from war-profiteers.

### 'Quakers for Europe'

The QCEA British Committee gathered in London in October to consider its role in the UK referendum on membership of the EU. QCEA British Committee is an independent support group that seeks to inform Friends in Britain about the European institutions and the work of QCEA. Peter Reid, QCEA British Committee Clerk, opened the workshop with a summary of the committee's decision, taken at their meeting in June 2015, to campaign for the UK to remain part of the EU. Committee member, Lina Jordan, then facilitated discussions on campaign strategy, key campaign roles, and a launch event in early 2016.

To avoid any confusion with Britain Yearly Meeting (the body representing all Quakers in Britain), QCEA British Committee members decided to campaign using the name, 'Quakers for Europe'.



## QCEA preparing for Dutch super-presidency



Informal meetings under the Dutch European Council presidency will take place in Amsterdam.  
Image credit: Dreamtime. CC Licence 2.0

In the first half of 2016 (January-June), the Netherlands will hold the rotating presidency of the Council of the European Union, for the first time since 2004. This, combined with two Dutch officials holding influential positions in the European Commission - first vice-president Frans Timmermans and Secretary-General Alexander Italianer - has led some to dub this the "Dutch super-presidency". Holding the presidency of the Council means the Dutch government will be responsible for the meetings of EU ministers and the Dutch minister will chair them, giving the Netherlands considerable influence over the European Union's agenda. Along with the formal meetings of EU ministers taking place in Brussels and Luxembourg, the Dutch government will also hold working groups, and preparatory and informal meetings in Amsterdam's historic dockyard.

In this context, QCEA recently joined a group of other NGOs to meet with members of staff from the Dutch and Luxembourg permanent representations to the EU to discuss the circular economy package, which was released on the second of December 2015. Permanent representations are comparable to embassies. When ministers meet in Brussels, the people who work in permanent representations will have laid the groundwork for their national positions and what goes on in their ministers' meetings.

Luxembourg currently holds the presidency of the Council, before handing over to the Netherlands

next year, making these two Benelux countries important players on this issue, even more so due to their progressive environmental policies. This allows them to demonstrate the benefits of developing a circular economy; Luxembourg is already implementing a study on a Luxembourgish circular economy. QCEA's meetings with these officials were important opportunities to learn their positions and explore possibilities for cooperation, before discussions begin next year.

Both meetings were positive and open, with the Dutch representative assuring us that his country would be pushing for a progressive agreement in the Council, even when its role as president calls for a more impartial role. Their aim is to focus the discussions on the opportunities provided by the circular economy, rather than emphasising the obstacles. Luxembourg also underlined their government's progressive position and stating their intention to work with the Netherlands to foster a positive discussion when the proposals are released. QCEA will continue to make contacts with permanent representations, particularly Germany and Slovakia (the latter of which will hold the Council presidency in the second half of 2016) in advance of council discussions on the circular economy in 2016.

QCEA staff will be keen to work with Dutch Friends and Vrienden voor Brussel (VVQREA) to influence the government of the Netherlands during this crucial period.

