



# **RIISING TO THE CHALLENGE: LEADING THE EUROPEAN UNION IN THE FACE OF GLOBAL SOCIAL, ECONOMIC AND CLIMATE CRISES**

Oxfam's recommendations  
for the Belgian Presidency  
of the Council of the European Union  
(January-June 2024)



**OXFAM**

# INTRODUCTION

In recent years, a chain of successive crises – from the 2008 economic crisis and ensuing Great Recession, to the Covid-19 pandemic, the war in Ukraine, the rise of the Far Right, the peak in anti-LGBTQ+ hate and the increasingly adverse effects of the climate crisis - have threatened progress towards a fairer, more peaceful and sustainable future. However, these years have also shown us that governments have a choice in the face of such shocks. A progressive response is possible.

The economic response to the pandemic is a good example of this. In the 2008 crisis, European institutions opted for austerity which resulted in severe cuts in public services. In 2020, by contrast, the European Union (EU) adopted a strategy that previously was considered impossible: launching an expansive recovery plan financed by EU debt and temporarily suspending the Stability and Growth Pact. The coordinated work around the Covid-19 pandemic and the war in Ukraine brought Member States together in a way previously thought impossible. Still, there are many other crises awaiting to be tackled.

The European elections in May 2024 will take place under Belgian presidency (January– June 2024). This creates its own challenges and opportunities. On the one hand Belgium will have the responsibility to consolidate progress made over the past year and finalize key files before the European Parliament goes into recess. On the other hand, it will also create the possibility to prepare proposals for the incoming Commission and influence the EU-agenda in the longer term.

The Belgian government has the chance to set the EU's course by pushing for political agreements that are needed to implement truly transformative agendas, and revive citizens' trust in EU institutions.

This document sets out Oxfam's recommendations for the priorities of the Belgian presidency. In a complex and constantly changing environment, Oxfam wants to contribute to a long-term perspective, with constructive proposals to move towards an EU that is fairer and more sustainable, both within its geographical boundaries and in its relationship with the rest of the world.

We have grouped our proposals in three core areas:

## **I. A CARING AND PROTECTIVE EUROPE**

This requires focusing on fair and progressive taxation to address the challenges ahead, as well as on guaranteeing everyone's right to health.

## **II. A MORE GREEN, SUSTAINABLE, AND SOCIALLY RESPONSIBLE EUROPE**

We want to see a transformation in corporate governance and a transition towards decarbonised and fair energy and food systems.

## **III. A MORE COOPERATIVE AND OUTWARD LOOKING EUROPE**

We want a European Union that ensures the fundamental rights of people on the move, everyone's right to food and the rights of the Palestinian people.



# RECOMMENDATIONS

# A CARING AND PROTECTIVE EUROPE

## 1. Strengthen fairer taxation to address multiple crises

Belgium will take over the presidency of the EU Council from Spain at a time of great uncertainty about the future of Europe's fiscal policy and its sustainability. This requires concerted action by EU Member States and the European Commission, and a radical shift in the tax framework and fiscal rules.

The ongoing economic slowdown and the cost-of-living crisis urgently requires once more the activation of social transfer packages to mitigate the impact on the most vulnerable households and on small and medium-sized enterprises. Additionally, climate and humanitarian crises require the EU to boost its investments in a green transition and increase its support to partner countries. At the same time, the EU is obliged to start repaying the funds for the recovery instrument in 2028. The question is, where will

the additional revenues to tackle inequality, address the climate crisis and mitigate the economic impact on the most vulnerable households in the EU and around the world come from?

The European Commission has launched a discussion on the 'Tax mix for the future'; this process must consider both emergency crisis-response tax measures, as well as the need to address structural gaps in corporate and wealth taxation, and windfall profits. In Belgium, a tax reform is being discussed with the aim of balancing the level of taxes on labour on the one hand, and the level of taxes on capital and wealth on the other. Leading economists (such as Nobel Prize winner Joseph Stiglitz)<sup>1</sup>, international institutions (such as the IMF<sup>2</sup>, the UN<sup>3</sup> and the ECB<sup>4</sup>), an increasing number of policy makers (in the US<sup>5</sup> and all around the world) and many millionaires<sup>6</sup> agree that, especially in times of multiple crisis, capital should fairly contribute to solidarity. This is a debate that must also be conducted at European level.



## Oxfam's recommendations to the Belgian presidency:

**1.1. Activate a tax package to tackle the multiple crises.** In line with the EU's "solidarity contribution" on fossil fuels companies and the revenue cap on energy producers, Belgium introduced an excess profit tax in the energy sector and a solidarity contribution for the oil sector. It is now critical to consolidate this mechanism and make it permanent at EU level, as a structural and automatic stabilizer to quickly raise substantial additional revenues in times of crisis. This means:

- A permanent and sector-wide windfall profit tax. Extend the windfall profit tax to all economic sectors where windfall profits are taking place in time of crisis, make it automatic and apply a more ambitious tax rate of 50 to 90%.
- Calculate the tax base on the basis of all EU corporate profits, and distribute the profit according to the real economic activity of a company in a country (applying a formulary apportionment), to prevent profit shifting to tax aggressive jurisdictions that facilitate 'tax dumping'.

