

SEE*ing European Security Architecture

*SEE – South East Europe

Svetoslav Spassov

Study Group Information



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To my dearest daughter and wife –
Gabi and Desi

Contents

DISCLAIMER	15
ABSTRACT	17
INTRODUCTION	19
CHAPTER 1: THE FUNDAMENTALS OF THE COMMON FOREIGN AND SECURITY POLICY AND THE DEVELOPMENT OF THE COMMON SECURITY AND DEFENCE POLICY OF THE EU	24
1.1. The Road to European Unity	25
1.1.1. The Creation of the Western European Union	27
1.1.2. The Establishment of the European Coal and Steel Community and the Initiative of the European Defence Community	29
1.1.3. The Creation of the European Economic Community and the European Community for Atomic Energy – Euratom	32
1.1.4. The Eastern Answer to European Unity	34
1.2. The European Political Cooperation from Davignon to Nice	35
1.2.1. The Realisation of the Idea for the European Political Cooperation	35
1.2.2. The Genscher-Colombo Plan, a Solemn Declaration on European Union	36
1.2.3. The Single European Act	38
1.2.4. The Treaty on Conventional Armed Forces in Europe	38
1.2.5. The Treaty on European Union of Maastricht	39
1.2.6. The Petersberg Declaration	41
1.2.7. The Amsterdam Treaty	42
1.2.8. The Treaty of Nice	43
1.2.9. The European Council and the European Constitution Project	44
1.3. The Common Foreign and Security Policy of the EU	46
1.3.1. The Legal Framework of the Common Foreign and Security Policy	47
1.3.2. Institutional structure and instruments of CFSP	47
1.4. The Development of the Common Security and Defence Policy (as part of CFSP)	49
1.4.1. Laying the Foundations of the Common Security and Defence Policy	49
1.4.2. The European Security Strategy	51

1.4.3. Crisis Management	51
1.4.4. New Challenges Facing CSDP Following the Lisbon Treaty	51
CHAPTER 2:	
THE STRUCTURES AND INSTRUMENTS OF THE COMMON FOREIGN AND SECURITY POLICY OF THE EU	57
2.1. EU Institutions Dealing with CFSP	58
2.1.1. The Council of the European Union	58
2.1.2. The European Council	60
2.1.3. The European Commission	61
2.1.4. The European Parliament	63
2.2. Institutions of the Common Foreign and Security Policy	66
2.2.1. The High Representative of the Union for Foreign Affairs and Security Policy	66
2.2.2. The European External Action Service – its Statute, Structure, Objectives and Development Prospects	67
2.3. Strategies, Policies and Instruments	71
2.3.1. The EU Strategy for the Black Sea	71
2.3.2. The Central Asia Strategy	72
2.3.3. The European Neighbourhood Policy	73
2.3.4. The Arctic Council	74
2.3.5. The Eastern Partnership	75
2.3.6. The Euro-Mediterranean Partnership – EUROMED	77
2.3.7. A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean	78
2.3.8. The Northern Dimension	79
2.3.9. The European Economic Area	80
2.3.10. Partnerships with International Organisations	81
2.4. Mechanisms for Fulfilling the Tasks of CSDP as an Integral Part of CFSP	83
2.4.1. Methods for Dealing with International Crises and Conflicts	84
2.4.2. Planning and Funding the EU's Missions and Operations	84
2.4.3. Mechanism for EU Capabilities Development	86
2.4.4. The EU's "Comprehensive Approach" to Crisis Management	88
2.4.5. Participants in the Crisis Management Process	90

CHAPTER 3:	
STRUCTURES AND INSTRUMENTS OF THE EU'S COMMON SECURITY AND DEFENCE POLICY	93
3.1. Permanent Structures of the Common Security and Defence Policy	94
3.1.1. EU Institutions Participating in Policy and Decision Making in the CFSP/CSDP Sphere	94
3.1.2. Permanent Structures of CSDP	95
3.2. Supporting Structures of the EU Participating in CSDP	105
3.2.1. The European Defence Agency – EDA	105
3.2.2. The European Union Satellite Centre – EUSC	108
3.2.3. The European Union Institute for Security Studies – EUISS	109
3.2.4. The European Security and Defence College	110
3.2.5. Other European Defence and Security Platforms	110
3.3. CSDP Instruments	113
3.3.1. Missions and Operations of the EU	113
3.3.2. Financing CSDP activities	130
3.3.3. Inclusion of Human Rights and Gender Equality in CSDP	132
CHAPTER 4:	
EUROPEAN SECURITY STRATEGY	
“A SECURE EUROPE IN A BETTER WORLD”	135
4.1. Development and Adoption of the European Security Strategy	136
4.2. Structure of the European Security Strategy	138
4.2.1. Introduction	138
4.2.2. Threats to Global Security	139
4.2.3. The Three Strategic Goals of the EU to Protect Security and to Promote European Values	144
4.2.4. Challenges Ahead of “A United Europe for a Better World”	148
4.3. Report on the Implementation of the European Security Strategy – “Providing Security in a Changing World”	152
4.4. Internal Security Strategy of the European Union	154
4.4.1. Objectives of the Internal Security Strategy	155

CHAPTER 5:	
HOME AFFAIRS AND JUSTICE OF THE EUROPEAN UNION	159
5.1. Internal Security and Migration Policy of the European Union	160
5.1.1. Freedom of Movement, Schengen Agreement	160
5.1.2. Refugee Policy	161
5.1.3. Immigration Policy	164
5.2. European Union Counter-Terrorism and Organised Crime Policy	166
5.2.1. Counter-Terrorism Policy	166
5.2.2. Fighting Organised Crime	168
5.2.3. Crime Prevention	179
5.3. The European Area of Freedom, Security and Justice	180
5.3.1. Legal Sources of the European Union	180
5.3.2. Judicial System of the European Union	182
5.3.3. Detention Mechanism in the European Union – European Arrest Warrant	183
5.4. European Union Institutions in the Field of Justice and Home Affairs	184
5.4.1. The European Judicial Cooperation Unit – Eurojust	184
5.4.2. The European Police Office – Europol	185
5.4.3. The European Anti-Fraud Office – OLAF	186
5.4.4. The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union – Frontex	187
5.4.5. The European Union Agency for Fundamental Rights – FRA	188
5.4.6. The European Asylum Support Office – EASO	189
5.4.7. The European Monitoring Centre for Drugs and Drug Addiction – EMCDDA	190
5.4.8. The European Police College – CEPOL	190
5.4.9. The European Agency for the Operational Management of Large-Scale IT Systems	191

CHAPTER 6:	
THE OSCE AND THE EUROPEAN UNION – POWERFUL PARTNERSHIP TO ESTABLISH THE EUROPEAN SECURITY ARCHITECTURE	195
6.1. History of the OSCE	196
6.1.1. The Helsinki Process – Key Developments	196
6.1.2. The Transition from the CSCE to OSCE	198
6.1.3. OSCE Security Dimensions	199
6.2. OSCE Strategic Papers for Improving International Security	200
6.2.1. The 1990 Paris Charter for a New Europe	200
6.2.2. The 1992 Helsinki Document “The Challenges of Change”	201
6.2.3. The Budapest “Document 1994 – Towards a Genuine Partnership in a New Era”	201
6.2.4. 1999 Istanbul Charter for European Security	202
6.2.5. 1999 Vienna Document of the Negotiations on Confidence and Security Building Measures	202
6.2.6. The 2003 Maastricht OSCE Strategy to address Threats to Security and Stability in the Twenty-First Century	203
6.3. Contracts Ratified under the Aegis of the OSCE	203
6.3.1. The Treaty on Conventional Armed Forces in Europe CFE	203
6.3.2. The 1992 “Open Skies” Treaty	204
6.4. Structure and Bodies of the OSCE	204
6.4.1. Political Bodies of the OSCE	204
6.4.2. OSCE Executive Structures	207
6.4.3. Other Structures and Institutions of the OSCE	209
6.4.4. Organs Connected to the OSCE	210
6.4.5. OSCE Field Operations	211
6.5. Partnership between the OSCE and the European Union	223
6.5.1. Basics of the Relations between the OSCE and the European Union	223
6.5.2. Cooperation Framework	225
6.5.3. Cooperation in the Field of Crisis Management	226

6.6. Other Partnerships the OSCE has developed	227
6.6.1. OSCE Mediterranean Partners for Cooperation	227
6.6.2. Asian Partnership for Co-operation with the OSCE	229
6.7. Cooperation with the UN	231
6.8. Cooperation with NATO	232
6.9. Cooperation with the Council of Europe	233
 CHAPTER 7: NATO – STRATEGIC PARTNER OF THE EU IN THE CONTEXT OF THE COMMON SECURITY AND DEFENCE POLICY OF THE EU	 237
7.1. NATO – a Political and Military Alliance	238
7.1.1. History	238
7.1.2. NATO Structures and Administrative Bodies	241
7.1.3. Regional Defence Cooperation within NATO	247
7.1.4. NATO Concepts and Initiatives	251
7.2. Development of Relations between NATO and the EU	255
7.3. The Framework of Cooperation	257
7.3.1. NATO Declaration on ESDP and the EU (16 December 2002)	257
7.3.2. The “Berlin Plus” Agreement	258
7.4. Missions and Operations of NATO with EU Involvement	260
7.4.1. Mission “Allied Harmony” in FYROM	260
7.4.2. Operation “Joint Efforts” in Bosnia and Herzegovina	261
7.4.3. NATO Peacekeepers in Kosovo (KFOR)	261
7.4.4. International Stabilisation Force in Afghanistan (ISAF)	262
7.4.5. Support to the African Union Mission in Darfur, Sudan (AMIS)	263
7.4.6. Mission “Unified Protector” in Libya	263
7.4.7. Operation “Ocean Shield” to Battle Piracy (Ocean Shield)	264
7.5. NATO and Crisis Management	266
7.5.1. Mechanisms Used in Operations to Maintain Peace	266
7.5.2. NATO Crisis Response System (NCRS)	267
7.5.3. NATO Response Mechanism in Humanitarian Emergencies and Natural Disasters	268

7.6. NATO Plan for Construction of Ballistic Missile Defence System (BMDS) in Europe	269
7.7. Other Areas of Cooperation between NATO and the EU	271
7.7.1. The Cooperation for Development of Defence Capabilities	271
7.7.2. The Cooperation in the Fight Against Terrorism and Non-Proliferation of Weapons of Mass Destruction	272
7.7.3. The NATO – EU Cooperation in the Field of Energy Security and Cyber-Defence	272
 CHAPTER 8: EU ENERGY SECURITY AND THE ROLE OF THE BLACK SEA REGION	 275
8.1. Evolution of Energy Policy and Security in Europe	276
8.2. Strategic Documents for the Development of the European Energy Security	279
8.2.1. The Green Paper of the European Strategy for Security of Energy Supply to the EU, accepted in 2000	279
8.2.2. Directive 2005/ 89/ EC of the European Parliament and the Council, 18 January 2006, Concerning Measures to Safeguard Security of Electricity Supply and Infrastructure Investment	280
8.2.3. The 2005 Green Paper and the 2006 European Programme for Critical Infrastructure Protection	280
8.2.4. Directive 2008/114/EC of the Council of 8 December 2008, with regard to detecting and marking European critical infrastructure and the evaluation of the necessity of its improvement	281
8.2.5. The EU Energy Security and Solidarity Action Plan	281
8.2.6. The European Energy Programme for Recovery (EEPR)	282
8.2.7. Energy 2020 – A Strategy for Competitive, Sustainable and Secure Energy	283
8.2.8. The European Strategic Plan for Energy Technologies	283
8.2.9. The European Energy Security Strategy	284
8.3. EU Domestic Energy Market Security and the Role of the Black Sea Region	285
8.3.1. The Black Sea Region and EU Energy Security	286
8.3.2. Security for the European Energy Supply	287
8.3.3. Infrastructural Security of Oil Supply to the EU	290

8.3.4. Security of the Gas Supply Infrastructure in the EU	295
8.3.5. Security of Energy Supplies from the Main Energy Sources in the European Union and the Black Sea region	301
8.4. Future Opportunities for European Energy Security	309
8.4.1. Increasing the Share of Renewable Energy Sources	309
8.4.2. Shale Gas – a Possible Alternative Energy Source for the EU and the Black Sea Region	310
8.4.3. Research Development in the Field of Energy	312
8.5. Institutions and Organisations connected with the Energy Security of the EU	313
8.5.1. The Directorate-General for Energy of the European Commission	313
8.5.2. The Committee on Industry, Research and Energy – ITRE	314
8.5.3. The International Energy Agency – IEA	314
8.5.4. The International Atomic Energy Agency – IAEA	315
8.5.5. The Agency for the Cooperation of Energy Regulators – ACER	315
8.5.6. The Euratom Supply Agency – ESA	316
8.5.7. The European Energy Research Alliance – EERA	316
 CHAPTER 9: BULGARIA, CROATIA AND ROMANIA IN THE EU AND THEIR CONTRIBUTION TO EUROPEAN SECURITY	 321
9.1. Relations between Bulgaria and the EU	324
9.1.1. Bulgaria's Road to the EU	324
9.1.2. Benefits of Bulgaria's Membership in the EU	326
9.1.3. Bulgaria's Contribution to the CFSP and CSDP	327
9.1.4. Commitments of Bulgaria on EU Policies in the Field of Justice and Home Affairs	332
9.1.5. Bulgaria – a Factor in the Global Arena	336
9.2. Relations between Croatia and the EU	339
9.2.1. Croatia's Road to the EU	340
9.2.2. Benefits of Croatia's Membership in the EU	343
9.2.3. Croatian Contribution to the CFSP and CSDP	344
9.2.4. Commitments of Croatia on EU Policies in the Field of Justice and Home Affairs	349

9.3. Relations between Romania and the EU	350
9.3.1. Romania's Road to the EU	351
9.3.2. Benefits of Romanian's Membership in the EU	352
9.3.3. Romania's Contribution to the Security of the EU	356
CHAPTER 10:	
ALBANIA, BULGARIA, CROATIA AND ROMANIA IN NATO AND THEIR CONTRIBUTION TO EURO-ATLANTIC SECURITY	363
10.1. Relations between Albania and NATO	365
10.1.1. Evolution of Relations	367
10.1.2. Framework of Cooperation	369
10.2. Relations between Bulgaria and NATO	371
10.2.1. Evolution of Relations	371
10.2.2. Framework of Cooperation	374
10.3. Relations between Croatia and NATO	377
10.3.1. Evolution of Relations	378
10.3.2. Framework for Cooperation	380
10.4. Relations between Romania and NATO	381
10.4.1. Evolution of Relations	382
10.4.2. Framework of Cooperation	384
10.5. Contribution and Responsibilities of South Eastern European Countries to NATO activities	386
10.5.1. Contribution and Responsibility of Albania to NATO Activities	388
10.5.2. The Contribution and Responsibility of Bulgaria to NATO Activities	393
10.5.3. The Contribution and Responsibility of Croatia to NATO Activities	398
10.5.4. Contribution and Responsibility of Romania to NATO Activities	403

CHAPTER 11: THE EUROPEAN DEFENCE TECHNOLOGICAL AND INDUSTRIAL BASE AND THE DEFENCE INDUSTRIES IN SOUTH EAST EUROPE	417
11.1. Development of the European Defence Technological and Industrial Base and Policy	418
11.1.1. Agencies and Associations in the European Defence Industry	418
11.1.2. Strategic Documents for the Development of the Defence and Technology and Industrial Policy of the European Union	421
11.2. Development of the Defence Industry Market in the European Union	427
11.2.1. Current Characteristics of the European Defence Industry	428
11.3. Defence Industries Capabilities of NATO SEE Member States	434
11.3.1. The Albanian Defence Industry	435
11.3.2. The Bulgarian Defence Industry	436
11.3.3. The Croatian Defence Industry	441
11.3.4. The Greek Defence Industry	445
11.3.5. The Romanian Defence Industry	448
11.3.6. The Turkish Defence Industry	450
11.4. Developmental Possibilities for Regional Cooperation in the Defence Industry within the Framework of the EU	454
CONCLUSION	457
LIST OF TABLES AND FIGURES	461
LIST OF ABBREVIATIONS	463
THE AUTHOR	471

Disclaimer

The views expressed in this publication are those of the author in his capacity as Associate Professor at the University of National and World Economy, Sofia, Bulgaria and are based on his extensive research on European security issues. These views do not necessarily reflect the official position of governmental or non-governmental institutions which the author may have been assigned to represent in his other capacities. Responsibility for the information included herein lies entirely with the author as a scholar.

