



**Quaker  
Council for  
European  
Affairs**

# Around Europe

No. 367 April - May 2016

**Environment, agriculture and fisheries policy in  
the EU and the EEA - explained!** pages 4-5

## FAITH IN HUMAN RIGHTS

pages 6-7



European Court of Human Rights (Photo credit: Creative Commons, Damlén)

**Alternative to ISDS agreed  
between EU and Canada**  
page 12

**Military responses  
to migration**  
page 3

**Quaker world body  
leads on sustainability**  
pages 8-9

**Greece saved?**  
page 10



## Feminist Foreign Policy

In March, the Swedish minister for foreign affairs, Margot Wallström, came to Brussels to launch her vision for a Feminist Foreign Policy. "Gender equality is not a women's issue but a make-or-break issue for peace, security, and sustainable development," she said.

Margot Wallström defines feminist foreign policy using '3 Rs'. "Firstly, respect for human rights and rule of law constitute a starting point for every discussion about gender equality; ensuring women's rights and access to justice must be seen as central in achieving the overall human rights agenda. Secondly, women must be represented at all levels of society, in parliaments, local authorities, at the negotiating table, in board rooms and in peacekeeping missions to name but a few. And thirdly, resources must be distributed evenly."

The Swedish government would like the EU to lead by example on gender equality, an issue which is enshrined within the EU's legal and

political frameworks. Margot Wallström believes that as a first step the EU must achieve a better balance of women and men in the staffing its institutions, ensure women are represented in political dialogues with third countries, and consider gender inequality in the EU's neighbourhood and trade policies.

### Women leaders in EU foreign affairs

There is currently some momentum within the EU's External Action Service (EEAS) following the appointment of senior diplomat Mara Marinaki as their Principal Gender Advisor. This appointment has been welcomed by the European Peacebuilding Liaison Office (EPLO), the European-level peacebuilding network comprising QCEA and 36 other NGOs.

In recent years EPLO has been advocating for an increase in the number of women appointed to senior foreign and security policy roles. Two years ago there were no women in senior positions in EU Common Security and Defence Policy (CSDP) structures, no women leading CSDP missions, and no women serving as EU Special Representatives.

Whilst there has been little change overall, in the last 18 months EPLO members have been pleased to see the appointment of Pia Stjernvall as Head of the European Union Police Mission in Afghanistan (EUPOL Afghanistan) and Natalina Cea as Head of the European Union Border Assistance Mission for the Rafah Crossing Point (EUBAM Rafah).

Margot Wallström recognises that more must be done, noting in her Brussels speech that in 2015 only five women were appointed to serve as heads of EU delegations overseas, compared to 30 men. For Margot Wallström, these are not just words. She plans to apply the collective influence of Sweden's bilateral, multilateral and communication tools to work for change.

**What do you think?** Tweet @QCEA using the hashtag #FeministForeignPolicy.

### *Quakers for Europe*

Find out more about the UK's EU referendum and download the new Quakers for Europe information booklets at:

**[www.QuakersforEurope.com](http://www.QuakersforEurope.com)**

Twitter: @Quakers4Europe

#### Quakers for Europe events:

10 April - Exeter  
10 April - Marazion  
17 April - Chichester  
27 April - Street  
1 May - Finchley  
7 May - Isle of Skye  
8 May - Bideford  
15 May - Cotteridge  
15 May - Exmouth  
18 May - Lancaster  
22 May - Ashburton  
24 May - Bolton

## QCEA raises questions about EU naval operation

QCEA staff are meeting with EU officials to express concern about the joint EU naval operation known as Operation Sophia, and about its likely consequences for refugees and for peace.

In Operation Sophia, European navies are working together to seize the boats used by refugees to cross the Mediterranean from Libya to Europe. At the time of writing, the operation is being conducted by a fleet of five warships off the Libyan coast: two German ships, one British, one Italian, and one Spanish. Officially, Operation Sophia is aimed at disrupting the activities of “people smugglers” (the criminal gangs that control the boats that the refugees use). However, one likely practical effect of the operation is to cause suffering to refugees.