**1.2. Unblock the Financial Transaction Tax (FTT).** The European negotiations for an FTT have been stalled since 2013. It is important that the Belgian Presidency relaunches the negotiations to achieve an ambitious European FTT, which covers a wide range of financial assets. This would allow the generation of substantial revenues and act as a regulator of the financial markets that were responsible for the 2008 crisis. Oxfam recommends the Belgian Presidency to steer its fellow EU Member States towards an agreement on an ambitious FTT, that should cover all financial transactions, including derivatives and high frequency trading. This could either be done within the countries of the enhanced cooperation or the participation could be extended to all EU countries. An FTT can also be introduced within the BEFIT (Business in Europe: Framework for Income Taxation).

**1.3. Consolidate the business taxation package.** Belgium will have a chance to accomplish important reforms for a fairer EU tax future, breaking away from a negative spiral of European tax competition and large corporations' self-interest. Oxfam proposes to:

- Reach an agreement for an ambitious BEFIT (Business in Europe: Framework for Income Taxation) to compensate for the rigid and weak pillar 1 and pillar 2 set of measures that are part of the OECD and G20 global deal, including the insufficient 15% minimum corporate tax rate.
- Strengthening the criteria for drawing up an EU tax havens blacklist and the identification of harmful tax practices, and improving the governance and transparency of the Code of Conduct Group for Business Taxation responsible for this.
- Depending on the progress of this file under the Spanish presidency, finalise an ambitious European Directive to prevent the misuse of shell companies and the role of tax enablers in facilitating tax avoidance and aggressive tax planning.

#### 1.4. Lead on a new European agenda to tax wealth and capital income.

Taxing wealth and capital income is still a major policy gap at EU level. Little progress has been made so far except on the automatic exchange of information for tax purposes, and the commitment to public registries of beneficial owners (delayed in implementation, under severe operational difficulties and recently invalidated by an ECJ decision). The debates at Belgian level on tax progressivity and the need to green the tax system must also be conducted in harmony with all European partners in order to address tax competition within the EU. In this regard, Oxfam proposes to:

- Depending on the progress under the Spanish presidency, continue the discussion on taxing wealth and capital income as part of the *2050 Tax Mix agenda* by convening a follow-up conference.
- Link this debate to green taxation and how to fund climate action and energy transition programs.
- Encourage the European Commission to explore the identification of harmful tax practices in wealth taxation, building on a similar approach to corporate taxation, including a European Assets Register to identify and track offshore wealth.

## 2. Build the structures that guarantee everyone's right to health

While the EU plays an important role in addressing global health challenges, in many ways, its internal and external policies contribute to the status quo. We have seen time and again that EU countries put Big Pharma and trade interests above people's health. A striking example of this was the EU's inward-looking response to the COVID-19 pandemic. From hoarding vaccines to blocking proposals to ease intellectual property rights on

vaccines, treatments and tests, it all fostered extreme global inequalities.

The Belgian presidency of the EU Council will come at a time of critical changes to the global health architecture, including the legal framework governing pandemic preparedness and response. While Belgium has voiced its support over the past years for various initiatives to increase access to health care and treatment in low- and middle-income countries, it has rarely effectively challenged the main lines of EU Council positions. The presidency is an opportunity for Belgium to show leadership and put the EU on the right course to achieve global solidarity and equity.



## Oxfam's recommendations to the Belgian presidency:

**2.1. Demonstrate the EU's commitment to the World Health Organization's (WHO) new framework for health emergencies based on equity and human rights.** The Pandemic Accord is being negotiated at the WHO with a plan to be adopted at the World Health Assembly in May 2024. In parallel, the members of the WHO are amending the International Health Regulations (IHR). The Belgian presidency will commence when final decisions are being made on adopting the new instrument and amending the IHR. Oxfam proposes to:

- Include concrete commitments and practical mechanisms, obligations, requirements, and enforceable measures to deliver equity.
- Increase investment in R&D and manufacturing, and collaborate with manufacturers in the Global South by sharing medical technology, knowhow and intellectual property rights.
- Place conditions on public funding of R&D for, among others, fair allocation and affordable pricing of end products globally.
- Increase transparency on all aspects of innovation and access to medical countermeasures.

**2.2. Provide political, financial, and scientific support for diversified R&D and manufacturing initiatives, such as the WHO mRNA hub.** A WHO-backed network of Global South manufacturers has been established to increase independent pharmaceutical R&D and production capacity in developing countries. Belgium is co-financing the initiative and has been one of the first countries to express its political support for it. However, EU involvement in the initiative is limited. Oxfam therefore proposes to:

- Ensure that the EU voices its political support for local diversified manufacturing that increases national/regional capacity and technology transfer rather than the mere setting up of production sites of pharmaceutical companies.
- Collaborate with institutions and researchers in the Global South through joint projects and training to enhance their expertise and production capabilities.
- Increase financial contribution to provide local R&D and manufacturing initiatives with resources they need to build on their initial successes.

**2.3. Put public health and global solidarity ahead of private profits.** The Belgian presidency should continue to work on the availability and affordability of medicines in the EU and equitable access to them globally. This includes increasing transparency on medicine pricing (e.g. Belgium is part of BeneluxA)<sup>7</sup>, taking greater responsibility for steering medical R&D, or striking a balance between incentivizing innovation and equitable access to end products.