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Abstract

Dr. Svetoslav Spassov's book *SEE*ing European Security Architecture* presents various issues, conflicts, methods of cooperation and institutions that are pertinent to the dynamics and development of European security.

The contemporary dimensions of the European architecture of security are presented against the backdrop of the political and institutional development of the European community and the European democracies' process of integration since World War Two, while paying significant attention to South East Europe.

The book focuses on the principles and the mechanisms of the EU Common Foreign and Security Policy when preventing and managing crises and also highlights the models for the initiation and the development of strategic partnerships between countries and international organisations, amongst which NATO and the OSCE.

Zusammenfassung

Dr. Svetoslav Spassovs Buch "*SEE*ing European Security Architecture*" ist eine systematische Analyse der verschiedensten Themen, Konflikte, Kooperationsmechanismen, die die Europäische Sicherheitspolitik kennzeichnen.

Er präsentiert die gegenwärtige Dimension der europäischen Sicherheitsarchitektur vor dem Hintergrund der politischen und institutionellen Entwicklung der europäischen Gemeinschaften, dem Prozess der Integrierung der europäischen Demokratien seit dem Zweiten Weltkrieg, mit besonderem Fokus auf Südosteuropa.

Das Buch konzentriert sich auf die Prinzipien und Mechanismen der GSVP der Krisenprävention und -management. Außerdem werden die Initiativen und Entwicklung von Partnerschaften zwischen Staaten und internationalen Organisationen wie NATO und OSZE betrachtet.

Introduction

This book presents an insight into various aspects of European architecture of security. The idea of security became increasingly relevant in the beginning of the 21st century, as the main risks, faced by the citizens in democratic countries, underwent a change in nature and intensity when compared to past decades. The structure of military and political opposition among different states and groups of states during the Cold War period was altered by new threats, related to the dissolution and the lack of statehood, radical fundamentalism, terrorism, an increase in organised crime and corruption, and attacks against informational security and people's health and wellbeing.

The book is primarily intended for any student or professional who wishes to explore issues regarding the security environment of the European Union and the institutional mechanisms and instruments in the field of European defence.

The contemporary dimensions of the European architecture of security are presented against the backdrop of the political and institutional development of the European community and the European democracies' process of integration since World War Two – since the initiation of European political cooperation and the establishment of the European Coal and Steel Community, the European Defence Community and the European Atomic Energy Community, through the structural changes resulting from the Maastricht and Nice Treaties and through the failure of the European Constitution project until the reforms ratified under the Lisbon Treaty. The book traces the major stages in the formation and the development of the Common Foreign and Security Policy and the Common Security and Defence Policy, paying attention to their legal frameworks, institutional structures and instruments.

“SEE*ing European Security Architecture” focuses on the principles and the mechanisms of the EU Common Foreign and Security Policy when preventing and managing crises and also focuses on the models for the initiation and the development of strategic partnerships between countries and international organisations, amongst which NATO and the OSCE.

Attention is paid to the actions of institutions that are concerned with foreign policy, security and defence issues within the EU, as well as the actions of the specialised European bodies, actively participating in the drafting and the realisation of the CFSP and the CSDP. This leads to a discussion of the functions of the EU High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service, the Political and Security Committee, the European Union Military Committee, the European Union Military Staff, the European Defence Agency, the European Union Satellite Centre, the European Union Operations Centre, the European Union Intelligence Analysis Centre (EU INTCEN).

Crucial EU strategic documents in the fields of security and defence are taken under consideration, among which is the European Security Strategy (“A Secure Europe in a Better World”), which is analysed in detail regarding its history and the prerequisites that led to its assertion, its structure, the definition of main threats (terrorism, regional conflicts, lack of statehood, the distribution of weapons of mass destruction, organised crime and its forms of funding), as well as strategic goals that the document puts forward (responding to threat, securing neighbouring areas, establishing a sustainable, rules-based world order that is supported by properly functioning international institutions).

This book presents the mechanism of civil-military cooperation, the development of crisis prevention and management skills in regard to both military and humanitarian crises; it also presents crucial EU missions and operations, in which the organisation partakes on its own, or within the mandate of partners from the UN, NATO and the OSCE. The EU Comprehensive Approach in situations requiring crisis management does not merely augment the reconciliation of military with civil expertise, but also shifts the focus away from military intervention in crisis areas and their post-conflict recovery onto the employing of preventive tools (political, diplomatic, economical). The EU Comprehensive Approach also strengthens the principle of dialogue and establishing of partnerships with regional organisations and local communities.

Special attention is paid to the role of internal security, immigration policies, European justice and the specific interaction between EU-wide jurisdiction and the jurisdictions of the Member States. The book traces the

mechanisms of applying common law, preventing and fighting crime and making sure criminal law is applied. Presented are the structures and functions of specialised institutions that guide EU jurisdiction and internal affairs – Europol, Frontex, Eurojust, the European Anti-Fraud Office and others. The EU develops Union-wide policies in the realms of internal security through strategic documentation, such as the EU Counter-Terrorism Strategy, the Framework Decision on the European arrest warrant, the European Programme for Critical Infrastructure Protection.

When considering the present conditions of limited energy resources within the Union and the danger of running out of depletable resources on a global scale in the next few decades, ensuring the security of supply and the development of energy infrastructure in Europe is of key importance. Several strategic documents focus efforts on these issues, among which the European Energy Programme for Recovery, the Strategy for Competitive, Sustainable and Secure Energy, the Energy Security and Solidarity Action Plan. When Bulgaria and Romania joined the EU in 2007, the major energy routes crossing the Black Sea region were incorporated into the Union's geostrategic map. Thus, the potential of the countries from the region considerably increased in terms of their being a key component of the energy security of the Union.

One of the regions of strategic energy security importance, where further research is required, is the Black Sea region. It connects Europe with the Caspian Sea, Central Asia and the Middle East and, on a broader scale, with South East Asia and China, having its close ties but at the same time geopolitical differences and rivalry. The Black Sea region is a developing market with great economic potential and it is also a vital junction for energy and transport routes. Along with the significant development opportunities that the countries in the region have, they are also facing a number of challenges that require taking coordinated action on a regional level in key areas such as energy, transport, environment, mobility and security.

In regard to NATO and the EU, the contributions of Romania, Bulgaria, Croatia and Albania in NATO and Bulgaria, Romania and Croatia in the EU are evaluated. The chapters about the involvement of the formerly listed countries in the two international organisations sequentially and methodically analyse the benefits of these countries as part of the organisa-

tions, their direct or indirect involvement in the organisations' activities (for instance, the ways in which these states contributed towards the resolution of crisis situations, the key opportunities ahead of them and their positions on varying political, economical, ecological, etc. topics).

The continuous expansion of the European Union, which doubled its size after enlargements in 2004, 2007 and 2013, changed the geopolitical structure in terms of the security environment not only in Europe but also on a global level. The Union has become a leading global player, yet has collided with series of challenges, related to the institutional development and the decision-making mechanism. The model that had been applied in the 15 Member States appeared dysfunctional when applied to the 28. It was necessary to establish simple mechanisms for the effective management of the Union through the Common Foreign and Security Policy, which would allow fast and flexible response to threats, their prevention and crisis management.

A vital component of the European architecture of security may be found in the development of EU defence industries and the establishment of a common European defence market through the formation of a strong and competitive European Defence Technological Industrial Base (EDTIB). The development of European defence industry has a direct impact not only on the CSDP, but also on European economic growth as a whole. In this context, the increase in cooperation and the improvement of the methods that stimulate investment in innovative technologies may successfully meet the EU's defence needs, while also contributing to the creation of new employment and the expansion of the EU's market positions on a global scale.

This book discusses the capabilities of the South Eastern European defence industries within the framework of the European Defence Technological and Industrial Base, paying specific attention to capabilities of Bulgaria, Romania, Turkey, Croatia, Greece and Albania. The methodological approach taken to examine these capabilities involves an analysis of each country's strategic documents, key opportunities and main companies that contribute to the development of its defence industry.

I would like to express my thanks to the Austrian National Defence Academy for giving me the opportunity to print this book within their Study Group Information Series. The Austrian National Defence Academy as supreme training and research institution of the Austrian Ministry of Defence and Sports is the lead agent of a Study Group dedicated to research in Regional Stability in South East Europe since 1999 in the framework of the PFP Consortium of Defence Academies and Security Studies Institutes.

In this context “SEE*ing European Security Architecture” fits perfectly in the series of more than 45 publications on the development of South East Europe from a crisis region to a potential enlargement area of the European Union.

Special thanks go to Ms. Edith Stifter from the Austrian National Defence Academy who was detrimental in copy-editing this volume into the English language.

I want to express my sincere gratitude to Ivaylo Penchev, the co-founder of Walltopia, for supporting the translation and to Georgi Gergov, M.A. of International Relations and Philipp Agathonos, minister plenipotentiary, Head of Unit in the Austrian MFA responsible for Civilian Crisis Management, Conflict Prevention and CSDP training for reviewing the English edition.

Dr. Svetoslav Spassov

Chapter 1:

The Fundamentals of the Common Foreign and Security Policy and the Development of the Common Security and Defence Policy of the EU

After the end of World War II, Europe faced new challenges. With Germany's capitulation came the end of an apparent solidarity in the politics of the victorious countries. A new line of opposition emerged between the capitalistic Western countries and the socialistic Eastern Bloc; the latter dominated by the USSR. The democratic European community, supported by the USA, was in search of new models to support the post-war recovery and to create the necessary defence mechanisms and guarantees to prevent a new clash. Germany, a country whose economy and technology had been dominant for decades, was left devastated and divided. Previously unimplemented decisive actions based on common values, following international law, and economic recovery and solidarity were called for. The countries of Western Europe took up a series of cooperative initiatives. The Marshall Plan of 1947 was a key for Germany's recovery; the Brussels Treaty of 1948 laid the foundations of the Western European Union (WEU); and the signing of the North Atlantic Treaty in Washington D.C. in 1949 was the bridge to a Euro-Atlantic partnership.

European countries set themselves the goal of stimulating their economies by bringing them closer together and relying on mutual monitoring of raw materials and resources which were the heart of industrial development and the defence industry. In 1951, the European Coal and Steel Community (ECSC) was established in Paris, laying the foundations of common management of strategic resources by its Member States. The ECSC and European Economic Community (EEC), established by the 1957 Treaties of Rome, and the European Atomic Energy Community (EAEC or EURATOM) unite their executive bodies in July 1967 and create the beginnings of the so-called European Communities.

A distinctive policy of the EU, the Common Foreign and Security Policy (CFSP) is defined by the Treaty of the European Union. The Treaty, signed in Maastricht in 1992, created a pillar-like architecture of which the CFSP is

the second pillar of the Union, acting as a base for intergovernmental relations. The Amsterdam Treaty, signed in 1997, created the position of High Representative for Common Foreign and Security Policy.

In the process of institutional creation, the mechanisms of CFSP were developed and optimised. The Treaty of Nice, which came into force in 2003, brought in a new institutional structure and increased CFSP cooperation, allowing Member States to have a more flexible approach toward defence problems. The tendency for flexibility and a multilateral approach was more fully developed by the Lisbon Treaty of 2009, which abolished the pillar-like institutional structure of the EU. The range of missions within the Common Security and Defence Policy (CSDP) was widened by additions in the fields of disarmament, military advice and aid, and post-conflict stabilisation operations.

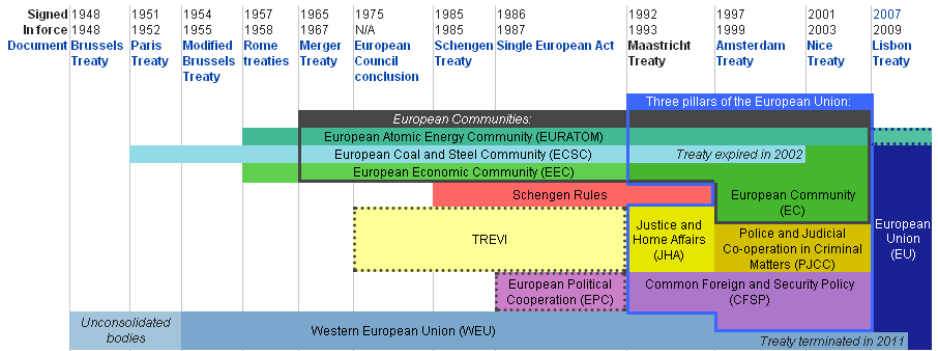


Figure 1.1. Timeline of the Treaties of the European Union¹

1.1. The Road to European Unity

In the second half of the twentieth century, the European Union was balancing its institutional establishment and development between two conceptual approaches, expressed in the views of Charles de Gaulle and Jean Monnet – the national and common. As well as the policy having been conducted by France for a long time, de Gaulle emphasized the dominance of cooperation among European countries based on their common inter-

¹ Timeline of the Treaties of the European Union (<http://origins.osu.edu/article/european-disunion-rise-and-fall-post-war-dream>), last accessed on 14 August 2014.

ests. To Monnet, European unity was deemed possible only through a common approach, with each nation delegating part of its sovereignty and expressing a unified European interest, as opposed to a number of interests of the various European countries.

The father of the idea for a European federation in its purest form is, unarguably, the Italian federalist Altiero Spinelli. History will forever remember his name for the Ventotene Manifesto, named for the island where he was imprisoned while he wrote it together with Ernesto Rossi and Eugenio Colomi. The Manifesto became an integral part of the history of federalism on the Old Continent, as well as the core of ideas and trends which would later become tendencies.²



Altiero Spinelli in European Parliament in 1984, when his proposal "Draft Treaty Establishing the European Union" was approved.³

The conceptual differences in philosophy on the road to Europe, expressed by de Gaulle and Monnet, accompanied the European Union throughout

² Union of European Federalists in Bulgaria (http://www.uefbulgaria.eu/?page_id=36), accessed in June 2012.

