Discussions on the role of non-governmental organizations (NGOs) were at the heart of the IES lecture series on the World Trade Organization (WTO) on 26 October. Professor Van den Bossche of the University of Maastricht focused on a lawyers’ perspective on NGO participation in the WTO. First, he outlined some of the advantages and downsides of involving NGOs in WTO activities. Regarding the advantages he intimated that such involvement bolstered the pool for expertise; enhances the legitimacy of the WTO and empowers domestic NGOs, amongst others. In terms of the negative aspects of such involvement, he noted that NGOs often represent specific interests, depict legitimacy and that they render the convoluted nature of the WTO activities more so.

Second, he considered and compared the legal basis of WTO-NGO relations with that of other international bodies such as the Economic and Social Council (ECOSOC) of the United Nations (UN). While Article V.2 of the WTO Agreement refers to consultations and cooperation with NGOs, ECOSOC Resolution 1996/31 extends observer status to NGOs. Third, he reviewed the actual practice of NGO involvement against the legal provisions, as the case may be. He opined that since the Singapore Ministerial Conference of 1996 NGOs have been allowed to attend some of the meetings as well as make submissions to the trade body. In addition, NGOs have access to information; are allowed to exchange information with the WTO Secretariat; engage in informal meetings with the WTO and are allowed involvement in dispute settlement through the submission of amicus curiae briefs. In reviewing the practice of NGO involvement in the WTO he was sceptical about the utility of NGO participation in the Ministerial conferences calling it “window dressing.”

Professor Van den Bossche was also wary of the iron triangle formed by NGOs, the commercial community and governments. In terms of the negative aspects of such involvement Mr. Luis Morago, amongst the issues addressed by Mr. Morago, were the rationale for NGOs’ involvement in trade-related activities. Of its roll and added value in the field of trade, challenges and OIs points to be talked for a more positive agenda for development. Amongst the reasons for involvement was the realization that NGOs could serve as an informal project proposal and development advocate. Mr. Morago did not make a bad impression in terms of property reduction: the desire to trade democratic problems; the need to influence some international organizations; the failure of traditional development assistance; the realization of the power of investments to foster development and the realization that trade rules were mainly supporting the interests of developed countries. In terms of the added value or achievements of OI he noted the growing presence in national politics; improvements on intellectual property; reform in certain agriculture sectors and campaigning back the withdrawal of Singapore issues (investments; competition; procurement and trade facilitation) from the multilateral trade agenda. Respecting the challenges that OI faces, he referred to its lack of technical capacity at the national level; the culture of secrecy (with specific reference to the 133 Committee of the Trade General Directorate of the European Community) and incoherence. With regard to what OI will do for the future trade agenda, he intimated that his organization will be pushing for WTO reform for better governance and that OI will be looking closely at other processes such as armed trade agreements as well corporate practices.

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ICL 2006 conference in Villach

Between September 26 – 29, the Technologiepark Villach was the venue of the ICL 2006 conference. This conference is a part of a series focusing on e-learning modules used in the learning process. The conference featured over 200 contributions from all over the world, with a representation from the 5 continents.

As a part of the demonstration-sessions, IES researcher Ruben Lombaert, presented and gave a live demonstration of the IES e-learning modules, which was received positively. The emulates of the IES are drawn up from the basic principle that puts the end-user in the central spot. This approach made a clear difference with other demonstrations, where a quite high level of ICT-skills were required to be able to use the e-learning software.

Later during the conference, Mr. Lombaert also chaired the session on New Learning. The researchers focusing on how ICT can be used in the learning process. The conference featured 5 panels: focusing on how ICT can be used in the Foreign and Security Policy, Education and Research, Security and Infrastructure, Energy, and the Private Sector.

Ruben Lombaert also chaired the session on New Learning. The conference took place on 20-22 October 2006 in Oslo, Norway. The International Forum on Strategic Thinking of German Council on Foreign Relations (DGAP) and the Norwegian Institute for International Affairs (NUIP) jointly organized the conference.

Established in 1955, DGAP is considered one of the leading foreign and security think tanks in Germany. Its International Forum on Strategic Thinking promotes a comprehensive perspective on foreign and security challenges and threats.

The participants of the New Learning Conference are promising young professionals and scholars pursuing an active career in the field of foreign and security policy. They come from all over Europe, the US, Asia and the Middle East, and are invited to recommend solutions.