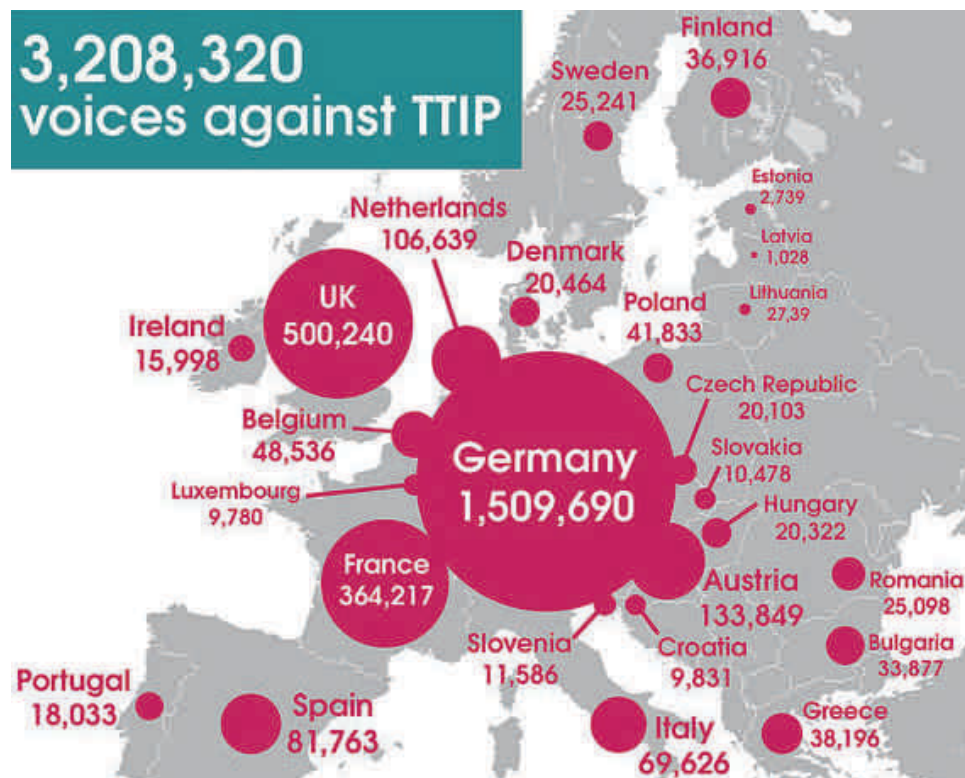




## The TTIP bandwagon rumbles on

In September 2015 the European Commission unveiled its proposals to reform the controversial Investor State Dispute Settlement (ISDS) mechanism. The proposed new International Court System (ICS) makes some improvements on ISDS, but fails to recognise the fundamental issue: any mechanism for investors to bring a case against an elected government is dangerous and risks stifling democratic processes. QCEA believes that specific investor protections are neither necessary nor desirable.

From the outset, huge public outcry has surrounded ISDS across Europe. Out of almost 150,000 respondents to a European Commission consultation, 97% opposed the mechanism; the European Parliament called for reforms and criticism from governments, including Germany and France, has only grown. This has forced the Commission's hand - reforming ISDS is the only way for the Commission to save face without completely alienating the US negotiators, who still insist on retaining ISDS.



Over 3 million people across Europe signed a petition against TTIP this year.  
Image credit: Global Justice Now. CC Licence 2.0

The resulting compromise has been dubbed the International Court System (ICS). Moves have been made to increase the transparency of the process by making the courts and their documents public, introducing an appeal system, and establishing a roster of 15 judges, from which three will be chosen to oversee a given case.

These judges would be barred from acting as lawyers in other investment cases, but the necessary qualifications for this position remain unclear. European Trade Commissioner Cecilia Malmström has also attempted to ease fears that

ISDS, which was proposed as part of the Transatlantic Trade and Investment Partnership (TTIP, the EU-US free-trade agreement) and which was included in the Comprehensive Economic and Trade Agreement (CETA, the EU-Canada free-trade agreement), has been heavily criticised for allowing investors to bring cases against governments. Many fear that legal action could weaken environmental and social legislation, or worse, that the threat of legal action against governments could dissuade them from legislating in the first place.

allowing foreign investors to bring cases against governments could interfere with their legislation, by emphasising that governments' right to regulate would be enshrined in an article of the TTIP agreement.

However, these improvements seem cosmetic. An article asserting the right to regulate does nothing in itself to prevent corporations from acting against governments that might propose undesirable legislation. Nor does it remove the threat of legal action hanging over those governments that might



want to legislate to protect the environment, or require more social responsibility from businesses. Crucially the reforms are limited to TTIP, while the version of ISDS that has been approved in CETA would remain unaltered. This represents a rather large loop-hole; even if ISDS were improved or removed from TTIP altogether, it would still be possible for US companies to sue European governments through their Canadian subsidiaries.

Fundamentally, although Malmström described ICS as a “public court” it would only be available to foreign investors, meaning it inherently privileges foreign investors. ICS would still allow businesses to circumvent national courts entirely. It would still offer a recourse to businesses that is not available

to others who may be affected by government decisions; citizens, NGOs, small and medium businesses. Any system that incorporates some form of so-called investor protection will favour foreign businesses, and there is little evidence this is necessary. The US negotiators' argument that the likelihood of bias against foreign investors makes ISDS vital does not stand up to scrutiny: trade between the EU and the US already amounts to €2 billion every day. Clearly, the current lack of investor protection does not hamper economic relations across the Atlantic.