³ European Parliament, Altiero Spinelli sitting in the Parliament, Source: (www.europarl.europa.eu/resources/library/images/20060518PHT08376/20060518PHT08376_original.jpg).

its entire development in the twentieth century. The search for balance between communal interest and the interests of nation-states, between federalism and confederalism, is at the heart of the unique institutional architecture of the European Union, which is unrivalled by those of international organisations and state alliances.

1.1.1. The Creation of the Western European Union

The concept for the creation of a Western European Union (WEU) dates back to the Brussels Treaty, signed on 17 March 1948. It was an agreement for mutual defence for a fifty-year period, encouraging economic, cultural, and civilian collaboration, and collective defence. The Treaty urges Member States to help each other in case of an armed attack on one of them and was signed by Belgium, France, Luxembourg, the Netherlands and the United Kingdom. The WEU was officially established with the signing of the amended Treaty on 23 October 1954 in Paris, with the Federal Republic of Germany (FRG) and Italy joining the organisation then.

The reason behind the Treaty can be cited as the failed European Defence Community (EDC). The amendments are related to control of the armed forces and the production of weapons and technology. An item was added in which the main responsibility of the North Atlantic Treaty Organisation (NATO) was recognised as being the protection of Europe.⁴ This stems from the fact that nine out of the twelve founding countries of NATO were European – Belgium, Denmark, France, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, and the United Kingdom – and two were North American, namely Canada and the United States (Table 1.1).

It quickly became clear that a significant part of the WEU's functions were overlapped by those of other international institutions, such as NATO and the Council of Europe. Over time, many of its functions were reassigned to those organisations. As a result, the WEU entered a more passive role, monitoring weapons production and the reserves of weapons and technology. The WEU was the only European Parliamentary assembly for the monitoring of defence issues.

⁴ European Security and Defence College, History and Context of CSDP Development (<https://esdc.adlunap.ro>), accessed on 28 April 2014.

By the end of the eighties, greater integration in the field of security and defence was once again an issue, pushing the development of the WEU forward. At the time of the Hague Platform in 1987, the WEU Member States confirmed the articles of the modified Treaty of Brussels and the idea of defining common positions on issues of security policy. In 1988, the WEU conducts its first military operation in the Strait of Hormuz (between the Gulf of Oman to the Southeast and the Persian Gulf to the Southwest). Additional operations are conducted throughout the nineties, including a naval one in the Adriatic Sea, police and military actions under the jurisdiction of the EU, the deployment of multinational advisory police elements in Balkan countries (Albania, Bosnia and Herzegovina) to train local police forces.⁵

Membership in WEU			
Member states (1954)	Associated members (1992)	Observers (1992)	Associated partners (1994)
Belgium	Czech Republic	Austria (1995)	Bulgaria
France	Hungary	Denmark	Estonia
Germany	Iceland	Finland(1995)	Latvia
Greece (1995)	Norway	Ireland	Lithuania
Italy	Poland (1999)	Sweden (1995)	Romania
Luxembourg	Turkey		Slovakia
The Netherlands			Slovenia(1996)
Portugal (1990)			
Spain (1990)			
Great Britain			

Table 1.1. Membership Organisation at the time of the WEU's existence.

The role of the WEU in the field of European security policy is strengthened through a range of operations conducted in the late eighties and early nineties. The signing of the Treaty on European Union (TEU) in 1992 regulated the content and parameters of the Common Foreign and Security Policy (CFSP), strengthening the cooperation between the EU and WEU. It is stated in the Treaty that the WEU develops and implements the decisions of the EU on defence issues. Another expression of this deepened cooperation is the movement of the WEU's seat from London to Brussels in 1993.

⁵ Ibidem.

The establishment of the WEU in 1954 was a direct reaction of Western countries to the threat of aggression posed toward any one of them on the part of the USSR and its satellites. Even though the WEU did not have the necessary capacity to ensure all the defence functions of its Member States, the established collaboration became a condition for a wider partnership in the field of defence and security to be sought through strengthening transatlantic ties. With the Washington Treaty having been signed five years earlier (1949), the main functions for guaranteeing the security of Western European countries in the half-century which followed would be realised by NATO, but the WEU was an argument for Europe to build on and expand its own defence and security capabilities.

1.1.2. The Establishment of the European Coal and Steel Community and the Initiative of the European Defence Community

Winston Churchill was one of the first politicians to call for the creation of “the European United States”. The conclusions he had drawn from history were delivered in his well-known “Speech to the academic youth” at the University of Zurich in 1946.⁶

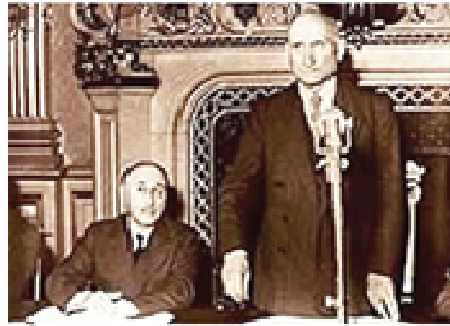
On 9 May 1950, the French Foreign Minister Robert Schuman declared a plan, by which to unite under a common high authority the French-German coal-mining and steelmaking industries. This body of authority consisted of a unified institutional machine which was different from classic international structures based on the principle of intergovernmental collaboration. Inspired by the ideas of Jean Monnet, the Schuman Declaration aimed to prevent the possibility of a new conflict breaking out in Europe by placing the government of strategic energy resources at a supranational level.⁷

⁶ EU (http://europa.eu/about-eu/eu-history/1945-1959/foundingfathers/churchill/index_en.htm), last accessed in March 2014.

⁷ European Security and Defence College, History and Context of CSDP Development (<https://esdc.adlunap.ro>), last accessed on 28 April 2014.



*Winston Churchill*⁸



*Jean Monnet (sitting) and Robert Schuman*⁹

Following the ideas of the Schuman Declaration, on 18 April 1951 the Treaty of Paris was signed for the creation of the European Coal and Steel Community (ECSC). The six signatory states¹⁰ were Belgium, France, the Federal Republic of Germany (FRG), Italy, Luxembourg and the Netherlands. The creation of the ECSC was the first crucial step of an institutional and psychological nature taken toward the affirmation of a supranational origin of the EU.

Driven by the idea of uniting the European nations, Jean Monnet, the then-Head of France's General Planning Commission, proposed that military collaboration be intensified through the creation of a common European army. In October of 1950, the French Prime Minister Rene Pleven officially presented to the partners of the ECSC a plan for the creation of a European Defence Community (EDC) with a united European army which would be under the command of the European institutions and in which there should also be German forces. The government declaration was approved and the plan was considered the only alternative to the autonomous rearmament of the Federal Republic of Germany.

⁸ Source: (http://en.wikipedia.org/wiki/V_sign#mediaviewer/File:Churchill_V_sign_HU_55521.jpg).

⁹ Source: www.france-allemande.fr (<http://www.france-allemande.fr/IMG/jpg/schuman-4.jpg>).

¹⁰ Ibidem.



*The ECSC was created by the Treaty of Paris on 18 April 1951.*¹¹

As a result, on 27 May 1952, after American support had been received, a treaty establishing the European Defence Community was signed by six countries – Belgium, Italy, Luxembourg, the Netherlands, France and the Federal Republic of Germany. They make the commitment not to create and not to support national armed forces with the exception of troops, meant to be deployed on non-European territories (i.e. colonies), French occupied troops in West Germany, and the personal security services of heads of state. Unlike what had originally been drafted, the integration of the armed forces was foreseen as a Corps, which allowed for the creation of large military divisions. In this way, the French did not receive the coveted full control over the rearmament of FRG.

The creation of the EDC also seriously limited the national sovereignty of its Member States. Almost at the same time, (10 May 1953), the six founding Member States of the EDC drafted the agreement for the European Political Community (EPC). The idea of the EDC was rejected by the French Parliament on 30 August 1954 and never went into effect. Soon after, the original six Member States give up on the idea of a political community, as well.¹²

¹¹ Source: NATO (http://www.nato.int/ebookshop/video/declassified/#/en/sources/597_european_coal_and_steel_community_-_1951/).

¹² Krastev, D. European Union policy in the sphere of security. Sofia, 2010, p.72.

The trauma caused by World War II is so serious that European nations had no choice but to learn to live together. The threats of the Eastern Bloc showed that distrust between the victors and the vanquished in war had to be overcome and Germany had to be integrated into the European security architecture. The treaty for the establishment of the European Defence Community (EDC), foreseeing the commitment not to create nor support national armed forces, was a strong impulse toward the federalisation and integration of Western European countries. Unfortunately, not all the governments were prepared for this avant-garde step and the EDC failed, in exactly the same way the project for a European constitution would fail half a century later.

1.1.3. Creation of the European Economic Community and the European Community for Atomic Energy – Euratom

On 25 March 1957, in Rome, Belgium, France, Germany, Italy, Luxembourg, and the Netherlands signed the Treaty for the establishment of the European Economic Community (EEC) and the Treaty establishing the European Atomic Energy Community (Euratom), which became known as the Treaties of Rome. They went into effect on 1 January 1958. The seats of the two organisations were in Brussels.¹³

The Treaty of the EEC aimed at the creation of a border control alliance which would break down the barriers of trade among the participating states and would introduce common duties for third parties. Additionally, the founding of a common European market with free movement of people, services and capital was foreseen. It was a market in which the different policies would need to be coordinated and harmonised in order to reach stable economic growth. Euratom's goal was to promote the creation and development of the nuclear energy industry in the six founding states, as well as to coordinate scientific research programmes for the use of nuclear energy for peaceful purposes.

¹³ EU (<http://europa.eu/>), last accessed on 02 June 2014.



Signing the Treaty of Rome on 25 March 1957 for the establishment of a European Economic Community (EEC) and the European Atomic Energy Community (EAEC or Euratom).¹⁴

On 8 April, 1965, the participating countries signed the merger treaty which united the executive bodies of the European communities – the European Coal and Steel Community (ECSC), Euratom and the EEC – which went into effect on 1 July 1967. From then on, the European communities have had one Commission, which to a great extent received executive power, a common Council of Ministers, which functions as a legislative body, one Parliamentary Assembly in Luxembourg, which discusses reports and is the connection to national assemblies, and a single Court of Justice of the European Communities, which oversaw the clauses of the Treaty.

Through the creation of supranational institutions, the process of multinational integration began, transforming and modernising the political and economic model in Western Europe. With the Treaty of Maastricht in 1992, the European communities became known as the European Community, also known as the European Union.¹⁵

¹⁴ Source: European Parliament.

¹⁵ Ibidem.

1.1.4. The Eastern Answer to European Unity

On 13 May 1955, in answer to the newly-emerged Western unions, especially to the German accession to NATO, the Treaty of Friendship, Co-operation, and Mutual Assistance – known as the Warsaw Pact – was signed at the meeting of its founding countries: Albania, Bulgaria, the German Democratic Republic, Poland, Romania, the Soviet Union, Hungary and Czechoslovakia. The Pact of the founding council of the Warsaw Treaty Organization was passed unanimously in 1955 by the heads of the delegations present, chaired by the Soviet Prime Minister Nikolai Bulganin.



*Conference on the establishment of the Warsaw Pact held on 11 May 1955 in Warsaw, Poland*¹⁶

According to its clauses, the main executive body of the Warsaw Treaty Organization was the Political Consultative Committee (PCC). The foundations of this new military-political organization were regulated. There would be consultations on all the important international issues which affected the common interests of the Member States and immediate aid by all means, including military force, to be used against external aggression. In accordance with the common practice for taking political decisions in Eastern European countries, the ratification procedure for the Warsaw Pact

¹⁶ Source: Culture Project: Earth (<http://cultureprojectearth.org/?p=2413>).

took less than a month.¹⁷ The answer of the Moscow-dominated countries of the Eastern Bloc with the signing of the Warsaw Pact in 1955 outlined the political and military opposition of the two camps nearly for the next fifty years. Its fast ratification in socialist countries proved that, unlike in Western Europe, decisions were taken by one political centre. Only ten years after the end of the Second World War, Europe was, yet again, facing a threat to its security and stability.

1.2. The European Political Cooperation from Davignon to Nice

1.2.1. The Realisation of the Idea for the European Political Cooperation

The European Community began to research ways in which to harmonise the foreign policies of its Member States. In the Treaty of Rome, neither cooperation in foreign policy nor such policy in security and defence was mentioned. The idea for political cooperation came up unofficially at summits of European state and government leaders. At the Hague Summit, the European leaders set their foreign ministers the task of researching the possibility of a closer integration in the political sphere.

The foreign ministers, in turn, come up with the idea of a European Political Cooperation (EPC) in October of 1970, presented in the Davignon Report. Also known as the Luxembourg Report, it aimed at harmonizing the positions, consultations and common actions in politics. The procedures which the report led to are connected to six-month long meetings of the ministers of foreign affairs and three-month long meetings of the leaders of the Political Council. The EPC's goal was to support the conduction of consultations between EC Member States.

The attempts for overcoming the functional restrictions of the EPC and the transition from coordinating national positions to development of a united political stance intensify in the seventies. The clearest formulation for transforming the European community into a political union, including security and defence issues, can be found in the EC's report of 1975, pre-

¹⁷ Baev, Y. The European security system and the Balkans in the years of Cold War. Sofia, 2010, pp. 83-85.

pared by the Prime Minister of Belgium, Leo Tindemans. However, his main convictions did not receive the necessary support.¹⁸

On 13 October 1981 in London, the EC's foreign ministers agreed on a report about the European Political Cooperation. While defence was not included, the report covered several key issues of foreign policy, such as the political aspects of security. The report also introduced crisis procedures which would allow the organisation to call urgent meetings within 48 hours whenever necessary.

The European Political Cooperation created the mandatory institutional frame for consultation and coordination. Meetings of heads of state and foreign ministers twice a year were not enough for decisions about all the complicated, dynamic and complex problems connected to European security to be taken.

Thus, the expertise and capacity of regional and thematic groups of the Political Council had to be increased. Prime Minister Tindemans' report took into account the need to intensify the integrity in the security and defence sphere and to transform the European Community into a political union, but is not accepted well. The London Report of 1981 excludes defence from the EPC and emphasizes the political aspects of security.

1.2.2. The Genscher-Colombo Plan, a Solemn Declaration on European Union

A series of motives, among which the need for reform of the EC, the decreasing popularity of the European idea, the diversion from the discussion about financial policy, led the German Foreign Minister Genscher to declare a new European initiative on 6 January 1981. He took up the idea which had been around for years, but which was still unclear to European politics, that of a "European Union". He suggested that the idea became a treaty called the "European Act". The Italian government supported the German initiative and contributed to it with new concepts about economic integration. On 4 November 1981, Germany and Italy presented their joint project for a united European Act, focused on issues which could be passed by consensus. This initiative began the difficult process of negotia-

¹⁸ Ibidem.

tions with the remaining partners, in the process of which it was soon evident that the spheres on which consensus could be reached were fewer than the authors had originally believed. Following difficult negotiations at a summit in Stuttgart in June 1983, the heads of state of EC countries presented the Solemn Declaration on European Union. It was a document which set the scene for the future Common Security and Defence Policy (CSDP).¹⁹

An essential result of the Stuttgart summit was the formulation of a range of reforms for overcoming the main structural problems burdening the Community. Namely, these problems included: future financing with an aim to increase incomes, stricter budget discipline and equalisation of payments; reforming the agricultural market; expanding the EC through the accession of Spain and Portugal, as well as the development of new policies.