Belgium's presidency will come at a critical time of the revision of the pharmaceutical legislation; the biggest overhaul of the rules on the EU pharma sector in the last 20 years. The Commission's legislative proposals were published in April 2023, and it is likely the legislative process will continue in 2024.



# SOCIOECONOMIC MODEL: A GREENER, MORE SUSTAINABLE, AND SOCIALLY RESPONSIBLE EUROPE

## 3. Promote a feminist just energy transition and a new economic and environmental paradigm

Our current energy production and consumption model is at the heart of the climate crisis. More than 70 countries, as well as the EU, have made commitments to achieve climate neutrality by 2050. These countries account for 90% of world GDP and are responsible for 80% of carbon dioxide emissions.<sup>8</sup>

The crises in recent years have accelerated the need to seek **a way out of last century's progress paradigm** based on unbridled economic growth, intensive use of fossil fuels and subsidies for their production. Time is running out: **societies' decarbonisation and the transition to clean energy can no longer be postponed**. Nor can this be accomplished without linking this transition to worldwide social justice. At the end of 2019, energy poverty already affected 31 million people in the EU.<sup>9</sup> Factors such as income, gender, race, ability and geographical location may influence the individual's vulnerability to energy poverty<sup>10</sup>. Since then, and particularly as a result of the

war in Ukraine, the situation has worsened. Furthermore, the EU's renewed interest in countries producing elementary resources as a response to the energy crisis could deepen the Global inequality divide and boost conflict if adequate safeguards are not put in place<sup>11</sup>.

During its presidency, Belgium must push for an energy transition that is fair, accessible, equitable, gender-transformative and sustainable within the EU, but that also respects fair development of the global South. On the one hand, this must happen within the framework of the **European Green Deal**, by reviewing climate legislation to achieve the target of at least 65% reduction<sup>12</sup> in greenhouse gas emissions by 2030.<sup>13</sup> On the other hand, the **REPowerEU** plan must be strengthened, by promoting savings, improving sustainable energy security and diversifying supply sources for all in Europe. All of this, together with a real desire to see profound economic changes in our societies, will make it possible to reconfigure existing production and consumption models, including the reduction of energy demand. Europe must strengthen external relations and trade with countries that are advancing on the same path, and avoid supply agreements with authoritarian regimes that systematically violate human rights.



## Oxfam's recommendations to the Belgian presidency:

**3.1. Lead the shift towards a new energy system in Europe** by pushing for real change on the production side, eliminating fossil-fuel subsidies, crop-based biofuels and other unsustainable bioenergy. This shift should take place within an overall reduction of the energy demand and improvement of energy efficiency. Belgium could also encourage the creation of a group of pioneering states, free of fossil fuels, to negotiate jointly in multilateral forums.

**3.2. Promote discussion on the principles necessary to make the transition truly fair, accessible, equitable and sustainable, with a gender-transformative<sup>14</sup> perspective.<sup>15</sup>** The ultimate objective will be to adapt the European regulatory framework and external relations to these principles:

- Effective participation of the individuals, households and communities in society that are most affected by the transition in discussions and decisions on the measures adopted. This must be implemented with a particular attention for women in all their diversity and persons of diverse SOGIESC<sup>16</sup>, young people, traditionally marginalized groups and locations and representatives of the primary sector.
- Fair distribution of the responsibilities, capabilities, costs and benefits of the transition.
- Recognition and prevention of the injustices suffered by certain social groups in the access to, use and control of the technology and resources needed for the transition.
- Fair reparation or compensation to affected communities and sectors, through the design of social safety nets and the protection of territories against new forms of "green extractivism".<sup>17</sup>

**3.3. Support low- and middle-income countries in accessing clean, accessible and reliable energy.** Recognising the role Belgium has had in recent climate finance negotiations, it can play a key role within the EU in formalising multilateral mechanisms that identify, finance and evaluate the needs and priorities of low- and middle income countries, and their marginalized groups, applying a gender-transformative perspective,

## 4. Champion an ambitious agenda of sustainable corporate governance

In today's economic system, built on very complex value chains, many companies have been able to derive great benefit by exploiting people and planet. To meet the economic, social and ecological challenges of the energy transition, the negative impacts of business on human rights and the environment must be addressed and companies must be held responsible for their impacts. Self-regulation has failed to ensure companies take responsibility

for damage they cause. Binding mechanisms are needed to ensure sustainable corporate governance to protect people and planet from abuse by these companies.

In February 2022, the European Commission presented a proposal for a *Directive on Corporate Sustainability Due Diligence* (CSDDD).<sup>18</sup> The Council adopted its position on the proposal in December 2022.<sup>19</sup> The European Parliament will adopt its position in the first half of 2023. Although negotiations on the final text of the legislation should have progressed significantly during the Spanish presidency, it is most likely that Belgium will have the responsibility to finalize and conclude dialogues on the CSDDD.