QCEA opposes any free-trade agreement that places profits before people. Ultimately, ICS does little to alter this order of priorities.

George Thurley

## An illegal drone assassination

A UK-controlled armed drone flying over Syria in August 2015 fired a missile that killed the Islamist militant Reyaad Khan, together with two other Islamist militants. This was significant because previously (so far as we know), the UK government had only ever used armed drones in the course of war. But this was not a killing in war – it was the assassination of someone who was seen as posing a future threat. State-sponsored assassinations are against international law, although the UK government has made the rather implausible argument that this assassination was an act of self-defence.

The US government has been using armed drones for assassinations since 2002, and there is good evidence that the governments of several European countries – Denmark, Germany, the Netherlands, and the UK – have collaborated with the US government in some of those assassinations (often by providing relevant intelligence). However, so far as we know, this is the first time that any European government has itself ordered a drone assassination. There is a serious danger here of drone assassinations being normalised, at a time when armed drones are proliferating.

If an EU national government is willing to use armed drones in this way, then this raises some serious questions about the EU institutions' willingness to

encourage the development of this military technology. Since 2004 the European Defence Agency (EDA) has been encouraging European cooperation on drone development. In December 2013 the European Council (a meeting of the heads of government of the 28 EU Member States) accepted the EDA's recommendation to make drone development an official priority of EU security and defence policy. Meanwhile the European Commission is using EU funds to subsidise drone research by arms companies.

Not everyone in the EU institutions agrees with these policies. In February 2014 the European Parliament passed a resolution condemning drone assassinations, and calling for changes to EU policy on armed drones. However, according to EU law it is the 28 national governments (rather than MEPs) who have the power to determine EU security and defence policy, and so far the national governments have ignored the February 2014 resolution.

QCEA and a number of other non-governmental organisations concerned about armed drones have formed an interest group, the European Forum on Armed Drones, to look at ways of combining their advocacy efforts at both the national and the European levels. Over the coming months QCEA plans to work with these other organisations to advocate for the reform of EU policy.

Tim Harman



## Understanding the EU politics of the refugee crisis



The fence between Hungary and Serbia. Photo Credit: Délmagyarország/Schmidt Andrea.  
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### A challenge for European cooperation

The refugee crisis is proving to be a major challenge for the EU – a challenge to which different political leaders have very different approaches. Angela Merkel, the German chancellor, has spoken of a moral imperative for the EU to welcome refugees, while Viktor Orbán, the Hungarian prime minister, has ordered the building of a fence to keep refugees out.

The issue is complicated by an EU law known as the Dublin Regulation, which governs how responsibility for protecting refugees is allocated between EU Member States. According to the Dublin Regulation, the Member State where a refugee first enters the EU normally has responsibility for that refugee. This rule can cause serious problems in a situation such as the current refugee crisis, in which a large number of refugees are entering the EU through a small number of Member States. The Greek and Italian governments, in particular, are finding it difficult to cope with their responsibilities under

the Dublin Regulation. During the first nine months of 2015 a total of 396,500 refugees have arrived in Greece, and 131,000 refugees have arrived in Italy.

### The search for a solution

In September 2015 the Council of the EU (which consists of ministers representing Member State governments) approved a temporary scheme to override the Dublin Regulation, and to transfer refugees from Greece and Italy to other Member States. This scheme is far from perfect: it only covers 160,000 refugees over a period of two years (around 6,700 refugees per month), leaving the Dublin Regulation to continue to apply to all the other refugees. Three Member States – Denmark, Ireland, and the UK – are exempt from receiving transferred refugees, as a result of previously negotiated treaty opt-outs. Moreover, the scheme does not give the refugees any legal right to be consulted over whether they are transferred, or where they are transferred to.