At this forum, the EC was able to put the various conflicts of interest into a common context of united discussions, thus making consensus possible. However, the December 1983 summit in Athens was unsuccessful. In order to overcome the failure of the “Stuttgart Declaration” the classical instrument of traditional diplomacy – bilateral negotiations – was introduced. In 1984, certain steps in European politics were successfully taken, which, at the very least, gave the EC time for reflection.²⁰

In the seventies and early eighties, the initiatives to strengthen the cooperation in the security and defence sphere among European countries was based primarily on the suggestions of different political leaders. The European countries were still far too static as far as the mechanisms and speed of integration were concerned. The plan of the German Foreign Minister Genscher for the idea for a European Union to become more likely by way of the signing of the European Act was also faced by overwhelming challenges. Still, the Solemn Declaration on European Union brought the idea closer.

¹⁹ Europe-Gateway, The Genscher-Colombo initiative for the “Solemn Declaration” (<http://europe.bg/htmls/page.php?id=492&category=235>), last accessed on 28 April 2014.

²⁰ Ibidem.

1.2.3. The Single European Act

In the mid-eighties, heightened dissatisfaction pervaded the EC Member States. The Old Continent's elite economic and political leaders insisted on harmonising legislation in order to avoid contradictions in common European policy. A committee was founded for the purpose of analysing the possibility of a common European market and the respective steps that would have to be taken in order to create it. The committee's proposals lay the foundations of the Single European Act (SEA), whose aim was to overcome the barriers between the European countries, improve harmonisation and increase their competitiveness.

The SEA reformed the operational procedures of EC institutions and adds new issues to voting by qualified majority. The Act officially launched the concept of EPC, the forerunner to CSDP. It was signed in Luxembourg on 17 February 1986 and in the Hague on 28 February 1986. It went into effect on 1 July 1987. The first thorough revision of the Treaties of Rome of 1957 for the establishment of the European Economic Community (EEC) and the European Atomic Energy Community (EAEC or Euratom) was conducted.²¹

By the late eighties, the EC countries had to admit to the need for greater integration and expansion in the areas of cooperation. The economy needed growth and higher competitiveness, improved harmonisation and the removal of obstacles in front of economic growth. The SEA revised the founding Treaties of Rome in order to reach optimisation and greater flexibility in the institutional decision-making mechanism.

1.2.4. The Treaty on Conventional Armed Forces in Europe

In 1990, the Treaty on Conventional Armed Forces in Europe (CFE) was signed and went into effect on 9 October 1992. It was adapted to fit into the changed military-political situation in Europe after the Warsaw Pact was disbanded. As a result, the Bloc approach and the system of restric-

²¹ Lehmann, W. Developments up to the Single European Act, 2008 (http://circa.europa.eu/irc/opoce/fact_sheets/info/data/how/evolution/article_7332_bg.htm), last accessed in December 2012.

tions based on it fell through. The Concluding Act of the Negotiation on Personnel Strength of Conventional Armed Forces in Europe (CFE-1A) and the Agreement on Adaptation of the Treaty on Conventional Armed Forces in Europe (CFE-II) are passed by the participating states on 19 November 1999, the latter being signed on the same day by state officials and government leaders in Istanbul.²²

The Agreement reflected the changed security conditions in Europe after the fall of the authoritarian socialist regimes and the termination of axis opposition as a major threat to peace in Europe.

1.2.5. The Treaty on European Union of Maastricht

The signing of the Treaty on European Union (TEU) in 1992 in Maastricht brought the term “European Union” into the legal order, but preserved the existence of the three Communities (EEC, ECSC and Euratom), renaming only the European Economic Community (1957) as the European Community to express its ever-growing circle of competences. Thus, without replacing the Communities, the TEU created a new legal structure of the EU to exist alongside and independently of them.²³

The Treaty of Maastricht was the first legislative document for the regulation of the content and parameters of CSDP. After the Maastricht Treaty, the EU consisted of three “pillars” united in a common structure which included (Figure 1.2.):

- The first pillar: The European Community, or what was based on the foundations of the Treaty of Paris (ECSC), the Treaties of Rome (EEC, EAEC) and the SEA cooperation, which was added to and expanded upon by the Maastricht Treaty.
- The second pillar: Common Foreign and Security Policy (CSDP), with which the intergovernmental cooperation in the sphere of for-

²² Ministry of Defence of the Republic of Bulgaria. Treaty on Conventional Armed Forces in Europe (<http://www.mod.bg/bg/doc/cooperation/DOVS.pdf>), last accessed on 28 April 2014.

²³ Popova, J. European Union Law. Sofia, 2009, pp. 318-319.

eign policy (EPC) was expanded and for which agreement foundations were laid.

- The third pillar: Police and Judicial Co-operation in Criminal Matters (PJCC), which was not presented in the Maastricht Treaty but was based on existing experience of European concurrence in these spheres.²⁴

Common Foreign and Security Policy (CFSP) of the EU was formed as a result of the gradual development of the European Political Cooperation (EPC). According to the Treaty on European Union of Maastricht, which created its specific architecture, CFSP was the “second pillar” of the Union. This policy was based on the intergovernmental approach, just as the third pillar, which regulated the cooperation in the judicial and home affairs fields. Unlike the second and third pillars, the first and foremost pillar covered only Community policies.

Despite its decades-long history, the project for European unity was not able to reach the point of security and defence policy cooperation that would come near economic integration for a long time.²⁵

The EU’s pillar-like architecture in the Maastricht Treaty of 1992 expressed the attempt to find balance between the communal origins and the possibility for Member States to express and realise their specific national interests. Positioning CFSP in the second pillar was proof that the European countries were not yet ready for an integrated common policy for security and defence. It was not by chance that, twenty years later, this model would have to be reformed.

²⁴ International UNESCO Education Server for Civic, Peace and Human Rights Education (http://www.dadalos-europe.org/bg/grundkurs_3/etappe_3.htm#maastricht), last accessed in June 2012.

²⁵ Lesenski, M. Foreign, security and defence policies as priorities of the European union, p. 1 (www.eu-defence.hit.bg/ESDP-volume_05_Marin_Lessenski.doc), last accessed in June 2012.



Figure 1.2. EU structure after the Maastricht Treaty (1993–2009)²⁶

1.2.6. The Petersberg Declaration

In June of 1992, at a meeting of the foreign affairs ministers and defence ministers of the WEU countries, the so-called Petersberg Declaration was passed. The document's name was connected to the location of the event – Hotel Petersberg, near Bonn, Germany. The Petersberg Declaration set new tasks, expanding the scope of traditional territorial defence to include missions of various character – peace-keeping, peace-enforcing, humanitarian, and rescue. The spectrum of the armed forces' functions in management of crises of different character and intensity was also mentioned. The Petersberg tasks, as they became known, covered a wide spectrum of potential missions, in accordance with Chapters VI and VII in the Charter of the United Nations.

²⁶ Source: <http://eur-lex.europa.eu> (http://eur-lex.europa.eu/en/droit_communaire/droit_communaire.htm), last accessed in September 2012.

In the Petersberg Declaration, the main ideas for the further development of WEU countries were outlined. The Member States declared their readiness to provide conventional military force for military missions to be conducted under WEU command.²⁷

The Petersberg tasks cast a new light upon the content of CFSP. The EU reckoned that the risks and threats to security did not come down to just defence of the territorial integrity of the Union, but were connected to regions beyond its borders. In the Petersberg Declaration, tasks for building up the capacity and potential for the execution of different types of missions were set, as well as such for peace making and the prevention and management of crises. The Declaration thus laid the foundation for CSDP (originally ESDP, the European Security and Defence Policy), which a few years later became a policy in its own right and an important part of guaranteeing the prosperity of the Union and the interests of its citizens.

With the expansion of the regions in which the EU became actively involved with CFSP means, there arose the need for optimisation of the necessary resources and the removal of duplication of the functions of the EU and NATO through the discovery of mechanisms for tighter integration of their bodies and institutions. The WEU's 1996 participation in the creation of the European Security and Defence Identity (ESDI) within NATO became the basis for the Berlin Plus agreement between NATO and the EU, which was passed in 2003. In it, through a series of institutional arrangements, the EU received access to NATO's plans and capabilities for crisis management.

1.2.7. The Amsterdam Treaty

The Amsterdam Treaty was signed in 1997 and went into effect on 1 May 1999. The document contributed to the institutional agreements in the decision-making process of the Common Foreign and Security Policy (CFSP). The Amsterdam Treaty also established the post of High Representative of the Union for Foreign Affairs and Security Policy. The prosperity of the European economy would have been impossible without the establishment

²⁷ International UNESCO Education Server for Civic, Peace and Human Rights Education, Op. cit.

of reliable guarantees for the security of the European countries and their citizens. The pillar-like institutional architecture put CFSP in a strategic position. At the same time, agreement was reached on certain important problems which had hindered effectiveness at the time of the CFSP's establishment. The post of High Representative of the Union for Foreign Affairs and Security Policy that was created by the Amsterdam Treaty expressed the need for a specialised body to coordinate the Community's policies and the interests of Member States.

1.2.8. The Treaty of Nice

The important amendments in the functioning of CFSP that followed were written in the Treaty of Nice, which was signed in 2001 and went into effect in 2003. It introduced not only a new institutional structure but also the so-called Enhanced Cooperation of CFSP, which meant that a group of countries could decide to act or take a stance without a member state in disagreement being able to oppose their said action or stance.²⁸ It soon became apparent, however, that the Treaty of Nice was simply a compromise and the architecture of the Union had to be completely reformed in order to guarantee its normal functioning following the accession.²⁹

In 2001, the Treaty of Nice created an institutional framework for EU expansion. The structure and functions of the Union as a community with 27 Member States were projected. The Declaration on the Future of the Union, which was annexed to the Treaty, began the debate among Member States calling for a deepened discussion on the EU's future.³⁰

Institutional reform continued with the Treaty of Nice, with an attempt having been made at overcoming the static nature of the decision-making mechanism, becoming more flexible and shortening reaction time by bringing Enhanced Cooperation into CFSP. Despite all this, as far as crisis pre-

²⁸ International UNESCO Education Server for Civic, Peace and Human Rights Education, Op. cit.

²⁹ The European Commission representation in Bulgaria. Agreements (http://ec.europa.eu/bulgaria/abc/eu_glance/treaties_documents/treaties_bg.htm), last accessed on 28 April 2014.

³⁰ The European Constitution Project (<http://www.verfassungsspiel.de/bg/index.php/03/01>), last accessed on 6 April 2012.

vention and management were concerned, diplomacy and economic instruments of influence remained at the heart of CFSP.

1.2.9. The European Council and the European Constitution Project

The idea for a European constitution was launched by the Union of European Federalists in 1997, which organised a pan-European campaign to make the initiative more popular. At the peak of the campaign, nearly 10,000 people from all over Europe gathered at a demonstration in Nice on 7 December 2000, coinciding with a European Council meeting.³¹

The European governments answer the federalists' demands with a resolution of the European Council in Ghent (October 2001), with which the European Convention was established, given the status of a consultative body and called upon to develop a draft summarizing the ideas about the future of the EU. This body officially began functioning in March 2002 and completed its work on 10 July 2003 with the presentation of the draft of a treaty establishing a constitution for Europe (constitutional treaty). The convention's members included representatives of the national assemblies of Member States and those of candidate countries, with the latter taking part in the convention on equal terms but without the right to oppose a consensus.³²

The creation of a draft constitutional treaty was taking a step toward establishing the model of a future united Europe on the basis of federalist principles. The treaty projected reforms in the institutions governing the Union and its decision-making processes which would ensure the efficient functioning of the expanding EU. The draft of the constitutional treaty gave the Union greater responsibilities in all areas of foreign policy and issues about the security of Member States, including the on-going formation of a common defence policy with the potential of leading to common defence.³³

³¹ Union of European Federalists (<http://www.federalists.eu/actions/campaigns>), last accessed on 2 May 2014.

³² The European Constitution Project (<http://www.verfassungsspiel.de/bg/index.php/03/01>), last accessed on 06 April 2012.

³³ Edition of the 39th National Assembly of Bulgaria. Treaty for establishing a Constitution for Europe, presented at the Thessaloniki European Council on 20 June 2003, European Convention, Sofia, 2003, p. 24.



Bulgarian federalists in Nice in December 2000 during the demonstration for the European Constitution. ³⁴

The constitution relied on the gradual spread of the security and defence policy. In chapter 3, the main aims of ESDP (now CSDP), common initiatives for disarmament, humanitarian aid and rescue missions, military consultation and aid, conflict prevention and peacekeeping missions, combat groups within crisis management, including peace making and post-conflict stabilisation, are mentioned. It was expressly emphasized that all of this should contribute to the fight against terrorism. A solidarity clause was introduced in the draft constitution for the first time, in case of an armed attack on one of the Member States.³⁵

Ultimately, the treaty establishing a Constitution for Europe was rejected after having been put to two referendums – in France (with 54.68% of the voters having voted “No” at a 69.34% turnout) and the Netherlands (where 61.6% of the voters were against the constitution, out of a 62.8% turnout).³⁶

The tendency toward the EU’s legislative codification was an expression of the common process of integration among the Member States. The project

³⁴ Photo: courtesy of the author.

³⁵ Verheugen, G. Europe in crisis. For reflection on the European idea. Sofia 2006, pp. 143-144.

³⁶ Europe-Gateway, Ratification of the European Constitution – a complete summary (<http://www.europe.bg/htmls/page.php?id=4884&category=230>), last accessed on 02 May 2014.

for a European constitution was a form of codification concerning the fundamental principles of the Union, its institutional framework and powers. The term “Constitution” ought to be defined more precisely as compared to its classic meaning and its specific use in the draft prepared by the Convention.

Historically, while the founding contracts of nation-states had always legislated the transition to a bourgeois country, the Constitution for Europe was based on the need to meet the needs of an ever-changing and ever-expanding European Union. At the beginning of the twenty-first century, the EU was faced with the challenge of doubling its size, from whence there came the necessity for finding the mechanisms mandatory for its model of functioning.

Despite the failure of the European constitution, most analysts recognize the tendency toward codification as the right step for the integrity of the Union. However, its lack of success created the urgent need for a mechanism both fast and reliable enough to guarantee success created the urgent need for a mechanism both fast and reliable enough to guarantee that integrity. Thus, the drafting and signing of the Lisbon Treaty – in which many of the European Constitution’s principles were incorporated – came about.

1.3. The Common Foreign and Security Policy of the European Union

The road to European unity, outlined by the “founding fathers of Europe” after the end of World War II, passed through the founding contracts of the European Communities, the fall of the Berlin Wall, the Treaties of Maastricht, Amsterdam and Nice to the ripening of the idea for a common foreign policy of the EU which would go beyond the boundaries of the interests of separate Member States.

Despite the failure of the draft Constitution for Europe, (which set a strong federative model for the functioning of the EU) its main principles about foreign and security policy found expression in the Reform Treaty of Lisbon. Currently, the EU’s Common Foreign and Security Policy (CFSP) is

implemented through the integration of the model for supranational coordination among European institutions with the mechanisms for cooperation among Member States.