### ► Oxfam's recommendations to the Belgian presidency:

**4.1. Promote the adoption of an ambitious and effective Directive to defend human and environmental rights within the EU and beyond,** meeting the following criteria:

- **Scope:** the Directive should apply to all companies, including the financial sector, according to their size and exposure to risk (as established by the UN and the OECD), and should cover their entire global value chain. Due diligence obligations should cover companies' purchasing practices and pricing strategies, as well as their business models, and should respect the right to a living wage or a living income for all people in the value chain. Moreover, due diligence should not be limited to "established business relations", but should apply to all business relationships, based on an assessment of the severity and likelihood of negative impacts.
- **Justice and effective remedy:** the Directive should ensure that business enterprises can be held liable under civil law for human rights and environmental adverse impacts in their global value chains and within their operations and business relationships. Barriers to access to justice for victims of corporate abuse must be reduced, including by considering CSOs and trade unions eligible for representative action, allocating the burden of proof fairly,

and providing rules on the disclosure of evidence and statute of limitations that ensure adequate, timely and effective access to judicial remedy for anyone impacted by the company.

- **Directors' duty:** the Directive should establish and clearly specify the directors' duty to address human rights, climate and environmental impacts and their duty to take responsibility for the oversight and decisions on due diligence.
- **Gender perspective:** although the CSDDD presents a key opportunity to advance women's rights and gender equality in companies' international value chains, the Commission's proposal does not integrate a gender lens and risks leaving women behind. The Directive in general, and the due diligence obligation in particular should be gender-responsive<sup>20</sup> by including an obligation to identify and assess the specific impact on the human rights of women and girls.
- **Climate commitment:** the environmental and climate impact of businesses are not adequately addressed; companies should be required to identify, prevent and mitigate adverse climate impacts as part of their due diligence process.

**4.2 Lead by example by passing national due diligence legislation on human and environmental rights.** The best way to lead a European regulatory process in sustainable corporate governance is through a national law that creates an ambitious standard. In this regard, the adoption of the draft law proposed in federal Parliament (April 2021) on the duty of care of companies for their value chain would put Belgium at the forefront of such regulations in Europe and the world.

## 5. Address the power imbalances in our food system and transition towards sustainable, fair and climate resilient food systems

### A) Food, power and inequality

The combination of poverty and inequality, human rights violations, conflict, climate change and food price inflation accelerated by the COVID-19 pandemic had already resulted in 828 million people worldwide not having enough to eat<sup>21</sup>. The impact of the war in Ukraine has been

an additional layer to a long-standing failure in the global food system. Today, an increasing number of people also in the EU are struggling to afford their next meal.

Simultaneously, the world's main food traders have made record profits, and the billionaires involved in the food and agribusiness sector have seen their collective wealth increase by \$382bn (45%) between 2020 and 2022. It is unacceptable that such inequality exists. The imbalances in the global food system are also concerning in terms of market power. Market concentration is so severe that just 1% of the farms in the world control 65% of the agricultural land, and four big traders carry out 70% of global trade in agricultural commodities by value<sup>22</sup>.

The Belgian Presidency must support a real, fundamental shift to just food systems in Europe as well as globally. This means transitioning from the industrial, exploitative and extractive model to a local and sustainable one, which contributes to climate resilience, stops the loss of biodiversity, and places the wellbeing of people and planet at the centre. The Belgian EU Presidency must support the full implementation of the Farm to Fork Strategy and the adoption of an ambitious Sustainable Food Systems (SFS) Law. The SFS Law should adopt a systemic approach as well as binding and quantified targets to respect planetary limits.

Trade agreements currently under negotiation, like the EU-Mercosur Agreement, risk stimulating agro-industrial farming at the detriment of small-scale farmers. While it has its role to play, international trade should be seen as complementary to local food production, and not as the main driver of a country's food security. Therefore, parliamentary control over our trade policy must be maintained. The Commissions' decision to split trade agreements into a political and a commercial part effectively side-lines national parliaments' final ratification call and thus erodes parliamentary power and democratic control.

## **B) Food, gender and women's rights**

Women play multiple roles in food security – not only as food producers, farmers and wage workers, but also as natural

resource managers, food processors and traders. Women represent about 35.2% of the agricultural working units in Europe (Eurostat 2016) and 43% of the agricultural workforce worldwide<sup>23</sup>. Women also represent the highest part of unpaid farm workers. In Belgium, for example, women make up 61% of the unpaid labour force<sup>24</sup>. Their knowledge, skills and leadership, however, are frequently made invisible and remain undervalued. Women are side-lined in decision-making and under-represented in agricultural associations and, as a result, their perspectives and rights are not reflected in policies, programmes and legal frameworks.

Globally, and at the EU level, there has been progress in policy commitments to ensure women's contributions to agriculture and food security are recognized. Yet despite the rhetoric, there is still too little concrete action to ensure that women's rights and interests are prioritized and that they have the resources they need to improve their livelihoods, and tackle food insecurity and climate change.

By stimulating an agro-industrial model, trade agreements can have a severe negative impact on women. Most trade agreements of the EU remain gender-blind, and the newest ones –do not go further than paying lip-service to women's rights. As long as trade agreements are not negotiated on the basis of gender-disaggregated data, women will lose out on the purportedly benefits of global trade.