This year's conference dealt with regional security cooperation. There were five panels: 1) Regional Security Cooperation: Current trends, 2) Chains of Interdependence: Coordination and the Energy Security, 3) Reinventing the Carrot: ENP as an Alternative to EU-Enlargement? 4) The Role of Regional Security Archipelagos, Institutions and Strategic Alliances in Asia, 5) After the Roadmap: Cooperation between Multinational Actors in the Caspian Basin and Middle East to Europe.

The participants presented papers on how regional cooperation and strategic partnerships between similar institutions and international organizations as well as civil society and the private sector contribute to enhance security by a given policy area and region. These case studies aim at contributing to the discussion of a gap in current policy research, where the literature is mostly geared towards economics aspects of regional security cooperation, neglecting the increasing “secularization” of political and even economic agendas, and institutions.

IES Researcher Mehmet Y. Tazcan participated in the New Faces Conference on Security in a Globalized World: Towards Regional Cooperation and Strategic Partnerships in the Caspian Basin and Middle East to Europe. Al- past this moment, it involves secure and continuous transfer of oil and gas about 6 million barrels of oil a day and about 40 billion cubic meters of gas per year. The EWEK, is the cornerstone of security of European energy supply in the age of the globally competitive energy market.

The paper first elaborates the internal geopolitical dynamics of the EWEK, then explores the nature of the growing energy demand in the EU and secondly, locates it within the broader demand and supply situation at the global level. These are the external geopolitical dynamics of the EWEK, the EU policy-makers, global security and energy supply and the EU’s internal energy market through “multilateral dialogue”. However, the way the EU policy-makers have handled the issue is quite problematic.

The paper finally examines the determinants of failure in the EUEU-Turkey partnership for energy security. It answers the following questions: What went wrong in the negotiation of the Energy Community Treaty, and why did Turkey avoid signing the treaty that would make it a part of the EU’s internal energy market? The paper concludes with some policy suggestions. DGAP will publish this paper in a forthcoming edited volume in 2007.

IES Academic Director Sebastian Oberthür delivered the academic address during the 2006 graduation ceremony of the Erasmus MUNDUS programme in Economics of International Trade and European Integration. This took place on the VUB on 2 December 2006. The address had the title “Beyond Economics: The EU in International Environ- mental Governance”. The manuscript addressed that economic thinking provides an important basis for exploring the role of the EU in international environmental policy and politics in general, and that it needs to be complemented with additional factors in order to arrive at a fuller understanding. The M.A. in Economics of International Trade and European Integration is a one-year interuniversity programme with participation from Belgium (VUB, Univer- sity of Antwerp), Italy (University of Bari), Spain (University of Cantabria), the UK (Staf fordshire University), the Czech Republic (Prague University of Economics), and France (Lille University USTL).
Europe in school

The EU has become an unlikely and wonderful butterfly. When the EU flaps its wings to reduce the financial impact of cars, electronics, and hazardous substances, Europe’s regulations are taken up by producers and governments across the world.

Edward Lorenz Butterfly Effect

The Korean Ministry of Commerce sponsored a workshop on June 15 2006, in Seoul, S.Korea, to look at the challenges of the former Euro Info Points. IES Researcher Aaron McLoughlin was invited to speak about the EU’s environmental product regulation regime.

Richard Lewis visits Berkeley

On October 30th Senior Research Fellow Richard Lewis was hosted by the Institute of European Studies at the University of California at Berkeley. He was invited to speak at a lunchtime meeting arranged by Beverly Crawford, Associate Director of the Institute and Prof. Martin of UC Davis.

Garnet’s 1st Financial and Monetary Governance Conference

IES Researcher Mehmet Y. Tezcan participated in the 1st Annual NET Conference on “Global Financial Architecture, Monetary Governance and Emerging Market Economies”. The conference was organized in cooperation with the Dutch National Bank and the Reinventing Bretton Woods Committee in Amsterdam, the Netherlands on 27-29 September 2006.

The conference took on the issue of the frag- mented institutions of global financial governance. Since the US president Richard Nixon ‘closed the dollar window’, let the US dollar float freely and put a formal end to the dollar gold standard in August 1971, the global economy has been witnessing the evolution of various financial crises here and there. Meanwhile, new financial innovations came into the play leading to more and more financialization of global economy. In other words, instability and systemic shocks have become long term phenomena of growth and instability, the twin miracles of international monetary system in the postwar era.

The conference sought to contemplate and offer ways of institutionalization that can take us back to those stability and growth conditions. Given the increasing consequences of financial crises in the developing world at the socio-economic level, institutional control of new loose cannon’ financialization declared more and more urgency.