1.3.1. The Legal Framework of the Common Foreign and Security Policy

The legal foundation of the CFSP was formulated in Title V, Articles 11-28 of the Treaty on European Union (TEU). It is found in the following parts:

- In the TEU, Title I, Common Provisions, especially in Articles 2 and 3; Title VIII, Final Provisions; Protocol about Article 17, annexed to the Treaty with the Amsterdam Treaty; Declarations 27 – 30, passed by the Intergovernmental Conference (IGC) in 1990 (within the Maastricht Treaty), in the five declarations about CSDP passed by the IGC in 1996 (within the Amsterdam Treaty): № 2 – regarding the improvement of cooperation between the EU and the WEU; № 3 – regarding the WEU; № 4 – regarding articles 24 and 38; № 5 – regarding article 25, № 6 – regarding the establishment of a policy planning and early warning unit (*6.1.3). Also of significance is Declaration № 1 for European policy in the sphere of security and defence, which was passed by the IGC in 2000 (within the Treaty of Nice);
- In the Treaty establishing the European Community: Articles 296, 297, 300 and 301.³⁷

1.3.2. Institutional structure and instruments of CFSP

The supranational (communal) origin projected the formation of structures reaching beyond the borders of state jurisdiction.

The establishment of the European Economic Community (EEC) became the institutional platform for the transformation of the whole values image of Europe. The Maastricht Treaty realized significant changes in the institu-

³⁷ Schulz, S. Foreign policy: aims, instruments and achievements, 2008 (http://info.europa.sliven.bg/eu_fact_sheets/relations/cfsp/article_7190_en.htm), last accessed in August 2012.

tional structure of European unity. A bit later, in the Amsterdam Treaty, the following CFSP instruments were projected:

- Principles and general guidelines (Article 13), defined by the European Council and especially on issues connected to security and defence policy;
- General strategies, which are decided on by the European Council in cases of important common interests of Member States; in the general strategies, specific aims must be set, as well as length and the amount of resources which would be provided to reach them by the Community and Member States;
- Joint actions (Article 14);
- Common positions (Article 15);
- Regular cooperation among Member States, which have the responsibility to inform each other and coordinate with the Council on all the issues of foreign and security policy which are of common interest.³⁸

The Treaty on European Union of Maastricht created a detailed model for the institutional structure of CFSP. The rotational presidency of the Union fulfils the function of realizing the common missions and representing CFSP issues to third parties. The European Council defines the main political line connected to CFSP, while the European Council and Council of Ministers pass the common positions and take decisions for the conduction of joint actions.

The strengthening of the EU's role on the international stage requires constant monitoring and reliable expertise to be presented to the Committee of Permanent Representatives of the Political and Security Committee (PSC). The model created aims to delegate the functions of security and defence issues in such a way, as to guarantee the principle of synergy and mutual control in the activity of the European bodies and institutions.

³⁸ Ibidem.

1.4. The Development of the Common Security and Defence Policy (as part of CFSP)

In the process of European integration, the Common Security and Defence Policy (ESDP/CSDP) was formed relatively late – at the end of the twentieth century. The changes in the security sphere worldwide required that capabilities which would allow a swift reaction to threats posed to the EU, regardless of where in the world they came from, be built up.

All CSDP operations have to be conducted under strict international legal order and in compliance with UN resolutions. At the beginning of the twenty-first century, the civilian role in carrying out crisis prevention and management missions within the “comprehensive approach” of CSDP grew stronger.

1.4.1. Laying the Foundations of the Common Security and Defence Policy

1.4.1.1. Franco-British Joint Declaration of Saint-Malo

The Common Security and Defence Policy (which was known as the European Security and Defence Policy until 2009) is an integral part of the Common Foreign and Security Policy of the Union. The French and British governments signed a Declaration (Saint-Malo, in 1998) laying the political foundations for unified policy in the security and defence field. The Member States set themselves the task of building up the Union’s capability for acting autonomously, which would be supported by military forces, mechanisms by which to allow the deployment of the armed forces, and the preparation to respond to international crises.

The aims of CSDP are defined in Article 42 of TEU. It states that the EU may draw on civilian and military means beyond the Union: “for peace-keeping, conflict prevention and strengthening international security in accordance with the principles of the United Nations Charter.”

Without undermining the specific character of the policies for security and defence of each member-state (22 NATO countries also being EU Member States), the ultimate goal of CSDP is achieving a common defence policy.

1.4.1.2. European Council Meetings in Cologne and Helsinki

In 1999, at meetings of the European Council in Cologne and Helsinki, the foundations of ESDP were laid. The European Council meeting in Cologne was held in June. The first common strategy regarding Russia was adopted at this meeting, and Javier Solana was appointed as High Representative of CFSP and Secretary General of the Council.

In December, the European Council meeting in Helsinki was held. It was agreed there that accession negotiations with Romania, Slovakia, Latvia, Lithuania, Bulgaria and Malta would begin, and that Turkey would be recognised as a candidate country. It was also decided that an Intergovernmental Conference would be convened in February 2000 for the purpose of reviewing the Treaties. The European Council also agreed the “Helsinki Headline Goal”, by which Member States committed the 60.000 soldiers for EU operations implementing the Petersberg tasks.

1.4.1.3. The Feira European Council

At the Feira, Portugal, European Council in June 2000, the interim Political and Security Council (PSC) of the EU was founded, consisting of national representatives who dealt with all aspects of CFSP, including CSDP. The Feira Council introduced an ad hoc working group which, supported by the EU’s interim military body, would supply the interim PSC with military reports. The Council welcomed the first meeting of the Committee for Civilian Aspects of Crisis Management, CIVCOM. Four new priority areas of work were introduced: policing and strengthening the rule of law, strengthening civilian administration and civil protection.

The civilian aspects of CSDP, developed at the European Council meeting in Feira, as well as at that of Goteborg in 2001, were put into action in the EU’s Police Mission in Bosnia and Herzegovina (EUPM), a civilian mission, which started on 1 January 2003 and was the first crisis management operation led by the Union.

CSDP is implemented as one of the main pillars of the EU’s CFSP, placing the Union on the international political stage as a global player. Its security policy operations are conducted throughout the world – from the Western Balkans to the South Caucasus, from Africa to the Middle East. The reach

of the Union's operations is expanding not only geographically, but also thematically, to include peacekeeping, policing and humanitarian operations. The European identity in the field of security and defence is a key component of European integration. A range of EU missions and operations are conducted in third countries, in accordance with the principles of the Charter of the UN for ensuring peacekeeping, crisis prevention and the support of international security. This policy allows the EU to build up its operational capacity and abilities, which enable the CSDP targets to be reached.

1.4.2. The European Security Strategy

The European Security Strategy was adopted in December 2003 and marked a turning point in the development of the foreign and security policy of the EU. For the first time, the EU reached agreement on the common evaluation of threats and set clear targets for the development of interests in the security field on the basis of the most important values. The title of the strategy "A Secure Europe in a Better World" can best reflect what Europe is aiming for and is an apt expression of its ultimate goal.

1.4.3. Crisis Management

Within the European Security Strategy (ESS) of 2004, the Civilian Headline Goal 2008 was adopted. It was related to the EU's capability to respond to crisis of a non-military character. In June 2004, the Council of Europe adopted a new plan for the development of the EU's military capabilities, known as the Headline Goal 2010. It projected EU Member States "to be able by 2010 to respond with rapid and decisive action...to the full spectrum of crisis management operations" as per the ESS.

1.4.4. New Challenges Facing CSDP Following the Lisbon Treaty

Essential changes to the "construction" of the EU were brought in by the Lisbon Treaty of 13 December 2007, which was signed at the time of the Portuguese Presidency of the EU. It went into force on 1 December 2009, officially called "Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community". One of the main

aims of the Treaty was to make the EU more efficient and give it the necessary institutional conditions and capabilities to reaffirm its significant role in international relations. This act introduced specific procedures and parameters to CFSP, making it an intergovernmental process whose strategic targets and interests are set unanimously by the Council and then implemented by order of the High Representative. CFSP is conducted by the Member States and the High Representative simultaneously. In this policy, no legislative acts are adopted. The Treaty restricts the possibility of decisions being taken with a constructive abstention, i.e. a decision by the qualified majority is not taken unless one third of all Member States declare themselves to be abstaining from the vote. The acts in this policy are pre-formulated as defining general guidelines, decision-making, and establishing the actions the EU will take as well as its positions and the specific conditions for implementing resolutions. Swift access to credits from the EU budget was also made available for the purposes of urgent financing of initiatives within the framework of CFSP, especially for the training projects of CSDP missions.

The Treaty significantly changed the CFSP of the EU. The “European Union” was no longer differentiated as an entity separate from the “European Community.” The EU was enabled to enter into international agreements and to become a member of international organisations. The Political Committee, formed by the Maastricht Treaty in 1993, was renamed as the Political and Security Committee.

The Member States became obliged to support the Union’s CFSP by coordinating their own security policies with those of the EU. In the framework of CFSP, countries coordinate their actions and share the information to which they have access. The means necessary to conduct CFSP are communal and national. The expenditure for military operations is sourced from the budgets of Member States in proportional accordance with their gross national products, with only the administrative expenses being covered by the EU’s budget.

The targets of CSDP are specified within the Lisbon Treaty by the introduction of civil means alongside military ones in missions beyond the Union’s territory for peacekeeping, conflict prevention and support of international security. The CSDP commitments were extended in accordance with

the foundation of the Petersberg Missions, with the inherent priorities of the European Security Strategy. In the Lisbon Treaty, the targets and main aspects of the formation of CSDP as an integral part of the EU's CFSP are constituted. The Lisbon Treaty put special emphasis on the integration policy in the sphere of security and defence – through the change of the European Security and Defence Policy (ESPD) to the Common Security and Defence Policy.

The Treaty of Lisbon introduced new clauses aiming at the development of the EU's defence policy which would lead to the gradual establishment of common European defence. CSDP remained a predominantly intergovernmental issue. In most cases, the Council of the European Union would take decisions unanimously, with the financing and operational expenses being provided by Member States. The Lisbon Treaty gave European countries the ability to take part in military and humanitarian missions and to receive funding for closer cooperation in this field through the European Defence Agency (EDA) or the establishment of a permanent, structured cooperation.

Until the Lisbon Treaty went into force, the following missions were not a part of CSDP's competences:

- Humanitarian and evacuation;
- Conflict prevention and peacekeeping;
- Armed forces for crisis prevention.

The Lisbon Treaty added three new types of missions to the list above:

- Joint actions in the field of disarmament;
- Military advice and aid;
- Post-conflict stabilisation operations.

One of the important steps that were taken toward closer cooperation in the security and defence field was the introduction of the so-called *mutual defence clause*, which unites EU Member States in a special way. If a member-state becomes the object of an armed attack on its own territory, it can rely on the help and support of the remaining Member States, who are obliged to come to its aid. The mutual defence clause does not interfere with the commitments pledged under the NATO.

With regard to the *mutual assistance clause*, Article 42 (7) of the Treaty provides, in the case of armed aggression on the territory of a member-state, that its partners would be obliged to deliver aid and support by “all the means in their power” (the inclusion of military means is inferred), in accordance with Article 51 of the Charter of the United Nations. The *solidarity clause* is meant to go into effect at the request of the political authorities of a member-state which has become the victim of a terrorist act or disaster, as per the mutual assistance principle.

Permanent Structured Cooperation in Defence is a closer form of cooperation among certain Member States in the field of defence. It is the subject of a Protocol of the Lisbon Treaty. According to this frame, the countries which take part in a permanent structured cooperation commit to developing their defence capabilities more intensely and to provide armed troops for their planned missions. The contribution of the participating Member States is evaluated regularly by the European Defence Agency. Permanent structured cooperation in defence must be approved by the Council with a qualified majority at the request of the participating countries. There is no threshold for acceptance of Member States. Each of them is free to withdraw or participate in such a cooperation but only under the conditions that it meets the requirements for engagement.

This Treaty introduced a change in the policy name, placing it in a new chapter of the founding treaties of the EU. The ESDP found a successor in the Common Security and Defence Policy (CSDP), emphasizing the importance and specific nature of this field for the Union.

The mutual defence clause in cases of armed attack on the territory of an EU member-state guarantees the commitment of the remaining EU countries, comparable to the implementation of Article 5 of the Washington Treaty, showing the establishment of a complete model for coordination and solidarity. The possibility for closer cooperation among Member States in the defence sector was created by the introduction of the institution of permanent structured cooperation. The mechanism for conducting various aspects of the EU’s foreign policy was optimised, and has been realized, since 2010, by a newly-formed integrated structure, the European External Action Service (EEAS or EAS).

With the Lisbon Treaty, the spectrum of missions conducted was expanded to include disarmament operations, military support and post-conflict stabilisation operations. Increased capabilities are of particular importance in the complex international situation in which several North African countries have attempted to overcome the regimes of their authoritarian governments through bloody civil wars.

* * *

After World War II, the European countries reached the conclusion that the tragedy of a new world conflict had to be prevented in the future. This could only have been achieved through the establishment of international institutions, guaranteeing peace and stability. The European Union was a political answer to the opposition among European countries in the first half of the twentieth century. The USA also made a significant contribution to the process – by the initiation of the North Atlantic Treaty Organization (NATO) in 1949 and its development as a worldwide factor of stability. A new world war did not occur, but Europe remained divided for half a century.

Genuine unity on the Old Continent was achieved only at the beginning of the twenty-first century, when the Union practically doubled in size through the integration of the countries of the Fifth Accession, most of which, as former socialist countries, had been its opponents. However, this posed a number of challenges to its security, including nearly 500 million citizens. Created as an economic union, the EU multiplied the values and principles upon which it was established – freedom, democracy, solidarity, the rule of law, a competitive economy, the right to economic initiative, and others – in all the fields of its foreign policy, becoming a guarantor for human rights and freedoms worldwide. New risks and challenges facing European security required EU Member States to strengthen their commitment and increase their coordination in the implementation of the Common Foreign and Security Policy (CFSP), an integral part of which is the Common Security and Defence Policy (CSDP). CSDP architecture ever-increasingly comes to include not only the institutions connected to security, but those with scientific potential and the civil structures of European communities.

Chapter 2:

The Structures and Instruments of the Common Foreign and Security Policy of the EU

The CFSP of the EU is characterized by a specific institutional architecture which regulates the functions of defence and security not only of the main European institutions – the European Commission, the European Parliament, the Council of the EU, the European Council – but also of its specialised bodies – but also the specialised structures such as the President of the European Council, the High Representative for the Foreign and Security Policy and the European External Action Service. At the same time, the European Union strengthened the intensity of the partnerships it had made, not only with the fundamental international organisations – the UN, OSCE and NATO – but also with respect to certain geographic and thematic cooperations which had been formed and concerned particular problems and challenges facing European security.

In the process of the institutional creation of the EU, the communal interest in foreign politics and security policy began having prevalence over the interests of individual Member States. This tendency has increased with the expansion of the Union, with which it has become a key player (on the global stage), committed to missions and partnerships worldwide.

