

EURO-LATIN AMERICAN PARLIAMENTARY ASSEMBLY



RESOLUTION:

Relations between the European Union and Latin America and the Caribbean in the field of security and defence

based on the report by the Committee on Political Affairs, Security and Human Rights

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The Euro-Latin American Parliamentary Assembly,

- having regard to the statements issued at the six summits of the heads of state and government of Latin America, the Caribbean and the European Union, held respectively in Rio de Janeiro (28 and 29 June 1999), Madrid (17 and 18 May 2002), Guadalajara (28 and 29 May 2004), Vienna (11 and 13 May 2006), Lima (15 and 17 May 2008) and Madrid (17 and 18 May 2010),
- having regard to the United Nations Charter signed in 1945, and in particular the following chapters thereof: Chapter I on Purposes and Principles; Chapters IV and V on the General Assembly and the Security Council; Chapter VI on Pacific Settlement of Disputes; and Chapter VII on Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression and Chapter VIII on Regional Arrangements,
- having regard to the Treaty on the Non Proliferation of Nuclear Weapons of 1 July 1968 and the Treaty of Tlatelolco for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, which has been in force since 25 April 1969 in the 33 countries of the nuclear weapon free zone which are signatories thereto,
- having regard to the Chemical Weapons Convention of 30 November 1992 and the Biological Weapons Convention of 10 April 1972,
- having regard to the Inter-American Democratic Charter, adopted on 11 September 2001, and the Ushuaia Protocol on Democratic Commitment in the Southern Common Market, the Republic of Bolivia and the Republic of Chile, and to the Andean Charter for Peace and Security, adopted in 2002,
- having regard to the Basel II Regulation adopted by the Governors of the European Union's central banks and mandatory as from 1 January 2008,
- having regard to the Charter of Fundamental Rights of the European Union, adopted on 14 December 2007,
- having regard to the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects, the Protocol of May 2001 against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, UN General Assembly Resolution 55/25 of 8 June 2001 concerning that Convention and Protocol, and the Convention on Cluster Munitions signed in Oslo in December 2008,
- having regard to the Ottawa Convention on the use, stockpiling, production and transfer of anti personnel mines and their destruction, adopted on 18 September 1997,
- having regard to the seventeen United Nations instruments that currently exist in the field of preventing and eradicating international terrorism, Security Council resolutions 1368 and 1373 (2001), and 1267 (1999), and to General Assembly Resolution A/RES/60/288 of 8 September 2006 on the United Nations Global Counter Terrorism Strategy and the annexed Plan of Action,

- having regard to the joint communications of the XIV Ministerial Meeting between the Rio Group and the European Union, held in Prague on 13 and 14 May 2009, as well as the San José Dialogue ministerial meeting between the EU Troika and the Ministers of the Central American countries, held in Prague on 14 May 2009,
 - having regard to the Declaration of Santa Cruz de la Sierra - IX Conference of Defence Ministers of the Americas of 25 November 2010,
 - having regard to its resolution on, and the articles of, the Euro Latin American Charter for Peace and Security of 8 April 2009,
 - having regard to its messages of 1 May 2008 to the V EU-LAC Summit in Lima, of 13 May 2009 to the XIV European Union – Rio Group Ministerial Meeting in Prague, and of 15 May 2010 to the VI EU-LAC Summit Meeting in Madrid,
 - having regard to the Mar de Plata Declaration and programme of action signed at the XX Ibero-American Summit of 4 December 2010,
 - having regard to the International Convention for the Protection of All Persons from Enforced Disappearance adopted by the United Nations on 20 December 2006 (UN A/RES/61/177),
 - having regard to Article 16 of its Rules of Procedure,
- A. whereas security as a concept embodies the defence of human life (and not the mere survival of States), incorporating in a complex and integrated manner the principles for a harmonious and balanced co-existence, amongst which are human development, peace and the conservation of natural resources,
 - B. whereas relations in both regions should be based on dialogue and the exchange of ideas on the security and defence of their Member States,
 - C. whereas the first large-scale initiative undertaken by the EU in relation to Latin America was concerned precisely with international security and seeking peace and democracy and specifically with support for the political resolution of conflicts and civil wars in Central America during the 1980s,
 - D. whereas relations in this new context help to build up transparency, trust and cooperation on matters of defence and security, and should address all the aspects of mutual interest to the parties in the field of peace, security and defence, democratic governance and defence of human rights, and help to generate a climate of greater trust and certainty in the international community, that is based on strengthening multilateralism, which is the basis for the overall security of all peoples and states,
 - E. whereas the establishing of closer relations in the field of security and defence should also help enhance democratic governability and consolidate democratic systems in both regions, particularly as regards the subordination of the armed forces to civil power issuing from direct, free and democratic elections,
 - F. whereas being able to investigate the practices employed by all those criminal organisations that, subsequent to trafficking drugs and kidnapping, use the financial institutions to legalise their money (money laundering) represents one method of increasing the security of states, for which purpose investigative systems need to be strengthened in order to freeze these assets, confiscate them and preferably divert them towards the establishment of social development programmes,

