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Parliamentary Assembly of the Council of Europe



Press release

27.06.2014

The EU solidarity clause is leading to a militarisation of home-affairs policy

“On Tuesday, the representatives of the EU Member States in the Council adopted a decision on the so-called ‘solidarity clause’. Were a disaster or a loosely defined crisis to occur, the organs of the European Union would be obliged to assist using all the instruments at their disposal. This includes military resources”, warned Member of the Bundestag Andrej Hunko.

The proposal on ‘arrangements for the implementation by the Union of the Solidarity Clause’ was jointly presented by the Commission and the EU High Representative in 2012. A country can invoke the “solidarity clause” if a crisis “overwhelms its response capacities”. Mention is made of operational, policy and financial instruments and structures.

Andrej Hunko continued:

“The adoption at the General Affairs Council took place in secret: the point was not mentioned on the agenda of the meeting. The press was not informed. Yet this is one of the most controversial clauses contained in the EU treaties. That is precisely the reason why agreement on the details of the solidarity clause was postponed to a later point at the time of the signature of the Lisbon Treaty.

The ‘solidarity clause’ boosts the role of the two intelligence-service-style EU situation centres. But it also creates the legal framework for deployment of the special police units of the ‘ATLAS network’ being developed by the Commission. From Germany, the GSG 9 is involved; last year this Federal Police Special Forces unit was able to head a large-scale ATLAS exercise encompassing several countries for the first time.

The ‘solidarity clause’ is superfluous, since the EU already has mechanisms for mutual assistance in disaster situations. At the same time, however, the clause strengthens the course towards militarisation of home-affairs policy, since military personnel can be sent to another Member State on request. I am concerned that this is about the home-affairs version of the Article 5 clause on mutual defence: it would apply in situations which ‘may have an adverse impact on people, the environment or property’. Even politically motivated blockades in the areas of energy and transport and general strikes are covered.

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The text explicitly refers to crises which originate outside the territory of the Member States. The Left Party parliamentary group rejects this blurring of the lines between internal and external security. Instead of militarisation of home-affairs policy through the deployment of military forces inside other Member States, we need reinforcement of the civilian mechanisms of solidarity within the EU.”

Press release of 24 June 2014 by the General Affairs Council:

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/genaff/143353.pdf