The implementation of flexible approaches with regard to maintaining peace and international cooperation is at the core of CFSP. The EU's reaction policy toward acts breaking international law or against human rights and fundamental democratic principles is based on sanctions of a diplomatic and economic nature.

Through CFSP, Europe has significant weight globally. The European Commission has built a worldwide network of diplomatic missions. They cover all continents and promote European interests and values, as well as representing EU foreign policy, external trade activity, cooperation for development, scientific and technical relations. The growing importance of the EU as a global player on the international stage depends on its economic potential. CFSP has gained new dimensions through strengthening

the partnerships which heighten security and give EU citizens and partners – national and international organisations – more opportunities.

2.1. EU Institutions Dealing with CFSP

The Lisbon Treaty saw two additional actors, the European Council and the European External Action Service, joining the other EU institutions playing a role in EU foreign policy: the Council of the EU, the European Commission and the European Parliament.

2.1.1. The Council of the European Union

The Council, which is an essential EU decision-maker, is comprised of the ministers of each member-state, with each minister being competent in a particular area and assigned to one of ten configurations, covering all the policies of the EU.³⁹

This is the EU institution most seriously reformed by the Lisbon Treaty in matters of improving its transparency and efficiency. Until the Lisbon Treaty went into force, what functioned as the General Affairs and External Relations Council (GAERC) was divided into two separate configurations: the General Affairs Council (GAC) and the Foreign Affairs Council (FAC). As a result of this change, the accumulation of excessive obligations under the GAERC was reduced and a more relaxed pace of work was set, allowing for more thorough discussion of issues relevant to the EU's CFSP, quite unlike the situation prior to the two council formations' split.⁴⁰

The Council of the EU passes laws, usually by way of legislating jointly with the European Parliament. In most cases, it creates legislation based on proposals presented by the European Commission.⁴¹

³⁹ Council of the European Union, (<http://www.consilium.europa.eu/council?lang=en>), last accessed on 5 June 2014.

⁴⁰ Sheffket, J. Common Foreign and Security Policy of the EU as projected by the Lisbon Treaty, pp. 172–183 (<http://research.uni-sofia.bg/bitstream/10506/363/1/Julide%20Sheffket.pdf>), last accessed on 5 June 2014.

⁴¹ Council of the European Union, Policies (<http://www.consilium.europa.eu/policies?lang=en>), last accessed on 22 April 2014.

When doing so, each Member State has a certain number of votes, depending on its size, shown here in Table 2.1.: ⁴²

Distribution of votes by countries

France, Germany, Italy, United Kingdom	29
Poland, Spain	27
Romania	14
The Netherlands	13
Belgium, Czech Republic, Greece, Hungary, Portugal	12
Austria, Bulgaria, Sweden	10
Denmark, Croatia, Ireland, Lithuania, Slovakia, Finland	7
Cyprus, Estonia, Latvia, Luxembourg, Slovenia	4
Malta	3
Total	352

Table 2.1. EC – Distribution of votes.

The determination and implementation of the EU's CFSP, based on the guidelines set by the European Council, is among the Council of the EU's primary tasks. Decision-making in this field is based, with some exceptions, on the principle of unanimity. The Council enters into international agreements between the EU and one or more countries or international organisations on behalf of the Union. This body coordinates the activities of Member States and takes measures in the field of police and judicial cooperation in criminal matters.

The Council and the European Parliament are the budgetary authority of the EU that adopts the Community's budget.⁴³

The GAC deals with functions of coordination and specific issues such as institutional problems and horizontal problems affecting various policies – like the EU's expansion, for example.⁴⁴

The FAC develops the Union's foreign affairs on the basis of strategic guidelines formulation by the European Council. It also ensures compati-

⁴² Council of the European Union, Voting System (<http://www.consilium.europa.eu/council/voting-system-at-the-council?tab=Voting-calculator&lang=en>), last accessed on 05 June 2014.

⁴³ Ibidem.

⁴⁴ Popova, J. European Union Law. Sofia, 2009, pp. 169-170.

bility with the activity of the Council. Issues concerning CFSP and the foreign affairs of the Union as a whole can be found under its jurisdiction.⁴⁵

Presidency of the GAC is based on the rotational principle, with Member States taking turns every six months, while the FAC has a full-time presidency introduced with the post of High Representative. The new status of the EU's institutions, as set for them by the Lisbon Treaty, has turned the Union into a united, strong global player with much greater weight and international authority. This correlates into achieving the goals of CFSP more effectively. The EU's rights to enter into international agreements and participate in international organisations give it a new position on the international stage.

2.1.2. The European Council

The Lisbon Treaty clearly revealed the leading role of the European Council in the field of the Union's foreign affairs, and CFSP in part. The Council determines strategic interests and sets targets, including on issues related to defence.

The European Council has kept its role as a catalyst for the development of integrational processes and a driver in the political unification of the Union. This institution gives the EU its needed boost for development and determines its common political directions and priorities by taking decisions by consensus and, to a lesser degree, exercises legislative functions. The EU consists of national or state leaders from Member States, the President of the European Council, and the President of the European Commission. The High Representative of the Union contributes to its work. Meetings are held twice every six months. The European Council is headed by a full-time president, elected by qualified majority for a two-and-a-half-year term. This post is currently held by the Belgian Herman Van Rompuy (former PM of Belgium), elected in 2009. The post is renewable once and so he was appointed for a second term ending on 30 November 2014.⁴⁶

⁴⁵ Ibidem.

⁴⁶ European Council, The President's role (www.european-council.europa.eu/the-presidents-role?lang=en), last accessed on 22 April 2014.

The idea for permanent chairmanship is based on ensuring the consistency and continuity in the implementation of the decisions of the European Council, defining the directions of development of the EU, better organisation, and countering the possible use of the presidency to advance the national interests of the more sizeable Member States.⁴⁷

The European Council appointed on 30 August 2014 its new President, Donald Tusk, Prime Minister of Poland, and elected Federica Mogherini, the Italian foreign minister, as High Representative of the Union for Foreign Affairs and Security Policy.⁴⁸

The institutional changes introduced by the Lisbon Treaty, which were attained by the establishment of new community bodies, such as President of the European Council, indicate that there is a tendency for increasing the federalisation of the European Union. The analysis of the economic crisis in the Eurozone shows that federalisation as an integration tool provides the greatest hope for a quick exit from the crisis and for the preservation of the European economy's stability.

2.1.3. The European Commission

The European Commission is the EU's executive body.⁴⁹ The main task of the European Commission is to ensure that the common European interest is being met. In CFSP this task however resides mainly with the High Representative of the Union for Foreign Affairs and Security Policy, a post created with the Lisbon Treaty, who is also a Vice-President of the European Commission and is assisted in his/her work by the European External Action Service. The reason for introducing this new figure is the increasingly apparent need for a more effective, meaningful and united foreign policy of the EU, as well as the opportunity for its Member States to more easily identify its positions on issues of foreign policy.⁵⁰

⁴⁷ Popova, J. *European Union Law*. Sofia, 2009, pp. 169–170.

⁴⁸ European Council, Special meeting of the EC, (<http://www.european-council.europa.eu/special-meeting-of-the-european-council-30-8>), last accessed 3 October 2014.

⁴⁹ Europa.eu, European Commission (http://ec.europa.eu/about/index_en.htm), last accessed on 28 April 2014.

⁵⁰ Popova, J. *European Union Law*. Sofia, 2009, pp. 213–214.

The Commission consists of 28 Commissioners – one from each member state – and is appointed every five years. It has an important role in the realisation of the EU's foreign policies and activities and of policies and activities unrelated to CFSP. This institution puts forward legislative initiatives and participates in budget implementation, the management of community programmes and the organisation of the EU's foreign representation. With regard to activities related to foreign affairs, the Commission staff work in close cooperation with the European diplomatic service (European External Action Service).⁵¹

José Manuel Durão Barroso (former Prime Minister of Portugal) was re-elected as the President of the European Commission for a second five-year term on 16 September 2009.⁵² His re-election could be viewed as the Member States having overcome their concept of the necessity for rotation in heading this supreme, quota-based body of the EU and the establishment of political continuity in the achievement of the EU's main priorities. At the same time, it is an indication the European Commission has earned a higher level of trust from the EU countries.

According to the Lisbon Treaty the president of the Commission has to be elected by the European Parliament, on the basis of a proposal made by the European Council but taking into account the European elections. Consequently the 2014 election on the European Parliament was the first election where the pan-European parties fielded candidates for president of the European Commission.

After a political battle due to the refusal of several heads of states to support the candidate of the political group which had gained the majority of the votes in the elections, on 27 June the European Council nominated Jean-Claude Juncker (with 26 votes in favour, only opposed by the United Kingdom and Hungary, who couldn't block the decision) and on 15 July 2014 the European Parliament elected the new president (with 422 out of

⁵¹ European Parliament. Development of the common security and defence policy following the entry into force of the Lisbon Treaty, 11 May 2011, Strasbourg (<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2011-0228&language=BG>), last accessed in June 2012.

⁵² European Commission (http://ec.europa.eu/sitemap/index_en.htm), last accessed on 28 April 2014.

751 votes in favour). Thus the former Luxembourg PM became the first elected president of the European Commission.



*The 2014-2019 Commission.*⁵³

The new Commission took office on 01 November 2014 for a five-year term. In a first step the president invited the Member States to nominate their candidates until 31 July 2014. These candidates were kept secret until Juncker was able to propose the new Commission to the EU parliament.

2.1.4. The European Parliament

The European Parliament (EP) represents Member States' citizens and is the major source of democratic legitimacy for the CFSP and CSDP, for which it exercises political control. The EP and the Council set the budget of the EU's external action, including civilian CFSP and CSDP and determine the administrative costs incurred by the EU's military coordination. The EP holds regular consultations on the main aspects and decisions for CFSP, gives its permission for the Union's strategies to become legislative acts, and approves the signing of international agreements.⁵⁴

The EP collaborates with the High Representative of the Union on foreign affairs and security policy issues through regular consultations on the main

⁵³ Source: European Commission (http://ec.europa.eu/commission/2014-2019_en), last accessed von 25 November 2014.

⁵⁴ Development of the common security and defence policy following the entry into force of the Lisbon Treaty, 11 May 2011, Strasbourg (<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2011-0228&language=BG>).

aspects and decisions in the CFSP sphere, including CSDP, informing itself for the development of these policies and ensuring that the institutions positions have been taken into account.⁵⁵

The Lisbon Treaty strengthens the EP's role as a legislative body. Forty new fields were added to the procedure for joint decision-making between the Parliament and the Council of Ministers when laws are adopted.

The number of its representatives cannot exceed 751 and the distribution of seats among Member States is based on the principle of regressive proportionality. This means that the countries with the largest populations represent a higher number of citizens in comparison to those with smaller populations. In accordance with the Treaty, each member-state shall have not less than six and not more than ninety-six representatives.⁵⁶

The Parliament elects the President of the European Commission and the EC itself. The President of the European Parliament Martin Schulz was elected on 17 January 2012 for two-and-a-half-years, i.e. for half a parliamentary term. On 1 July 2014 he was re-elected to another 2½ year term during the first parliamentary session. The President represents the Parliament in its foreign affairs, as well as its relations with the other EU institutions.⁵⁷

The permanent committees of the EP which deal with CFSP and CSDP, as well as the various aspects of European security, are as follows:⁵⁸

2.1.4.1. The Committee on Foreign Affairs

The Committee on Foreign Affairs (AFET) contributes to the formulation and monitoring of foreign policy in accordance with the interests of the Union and the expectations of its citizens as regards the security field. It

⁵⁵ Hauser, G. EU institutional structures involved in the field of CSDP, European Security and Defence College, 2010. (http://adlunap.ro/esdc/ilias.php?baseClass=ilSAHSPresentationGUI&ref_id=3680), last accessed in June 2012.

⁵⁶ EU, Treaty of Lisbon (http://europa.eu/legislation_summaries/institutional_affairs/treaties/lisbon_treaty/ai0010_en.htm), last accessed on 12 August 2014.

⁵⁷ European Parliament, (<http://www.europarl.europa.eu/the-president/en/president/html/the-president-of-the-european-parliament>), last accessed on 12 April 2014.

⁵⁸ Ibidem.

guarantees stability in the territories neighbouring the EU and ensures the consistency and effectiveness of this policy. In the context of CSDP commitments, the Committee is supported by the Subcommittee on Security and Defence.⁵⁹

2.1.4.2. The Subcommittee on Security and Defence (SEDE)

Its role is to follow the development of CSDP institutionally and operationally as far as capacity is concerned, guaranteeing that security and defence issues are not simply brought down to the level of debate between experts, but deal with the problems which are of concern to European citizens.⁶⁰

2.1.4.3. The Committee on Industry, Research and Energy

The Committee (ITRE) is of significance, as the European Parliament has legislative competences over the policies on energy, scientific research, and space, as well as in the field of further development of information and telecommunications technology. The ITRE is responsible for: the Union's industrial policy; the implementation of new technologies; the development of small and medium-sized enterprises; the Union's research policy; the Community's measures in the field of energy policy; the security of energy supply; energy efficiency and others.⁶¹

2.1.4.4. Committee on Civil Liberties, Justice and Home Affairs

The Committee on Civil Liberties, Justice and Home Affairs (LIBE) is responsible for the greater part of the legislation and democratic supervision of policies related to making the EU a place of freedom, security and justice (Article 3 of the Treaty on European Union). These policies are closely related to the implementation of the Charter of Fundamental Rights of the EU and strengthening European citizenship.⁶²

⁵⁹ European Parliament, Committees (<http://www.europarl.europa.eu/committees/en/afet/home.html>), last accessed on 12 April 2014.

⁶⁰ European Parliament, Committees (<http://www.europarl.europa.eu/committees/en/itre/home.html>), last accessed on 12 April 2014.

⁶¹ Ibidem.

⁶² European Parliament, Committees (<http://www.europarl.europa.eu/committees/en/libe/home.html>), last accessed on 12 April 2014.

The EP is continuously increasing its functions as a representative of European citizens' interests. Along with its widened scope for legislative powers, it is the main body giving citizens the opportunity to control the work of the EU's institutions and bodies, including those which deal with CFSP. Despite the quota principle for the allocation of MEP seats, which is based on the populations of the EU-Member States, the structuring of the EP and the organisation of the work of the Parliamentary Committees does not depend on the number of national representatives, but is organised in accordance with their belonging to the different political families.

2.2. Institutions of the Common Foreign and Security Policy

2.2.1. The High Representative of the Union for Foreign Affairs and Security Policy

The first High Representative of the Union for Foreign Affairs and Security Policy was Javier Solana, who was appointed by the Cologne European Council on 18 October 1999 as the Secretary-General of the Council of the European Union. The same year, he was appointed as the Secretary-General of the WEU.

The High Representative has a significant role in the EU's foreign policy. Solana remained at the post until the Lisbon Treaty was signed. On 19 November 2009, Baroness Catherine Ashton was chosen as High Representative.⁶³ The post was extended by the Lisbon Treaty to include sitting in the European Commission and chairing the Foreign Affairs Council, composed by the EU foreign ministers, and has been compared to being a foreign minister for the EU.

