

## The Five Point Plan

### A Strategic Partnership to Empower Multilateral Institutions and to Promote Global and Regional Security, Peace and Justice

#### *The EU and the Mercosul: Forging a Strategic Partnership*

93. The EU and the Mercosul are one another's main regional integration partners in the world. Both support multilateral governance based on the twin pillars of democracy and respect for human rights, and open integration. Both contend that regional integration projects have a structural and structuring role to play in forging a new multilateralism. The potential for a strong strategic partnership has not been fully explored, however. This is because of the relatively low priority of the Mercosul in the EU foreign policy agenda, the Mercosul's relative weakness and lack of consolidation, the concomitant asymmetry in bi-regional relations, and the difficulties in overcoming key divergences over trade liberalisation and a new global interventionism and conditionality. Both regions have enough in common and sufficient mutual interest, nonetheless, to overcome such difficulties.

94. The EU and the Mercosul, albeit in different ways and at different stages of the regional integration process, must define a clear political-strategic identity and a direction for the political aspects of integration, that can allow them to determine their role in the promotion of global multilateral governance. A key to forging such a project is to engage with the US and make efforts to multilateralise the international action and commitments of the world's only remaining superpower. It should be clear, that a strong strategic partnership means dealing with basics first: forging a trade agreement between the two parties. This is a precondition for co-operation that goes beyond trade. With this solid background in place, the EU and the Mercosul can make progress in developing a common global agenda.

*Harmonising the Triple Negotiation: The WTO, the FTAA,  
and the EU-Mercosul FTA*

95. In the economic and trade sphere, the EU and the Mercosul face three key challenges. First, as noted above, they must unravel the knots in the FTA negotiations they are engaged in, as a first step towards building a solid foundation for a strategic partnership. Second, they must work towards the harmonisation of rules and interests in the context of the triple negotiation process within the WTO, the FTAA, and between the EU and the Mercosul, and Chile. Part of this harmonisation is about affirming the strategic importance of regional integration projects and their compatibility with rules for global trade liberalisation. Last but not least, both regions should push for strong WTO able to govern global trade relations. They must make a clear commitment for trade liberalisation compatible with social justice and solidarity. This means resolving current difficulties in the negotiation process within the WTO and in the EU-Mercosul trade negotiation agenda, notably the block in agriculture. It also means resolving differences over labour rights and the environment. Whether mechanisms to deal with these issues are located within the WTO or within other international organisations is less important than ensuring that the mechanisms are enforceable and effective.

**THE TRIPLE NEGOTIATION**

**TRADE LIBERALISATION, HARMONISATION AND GLOBAL SOLIDARITY**

*Triple Negotiation*

The EU and the Mercosul should work to make concrete policy recommendations on ways to harmonise the triple negotiation within the FTAA, between the EU and the Mercosul and within the WTO. In particular, it should focus on the harmonisation of WTO rules and the FTAA with regional integration projects.

*The WTO*

The EU and the Mercosul should:

- Promote global agreement on liberalisation strategies, particularly for agriculture
- Promote the internal and external WTO transparency and NGO participation
- Promote conditions for labour solidarity and the protecting the environment
- Promote the harmonisation of regional integration and global liberalisation, particularly with a review of Article 24
- Promote co-operation for the transfer of technology in trade and economic relations

*The UN: Institutional Reform, Global Security and International Justice*

96. The EU and the Mercosul must affirm the centrality of multilateral governance and take on board the new elements of the emerging new multilateralism in elaborating global co-operative strategies to deal with global problems. The precondition for effective multilateral governance is a more effective UN. The reform of UN institutions, particularly the Security Council, and adequate financing and enhanced co-ordination of those dedicated to the promotion of human rights, democracy and global security are essential. A more effective UN will better serve the main goals that the EU and the Mercosul could pursue: first, increased co-operation in conflict prevention, humanitarian intervention and peacekeeping missions, and nation building. For this, enhanced biregional civil-military and police co-operation is essential. Second, starting with the negotiation of a new UN treaty to combat terrorism currently underway, they should promote increased co-operation to combat the global problems of illicit drug and arms trafficking, international terrorism, and money laundering. Third, both regions should seek to promote the entry into force and effective operation of UN Conventions, and of the ICC. In addition to promoting ratification, the EU and the Mercosul agenda should focus on providing guidelines for the harmonisation of constitutional and penal legislation, particularly where penalties, extradition and immunity are concerned. A common agenda could also be adopted to deal with transnational justice cases that fall outside the purview of the ICC. Further, an attempt must be made to define the juridical status of terrorism as either a crime against humanity or as an act of aggression, and to place it under ICC jurisdiction. The elaboration of a pro-active agenda and co-operation means strengthening the EU-Latin American consultation process that already takes place within the UN.