## Oxfam's recommendations to the Belgian presidency:

**5.1. Prioritise support to sustainable, fair and climate resilient local food production.** Ensure that the rights of small-scale farmers and agricultural workers producing our food are respected, and that they are better supported in expanding sustainable local food production, especially in low-income countries. This should involve a specific focus on supporting women farmers and workers and respecting the agroecological principles. Oxfam proposes to:

- Provide more and better (public) funding dedicated to agroecology and develop regulatory frameworks that secure a fair remuneration for societal services that agroecology provides (e.g. food security, biodiversity preservation, carbon storage and landscape maintenance).
- Place food security and sustainable agriculture back as a priority area of development cooperation under the Neighbourhood, Development and International Cooperation instrument – Global Europe (NDICI), especially in those partner countries that are facing food crises. The review of the EU Multiannual Financial Framework (MFF) is an opportunity to significantly scale up investments in this area.
- Do not obscure the vital role of public finance in promoting inclusive agricultural transformation that benefits agroecological systems, locally-led food production, and small-scale farmers, specifically considering the increased focus on private finance and cooperation with the private sector, for example under the European Fund for Sustainable for Development Plus (EFSD+) and the Global Gateway.

**5.2. Implement more effective policies regarding gender equality in agriculture.** Make women's economic empowerment a priority, by supporting agricultural transformation that creates an enabling environment for women to exercise their rights. Oxfam proposes to:

- Ensure a better representativity of women farmers in agricultural associations and in decision-making processes, and support policies that facilitate women's access to finance, inputs, resources and services, and protect their land rights.
- Ensure that agricultural and trade policies benefit both men and women in all their diversity. A first step to that end is to make the collection of sex-disaggregated data compulsory in order to be able to assess how the Common Agricultural Policy (CAP) affects gender inequalities.
- Ensure that gender dimensions are included in trade agreement negotiations, notably by including methodologies to assess gender-differentiated impacts of trade in the impact assessments, with the aim of ensuring that trade benefits women in agriculture.

**5.3. Ensure an EU trade policy that supports fair and equitable food systems.** Support local and regional economies in low-income countries that come to the benefit of local people and that ensure food is produced and available locally at a fair and affordable price. Oxfam proposes to:

- Promote the principle of Policy Coherence for Sustainable Development so that the EU trade and agriculture policies and practices do not undermine people's food security or livelihoods, or the development of the local food and agricultural sector, in low-income countries.
- Through the Foreign Affairs Council, request the European Commission to stop splitting agreements with third countries into a political and a commercial part to avoid ratification by Member States' parliaments. Explicitly include in future negotiation mandates that political and commercial parts of agreements with third countries are one and indivisible.
- Retract the Commission's mandate to finalise a trade agreement with Mercosur and demand a renegotiation of an agreement that considers the interests of small-scale (women) farmers and the Mercosur



## THE EU IN THE WORLD: A LESS SELF-CENTERED EUROPE

### 6. Ensure migration and asylum policies that respect human rights

At a time of great international upheaval and the increasing politicisation of migration, the EU aims to complete the negotiations and adopt the legislative files constituting the **European Pact on Migration and Asylum** (2020) under the Belgian Presidency, a crucial opportunity to reform and improve some of the long-standing deficiencies characterising the EU asylum system and leading to continued human rights violations of refugees and asylum seekers in the EU. Simultaneously, the EU is advancing on the externalisation of its migration policies beyond the EU<sup>25</sup>, among others by introducing (even) more migration

conditionality in development aid through the implementation of the EU's development budget (Global Europe / NDICI), as well as in the EU's trade (GSP) and visa policies. At a time when partner countries are facing the devastating effects of multiple interlinked global crises, including the food and climate crisis, it is crucial that EU development aid is used for ending poverty and inequality, not for advancing its internal migration objectives.

The EU and its Member States must promote an EU migration and asylum system that respects the fundamental rights of people on the move, without discrimination. They must welcome people seeking protection in Europe in safety and dignity, and provide access to a fair and timely asylum procedure, while effectively sharing responsibility.





## Oxfam's recommendations to the Belgian presidency:

**5.1. Promote the adoption of a mandatory solidarity mechanism that prioritizes relocation.** EU Member States must finally reach an agreement to share the responsibility of protecting and welcoming asylum seekers in Europe. This must be in the form of a binding agreement, that prioritizes mandatory relocation quotas that are not exchangeable for forms of containment, border security, returns or other harmful measures that are labelled as 'solidarity'.

**5.2. Ensure independent border monitoring mechanisms that respect human rights and the EU Charter of Fundamental Rights.** The European Pact on Migration and Asylum provides for the creation of Independent Border Monitoring Mechanisms (IBMMs) at Europe's borders. However, there has been little progress on these mechanisms since 2020, while illegal enforced returns and rights violations of people crossing the EU's internal and external borders are widespread.

The Belgian presidency must use its mandate to present an action plan on establishing these mechanisms throughout the EU, regardless of the outcomes of the negotiations on the Pact. To accomplish this, it should take lessons learned in Greece<sup>26</sup> and Croatia<sup>27</sup> into account, include civil society recommendations, and pay particular attention to the mechanism's independence, scope, transparency and justiciability. It should also consider the consequences in the case of non-compliance by Member States.