In particular, QCEA is concerned that Operation Sophia could lead to some refugees being stranded in Libya. Libya is a country just emerging from a civil war, with some continuing violence between armed groups. Law and order have broken down, and vulnerable refugees are easy targets for criminals. According to a report published by Amnesty International last year, refugees in Libya are regularly subjected to violence, armed robbery, and the rape of refugee

women. Some refugees in Libya are kidnapped by criminal gangs, who then seek to extort money from the refugees' families. Clearly, in these circumstances it is unacceptable for the EU to follow a policy that makes it more difficult for refugees to leave Libya.

We are also concerned about the possible effect of Operation Sophia on the broader situation in Libya. Given the current instability of the country, any armed intervention by outsiders could provoke a violent backlash. Libyans' perceptions of the EU's actions could be coloured by the memory of colonialism. Any provocation increases the risk of another civil war in Libya.

QCEA is well placed to act on these concerns, as Operation Sophia was conceived in Brussels. The European External Action Service (the EU's foreign ministry) designed the operation, and the EU Political and Security Committee, which consists of diplomats representing the EU Member States, is overseeing the operation. QCEA is using its position as a Brussels-based non-governmental organisation to engage with the officials responsible, and to raise their awareness of the risks of Operation Sophia. Time will tell whether QCEA's advocacy will be successful.

**Tim Harman**



Hundreds of refugees from Libya line up for food at a transit camp near the Tunisia-Libya border.  
(Photo credit: UN Photo/OCHA/David Ohana)





## Environment, agriculture and fisheries policy in the EU and the European Economic Area - explained!

- The EU shares responsibility for environment, energy, transport, fisheries and agriculture with EU member states.
- Liechtenstein, Norway and Iceland enact almost all EU legislation related to these areas, apart from fisheries and agriculture.
- Switzerland's bilateral treaties result in a similar arrangement, where EU laws related to agriculture and air and road traffic apply to Switzerland. Switzerland also cooperates with the EU on other environmental policies.

**The EU situation:** The environment, energy, transport, fisheries and agriculture are all areas of “shared competence” between the European Union institutions and the 28 member countries.

“Shared competence” means both European Institutions and EU national governments can adopt legally binding legislation in the area concerned, but countries can only do so where the EU has not exercised that power, or has explicitly ceased to do so. The EU must act in line with the subsidiarity principle. Subsidiarity means that decisions should be taken as closely as possible to the citizen and that constant checks are made to verify that action at EU level is justified.

**The European Economic Area:** The agreement signed between the EEA and the EU in 1994, allows the non-EU EEA states (currently Iceland, Liechtenstein and Norway) to participate in the EU's internal market without being members of the Union. In exchange, they enact almost all legislation related to the single market, including the environment. The EEA council meets twice a year to govern the relationship between all EEA members, and to ensure relevant EU law is extended to non-EU members.

In practice within the EEA, transport is covered under the free movement of goods, including harmonised safety standards, and consumer protections. No mention is made of emissions standards on the EEA website. EU energy legislation related to the internal energy market, energy efficiency, eco-design and energy labelling, is incorporated into the EEA agreement. EU climate targets do not apply to non-EU EEA states, and they negotiate separately at the UN

level. Relevant EU legislation on water, air, chemicals, waste and noise is applied to these states.

**Exceptions:** Agriculture and fisheries policies are an exception however. Norway and Iceland's main objection to joining the EU is the Common Agricultural and Common Fisheries policies. Norway and Iceland want to benefit from the fish sourced in their waters, rather than giving fish quotas to the EU. They also would not benefit much from CAP subsidies, due to relatively limited agriculture. Still, Norway must negotiate bilateral fisheries agreements with the EU as their fishing grounds are off the coasts of EU member states, and both Norway and Iceland allow EU fleets partial access to their waters.