- G. whereas social exclusion and extreme poverty are also considered to be an insecurity vector,
- H. whereas relations between the European Union and Latin America and the Caribbean should continue to be based on respect for the principle of non-innovation in territories in dispute, to include preventing military exercises in these areas, pressing always for conflicts to be resolved through dialogue and negotiations,
- I. whereas security and defence issues involve areas that are very sensitive for all the members of the Strategic Partnership, such as unbounded respect for national sovereignty, territorial integrity, democratic governability and the political and social stability of states,
- J. whereas the Union of South American Nations (UNASUR), of which Argentina, Bolivia, Brazil, Chile, Colombia, Guyana, Ecuador, Paraguay, Peru, Surinam, Uruguay and Venezuela are members, was created in 2004, in the same year as the South American Defence Council,
- K. Whereas the constitution of the Community of Latin American and Caribbean States (CELAC) confirms its role as a space upholding the patrimony of the Rio Group and the Latin American and Caribbean Summit on Integration and Development bringing together 33 countries with the aim of consolidating and projecting Latin American identity at international level,
- L. whereas strengthening multilateralism is fundamental to securing a safer, more stable and peaceful world, demonstrating thereby the urgency of implementing a genuine reform of the United Nations that will strengthen and guarantee the effectiveness, transparency, representativeness and democratisation of its main bodies and of the Security Council in particular,
- M. whereas conflicts often arise as a result of people's basic rights being violated and their having no access to resources that are essential for their development, for which reason it is crucial to have a foreign policy that avoids the need for military development,
- 1. Recommends ministerial and parliamentary cooperation through a gradual process between the European Union and its Member States and the countries of Latin America and the Caribbean in the field of security and defence, democratic governability and the defence of human rights and that such cooperation be addressed seriously and expressly as an additional aspect of the Biregional Strategic Partnership, in accordance with the principles and purposes of the United Nations Charter; notes that current relations in that field are threadbare, restricted primarily to the bilateral sphere and generally unconnected;

Shared values, common interests and basic principles of EU-LAC relations in the field of security and defence

- 2. Believes it essential that relations between the European and Latin American partners participating in the Biregional Strategic Partnership in the field of security and defence be based on shared values and interests and draw on the basic principles set out in the Madrid Declaration of 2002, and in the Euro-Latin American Charter for Peace and Security proposed by the Assembly in April 2009 and on the principles of international law, and especially the United Nations Charter;
- 3. Considers that those relations must be based on the principles of equal treatment, mutual trust, solidarity, protection and promotion of and respect for human rights and cultural traditions, fundamental freedoms, democracy and rule of law, bilateral, regional and multilateral cooperation and coordination in the combating of threats to security in the

broad sense of the term, such as drug trafficking, terrorism, arms trafficking, human trafficking, money laundering and environmental degradation, and that they must take into account ecological and environmental considerations and full respect for mutual independence and sovereignty; emphasises the need for those relations to help promote equitable development, combat impunity and militarisation, and contribute to the resolution of conflicts by peaceful means alone, which requires the express renunciation of the threat or use of force in relations between states and full respect for all the other principles of international law that govern relations between states;