During three days and in numerous plenary sessions and workshops, the conference participants including high profile policy makers and university researchers searched for answers for important questions. These included: (1) what is the appropriate balance between public and private forms of authority in global financial governance in rules setting, enforcement, and decision-making, (2) what is the appropriate public-private balance in terms of burden sharing in both crisis prevention and resolution, (3) how might the global financial architecture be made more compatible with the specific aspirations of countries in terms of economic development and legitimate national political processes, (4) how to balance issues of accountability and legitimacy at the national and global level, with the need to build an architecture which is sensitive to both national policy concerns and other social developmental objectives, (5) what are the implications of monetary and financial governance for questions of gender across a wide range of societies, (6) how can the economically disadvantaged be represented in the global financial architecture, recognizing that improving their development prospects is a principal aim of global financial governance, (7) what role can and should the EU play in monetary & financial governance in the light of efficiency/legitimacy considerations?...

New faces @ the IES

Following the IES call for PhD-projects, Albanian Berta Zana Vathi joined the Institute in November. Zana’s project on “Migration issues and Human Rights Dis- courses in the EU” was selected as one of two best projects out of over 40 candidates. She will work closely with Senior Research Fellow Richard Lewis, and under the pro- motership of Prof. Dr. Alison Woodrow. Zana has a postgraduate background (politics, law, ethnicity…) from the Univer- sity of Sussex (UK) where she obtained her MA.

Gloria Pastor (Spanish) was selected by the IES and her promot- er Sergei Gubin to fulfill the research re- quirements of an EC-funded experts project called REPGROUP (Refugee Gove- rnance in the public interest). Gloria, who studied law at the Universidad Nacional de Educación, Journalism at the Universidad Autonoma de Barcelona and Languages and Literature at the UBL, will look at data-protection issues in the framework of this project. Previously, Gloria held various posts at the DG Education and Culture of the EC.

IES is actively seeking applications for visiting fellows for the next year. The Institute is looking for candidates who have published and published extensively in the field of European Studies.

Europe Direct West-Flanders (Europe Direct is the successor of the former Euro Info Points) and IES researcher Richard Lewis teamed up and set up a project to bring Europe to the last year students of secondary schools.

As the targeted schools included schools offering general, technical, and professional education, their audiences required a specific approach and quite a bit of research to adapt the message to the receiver.

Remarkable was the lack of knowledge about the European Union, and especially about the reach of EU policies. Often, things that are a firm part of the daily life of youngsters (easy traveling in a border-check-free zone such as the Schengen area) are not seen as resulting from EU-policy. Youngsters under the age of 20 consider this normal (they never knew another world). The same applies to the Euro, which was already there. While these youngsters started receiving pocket money and opened their first bank accounts.

When explained how the institutions work in their daily practice, youngsters start looking at the European political game surrounding them in a completely new way.

Actions like these are only a first step in raising awareness, but as any political scientist knows, a political structure cannot last without having credibility and legitimacy in the eyes of its citizens.

California-wide Comparative Immigration and Integration Programme under the leadership of Professor Martin. Its aim is to develop data and analysis for rational decision making on emotionally charged migration issues on both sides of the Atlantic. The programme’s two major activities are the production of the newsletter Migration News covering signifi- cant developments in the field throughout the world and organizing seminars and research on topics of current interest. California is a microcosm of immigration issues in the United States in that it has a huge num- ber of both legal and undocumented immigrants from Mexico and other parts of Latin America.

It is hoped that the contact with Professor Mar- tin will lead to further activities in the field of migration between IES Berkeley, or UC Davis, and the research center.

This is the first time that Richard has visited the Berkeley campus which has impressive classical university and modern architecture (including a modern art museum) and ranks amongst the most prestigious of US state uni- versities. It lies about 30 minutes drive from downtown San Francisco and is surrounded by mountains and Californian redwood forest. The Institute of European Studies (the proposi- tion of is preferred to our for) was created in 1999 by the unification of staff, research, and programmes of the UC Center for German and European Studies and UC Berkeley’s Center for European Studies.

The Berkeley based IES initiates and finances research, disseminates research findings to the scholarly community and provides a com- munication network for students and faculty who share an interest in the European focus to their work.
Implementing Principle 10 of the Rio Declaration in the Republic of Cuba

Feature article by visiting professor Pasqual Pascual for the summary.

Between February and December 2006, the IES has had the pleasure of hosting Professor Pasqual Pascual, who is a professor at the Faculty of Law of the University of Santa Clara, Cuba. Pasqual, who is a professor in International Law and Environment of the Faculty of Law of the University of Santa Clara, Cuba, was a 9-month scholarship from the Brussels Capital Region in the framework of the former IES Senior Research Fellow Marc Palmeerts and current Academic Director Sébastien Côtébour, entitled “Implementing Principle 10 of the Rio Declaration: a comparative study of Law and practice in the European Union and Cuba, with a special emphasis on practice in the Brussels Capital Region”.