**5.3. Monitor migration conditionality in Official Development Aid (ODA).** One of the clearest and most worrisome examples of border externalisation is the misuse of ODA by Member States and the EU, to achieve their domestic political interests on migration control and readmission rather than its primary purpose of fighting poverty and building resilience. The Belgian presidency must therefore promote the monitoring and transparency of, as well as increased democratic scrutiny over, ODA spending on migration-related projects, in particular regarding the Global Europe / NDICI's 10% migration marker.<sup>28</sup> Oxfam proposes that:

- Only activities whose main objective is to promote the economic development and well-being of migrants in partner countries are classified as ODA.
- ODA cannot function as a tool to promote donors' domestic political or migration interests, *e.g.*, as a form of reward for readmission quotas or as an alternative to meeting relocation quotas. Since curbing mobility can in fact have a detrimental impact on development, this contradicts ODA's main objective of eradicating poverty, as set out in the EU Treaty, as well as the EU's commitment to Policy Coherence for Development
- ODA should integrate the migration and development approach as per its objective, seeing as human mobility can be an opportunity to build resilience.<sup>29</sup> The ability to move, even in contexts of forced displacement, can be a survival strategy. Interfering with human mobility can undermine the resilience of people and communities, while integrating and supporting it in a structured, rights-based way can increase communities' resilience.

## 7. Address the root causes of conflict-induced food insecurity

The combination of extreme inequality and poverty, human rights violations, conflict, climate change and sharp food and energy price inflation, has resulted in hundreds of millions of people not having enough to eat. Among these factors, **war remains the main cause of hunger**, as 70% of people suffering from food insecurity globally live in areas affected by conflict.<sup>30</sup> Whether as a result of deliberate actions by parties to conflicts or because of the negligence of governments and the international community, **people in these areas are not starving, they are being starved**<sup>31</sup>.

Women and girls are disproportionately affected; too often eating last and eating least. Rising food insecurity further poses severe protection threats to the most vulnerable as communities look to life-changing coping mechanisms, for example by fleeing their homes, pursuing dangerous routes to find food and water, pulling children from school in order to work for more income, and joining military groups to gain food and economic security. Moreover, as food insecurity

rises, competition over resources rises, fuelling a vicious cycle of hunger and conflict – which is increasingly aggravated by the compounding effects of climate change.

Since war broke out in 2015, Yemen has been home to one of the world's worst humanitarian crises, with 3.5 million people acutely malnourished and 17.4 million suffering from hunger. The conflict has resulted in thousands of casualties, forced over 4 million Yemenis into displacement and led to a collapse of the economy. Food prices have more than doubled; as a consequence, many can no longer afford to buy enough food to eat and levels of hunger and malnutrition have soared.<sup>32</sup>

In the Democratic Republic of Congo, access to land is both negatively impacted by violence and a source of conflict. Over 25% of the population is acutely food insecure<sup>33</sup>, and more than 5 million people have fled their homes, making it the largest displacement crisis in Africa.

Despite a severely worsening needs trend, **governments have not taken sufficient concerted action to address rising levels of food insecurity** or the root causes of it.



## Oxfam's recommendations to the Belgian presidency:

**7.1 Ensure that the issue of conflict-driven hunger remains high on the agenda of the Council working party on Humanitarian Aid and Food Aid (COHAFA).** Strategic and policy debate among EU Member States and the European Commission must be fostered in order to:

- encourage the mobilisation of European funds to address emergencies by filling funding gaps in emergency responses.
- address the root causes of hunger crises, including by investing in “triple nexus” approaches across humanitarian relief, development programmes and peacebuilding.

**7.2 Take actions to support meaningful accountability for violations of International Humanitarian Law (IHL) and greater reporting under UN Security Council resolution 2417.** While the adoption of UNSC resolution 2417 in 2018, that acknowledged the link between conflict and hunger internationally for the first time, represented a historic moment, its implementation and reporting are far from being satisfactory.

**7.3 Enhance synergy between commitments and efforts delivered at European and UN level.** As elected member of the UN Human Rights Council, Belgium should deliver on its commitment to strengthen the positive interaction between the three interlinked and mutually reinforcing pillars of the UN Charter: peace and security, development, and human rights, with a focus on right to food.

## 8. Play the the role of the positive enabler for collective concrete steps that support Palestinians

After 56 years of Israeli military occupation affecting Palestinians in all aspects of their daily lives, the conflict has deteriorated again in 2023. Since the most right-wing government Israel has ever known took power, **the threat of annexation of parts of the occupied West Bank is now openly on the Israeli political agenda.** While 2022 saw already a record high in terms of settlement expansion, 2023 is on its way to break that record.

Israeli annexation of any part of the West Bank is a violation of the basic principles of international law and a violation of Palestinians' right to self-determination, which were both cornerstones of the EU's role in the search for a sustainable and long-lasting solution to the conflict. Annexation exacerbates the culture of impunity, land confiscation, outpost construction and human rights abuses against Palestinians, leading to a further surge in violence and displacement.

It is now even more critical for the EU to act – and Oxfam encourages Belgium to continue to put forward initiatives urging for common action

– as the Israeli government is likely to lead on a process of expanding the dual legal system, effectively deepening systematic discrimination between Palestinians and Israeli settlers. The lack of policy coherence with the EU Council Conclusions on the Middle East Peace Process from 2016, which underline the illegal character of the settlements, is a gap that needs to be filled. The Belgian presidency of the Council has the chance to do so.