**The Swiss model:** Being outside the EEA, Switzerland does not participate in the EEA council and instead has over one hundred bilateral treaties with the EU which result in a large share of EU law applying to Switzerland including agriculture, air and road traffic and stipulations on the environment. Switzerland also cooperates with the EU on a wide range of environmental policy, such as the emissions trading scheme (a system to trade greenhouse gas emissions allowances), legislation on chemicals and the energy labelling scheme.

**The other EEA:** The similarly named EU agency, the European Environment Agency (EEA) which is tasked with providing independent information and research on the environment to help the EU and members make informed environmental policy, has 33 members - the 28 member states of the EU, along with the four EFTA states, and Turkey.



### Further reading:

On EU competences: [ec.europa.eu/citizens-initiative/public/competences/faq#q1](https://ec.europa.eu/citizens-initiative/public/competences/faq#q1)

On the European Economic Area agreement: [www.efta.int/eea/eea-agreement](https://www.efta.int/eea/eea-agreement)

and policy areas: [www.efta.int/eea/policy-areas](https://www.efta.int/eea/policy-areas)

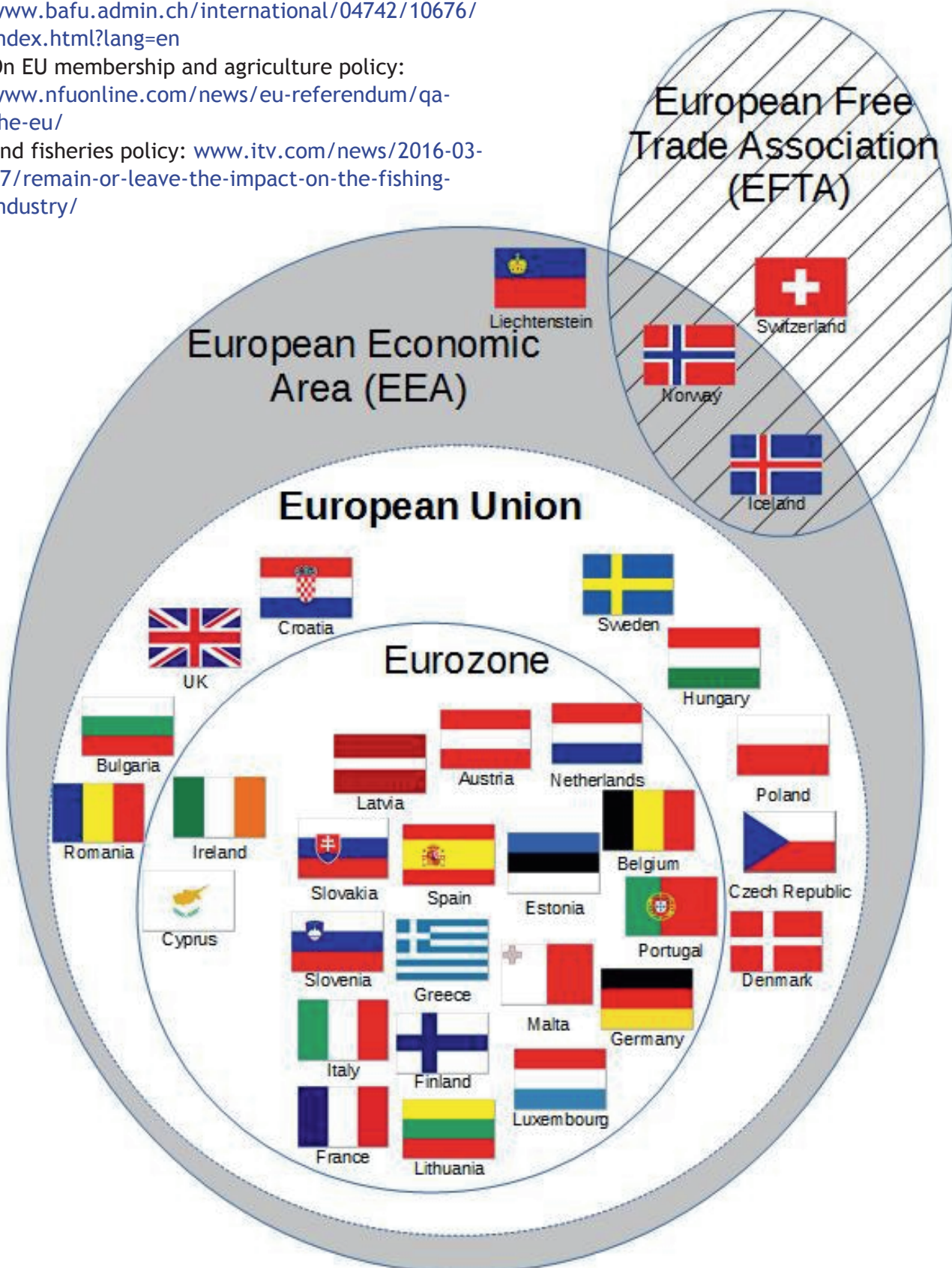
On relations between Switzerland and the EU in the area of the environment:

[www.bafu.admin.ch/international/04742/10676/index.html?lang=en](https://www.bafu.admin.ch/international/04742/10676/index.html?lang=en)

On EU membership and agriculture policy:

[www.nfuonline.com/news/eu-referendum/qa-the-eu/](https://www.nfuonline.com/news/eu-referendum/qa-the-eu/)

and fisheries policy: [www.itv.com/news/2016-03-17/remain-or-leave-the-impact-on-the-fishing-industry/](https://www.itv.com/news/2016-03-17/remain-or-leave-the-impact-on-the-fishing-industry/)



## The European Convention of Human Rights and Quakers

Most media coverage of the Britain's relationship with Europe has focussed on "Brexit" and the referendum about the UK's continued membership of the European Union. A parallel issue is also critical - the expressed intent of the UK Government to scrap from British law the European Convention of Human Rights and Fundamental Freedoms (ECHR).

The UK government has portrayed the intent as a simple reassertion of British sovereignty and an easy sop to Brexit supporters to show that even if Britain stays in the EU, it can still show its independence from continental interference. The legal complexity of proposed alternatives has delayed tabling of legislation, but it may be imminent, as the referendum on EU membership also approaches.

In a July 2014 QCEA blog, Andrew Lane presented the ECHR and the issues around it very clearly. The purpose of the present article is to bring readers up to date and to attempt to flesh out some of the background.

### That of God in everyone

In 1948, a turning point in world history was taken with the adoption of the UN Universal Declaration of Human Rights. For Quakers, who seek to see that of God in everyone, this declaration should have particular relevance not only for its content but also for its assertion of universal application. It asserts the human rights of all people, surely a natural corollary of recognising the divine in them.

In 1950, two years later, the newly formed Council of Europe adopted the ECHR which gives detail to, and gives legal force in all countries which are members of the Council of Europe, to the otherwise unenforceable universal declaration.

In 1953, the ECHR was ratified and came into force, allowing the creation of a court to implement and enforce it. Britain was a driver of the vision and indeed of the text. The right to

life, the prohibition of torture, the prohibition of slavery, the right to liberty and security, the right to a fair trial and to no punishment without due process, the right to respect for private and family life, to freedom of thought, conscience and religion, and freedom of expression - all these were adopted in enforceable law based on shared European values.



Friends from Sweden, Kenya and Palestine in the chamber at the European Court of Human Rights, as part of the QCEA Study Tour.

In 1997, a further step was taken by Britain in incorporating into British law the rights and freedoms which the 47 countries of Europe had collectively adopted. The then opposition Conservative spokesperson Christopher Prout congratulated "the lord chancellor on furnishing us with a bill with so many ingenious solutions to what seemed a range of intractable problems. I join him in congratulating the parliamentary draughtsmen; it is a masterly exhibition of their art. Her Majesty's loyal Opposition will not be voting against the bill." Through the British Human Rights Act (HRA), citizens and others in the UK can have recourse to the ECHR within the British judicial system without having to appeal to the ECHR Court in Strasbourg.