4. Considers that those relations must be based on full respect for the principles and aims of the United Nations and the principles of international law, and on mutual independence and sovereignty, the principle of equal treatment, mutual trust, solidarity and bilateral, regional and multilateral cooperation and coordination in matters of mutual interest on the world scene such as climate change, the energy crisis and food crisis, eradicating poverty and promotion of and respect for human rights, the combating of all the problems affecting security in the broad sense of the term, such as drug trafficking, terrorism and human trafficking; believes it vital to maintain the focus on an approach based on mutual security and the resolution of conflicts by peaceful means alone, which entails the express renunciation of the threat or use of force in relations between states;
5. Considers that security must be viewed holistically, maintaining the collective approach typified by the United Nations Charter and incorporating food security and human security and factoring in the political, economic and social dimensions; believes that peace and security go hand-in-hand with democracy, human rights and fundamental freedoms, on the one hand, and economic and social development on the other, and that it is essential to ensure sustainable development and address the challenges of poverty and inequality, and to strengthen the democratic institutional fabric and frame and implement public policies on social inclusion;
6. Believes it vital to ensure the focus is on an approach based on mutual security at national, regional and international level – thereby opening up a new dimension in which the capacities of states and nations are recognised, enabling current conflicts to be viewed and addressed holistically – and geared to guaranteeing human well-being by protecting life, the integrity of the person and the rights of the individual, as well as by safeguarding natural resources, training the armed forces in how to preserve territorial integrity when confronted with acts of aggression and, when summoned by multilateral organisations, to form part of peacekeeping missions and missions in response to natural and humanitarian catastrophes;

Themes for an EU LAC agenda on cooperation in the field of security and defence

7. Proposes as fields of cooperation and joint efforts, on a non-exhaustive basis, all areas of mutual interest which it is agreed form part of EU LAC relations, relating to explicit military cooperation (peacekeeping and international security, measures to promote mutual trust, cooperation on military and technical matters and arms exports or to help ensure effective multilateralism in this field, etc.), in a strictly multilateral perspective within the framework of UN mechanisms, international security in general (arms control and disarmament, nuclear non-proliferation, etc.), transnational cooperation over internal security and justice (combating of drugs trafficking, tightening control over banks to prevent money laundering, terrorism and the trade in small arms and light weapons, etc.), institutional modernisation in the defence sector and greater promotion of gender mainstreaming in the various defence fields and to other, non-military, aspects of security

(human trafficking, gender violence, the economy and security, development and security, environmental aspects of security, etc.);