In parallel, violence, civilian casualties and the number of violations of IHL are increasing exponentially, with 2022 being the deadliest year for Palestinians in the West Bank since the United Nations started systematically counting fatalities in 2005.

In the meantime, the 16-year blockade on land, sea and air imposed on Gaza by Israel continues to take a heavy toll on Palestinian families, who are being collectively and illegally punished. Severe restrictions on movement of people and goods have created a situation of worsening de-development. In 2023, 29% of households are categorized as in 'catastrophic' or 'extreme' conditions, compared to 10% in 2022.

While countermeasures in case of annexation have been discussed by Belgium and like-minded EU States, **plans to gradually lift restrictions on movements for people and goods in and out of Gaza are urgently needed.**

## Oxfam's recommendations to the Belgian presidency:

**8.1 Initiate immediate and proportional diplomatic measures including restrictive measures in relation to any annexation of territory in the Occupied Palestinian Territory.** Belgium should lead all 27 Member States and the EU to ensure they follow consistent EU Foreign Affairs Council policy and uphold the same standards in all circumstances where a State acquires or attempts to acquire territory by force in breach of international law. Should a consensus not be reached at the EU level by all 27 Member States, Belgium should form a collective of Member States willing to take measures in response to the annexation.

**8.2 Ensure that the EU policy of differentiation between Israel and its illegal settlement activities in the occupied Palestinian territory is consistently applied in all bilateral relations with Israel.** In its coalition agreement, the Belgian government committed to take further steps in its territorial differentiation policy towards Israel and to work, ideally at multilateral and EU level, on a series of efficient and proportionate countermeasures in the case of annexation of Palestinian territory by Israel. Oxfam encourages the Belgian government to keep on playing the role of positive enabler and utilise the opportunity of the Presidency to encourage other EU Member States to take concrete steps to support Palestinians.

**8.3 Support a European-level ban on all trade in Israeli settlements in the occupied Palestinian territory.** Third states have the obligation to end trade with Israeli settlements based on the duties of non-recognition and non-assistance, which are activated because of the violation of peremptory norms of international law by Israel in its settlement activity<sup>34</sup>. Such a measure ensures respect for IHL and UN Security Council Resolution 2334, and is consistent with the EU's position<sup>35</sup>.

**8.4 Encourage other European donors, the EU and the UN to lead on the formation of a political and economic roadmap connected to a time-bound plan which include clear benchmarks and accountability mechanisms, for the overall development of the Gaza Strip.** This timebound plan should be developed with local stakeholders and authorities and must include a political strategy and concrete bilateral and **collective efforts on ending the Gaza blockade**.

**8.5 Encourage all Member States to engage with and support the work of the International Court of Justice in its preparation of the advisory opinion,** including through submission of written and oral statements on the questions presented to the Court.

- 1 <https://www.theguardian.com/news/2023/jan/22/joseph-stiglitz-economist-income-tax-high-earners-70-per-cent-inequality>
- 2 <https://www.theguardian.com/business/2021/apr/07/imf-wealth-tax-cost-covid-pandemic-rich-poor>
- 3 <https://www.reuters.com/article/us-health-coronavirus-un-idUSKBN2BZ281>
- 4 <https://www.ft.com/content/5e1f616e-8cc4-4678-9bc7-3a6616742b07>
- 5 <https://www.euronews.com/green/2023/04/15/tax-the-rich-a-wealth-tax-could-fund-better-transport-and-weather-warning-systems-report-f>
- 6 <https://millionairesforhumanity.org/the-millionaires/>
- 7 <https://beneluxa.org/>
- 8 McKinsey Global Institute (January 2022). *The net-zero transition: What it would cost, what it could bring*. <https://www.mckinsey.com/~media/mckinsey/business-functions/sustainability/our-insights/the-net-zero-transition-what-it-would-cost-what-it-could-bring/the-net-zero-transition-executive-summary.pdf>
- 9 <https://eur-lex.europa.eu/legal-content/EN/TX/?uri=CELEX%3A52021DC0950&qid=1647003740756>.
- 10 European Parliament (February 2023) "At a Glance: Gender aspects of energy poverty", available online: [https://www.europarl.europa.eu/thinktank/en/document/EPRS\\_ATA\(2023\)739349](https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA(2023)739349)
- 11 Euractiv (February 2023) "Timmermans: Africa likely to be EU's most important renewable energy partner", online: <https://www.euractiv.com/section/energy-environment/news/timmermans-africa-likely-to-be-eus-most-important-renewable-energy-partner/>, viewed in May 2023
- 12 Based on IPCC most updated data, Climate Action Network Europe (CAN Europe) recommends a reduction of at least -73% in emissions by 2030 compared to 1990. This level of reduction is necessary to be in line with of the Paris Agreement. This objective concerns GHG emissions and does not concern carbon storage, particularly in the LULUCF sectors. The -55% target proposed by the EU Commission, on the other hand, includes storage and in reality only corresponds to a 52.8% reduction in emissions, which is insufficient for Oxfam Belgium. Source: CAN Europe (March 2023) "Civil society shows Europe's way to climate neutrality by 2040. <https://caneurope.org/civil-society-europe-climate-neutrality-2040-scenario/>
- 13 Objective set out in the EU's "Fit for 55" package of proposals which seeks to review and update EU legislation and launch new initiatives to ensure that EU policies are in line with the climate objectives agreed by the Council and the European Parliament.
- 14 Rose Heffernan, Patrizia Heidegger, Gabriele Köhler, Anke Stock & Katy Wiese (March 2022) "A Feminist European Green Deal: Towards an Ecological and Gender Just Transition". Friedrich-Ebert-Stiftung (FES). Bonn, Germany. Available online: <https://eeb.org/library/a-feminist-european-green-deal-towards-an-ecological-and-gender-just-transition/>
- 15 European Parliament (February 2023) "At a Glance: Gender aspects of energy poverty", online: [https://www.europarl.europa.eu/thinktank/en/document/EPRS\\_ATA\(2023\)739349](https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA(2023)739349)
- 16 SOGIESC is an acronym for sexual orientation, gender identity, gender expression and sex characteristics.
- 17 This is specifically relevant for the Critical Raw Materials act, introduced by the European Commission in March 2023: [https://ec.europa.eu/commission/press-corner/detail/en/ip\\_23\\_1661](https://ec.europa.eu/commission/press-corner/detail/en/ip_23_1661)
- 18 <https://eur-lex.europa.eu/legal-content/EN/TX/?uri=CELEX%3A52022PC0071>
- 19 <https://www.consilium.europa.eu/en/press/press-releases/2022/12/01/council-adopts-position-on-due-diligence-rules-for-large-companies/>
- 20 <https://corporatejustice.org/wp-content/uploads/2022/03/CSDDD-Gender-responsiveness-open-letter-to-EC-MEPs-and-Council-1.pdf>
- 21 <https://www.who.int/news/item/06-07-2022-un-report--global-hunger-numbers-rose-to-as-many-as-828-million-in-2021>