In an excellent London Review of Books article, Francis Fitzgibbon in 2014 clarified: "Before the HRA, claimants had to go to the European Court of Human Rights: the process was long and





complicated, and took the decisions out of British courts. The HRA increased their sovereignty by enabling them to apply the convention and its case law directly in their decisions." He continues by explaining that the HRA does not make ECHR legal decisions binding on British judges, it instead subtly enjoins them to take account of them, and interpret domestic law in ways which are compatible with them.

David Cameron would like to follow Vladimir Putin's lead but is thwarted from direct emulation by the absence of a British constitution! The long delay since Cameron first asserted his intent is an indication of the legal quandaries he is facing in trying to assert British hegemony without the risk of being ejected from the Council of Europe, and of Scotland choosing to take a different path in the matter from England.

### Playing politics

The intention is portrayed as the replacement of the UK's current Human Rights Act (which is based on the ECHR) by a new and autonomous British bill of rights dependent on Parliament alone for its wording and authority. Thus replacing the Human Rights Act as a sop to Eurosceptics as the Government seeks to avoid EU Brexit, would have tragic consequences, and should be opposed as vigorously as is possible. In the remainder of this article I seek to explain why this should be so.

In reality, the UK has had fewer judgements against it than any other European country of comparable size, and Britain's possible decision to leave is being closely watched by many countries whose human rights performance leaves more to be desired and who might see Britain's decision as a justification for reducing their own citizens' and residents' ability to obtain justice.

### Human rights for all

All this should be of concern to Quakers. In the past the application of the ECHR to the UK has led to the decriminalisation of homosexuality. It has led to the ending of corporal punishment in schools. It gave the right to an inquest to the parents of army conscripts who died during training. Who knows what decisions would be

underpinned by the ECHR in the future? It might, through the HRA, play a role in the rights of prisoners, of refugees, of journalists. As Shami Chakrabarti of Liberty reminds us, "Human rights protect human beings - that's all of us, and you never know when you are going to be the vulnerable human being" (Financial Times, 26/02/2016).

Not surprisingly, governments have at various times found it inconvenient that their citizens and residents can have recourse to a broad inventory of rights and freedoms. As recently as December 2015, Vladimir Putin signed into law a ruling that ECHR decisions are to be subordinated to the Russian Constitution and the Russian Constitutional Court - a move congruent with the British governments expressed intent with regard to the HRA.

Governments across Europe are reluctant to recognise that their human rights behaviour should be subject to international law. In this respect Britain is in the same dubious company as, amongst others, Russia, Poland and Hungary. The European Union continues to reflect on how the democracy and human rights conditions attached to joining the European Union should be equally enforceable when member states backslide. It is sad to think that the UK is one of the counties of the EU which resists this, wishing the EU to be a community of traders not a community of values.

Quakers across Europe, from Ireland to Russia, should be concerned by the vacillation of the British government. Human rights across Europe need again the drive that led to the founding of the Council of Europe and the adoption of the ECHR. Britain was behind those turning points in European history. Turning back from them would be a tragic and indeed dangerous step from shared protection to nationalist narrowness. As Nile Muižnieks, Council of Europe Commissioner for Human Rights, recently said, "The consultation on the repeal of the HRA represents a defining moment for human rights protection in the UK - and beyond."

**Jeremy Lester**

Jeremy is a member of QCEA's Executive Committee and can be contacted at [jeremylester@fastmail.fm](mailto:jeremylester@fastmail.fm)



## Pisac calls on Friends everywhere to live sustainably

In January 2016, over 300 Quakers from all over the world and many different walks of life gathered in Pisac, Peru for the Friends World Committee for Consultation (FWCC) World Plenary Meeting. There, together, Friends discerned their commitment to take action now to move towards a more sustainable world:

*“We see that our misuse of the Earth’s resources creates inequality, destroys community, affects health and well-being, leads to war and erodes our integrity... We must move beyond our individual and collective comfort zones and involve the worldwide Quaker community and others of like mind. Just as Jesus showed us, real change requires us to challenge ourselves to be effective instruments of change. We can do more.”*

Building on the inspirational Kabarak call, the Friends gathered in Peru called on every Yearly Meeting to initiate at least two concrete actions in the next year. These actions could develop existing projects of smaller groups or individuals.