The High Representative is also one of the Vice-Presidents of the European Commission and, as such, is responsible for its foreign affairs as well as coordinating other aspects of the foreign policy of the Union, including

⁶³ Media File: the new European External Action Service 2010, 16 July 2010 (http://www.dnevnik.bg/evropa/evrokonsultant/2010/07/16/934133_mediino_dosie_novata_evropeiska_slujba_za_vunshni/), last accessed in June 2012.

engaging in political dialogue with third parties and representing the Union's position in international organisations.⁶⁴ It is the European Council acting by qualified majority, and with the approval of the Commission President, which nominates the High Representative, who is then approved by the EP.⁶⁵ The High Representative regularly consults the EP on CFSP and CSDP issues and main decisions.

The position of High Representative is consistent with the growing role of the EU as a global factor in the peace and security sphere. The creation of a united body known as the “foreign minister of the EU” is an expression of the heightened level of the European countries' integration in terms of the Common Foreign and Security Policy of the Union.

In 2014 Federica Mogherini, the Italian foreign minister was appointed High Representative of the Union for Foreign Affairs and Security Policy. By moving her office into the same building as the other Commissioners, she wants to facilitate a more coherent foreign policy.

2.2.2. The European External Action Service – its Statute, Structure, Objectives and Development Prospects

The Lisbon Treaty created the European External Action Service (EEAS) to support the High Representative. It officially started functioning on 1 December 2010. This body is the “foreign affairs ministry” or “diplomatic corps” of the EU and collaborates with the diplomatic missions of Member States. According to the proposals made in 2009 at the time of the Swedish Presidency of the EU, the High Representative would be in charge of recruitment and the budget of the EEAS.⁶⁶

⁶⁴ General Secretariat of the Council of the EU, The High Representative for Foreign Affairs and Security Policy/European External Action Service, November 2009 (http://www.european-council.europa.eu/media/105193/background-highrepresentative_en.pdf), last accessed on 5 August 2014.

⁶⁵ Popova, J. European Union Law. Sofia 2009, pp. 169–170.

⁶⁶ General Secretariat of the Council of the EU, The High Representative for Foreign Affairs and Security Policy/European External Action Service, November 2009 (http://www.european-council.europa.eu/media/105193/background-highrepresentative_en.pdf), last accessed on 5 August 2014.

The EEAS supports the High Representative in ensuring the consistency and coordination of the Union's foreign affairs, as well as in the preparation of proposals and their implementation upon the Council's approval. The Service also supports the President of the European Council and the President and members of the Commission to fulfil their functions in the foreign affairs field, in addition to ensuring close cooperation with Member States.⁶⁷

The Service is divided into geographic missions covering different regions and countries, and thematic missions, based on administrative issues or human rights, for example. It was agreed that all staff would have equal status, regardless of whether they were appointed by state governments or European institutions.⁶⁸

The EEAS is run by an Executive Secretary-General who is responsible to the High Representative. There is a Secretariat to handle the EEAS' administration and budget. It ensures that all the departments of the Central Administration and the delegations of the Union coordinate their actions effectively. In its activity, it is supported by two Deputy Secretaries-General. The EEAS' Central Administration has been organised into Managing-Directorates, as follows:

- A number of managing-directorates comprising geographic desks covering all countries and regions of the world, as well as multilateral and thematic desks. These departments coordinate as necessary with relevant services of the Commission and with the General Secretariat of the Council.
- A managing-directorate for administrative, staffing, budgetary, security and communication and information system matters working in the EEAS framework managed by the executive Secretary-General. The High Representative appoints, in accordance with the normal rules of recruitment, a Managing Director for budget and admini-

⁶⁷ Popova, J. *European Union Law*. Sofia 2009, pp. 169–170.

⁶⁸ Media File: the new European External Action Service 2010, 16 July 2010 (www.dnevnik.bg/evropa/evrokonsultant/2010/07/16/934133_mediino_dosie_novat_a_evropeiska_slujba_zavunshni/), last accessed in June 2012.

stration, who works under the authority of the High Representative. He is responsible to the High Representative for the administrative and internal budgetary management of the EEAS.

- The Crisis Management and Planning Directorate, the Civilian Planning and Conduct Capability and the European Union Military Staff, placed under the direct authority and responsibility of the High Representative are assisting her in the task of conducting the Union's CSDP.⁶⁹ The Lisbon Treaty's opponents viewed the EEAS as a new bureaucratic service which only complicated the situation by its exorbitant expenditure (the original idea had been for the Service to have a budget of 460 million Euros at its disposal). Moreover, they reckoned that the Service's functions would duplicate those of the diplomatic missions of Member States.⁷⁰

The benefit of good relations between the EEAS and the embassies of Member States could turn out to be a good approach. In countries where Member States lack embassies, the EU's delegations could take on some of their functions. Certain EU members inquired about the possibility of withdrawing ambassadors to allow the EEAS to take on their functions. This would be an auspicious beginning for alleviating Union countries' budgets. But despite the advanced economic integration in the EU concerning the representation of Europe on the global stage, there is still much work to be done. The EU is rarely represented as a united unit in international relations, with the exception of its membership in the WTO.

In September 2010, the High Representative of the EU for the Foreign and Security Policy Catherine Ashton appointed 29 ambassadors of the EU – 28 heads and one deputy-head – who headed the EU's missions worldwide. They were the first to be appointed to this new post, a part of 80 political

⁶⁹ European Parliament Legislative Resolution of 8 July 2010 on the proposal for a Council decision establishing the organisation and functioning of the European External Action Service (08029/2010 – C7-0090/2010 – 2010/0816 (NLE)), (<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2010-0280+0+DOC+XML+V0//EN>), last accessed on 5 August 2014.

⁷⁰ Common Security and Defence Policy, CSDP newsletter, 7 December 2010, p. 29 (http://www.consilium.europa.eu/uedocs/cmsUpload/110131_CSDP_Newsletter_gp_cwi_fi_nal.pdf), last accessed in June 2012.

posts in the delegations and other vacancies in the Central Administration.⁷¹ In 2014 the EU was represented through 139 EU Delegations and Offices.⁷²

In May 2011, the question of a common foreign policy position of the Union was brought up by Belgium. The EEAS then formed itself as a centre around which the Member States could organise themselves. Lacking such a uniting body to make swift analyses and conclusions, the main role was left to certain larger European powers – Germany, France, and the United Kingdom – while the smaller countries were left unrepresented.

The new organization needed time to come into its own and support the EU in its implementation of consistent and effective foreign policy. The integration of diplomats from Member States could turn out to be the most difficult part in the EEAS' development. In time, the structure shall expand and change dramatically.

The service was harshly criticised in late 2011 when a confidential letter was written by a group of European foreign affairs ministers and signed by the foreign affairs ministries of France, Germany, Italy, Belgium, Estonia, Finland, Lithuania, Latvia, Luxembourg, Poland and Sweden. The criticism was mainly regarding the bad organization of the foreign ministers' monthly meetings and proposals for new policies which failed to be distributed in a timely manner. Governments had been left with practically no time to read documents. The criticism was severe, but this European foreign policy body continued its activity. The Service has also been criticized for concentrating so many of its key functions related to the EU's foreign policy in one administration, which carries the risk of making its activity ineffective. Give the challenging tendency of increasing integration with regard to CFSP in order to subject the national approach to the Communal one, there has been strong resistance. In this context, there is a likelihood of future reforms of the structure and functions of the Service, rendering them better fitted to meet its needs and improve its activity in the successful implementation of the Union's foreign affairs.

⁷¹ Europe-Gateway, Catherine Ashton appointed 28 ambassadors of the EU worldwide, 15 September 2010 (<http://www.europe.bg/htmls/page.php?id=31579&category=5>), last accessed on 24 April 2014.

⁷² EEAS, (<http://eeas.europa.eu/delegations/>), last accessed on 16 July 2014.

2.3. Strategies, Policies and Instruments

The foreign policies, strategies, instruments and missions of the EU – under the supervision of the European External Action Services – have four main objectives: maintaining stability, promoting human rights and democracy, spreading prosperity and supporting the implementation of the rule of law and good governance. The number of policies is enormous – from bilateral agreements to guidelines and legislation. Many policies are designed to promote cooperation between the Union and its neighbours. Where appropriate, initiatives also support the development of neighbouring countries.⁷³

2.3.1. *The EU Strategy for the Black Sea*

That the Black Sea region is of strategic importance for the EU is repeated numerous times.⁷⁴ A conference of EU and Black Sea foreign ministers in Kiev, Ukraine, in 2008 led to a joint statement on the beginning of a strategy aimed at developing the cooperation in the Black Sea region and that between the region and the European Union. This strategy is called the Black Sea Synergy and aims on supporting regional development in South East Europe by encouraging cooperation between countries around the Black Sea, this initiative provides a forum where common problems can be addressed, while it urges on the implementation of political and economic reforms.⁷⁵

The EU's wants to create tangible results in a number of priority areas. These include the development of transport, energy and communications infrastructure – in response to growth in trade, investment, traffic and the flow of information, as well as swiftly-growing transit needs.

⁷³ EEAS, Regional Policies (http://eeas.europa.eu/regional_policies/index_en.htm), last accessed on 24 April 2014.

⁷⁴ EP resolution of 20 January 2011 on an EU Strategy for the Black Sea, 2010/2087(INI) (<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COMPARL+PE-442.993+01+DOC+PDF+V0//EN&language=EN>), last accessed on 26 November 2014.

⁷⁵ EEAS, Black Sea Synergy (http://eeas.europa.eu/blacksea/index_en.htm), last accessed on 24 April 2014.

The EU's increased involvement in the Black Sea regional cooperation has the potential to create benefits in the fields of trade, science and technology, scientific research, culture and education, as well as for employment and social issues.⁷⁶

Closer regional ties are expected to result in:

- promoting democratic and economic reforms;
- promoting stability and supporting development;
- facilitating practical projects in areas of common interest;
- creating opportunities through coordinated actions within a regional framework;
- promoting the peaceful resolution of conflicts in the region.⁷⁷

The Black Sea Synergy unites not only EU Member States, but also countries with apparent pro-European orientation. It is a platform for improving the economic and security environment and providing the EU Member States with the needed expertise to successfully integrate their partners.

2.3.2. The Central Asia Strategy

The EU strengthened its ties with Central Asia through the adoption of the “Strategy for a New Partnership” by the European Council in June 2007. The signatory countries and partners were Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. The strategy strengthened relations by: increasing the amount of political dialogue between the European Union and Central Asia by way of regular meetings of both sides’ foreign ministers; supporting dialogue on human rights; cooperation in the fields of education, rule of law, energy and transport, the environment and bodies of water, common threats and challenges – including the governance of borders and the fight against drug trafficking, economic and trade relations.

⁷⁶ Joint Statement of the Ministers of Foreign Affairs of the countries of the European Union and of the wider Black Sea area. Kiev, 2008 (http://eeas.europa.eu/blacksea/doc/joint_statement_blacksea_en.pdf), last accessed on 24 April 2014.

⁷⁷ EEAS, Black Sea Synergy, Op. cit.

The EU reviewed the implementation status of the strategy for Central Asia in its progress report of June 2010.⁷⁸

Cooperation with Central Asian countries is of exceptional importance to implementing prevention and countering certain asymmetrical attacks to the EU's security which are related to trans-boundary organised crime.

2.3.3. The European Neighbourhood Policy

Through the European Neighbourhood Policy (ENP), the Union searched for ways to support and increase relations with neighbouring countries to the East and South, in order to popularize prosperity, stability and the security of its borders. This policy started in 2004 in order to make closer relations with the countries closest to the EU more popular. The prosperity, stability and security in these countries is of mutual interest to the EU and its neighbours.⁷⁹

The ENP network was proposed to the EU's 18 closest neighbours – Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian territories, Syria, Tunisia and Ukraine.⁸⁰

The ENP gives the EU means of deepening bi-lateral relations with these countries. It is based on mutual regard for common values: democracy and human rights; rule of law; good governance; a market economy and regard for its principles; and sustainable development.

However, the ENP takes bilateral relations beyond the limits of standard cooperation or trade agreements and offers political association and deeper economic integration, increased mobility and person-to-person contact. To achieve this effect, the countries which aim to deepen their relations with

⁷⁸ EEAS, EU's relations with Central Asia (http://eeas.europa.eu/central_asia/index_en.htm), last accessed on 24 April 2014.

⁷⁹ EEAS, European Neighbourhood Policy – Overview (http://eeas.europa.eu/enp/index_en.htm), last accessed on 24 April 2014.

⁸⁰ EU, The Policy: What is the European Neighbourhood Policy? (http://ec.europa.eu/world/enp/policy_en.htm), last accessed on 24 April 2014.

the EU agree to mutual bilateral plans of action. They set the parameters of the programme for political and economic reforms for a period of three to five years.⁸¹

Since 1 January 2007, the ENP and strategic partnership with the Russian Federation have been financed by a European neighbourhood and partnership instrument. It was created to achieve sustainable development and to get closer to European policies and standards. For 2007–2013, approximately 12bn Euros worth of European funds were allocated for the support of reforms in these member countries, which was actually an increase of 32% in real terms as compared to the 2000–2006 Financial Framework.⁸²

The ENP offers the EU a means for influence on a wide regional level. In this way, the processes of overcoming long-term conflicts are supported and cooperation among EU neighbouring countries – on whose territories certain risks and challenges to European and global security are generated – is encouraged. The most successful formula for the EU as far as its neighbouring countries are concerned is the establishment, in these countries, of stable democratic institutions which guarantee human rights and encourage economic development.

2.3.4. The Arctic Council

The European Union gradually formulated its policy on issues related to the Arctic in order to defend its interests and rise to its responsibilities while recognizing the legitimate interests and rights of the EU Member States in the region. In the November 2008 Communication “The European Union and the Arctic Region”, the first layer of Arctic policy was created, defining the EU’s interests and proposing action in different fields and spheres. EU policies in spheres such as the environment, climate change, energy, research, transport, and fishing are directly relation to the Arctic region and contribute significantly to the conservation and protection of this region.

⁸¹ Ibidem.

⁸² European Neighbourhood Policy: Funding (http://ec.europa.eu/world/enp/funding_en.htm), last accessed on 24 April 2014.

The EU's Arctic Policy is built on three main political aims:⁸³

- protecting and preserving the Arctic in unison with its population;
- promoting the sustainable use of resources;
- contributing to enhanced Arctic multilateral governance through implementation of relevant agreements, frameworks and arrangements and their further development.

The EU completely realizes the necessity of international cooperation on polar issues and recognizes the important role of the Arctic Council. The EU also takes part in the Barents cooperation and examines Arctic issues through its Northern Dimension policy.⁸⁴

The Arctic Council is a high-level intergovernmental forum whose objective is to promote the cooperation, coordination and joint actions of the polar countries. The Member States of the Arctic Council are Canada, Denmark (including Greenland and the Faroe Islands), Finland, Iceland, Norway, Russia, Sweden and the United States. On 11 May 2011, Sweden took over the presidency of the Arctic Council.⁸⁵

Achieving sustainable development is based on the conservation of the available natural resources globally and the creation of opportunities for economic development and prosperity of the populations in the regions where these resources are concentrated. The Arctic Council aims to ensure long-term prospects, predictability and sustainability of the region in which such a large part of the world's biodiversity is found.

