

EU commends Pakistan's democratic progress

by John Quigley

Despite harbouring long-held concerns about human rights abuses and the lack of democracy in Pakistan, the European Union has concluded a new so-called "third generation" Co-operation Agreement on Partnership and Development with the Islamic Republic. Calling the Agreement "an important step in the enhancement of relations", the Council of Ministers approved the terms on 29th April but made no reference to either human rights or democracy in their statement. The Agreement would seem to serve the EU's strategic interests in Pakistan, in trade terms, as an ally in the war against terrorism and for its regional role, including with Afghanistan and Kashmir, however, the suppression of human rights concerns to trade principles represents a worrying trend for Europe's common foreign policy.

The Agreement, as formally concluded on 29th April, expands considerably the range of EU-Pakistan co-operation to include initiatives in trade, development, economic programmes, energy, tourism, regional co-operation and science and technology. Negotiations on a draft Agreement began in December 1996. By April 1998, both sides were ready to initial a new third generation Agreement but internal events in Pakistan and the European Parliament's refusal to ratify the text delayed its formal entry into force. Signature eventually took place in November 2001 in Islamabad in the teeth of Parliamentary concern. The Agreement does not contain a financial perspective as the National Indicative Programme (NIP), signed with Pakistan in January 2003, provides the framework for EU spending. Between 2003 and 2005, the NIP has a budget of €71m.

Formally, the Council was able to proceed with the conclusion of the new Agreement following a vote in the European Parliament. Parliament's vote to endorse the third generation Agreement represents a significant setback in its commitment to the protection and respect for human rights, as an essential element of EU foreign policy. The vote came despite revelations that the head of Pakistan's nuclear programme, Dr A. Q. Khan, was revealed to be a long-time proliferator of nuclear weapons technology. In a very tense political atmosphere, the author of Parliament's interim report on the Agreement, John Cushnahan, an Irish Christian Democrat, refused to allow his report to proceed. Facing heavy pressure to advocate ratification of the Agreement, Mr Cushnahan said he could not support a position that favoured conferring political legitimacy on the Musharraf regime, rather than supporting human rights. Instead, the chair of the Foreign Affairs Committee, Elmar Brok, brought the report to plenary saying Pakistan's support in fighting terrorism over rides the EU's human rights concerns, serious though they may be. Mr Cushnahan led the EU's Election Observation Mission to Pakistan for the October 2002 general elections and characterised the electoral process as "seriously flawed".

The major element in the EU Council and European Commission drive to convince the Parliament that the Agreement is essential to EU-Pakistan relations is their continued reference to the provisions of Article One of all such third generation agreements. Article One has become the basis for Europe's co-operation with third countries. Referring to the Universal Declaration on Human Rights, Agreements now state that respect for human rights and democratic principles "constitutes an essential

element” to co-operation. While admirable in principle, the unfortunate reality is that the EU has never suspended an Agreement for violations of the terms of Article One. Although the signature of the current Agreement was postponed on four different occasions, culminating with the military coup by General Musharraf in October 1999, both the Council and Commission now believe that the EU should pursue a policy of “engaging with Pakistan, rather than isolate it”.

Pakistan’s progress in the protection of human rights will be news to the EU-funded European Initiative for Democracy and Human Rights (EIDHR). According to a European Commission Staff Working Document, dating from December 2003, priority objectives for Pakistan in 2004 include actions to stamp out torture and impunity, protection of minorities, support to democratisation, strengthening the judicial system and building the capacity of civil society organisations. Interestingly, Pakistan is not yet one of the signatories to the UN Convention against torture and other cruel, inhuman or degrading treatment. Even Commissioner Patten agrees that “several serious concerns remain” on human rights including the “blasphemy law, violence against women, the death penalty and child labour”. Nevertheless, Patten says “on balance” he favours the entry into force of the Agreement.

The Partnership and Development Agreement builds upon a Trade-related Technical Assistance Programme signed between the EU and Pakistan in February 2004. With a total budget of €6.5m, the EU will contribute €5m and Pakistan €1m to the three year initiative which seeks to build the expertise of government officials and private enterprise, in light of Pakistan’s membership of the World Trade Organisation (WTO). The Programme will also address intellectual property rights and export competitiveness. The UN Conference on Trade and Development (UNCTAD) and the UN Industrial Development Organisation (UNIDO) will provide some €400,000 in funding. ■

See also

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