## THE UNITED NATIONS

### INSTITUTIONAL REFORM, GLOBAL SECURITY AND INTERNATIONAL JUSTICE

#### *Reform*

The EU and the Mercosul should:

- Promote the reform of the Security Council, and the implementation of the 1997 reforms to reinforce the coherence and powers of enforcement of the human rights system and global security provisions
- Promote greater civil society participation in the UN agenda
- Establish a schedule for the payment of arrears payment and elaborate a campaign to increase voluntary contributions to the UN peace, security and human rights work

#### *Global Security*

The EU and the Mercosul should:

- Promote closer co-operation and greater participation in international conflict prevention, peace-keeping and national building operations
- Promote closer co-operation and effective legal instruments to combat global illegal and arms trafficking, international terrorism and money-laundering
- Promote bi-regional military and police training, exercises and exchanges, particularly promoting closer military co-operation between the Common European Security and Defense Policy (CESDP) and OAS members

#### *International Justice*

The EU and the Mercosul should:

- Promote the ratification of all UN instruments and the harmonisation of international UN treaties and conventions provisions with states' laws, as well as the ICC ratification and constitutional legislation and penal legislation harmonisation with ICC rules, particularly extradition of nationals, immunity provisions, and prohibition on life imprisonment
- Strengthen national and regional human rights systems to empower the ICC complementarity provision
- Promote accord on how to deal with cases outside the purview of the ICC, such as the Pinochet case
- Determine how to deal with the crime of terrorism within the ICC, by defining the juridical status of that crime (a crime against humanity or a crime of aggression?) so that international terrorism comes under the jurisdiction of the Court

*The Regional Agenda: Promoting Andean Integration and Security*

97. The EU and the Mercosul should adopt concrete measures to target key problem areas in the Andean Community. The EU must seek out the Mercosul as a partner for political co-operation to deal with the problems of terrorism, illegal drug and arms trafficking, money laundering and the corruption of financial and even government institutions, as well as migration resulting from violence and poverty. These are transnational manifestations of a regional problem. The preparation and implementation of a Euro-Latin American Plan Colombia is a way forward. The EC played a key role in the Central American peace process in the 1980s, and it could now co-operate actively with Latin America and with countries such as Mexico, as well as with the Mercosul in this regard. The promotion of the 'inclusion' of the Andean nations in a South American regional integration project to create the conditions for security could also contribute to reshaping US policy towards the Andean countries.

**THE ANDEAN CHALLENGE**  
**REGIONAL INTEGRATION AND SECURITY**

*EU-Latin America Plan Colombia*

- The EU, the Mercosul and other Latin American countries should begin work to devise alternative strategies to confront the problems of civil conflict and terrorism, illegal drug and arms trafficking, and money laundering in Colombia, and its effects on neighbouring and European countries. Latin America, countries such as Mexico, and the Mercosul integration project in particular, should play a proactive role in the elaboration of such a strategy, with the EU as their partner. A dialogue with the US is important in this regard, in order to understand the failings and successes of current policy towards the Andean region. The EU-Latin American focus, however, should be on using regional integration as an instrument to promote peace and security, which means that the Mercosul should play a prominent policy role, as a leader of South American integration efforts.

*The EU-Latin American and Caribbean Summit Process: An Action Oriented Agenda*

**98.** The Madrid Summit must be the place to announce concrete achievements and measures. The role of the Summit should be twofold. First, it must take advantage of and promote synergy between the various 'circles' of dialogue and co-operation that exist between the two regions. EU-Latin American relations and co-operation evolve in a number of fora and at many different levels. There are the trade and co-operation agreements between countries and regional integration projects, the various dialogue fora, ranging from the Rio Group, the San José Dialogue, to the Ibero-American Summit process, and there are the links between business associations, national and regional parliaments, labour organisations and NGOs. The Summit process should be to provide overarching guidelines for action for these various 'circles' of co-operation and dialogue.

**99.** Second, the Summit process must acquire a life of its own. It must establish efficient and continuous biregional co-operation and dialogue in its own right. It should not be a 'rhetorical summit'. The EU and the Mercosul should develop a common agenda for the Summit, which works towards strengthening co-operation between the two blocs, but also covers a wider agenda for Euro-Latin American co-operation. As indicated by this Five Point Plan, the first aim is to affirm the strategic value of the EU-Mercosul partnership. The second is to empower multilateral institutions so that they can regulate global trade in compatibility with labour and environmental needs, as well as promote global security and peace and justice. In addition, a special responsibility is to deal with the situation of conflict and instability in the Andean region, a task that should be led by Latin America and the Mercosul, in conjunction with the EU. The development of the Summit process working groups should provide for effective inter-sessional work to unravel the knots of divergence and firm up areas of co-operation. This is essential for leaders to gain a clear idea of the achievements and failings of their policies and enable them to prepare focused agendas for action. The groups should be composed primarily of governmental and NGO technicians in each area, but an annual meeting for high-level government officials will enable the groups to maintain links between expert and political communities and generate Summit process policy directives and guidelines.

**100.** The proposed agenda is one that extends beyond the interests of the EU-Mercosul relationship, and encompasses the wider European-Latin American and Caribbean communities. It is a multilateral and open integration reinforcing agenda

that can strengthen existing links between the EU and the Mercosul and Latin America and Caribbean relations as a whole. Apart from the mutual benefits that stronger ties can have on the populations of both integrating regions, if open integration is indeed a path to consolidating multilateral action, strong relations between what are two most significant open integration projects is clearly an excellent 'practising ground' for the new multilateralism. This agenda can contribute to multilateralising US foreign policy by ensuring that the EU and the Mercosul help to contribute to the consolidation of a global multilateral agenda.

#### KEY CONCEPTS

- The EU and the Mercosul must forge a strategic partnership based on the recognition of the structuring role played by open regional integration projects in a new multilateral governance
- The EU and the Mercosul both aim to formulate rules to administer globalisation
- The first challenge is to consolidate a free trade agreement that can create a solid foundation for partnership
- The second challenge is to empower multilateral institutions and develop a global agenda increasing the consultation process within the WTO and the UN
- The third challenge is to forge a Plan Colombia that addresses the problem of Andean stability
- The fourth challenge is to contribute to a dynamic and action-oriented Second European Union-Latin American and Caribbean Summit