8. Views working towards the elimination and prohibition of nuclear weapons, in the short term, to be a primary task of the European and Latin American members of the Biregional Strategic Partnership, and to that end expresses support for the adoption of a legally-binding international instrument designed to eliminate and prohibit nuclear weapons;
9. Urges the European Union and the Latin American countries to strengthen their national financial audit bodies and to share audit information with other countries so that the proceeds of crime, whether deposited or invested, including appropriated state funds, can be frozen and used as evidence in the trials of those responsible;
10. Emphasises its belief that support from the EU Member States and all the countries of Latin America and the Caribbean for the role played by the UN and its Security Council in the field of peace-keeping and international security, in accordance with the United Nations Charter, must constitute a key factor in their relations in the field of security and defence; urges the European and Latin American partners in the Biregional Strategic Partnership to continue to participate actively in humanitarian work and in the peace-keeping and peace-building tasks organised by the United Nations and other regional organisations, in total compliance with their national laws, while also urging the governments of the member countries of the Biregional Strategic Partnership to support reform of the Security Council to make decision-making on international peace and security matters more representative;
11. Notes in this connection the EU Common Foreign and Defence Policy (CFDP), highlighting the participation by Latin American countries in actions conducted within the CFDP framework, as has been evidenced by Brazil being the first non-EU member and non-NATO member to take part in an EU military operation (Operation Artemis in the Republic of the Congo in 2003) and by Argentina and Chile participating in the EUFOR-Althea military operation in Bosnia-Herzegovina in 2005;
12. Takes the view that view that cooperation and joint efforts between the European and Latin American countries participating in the Biregional Strategic Partnership could produce especially positive results that reduce the distance between the diplomatic and military establishments and the general public, strengthen the link between the people and decision-making in security and defence policy areas, these being intertwined and interlinked with people's daily lives, and bolster civil capacities in emergency situations and in relation to the management and prevention of natural, technological and civil nuclear energy-related disasters;
13. Notes that Latin America has been, and continues to be, the continent with the lowest military expenditure on the planet and that the governments of all the European and Latin American countries participating in the Biregional Strategic Partnership have always been closely involved in the work carried out in the United Nations on arms, underdevelopment and disarmament, and insists that this remain the route taken;
14. Welcomes the decision by the UNASUR South American Defence Council to provide and share information on military expenditure in the region, which will help in the approval of this expenditure, promote shared actions to tackle natural disasters and trigger an exchange of knowledge on military technology;
15. Bears in mind the Treaty of Tlatelolco of 14 February 1967, which provides for the denuclearisation of Latin America for military purposes, including the absence of nuclear

weapons and the peaceful use of nuclear energy, making the region the first populated nuclear weapon-free zone on the planet; advocates the unconditional dismantling of existing nuclear arsenals in order to establish new nuclear weapon-free zones;

16. Is happy to point out that Latin America and the Caribbean is the first populated nuclear-weapon free zone on the planet, as the result of the Treaty of Tlatelolco on 14 February 1967, which paved the way to establishing new zones of this type in other geographical areas of the world; emphasises that no efforts should be spared until the whole planet is nuclear weapon-free;
17. Urges the governments of all the European and Latin American countries participating in the Biregional Strategic Partnership to show a level of commitment on security and defence policy that would lead to progress in cooperation, in order:
 - a) to consider the need for a debate on cyberspace security and defence, in order to develop regulatory frameworks, plans and specific strategies to defend cyberspace, since the latter is a vital component of our societies and the hardware and software that make up the key communication and computer system infrastructure to provide the service that users receive,
 - b) to fulfil the obligations and duties incumbent on them under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) of 1 July 1968 and the Treaty of Tlatelolco of 14 February 1967 on the Prohibition of Nuclear Weapons in Latin America and the Caribbean, and the protocols annexed thereto,
 - c) to implement the action plan on nuclear disarmament, non-proliferation and harnessing of peaceful uses of nuclear energy, adopted in the Conclusions of the Conference on the Review of the Nuclear Non-Proliferation Treaty held in New York from 3 to 28 May 2010,
 - d) to deepen the dialogue with all the states that possess nuclear weapons, be they recognised by the Treaty on the Non-Proliferation of Nuclear Weapons or not, with a view to their entering into firm commitments to launch a genuine process of nuclear disarmament,
 - e) to work together to remove and ban nuclear weapons at the start of this 21st century,
 - f) to work together to promote the accession to, and compliance with, the Treaty on the Non-Proliferation of Nuclear Weapons of Israel, India, Pakistan and North Korea, and in relation to the obligations incumbent on Iran under the resolutions adopted by the Security Council and the International Atomic Energy Agency (IAEA),
 - g) to help to promote the rapid entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) by encouraging countries that have not yet ratified it to do so, and to strengthen the mandate of the IAEA,
 - h) scrupulously to comply, in spirit and in letter, with the requirements and safeguards set out in the Treaty on the Non-Proliferation of Nuclear Weapons and by the IAEA in relation to international nuclear trade, bearing in mind that the unauthorised trading and use of nuclear material poses a serious and immediate threat to world security,
 - i) to ratify and scrupulously comply with the Convention on the Physical Protection of Nuclear Material of 3 March 1980, and to follow the recommendations made by the IAEA in that respect,
 - j) to make a commitment to not dump radioactive material at sea,