Ireland Yearly Meeting has been amongst the first to meet since the World Plenary Meeting, from the 1-3 April 2016. After discernment, Friends in Ireland agreed two actions as part of their “Call to Sustainability”. All meetings in Ireland are set to develop sustainability plans, and as a corporate body IYM will develop a strategy for ethical investment. This will include

investment in sustainable and peaceful business, and divestment from fossil fuels. Both of these actions will be implemented by January 2017.

### Take action

This minute is a challenge to all of us - how will you get sustainability on your meeting’s agenda? What is your opportunity to create positive change? Based on QCEA’s experience at the European level, here are some suggested actions that your meeting could consider taking:

- Set targets to reduce your meeting’s consumption - whether it be electricity, gas, food, water or anything else.
- Switch your energy provider to a renewable energy company, such as Ecotricity or Good Energy in the UK, or RES in France, Germany and Scandinavia. Aim to achieve carbon neutral meeting houses. Consider generating your own energy.
- Reduce your meeting’s waste production, by composting food waste, avoiding disposable products, reusing and repairing items and materials. You could consider setting a target in kilograms to reduce your waste production per year per member/attender.
- Save water by reducing the amount you use, or installing a water collector in your garden (if your meeting has one). Install a water meter to measure your use of water.



Friends met in Pisac, Peru, where it was difficult to forget or ignore the power and importance of nature



- Lobby your local (or national) authority to become a TTIP-free zone (joining authorities in the UK, Ireland, the Netherlands, Spain and Belgium.)
- Seek to gather Friends in ways that are sustainable (think about transport, food, location etc.)
- If your meeting owns property, invest in energy efficiency measures such as better insulation, smart thermostats, more efficient boilers and lighting.
- If your meeting has investment funds, divest from fossil fuel companies and other environmentally harmful businesses and invest positively in businesses aligned with Quaker values. Use your shareholder privileges to leverage for more ambitious action.
- Develop guidelines to buy sustainable

materials and products for your meeting - from food to furniture and IT.

- Run sessions on different aspects of sustainability for members, inviting speakers and holding practical workshops to develop sustainability skills.
- Consider how your meeting house can be a centre for sustainability groups and learning.
- Support organisations taking action on sustainability, Quaker and non-Quaker, practical and political.
- If you have green space, promote biodiversity in it, and consider growing food together.

These are just some suggestions for potential actions. There are certainly many more ways to create change: we can all take action, at all levels: individual, local, national, European and global.

**Saskia Kuhlmann and George Thurley**

The Living Sustainably and Sustaining Life on Earth minute, from Pisac, included an annex listing potential actions. You can read the minute in full here: [www.fwcc.world/fwcc-news/living-sustainably-and-sustaining-life-on-earth-the-minute-from-the-plenary](http://www.fwcc.world/fwcc-news/living-sustainably-and-sustaining-life-on-earth-the-minute-from-the-plenary)

Britain Yearly meeting has developed a sustainability toolkit for individuals and meetings that may help with all of the above points and more. The kit offers tools to support meetings in planning, developing, implementing and publicising practical action, along with examples of practical action and group exercises. You can find it here: [www.quaker.org.uk/our-work/sustainability/living-sustainably](http://www.quaker.org.uk/our-work/sustainability/living-sustainably)

## The four most important EU environmental issues

The European Union has a considerable impact on environment policy across the continent and beyond. Here are the four most important environmental issues at the European level currently:

- Energy Union is one of the European Commission's top ten priorities, aiming to ensure Europe has secure, affordable and climate-friendly energy. The Commission presented its package on energy security in February.
- Climate - EU member states negotiate a common position on this crucial issue to take to the UN conferences. Following the Paris agreement in December 2015, the European Commission has considered the next steps in the process for Europe.
- Circular economy - The European Commission has published its circular economy package, consisting of an action plan considering design, product and consumption, and revised legislation on waste, including targets to increase recycling and reduce landfilling. The European Parliament and European Council will consider these measures over the coming months. The European Commission has already missed deadlines for two actions, listed in its action plan (publishing the Eco-design working plan 2015-17, and action on marine litter).
- "Dieselgate" emissions scandal - following the revelations last year about Volkswagen cheating on its emissions tests, the European Parliament has set up an inquiry committee, Emission Measurements in the Automotive Sector (EMIS) to investigate alleged inefficient or dishonest administration in the European Commission and member states.

## Interview: Greece saved?

### How the EU and IMF "help" actually hurts those needing healthcare

Greece is saved, we hear - but is it? The troika "solution" includes the standard International Monetary Fund (IMF) prescription reducing government spending on healthcare. Just when people need it most, healthcare is denied to them. Ever fewer doctors and healthcare staff remain in facilities unable to pay for them or essential supplies.

Health care has always mattered to me. I emigrated from USA to Europe 25 years ago because of the disparity between rich and poor. It felt wrong that "the world's best medical care" wasn't available to most people. 50 million had effectively no healthcare options. Here in the EU, it is normal that everyone has access to medical treatment. But this normality is gone in Greece. Health care is being reduced, nay decimated, under the terms imposed by the European troika (European Commission, European Central Bank & IMF) and the new Greek government.

#### What are things like there now?

- "Education and health care are a catastrophe now" said Giorgos, from the Greek community in Brussels.
- "Everyone has seen salary cuts of 30-40%. 26% have no job. Under 23, it is over 50% unemployment."
- "In hospitals you must 'bring your own' everything, even bandages and needles."
- A Kos health facility which had 23 staff now has three: a psychiatrist, an orthopaedist and an ENT (ear/nose/throat specialist).
- In a Heraklion hospital microbiology department only two of the original seven staff remain.
- In the provinces 10-15% of staff remain, in Athens about 50%, according to the Greek Federation of Scientific Health Personnel.

Greek news reported in January that "Hospital emergency room services have stopped". This has a tremendous impact as it was a key source of medical treatment, effectively providing free service. "They treated patients first, then asked for payment," explained Giorgos. Citizens go to



Image credit: Pixabay

the ER because 40% all of the other health services have collapsed.

"The brain drain has been huge. Everyone who could leave has left. Greek doctors work in Denmark and Sweden," Giorgos said. "I know two who are in Saudi Arabia, to pay their debts."

Poverty is increasing. Depression, suicide, and domestic violence are up across the country. When people need help and care, it is not there because the medical care system has been hollowed out. There are many reasons for this. But chief among them are the demands and requirements of the EU troika. Instead of Europe providing a safety net or any form of help for the people who need it most, the health system which was in place has been cut out from under them.

Greece and the euro "were saved" said some. But at what cost to the Greek people, and to all Europeans? The terrible consequences for the most vulnerable living in Greece are becoming clearer every day.

**Randy Rzewnicki**

*Randy lobbies the European institutions for sustainable transport and public health. He is a member of the Belgium & Luxembourg Quakers.*



## Inclusion in Ireland

"Who is my Neighbour? What is our Testimony on Inclusion?" was the topic of this year's Ireland Yearly Meeting public lecture. More than 180 people attended to hear Will Haire, former First Secretary at the UK representation to the European Union, and senior civil servant in Northern Ireland. Will currently worships at South Belfast Quaker Meeting.

Will's lecture drew upon the parable of the Good Samaritan, John Woolman's ministry on stewardship and simple living, and the prison work of Elizabeth Fry. Will argued that social exclusion on grounds such as race and gender was closely linked to economic factors. He asked us all to recognise that these are deep and complex problems, that can only be addressed through long-term and sustained implementation of social and economic reforms. This will require a deep political consensus.