The United Nations Conference on Environment and Development (UNCED) constituted a landmark in international thinking about sustainable development. The Rio Declaration (1992) is at the heart of sustainable development and environmental protection in the global agenda. In the period since the declaration, there has been an insufficient level of integration of environmental and social considerations into economic decision-making. For this reason, it can hardly come as a surprise that the state of the global environment has deteriorated even further, that poverty levels did not decline and that the gap between the rich and the poor, which is widening in developing countries has widened. Integrating environment and development, undoubtedly continues to be a major challenge for sustainable development governance in Latin America and the rest of the world.

An essential precondition for good governance is public participation. This view is recognized in the tenth principle of the Rio Declaration: “every person must have adequate access to the necessary information about the environmental decisions taken on his behalf, to allow him to participate in decision-making and to exercise his legal rights” (1).

One of the thirteen legal principles under article 4, law no. 81 gives attention to environmental education. The latter is the cornerstone role of participation in decision-making, because it furnishes the public with knowledge and information about the environment, its importance and its vulnerability to degradation. The Cuban popular and mass media is in charge of providing the public with information and education at a more general level, which is a necessary step towards effective participation in the decision-making process.

The National Environmental Information System performs an essential educative role by letting people know what is happening in and to their environment, providing the public with “the opportunity to participate in the decision-making process in Principle 10 of Rio. The information should make it possible to diagnose existing environmental conditions, without the need for payment and without detriment to recognized intellectual properties”.

However, the right to access administrative or judicial means to determine the defensibility of the environmental impact report and public comments thereon, so that governmental decision-makers would be bound to take into account the issues raised in environmental impact reports or by the public. Neither the EIA process nor public participation is sufficient to bring about the changes at the point at which CITMA approves a project. To the contrary, Court review of administrative decisions regarding the implementation of this principle may result in a “multi-level, multi-jurisdictional, multi-institutional review of the development project” (2).

In conclusion, the EIA process in Cuba should introduce fundamental changes, including the recognition of the environmental impact report, including public and comments thereon, as well as allowing for governmental decision-makers to take into account the issues raised in environmental impact reports or by the public. Neither the EIA process nor public participation is sufficient to bring about the changes at the point at which CITMA approves a project. To the contrary, Court review of administrative decisions regarding the implementation of this principle may result in a “multi-level, multi-jurisdictional, multi-institutional review of the development project” (2).

The Constitution embraces the right to file complaint and send petitions to the authorities (art.63); the right for an indemnity for damage and for compensation for the loss of liberty of the detained or imprisoned (art.72); the right to file a complaint and demand the payment of reparations in cases of injury or damage on the part of individuals and environmental organizations (art.73).

Whether and how CITMA goes forward to implement this principle could be the introduction of (a) Public Interest Action (Acción Popular), which would grant legal standing to all citizens and residents in defense of certain environmental goods and services, and (b)huileante juridique, which would grant legal standing to the various environmental associations or whose objectives would be to protect and conserve the environment.

Many governments view public participation as a threat, limit access to environmental information, and provide little or no judicial recourse. One might have thought that Cuba would lead this pack. This could be a hostile conclusion. Anyway, it is certain that the shape of Cuban decision-making will change to the extent that it adopts more expansive concepts of administrative environmental law (3).

One of the thirteen legal principles under article 4, no. 81 gives attention to environmental education. The latter is the cornerstone role of participation in decision-making, because it furnishes the public with knowledge and information about the environment, its importance and its vulnerability to degradation. The Cuban popular and mass media is in charge of providing the public with information and education at a more general level, which is a necessary step towards effective participation in the decision-making process.

Conclusion: Cuba is a country striving to implement Principle 10 of the Rio Declaration. In order to achieve this objective, several actions are necessary in the different reform of its legal system, including the Cuban Constitution. Since 1995, there has been an effort on the part of the government to study and promote environmental policy, it explores the possibilities of public participation in environmental decision-making, including redress and remedy, shall be made available. Effective access to administrative or judicial means to determine the defensibility of the environmental impact report and public comments thereon, so that governmental decision-makers would be bound to take into account the issues raised in environmental impact reports or by the public. Neither the EIA process nor public participation is sufficient to bring about the changes at the point at which CITMA approves a project. To the contrary, Court review of administrative decisions regarding the implementation of this principle may result in a “multi-level, multi-jurisdictional, multi-institutional review of the development project” (2).

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