- 22 Heinrich Böll Stiftung (2017). *Agrifood Atlas: Facts and figures about the corporations that control what we eat*. <https://www.boell.de/en/agrifood-atlas>
- 23 <https://www.fao.org/reduce-rural-poverty/our-work/women-in-agriculture/en/>
- 24 <https://statbel.fgov.be/nl/themas/landbouw-visserij/land-en-tuinbouwbedrijven>
- 25 Council Conclusions (February 2023)
- 26 See examples [here](#) (p. 5 and 16) and [here](#) for an analysis of the shortcomings of the mechanism in Greece and the resulting recommendations.
- 27 See examples [here](#) and [here](#) for an analysis of the shortcomings of the mechanism in Croatia and the resulting recommendations.
- 28 Neighbourhood, Development and International Cooperation instrument (NDICI)
- 29 <https://www.oxfamintermon.org/es/publicacion/movilidad-humana-resiliencia-sahel-desafios-oportunidades>
- 30 <https://www.wfp.org/global-hunger-crisis>
- 31 Gabriela Bucher's (March 2011). Oxfam CEO 's speech at a UNSC Open Debate on Food Security <https://media.un.org/en/asset/k10/k10govtq6y>
- 32 <https://eur01.safelinks.protection.outlook.com/?url=https://reliefweb.int/report/yemen/yemen-humanitarian-needs-overview-2023-december-2022&data=05|01|Vittorio.Infante@Oxfam.org|8d-52763b923447303a8408db1a6d74d1|c42c6655bda0417590bab6e48cacd561|0|0|638132829661464150|Unknown|TWfPbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQljojV2lu-MzliLCJBTiI6Ik1haWwILCJXVCi6Mn0=|3000|||&sdata=sIP9ob-h3cjFJ5LLiaWJ6Jn8D0M6hm1Y7ycNFYoltAZ0=&reserved=0>
- 33 [https://civil-protection-humanitarian-aid.ec.europa.eu/where/africa/democratic-republic-congo\\_en](https://civil-protection-humanitarian-aid.ec.europa.eu/where/africa/democratic-republic-congo_en)
- 34 ICJ (2004). Advisory Opinion. <https://press.un.org/en/2004/icj616.doc.html>
- 35 The Foreign Affairs Council conclusion in 2016 states that settlements are illegal under international law and constitute an obstacle to peace.

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This document was written by María Bardolet, Lourdes Benavides, Julie Bos, Alejandra Chávez, Andrea Costafreda, Julien Desiderio, Cristina Fernández-Durán, Fairouz Gazdallah, Marco Herman, Vittorio Infante, Désirée Ketabchi, Piotr Kolczynski, Louise Legein, Jonathan Matthysen, Sofía Marroquín, Beatriz Novales, Alba Saray Pérez-Terán, Stephanie Pope, Chiara Putaturo, Cristina Rovira, Susana Ruíz, Hanna Saarinen, Hernán Sáenz Cortés, Estefanía Sánchez-Vasconcellos, Sarah Vaes, Rikst van der Schoor, Evelien van Roemburg, Patrick Veillard and Gina Wharton. The paper is part of a series written to inform public debate on development and humanitarian policy issues.

For further information on the issues raised in this paper please email Jonathan Matthysen (Jonathan.Matthysen@Oxfam.org).

Oxfam is an international confederation of 21 organisations working together in 65 countries, as part of a global movement for change, to build a future free from the injustice of poverty. For more information, write to any of the agencies or visit [www.oxfam.org](http://www.oxfam.org)

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