*"We are challenged to create a counter-culture, challenging the materialism and consumerism of our society and to argue in what we say, and in what we do, for a different way of life".*

Will Haire, 2016

**The steps toward inclusive societies identified by Will Haire's analysis included:**

**Spiritual steps:** As Quakers, we must start with faith. This means being close to the divine and believing that it can act in our own lives. We also believe that the same power wants to communicate with and nurture everyone. Our lives must speak as we live in the Kingdom (living as if a state of peace and justice that many faiths associate with an afterlife, is in fact possible here and now).

**Partnership:** Will Haire spoke of the need to work with other faith groups to build a new economics and a new social contract. He referred to the work the Joseph Rowntree Charitable Trust is already doing, and their plan to publish an anti-poverty strategy for the UK next year.



Friends at Ireland Yearly Meeting (Photo credit: Joan Huddleston)

**Policy:** Quakers can contribute by speaking about the issues on which we have experience, including penal reform and education. We must also be at the forefront of arguing for fair taxation, welfare provision and transparency in big business and government. International trade, and particularly the arms trade, were identified by Will as areas requiring radical reform - underlining the need for effective engagement with EU policy.

**Individually:** Many of us have a simple set of values, but we live in a complex world. Will Haire offered some practical areas for action in our own lives. These included: our choice of work; our willingness to involve staff in the corporate decisions of organisations that we are involved in; being careful stewards of our investments; and supporting those people who have taken positions of responsibility and leadership.

A transcript of the full lecture is available at: <https://quakersireland.files.wordpress.com/2016/04/iym-public-lecture-2016.pdf>

Andrew Lane

## EU and Canada commit to new investment system in trade deal

Canada has agreed a new approach on investor protections in its trade deal with the European Union, putting it in opposition to the United States which prefers to retain ISDS.

The EU-Canada Comprehensive Economic and Trade Agreement (CETA) had already been concluded in 2014, but following the legal revision of the text, Canada and the EU have agreed to include the EU's Investment Court System proposal, rather than the more traditional, and controversial, Investor State Dispute Settlement (ISDS) system.

The new arrangement would include stronger language on governments' right to regulate, more detailed ethics commitments, and an appeal system, as outlined in the Investment Court System proposal made by the European Commission last November.

The EU originally proposed ICS to US negotiations as a reformed ISDS, following the controversy surrounding ISDS's inclusion in the EU's trade deal

with the US, the Transatlantic Trade and Investment Partnership (TTIP). Although ICS makes some improvements on ISDS, these are largely cosmetic, which has led some NGOs to brand ICS "the Zombie ISDS". QCEA wrote an article on ICS in our October-December 2015 Around Europe, concluding that specific investor protections are neither necessary nor desirable.

Canada's willingness to shift to the new system may not go down well in the United States, as US TTIP negotiators have continued to insist on full ISDS, as they include in all their international trade deals. It remains to be seen whether Canada's decision will put pressure on the US to accept the EU proposal. The EU insists that the revised CETA text "is also a clear signal of the EU's intent to include this new proposal on investment in its negotiations with all partners."

Meanwhile, the 12th negotiation round of TTIP took place in Brussels, 22-26 February. Both sides emphasised their desire to complete negotiations before the end of 2016, though this appears an ambitious goal, due to continuing opposition, and the US priority to approve the separate Trans Pacific Partnership (TPP).

George Thurley

### Do you enjoy *Around Europe*?

Why not share your copy with your local community group, inter-faith or peace group? Or with a local university or library?

To subscribe to Around Europe please visit  
[www.qcea.org/stay-in-touch](http://www.qcea.org/stay-in-touch), or email [office@qcea.org](mailto:office@qcea.org)



### Around Europe

Quaker Council for European Affairs  
Square Ambiorix 50, B-1000, Brussels, Belgium

Editeur responsable: Andrew Lane  
No. entreprise 0420.346.728  
[www.qcea.org](http://www.qcea.org)  
[qceablog.wordpress.com](http://qceablog.wordpress.com)