- k) to cooperate, as appropriate, in strengthening legislation on nuclear exports, improving the quality of customs control and exchanging information on suspicious industrial and commercial activities,
 - l) to develop nuclear-weapon free countries and zones, involving the dismantling of existing arsenals, by supporting in particular the convening and work of the special conference scheduled for 2012;
18. Insists on the need for the new security and defence relations between the European and Latin American countries participating in the Biregional Strategic Partnership also to take into account other considerations, such as those of economic and ecological security, and to aim to contribute to the development, prosperity and stability of their peoples within a framework of full respect for human rights and cultural traditions, whilst also observing the principles of non-interference in the internal affairs of sovereign states;
 19. Believes it essential to strengthen biregional dialogue on the fight against terrorism and respect for human rights, based on the application of all the instruments adopted by the United Nations and on scrupulous adherence to the rule of law and international law; considers international police and judicial cooperation at bilateral, regional and multilateral level to be more necessary than ever; points out that cooperation between states, and especially border states, is a key factor in helping to dismantle the networks and bases of activity of terrorist organisations; rejects the presence or actions of armed groups that operate outside the law and perpetrate or spread violence, regardless of their origins or motives; is also opposed to the use of double standards in analysing these topics, as this makes it more difficult to find a solution;
 20. Encourages the European and Latin American state parties to the Ottawa Convention to be more assiduous in mine action and strongly condemns the use of anti-personnel mines by non-state armed groups in Colombia;
 21. Stresses the need to combat international organised criminal associations, such as narco-criminal associations, which undermine the regions' security and stability;
 22. Welcomes the signing of a Simplified Extradition Agreement between Portugal, Spain, Brazil and Argentina aimed at coordinating the fight against cross-border crime and impunity and deepening the international judicial cooperation mechanisms that currently exist between the countries;
 23. Calls on the European and Latin American countries participating in the Biregional Strategic Partnership who have not yet done so to sign, ratify and implement as swiftly as possible the United Nations Protocol of May 2001 against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition and the Convention on Cluster Munitions;
 24. Supports the regional small arms and light weapons control efforts being made within the Central American Integration System with a view to preventing and combating armed violence, combating organised crime, preventing money laundering and consolidating the legal framework and intraregional and interregional coordination arrangements;
 25. Calls on the European and Latin American countries participating in the Biregional Strategic Partnership to do so in accordance with the principle of shared responsibility – particularly in the case of consumer countries; supports the lifting of the UN ban on chewing coca leaves;

26. Recommends that governments give security and defence a permanent place on all bilateral, biregional and multilateral agendas, with a view to embedding the democratic principles underpinning the rule of law in the structures and operation of the security and defence sectors; takes the view that cooperation should cover policy-making, administration, legal frameworks and consultations on external policy issues;
27. Recommends that there should be cooperation on the harmonisation of legislation and framework laws as part of programmes to build the necessary capacity to carry out the requisite legal reforms, with the assistance of members of and observers in regional and subregional institutions connected with the judicial system, legal affairs and security and defence;
28. Recommends that support be given to specific projects and the establishment of a joint strategy for the adoption of an international treaty on security and defence fostering effective cooperation;