Jean-Claude Juncker, the President of the European Commission, has promised to propose a more extensive scheme in 2016. In making this promise, Juncker spoke of the values behind his idea of Europe:

*Europe is the baker in Kos who gives away his bread to hungry and weary souls. Europe is the students in Munich and in Passau who bring clothes for the new arrivals at the train station. Europe is the policeman in Austria who welcomes exhausted refugees upon crossing the border. This is the Europe I want to live in.*



Quakers join a Refugees Welcome march in Brussels. Photo credit: QCEA

It is impossible to fault Juncker’s sentiment here. However, he is finding it politically difficult to translate this sentiment into action. According to EU law, any scheme to override the Dublin Regulation can only go ahead with the approval of the Council of the EU (which means that ministers from the 28

national governments need to vote to approve the scheme). Juncker struggled to persuade the Council to approve the transfer of 160,000 refugees. It is far from certain that the Council would be willing to approve a more extensive scheme.

### The influence of right-wing populism

The underlying problem is that xenophobic right-wing populism is becoming increasingly common in the EU. Right-wing populists argue that accepting refugees dilutes local culture, and leads to economic problems for the host country. However, both of these arguments are wrong. Given that over 500 million people live in the EU, there is no way that the incoming refugees, if spread out over the EU, could dilute any European culture. Nor are

refugees an economic burden – if refugees are supported to integrate into their host country and to find jobs, they can strengthen the host country’s economy.

Right-wing populists’ arguments are based on fear, rather than on reason. Yet in spite of this, ministers in national governments are aware that right-wing populism can influence their popularity, and their chances of re-election. Inevitable, this will influence the way those ministers vote at Council meetings.

If we want to resolve the refugee crisis, we first need to persuade both our fellow citizens and our

governments to reject the right-wing populist view, and to accept the values articulated by Juncker. If EU national governments can reject xenophobia and work together to make refugees welcome, this crisis can be overcome to everyone’s benefit.

Tim Harman

### Update on the EU’s military response to the refugee crisis

The August-September 2015 edition of *Around Europe* reported on the EU’s joint military operation in the Mediterranean, which involves using warships to seize the boats that refugees are using to sail from Libya to Europe. For an update on this military operation, please see QCEA’s recent blog post entitled “An EU military operation to thwart refugees”. QCEA’s blog is available at [qceablog.wordpress.com](http://qceablog.wordpress.com).



## London Meetings engage influential MEP on refugees

Following a call to action from QCEA, London Quaker Meetings wrote to Claude Moraes, their Labour MEP and Chair of the European Parliament's Civil Liberties, Justice and Home Affairs Committee, known as LIBE. The committee is responsible for scrutiny of refugee policy. The letters from London Meetings intended to demonstrate to Claude Moraes MEP that there is awareness and support for humanitarian visas within his own constituency.

Moraes, a London MEP, chairs this important committee despite the UK having opted out of Schengen, the EU's borderless travel zone. The LIBE committee is currently considering changes to the EU's Visa Code, providing an opportunity to provide for refugees within the new code.

The introduction of humanitarian visas is one of a number of mechanisms that the EU could introduce to provide safe and legal ways for refugees to find safety in Europe. During September and October, QCEA joined with seven Christian relief agencies, such as the Jesuit Refugee Service, to encourage LIBE Committee members to recommend Schengen-wide humanitarian visas.

QCEA staff have been surprised that despite the media attention on refugees in Europe, MEPs' offices tell us that they have received very little

contact from constituents.

Many Friends wrote individually, and some discussed QCEA's initiative formally and wrote letters on behalf of their whole Quaker Meetings. Keep up to date with European level developments at [www.qcea.org/RefugeesWelcome](http://www.qcea.org/RefugeesWelcome)

### Update after the Letters

Following this and other advocacy the Socialists and Democrats Group in the European Parliament, which includes the UK Labour Party, organised a hearing on Humanitarian Visas. QCEA attended alongside other members of the Christian Group on Migration, the United Nations High Commissioner for Refugees representatives and the International Committee of the Red Cross.

The meeting took place on 12 November, just as Slovenia became the latest EU Member State to begin building a fence on its southern and eastern border. The vice-president of the Social Democrat group, Tanja Fajon MEP, attended the session and said that there were no simple answers. She said her group would support Humanitarian Visas, but even with support of the Green and Liberal groups it would be unlikely to pass a vote of the full Parliament. QCEA will continue to work with others to build consensus in favour of safe and legal ways for refugees.

Andrew Lane



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