Political, judicial and institutional framework

29. Notes that rather than being articulated at biregional or inter-regional level, EU-LAC cooperation in the field of security and defence has come to take the form of bilateral activities;
30. Highlights the possibilities for cooperation between the countries of the Biregional Strategic Partnership afforded by the various third or fourth generation bilateral and/or regional agreements which contain specific provisions on human rights, social and environmental protection and security matters such as the fight against drugs and combating terrorism and organised crime;
31. Welcomes the Declaration celebrating the fifteenth anniversary of the Framework Treaty on Democratic Security in Central America, which endorsed the treaty's principles and objectives, and recommends also that approval be granted for the far broader and more structured framework afforded by the new political affairs pillar of the EU-Central America Association Agreement, in order to regain the initiative in a whole range of themes relating to security and defence, democracy and peace that have underpinned relations between the two regions since the days of Contadora and the launch of the San José Dialogue;
32. Supports the work carried out since the Santiago Summit in meetings between directors of Ibero-American security and defence colleges with the aim of fostering the transfer of academic information, studies and experience, making full use of the opportunities that the virtual network and new information technologies provide for this, with a view to the possible establishment of an Ibero-American Virtual International Peace and Security Study Centre; welcomes, at the same time, the development of cooperation measures in the security and defence field aimed at enhancing the wellbeing of our peoples and the mutual relations and trust between them;
33. Notes that EU-Mercosur cooperation in the field of security and defence barely features in the Interregional Framework Cooperation Agreement that entered into force on 1 July 1999, and which makes express reference solely to cooperation in the field of combating drugs trafficking; recommends the inclusion within the pillar on partnership in the field of political and cooperation matters of the EU-Mercosur Partnership Agreement currently under negotiation of themes such as strengthening democracy and human rights, promoting security and trust and support for the United Nations system of collective security;

34. Considers it vital for the EU-Rio Group and EU-San José Process Ministerial Meetings urgently to cease serving as political talking shops and to become genuine centres of cooperation and joint effort coordination for security and defence issues; insists on the need to increase the effectiveness of ministerial political dialogue in the field of security in the broadest sense of the term, which should take the form of regular ministerial meetings of the ministers in question, including justice and home affairs ministers and defence ministers, in such a way that matters relating to the various facets of peace and security are addressed at the highest level and in an on-going parliamentary dialogue;
35. Proposes that agreements be concluded on cooperation in the field of security and defence between the various organisations to which the European and Latin American countries participating in the Biregional Strategic Partnership belong, and that these be based on the principle of shared responsibility and include a corresponding clause on the elimination, prohibition and non-proliferation of weapons of mass destruction;
36. Welcomes Nicaragua's declaration that it is now free of anti-personnel mines, making Central America the first region to be free of this problem;
37. Recommends that, once the new EU-LAC Foundation has been set up, it should consider holding biregional seminars on peace and security issues with a view to creating the conditions to prevent and overcome conflicts and devise specific measures to promote mutual trust; recalls in that regard the measures which Argentina and the United Kingdom implemented bilaterally after the Falklands War of 1982, and which served as a basis for the IV EU-Rio Group Interministerial Meeting in Sao Paulo in 1994 tasking the European Commission and the now-defunct IRELA with holding a series of successful biregional seminars in the field of regional security in 1995, 1996 and 1997;
38. Urges those countries that have not done so to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the United Nations on 20 December 2006 (UN A/RES/61/177);
39. Reiterates its proposal for the creation of a Biregional Disaster Prevention Centre which, under the supervision and coordination of the new EU-LAC Foundation, would be responsible for developing alert, preparedness and reaction strategies and measures designed to reduce the vulnerability of both regions to natural and technological disasters or ones which might arise from the civil use of nuclear power;
40. Instructs its Co-Presidents to forward this resolution to the Council of the European Union and the European Commission, the parliaments of the EU Member States and of all the countries of Latin America and the Caribbean, the Latin American Parliament, the Central American Parliament, the Andean Parliament, the Mercosur Parliament, the Office of the Secretary-General of the Andean Community, the Commission of Permanent Representatives of Mercosur, the Office of the Permanent Secretary of the Latin American Economic System, and the Secretaries-General of NATO, the OAS, UNASUR and the United Nations.