2.3.5. The Eastern Partnership

The events occurring in Eastern Europe and the South Caucasus inevitably influence the European Union. The countries in these two regions carry out political, social and economic reforms and officially declare their intent

⁸³ EU, External Action Service, EU Arctic Policy (http://eeas.europa.eu/arctic_region/index_en.htm), last accessed on 26 April 2014.

⁸⁴ Ibidem.

⁸⁵ Arctic Council, About the Arctic Council, (<http://www.arctic-council.org/index.php/en/about>), last accessed on 7 April 2011.

to get closer to the EU. The conflict in Georgia in August 2008 confirmed these countries' vulnerability and proves that the security of the EU begins beyond its borders.⁸⁶

The European Commission proposed its own ideas for supporting relations with Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. This would require new association agreements, including such for deepening free trade with countries which are ready to make a more serious commitment and gradually begin integrating with the EU's economy. This would ensure easier travel through a liberalised visa regime, along with measures for dealing with illegal immigration to the EU.⁸⁷

The Eastern Partnership aims to promote democracy and good governance, to support energy security, to contribute to reforms in the security sector and environmental protection, to accelerate person-to-person contact, to support economic and social development and to offer additional funding for projects which would decrease socio-economic imbalances and increase security.

The Eastern Partnership is of a specific nature with regard to the countries through which it is brought about, their recent history and current priorities. After having been part of the Soviet Union for so many years, after the fall of the Berlin Wall and democratic reforms, most of these countries state that European integration and partnership with the EU are their priorities. At the same time, from a geopolitical point of view, the interests of Russia with regard to these countries' development are often different from those of the EU and are based on supranational interests.

As Russia is the main supplier of energy resources, the Union is faced with the challenge of implementing flexible approaches and policies which create the possibility for cooperation and integration of the countries of the Eastern Partnership, on the basis of the right to sovereignty in defining national priorities and shared democratic principles and values.

⁸⁶ EEAS, Eastern Partnership (http://eeas.europa.eu/eastern/index_en.htm), last accessed on 14 July 2014.

⁸⁷ Ibidem.

2.3.6. *The Euro-Mediterranean Partnership – EUROMED*

The European Union promotes economic cooperation and democratic reforms among the neighbouring countries to its south, in the regions of the Mediterranean, North Africa and the Middle East.⁸⁸ In 2008, a series of agreements for cooperation were prepared and new regional and sub-regional projects with actual relevance and regard for the people living in the region were initiated in terms of the so-called Union for the Mediterranean (UfM). The projects were aimed at priority areas, such as the economy, environment, energy, health, migration and culture. Along with the 28 EU Member States, 15 Mediterranean, African and Middle-Eastern countries are UfM Member States, namely: Albania, Algeria, Bosnia and Herzegovina, Egypt, Israel, Jordan, Lebanon, Mauritania, Monaco, Montenegro, Morocco, Palestine, Syria (suspended), Tunisia and Turkey.⁸⁹

The UfM has several key initiatives :

- the de-pollution of the Mediterranean Sea, including coastal and protected marine areas;
- the establishment of maritime and land highways that connect ports and improve rail connections so as to facilitate movement of people and goods;
- a joint civil protection programme on prevention, preparation and response to natural and man-made disasters;
- a Mediterranean solar energy plan that explores opportunities for developing alternative energy sources in the region;
- a Euro-Mediterranean University, inaugurated in Slovenia in 2008;
- the Mediterranean Business Development Initiative, which supports small businesses operating in the region by first assessing their needs and then providing technical assistance and access to finance.⁹⁰

The Mediterranean is a key region for European security and economic development. It is a key strategic factor in the EU's geopolitics. By way of

⁸⁸ EEAS, EUROMED (http://www.eeas.europa.eu/euromed/index_en.htm), last accessed on 14 July 2014.

⁸⁹ Ibidem.

⁹⁰ Ibidem.

different initiatives, the EU can wield its influence over the conservation of biodiversity in the Mediterranean Sea and the development of transport infrastructure, as well as support peace and stability in the Middle East.

2.3.7. A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean

Following the January 2011 events in Tunisia, the Southern Mediterranean countries were faced by the challenges of the so-called Arab Spring – a political transition toward democracy, respecting human rights, social justice, good governance, rule of law and economic recovery. The reforms brought about by civil society, especially the youth of Tunisia, Egypt, Morocco, Jordan and other countries, faced risks and insecurity. The EU recognized these difficulties and challenges and took the strategic decision to support and share the principles and values it believes in with the countries of the Southern Mediterranean by way of the so-called Partnership for Democracy and Shared Prosperity.

In this case, the role of Eastern European Member States of the EU was significant, as they had had experience with democratic transitions. The European Union has traditionally supported countries making the transition from an authoritarian regime to a democratic one, first in Southern, then in Central and Eastern Europe, lending the expertise of its Member States to countries in need of it, from sources such as European institutions, local and regional authorities, political parties, foundations, unions, organisations and associations of civil society.

There is a shared interest for there to be a democratic, stable, prosperous and peaceful Southern Mediterranean. The radically changing political environment in the countries of the region requires a change in the EU's approach and its respective topics, such as differentiation, convention and partnership among these societies. The Union's policy for the region ought to be more focused, innovative and ambitious, in order to meet the needs of people and reality. Political and economic reforms should go hand in hand and support the provision of political rights and freedoms and the establishment of democratic institutions.

The European Commission for Humanitarian Aid and Civil Protection provided 30mn Euros to assist displaced Libyans on the Tunisian and Egyptian borders.⁹¹

In addition to the European Neighbourhood Policy, the Partnership for Democracy and Shared Prosperity has proved its effectiveness in the time of democratic transitions in Arab countries in the Mediterranean region and the establishment of democratic institutions. The cooperation and assistance provided by the EU have contributed to the establishment of peace and democratic values, the recovery of the economy and the reduction of poverty, as well as prevention of the emergence of radical and anti-democratic organisations and the generation of migration flows toward Member States of the Union.

2.3.8. The Northern Dimension

The Northern Dimension (ND) policy, drawn up in 1999, is equally shared by four partners: the EU, Norway, Iceland and Russia. The ND covers the geographic territories of the European Arctic and Subarctic to the southern shores of the Baltic Sea, in direct proximity to South Western Russia, to Iceland in the east and Greenland in the west.

At the Northern Dimension summit in 2006 in Helsinki, the political declaration of the Northern Dimension and the Northern Dimension Policy Framework Document were adopted. The renewed policy brought in a strong connection between the ND and the common spaces between the territories of the EU and Russia.⁹² In order to support projects within the frame of the ND policy, partnerships on the environment, social health, welfare, culture, transport and logistics were created.⁹³

⁹¹ Joint Communication to the European Council, the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean, Brussels, 8.03.2011. (http://eeas.europa.eu/euromed/docs/com2011_200_en.pdf), last accessed on 14 July 2014.

⁹² Progress Report submitted to the Second Ministerial meeting of the Renewed Northern Dimension Policy, Oslo 2 November 2010.

⁹³ EEAS, Northern Dimension (http://eeas.europa.eu/north_dim/index_en.htm), last accessed on 14 July 2014.

The EU is actively working on the adoption of a strategy for the Baltic region in an expression of the increased attention to the multitude of challenges which it faces. The strategy's action plan emphasizes the role of the ND policy and its structures as an important frame for discussion and constructive cooperation between the EU and the other ND partners.⁹⁴ The ND's main objectives are to create a common frame which stimulates dialogue and cooperation, to support stability and prosperity by achieving economic growth, competitiveness and sustainable development in Northern Europe.

2.3.9. The European Economic Area

Though not related to CFSP, the agreement with which the European Economic Area (EEA) was created and went into effect on 1 January 1994 and allowed the signing countries and those of the European Free Trade Association (EFTA) – Norway, Iceland and Lichtenstein – to participate in the EU internal market, is worth mentioning here as well. All of the corresponding legislation of the Community dynamically entered into the Agreement and became applicable on the EEA, ensuring homogeneity of the internal market.

The EEA agreement mainly examined the four main pillars of the internal market, “the four freedoms”, the freedoms of movement of goods, people, services and capital. It also focused on “border policies”, such as social policy, consumer rights and environmental policy. This mechanism allows Member States of the EEA and EFTA to participate in respective Communal programmes and internal market agencies, even though they do not have the right to vote.⁹⁵

At the 35th meeting of the EEA Council held in Brussels in May 2011, the importance of maintaining close cooperation between the EU and the EEA and EFTA Member States in energy and climate change policies, in particular in the areas of emission trading, the promotion of competitive low car-

⁹⁴ Progress Report submitted to the Second Ministerial meeting of the Renewed Northern Dimension Policy, Oslo 2 November 2010.

⁹⁵ EEAS, European Economic Area (EEA) (http://eeas.europa.eu/eea/index_en.htm), last accessed on 14 July 2014.

bon economy, energy efficiency and renewable energy resources, as well as on carbon capture and storage, was emphasized.⁹⁶ Combating climate change and the creation of a cleaner and healthier environment in the EU is increasingly being considered not only as a component of European security, but as a key economic instrument. In this context, the EEA aims to propose mechanisms and regulations which allow for a flexible approach to the industrial development of the EU through maximizing economic growth under projected and limited levels of air pollution.

2.3.10. Partnerships with International Organisations

2.3.10.1. Cooperation with the UN

The United Nations were established in 1945. After the end of WWII, 51 countries made a commitment to keeping international peace and security, developing friendly relations among nations and encouraging social development, better standards of life and human rights. Because of its unique international character, the UN can take actions which cover a wide range of issues. The organisation gives its 193 Member States the opportunity to express their views through the General Assembly, Security Council, Economic and Social Council and other bodies and councils.⁹⁷

Cooperation with the United Nations is an important element of CFSP as a key guarantor of international peace and security. The EU works toward increasing its partnership with the UN to solve international problems such as organised crime, international crises and conflicts, the proliferation of weapons of mass destruction, disregarding civil rights.

Two Member States of the EU are permanent members of the UN Security Council, holding the right of veto in decision-making – the United Kingdom and France. This increases the relative global political weight of the Union. Cooperation with the UN is the most effective instrument giving international legitimacy and social support to the policies conducted by the EU.

⁹⁶ Conclusions of the 35th meeting of the EEA Council Brussels, 23 May 2011 (http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/er/122175.pdf), last accessed on 14 July 2014.

⁹⁷ UN (<http://www.un.org/en/aboutun/index.shtml>), last accessed on 13 June 2012.

2.3.10.2. Cooperation with OSCE

The cooperation between Organisation for Security and Cooperation in Europe (OSCE) and the EU already started in the 1970's. Since the beginning of the OSCE with the so-called Helsinki Process, the European Community/European Union has been vital to the work of the OSCE.

The European Commission participated to the negotiations of the Helsinki Final Act in 1975, signed by the Italian presidency of the Council on behalf of the European Community. The respective representatives of the Commission signed the Charter of Paris for a New Europe in November 1990 and the Charter for European Security in Istanbul in 1999, along with the presidency of the EU.⁹⁸

The dimensions of cooperation between the OSCE and the EU increased following the development of the Common Foreign and Security Policy of the EU and the beginning of the first European crisis-management operations. This process developed alongside the EU's growing commitment in OSCE participating states in the Balkans, the South Caucasus, and Eastern Europe through the signing of the Stabilisation and Association Agreements.⁹⁹

The OSCE creates an important frame for the rebuilding of trust and the strengthening of cooperation among countries in Europe, Central Asia, and North America on a range of issues, including security, military crisis management, illegal proliferation of weapons, economic cooperation, defence and support of human rights and the principles of rule of law.¹⁰⁰ The policies implemented in cooperation with the OSCE create the possibility for achieving coordinated actions, supported in practice by EU Member States.¹⁰¹

⁹⁸ OCCE (<http://www.osce.org/networks/111481>), last accessed on 17 August 2014.

⁹⁹ Ibidem.

¹⁰⁰ European Parliament resolution of 10 March 2010 on Annual report from the Council to the European Parliament on the main aspects and basic choices of the CFSP in 2008, para 40, (<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2010-0060+0+DOC+XML+V0//EN>), last accessed on 17 August 2014.

¹⁰¹ See more on the history of OSCE in Chapter 6.

2.3.10.3. Cooperation with NATO

The EU and the North Atlantic Treaty Organisation (NATO) work together for the development of a deeper and more effective partnership. Through the Berlin Plus agreements, a dialogue of shared strategic interests and planning for emergencies was realized,¹⁰² increasing the effectiveness of CSDP and avoiding the duplication of functions and resources. The European Union has created its defence policy on the basis of NATO's experience and expertise, gained over 60 years' time. Through CFSP, the Union expresses its global views and approach. As far as foreign affairs are concerned, all the regions which concern the interests of EU citizens are covered.

At the same time, the implemented approaches – based on common values for defence of human rights and rule of law, transparent governance, partnership and being good neighbours – are individualized according to the thematic character of the policies conducted. There is a clearer accent towards establishing partnerships with international organisations, support and encouragement of regional cooperation and dialogue, and increasing the significance of economies and education as the most effective prevention of state erosion, corruption, uncontrolled migration to the Union and organised crime.

2.4. Mechanisms for Fulfilling the Tasks of CSDP as an Integral Part of CFSP

Crisis management is at the heart of CFSP. The Common Security and Defence Policy, which is an integral part of CFSP, is a set of mechanisms for crisis management (known as the Petersberg tasks), under the Amsterdam Treaty. At the Feira summit of the European Council in 2000, a certain number of civil crisis management tasks were added to the spectrum of tasks of CSDP.¹⁰³ The renewed missions which resulted influenced the in-

¹⁰² European Parliament resolution of 10 March 2010 on Annual report from the Council to the European Parliament on the main aspects and basic choices of the CFSP in 2008, para 41, Op. cit.

¹⁰³ Rehl, J., H. B. Weissert (ed.), Handbook on CSDP, 2nd edition, ESDC 2012, available at: (http://www.consilium.europa.eu/media/1823176/handbook_csdp-2nd-edition_web.pdf), last accessed on 22 March 2014.

struments of CSDP capability development – the clauses for solidarity and mutual assistance. Even though the Treaty establishing a Constitution for Europe was not ratified, the catalogue of tasks was transferred, unchanged, to the Lisbon Treaty.

2.4.1. Methods for Dealing with International Crises and Conflicts

On the international stage, the EU mainly uses the methods of diplomacy, on which CFSP is based. The CFSP is one of the areas, in which national governments retain significant rights, regardless of the fact that the European Commission, the European Parliament and the European External Action Services are connected to the whole process. The Union does not have its own army and relies on the military capability of its Member States to fulfil CSDP missions. The missions could be for the purposes of disarmament, evacuation, conflict prevention, peacekeeping, crisis management, peace-making or stabilisation, with all of them contributing to the fight against terrorism as well.

Crisis prevention and diplomatic efforts are at the basis of EU foreign policy. At the same time, the need for capabilities development and the capacity for a speedy reaction to any conflicts which arise are clearly recognised. The complexity of these matters results from the necessity for consensus on key decisions and the different Member States' participation in peace-keeping missions.

The process becomes even more delicate when the EU has to intervene in conflicts which, on one hand, occur near its borders, and, on the other hand, in which its strategic partners – such as the Russian Federation – are involved. However, the EU's quick reaction prevented the growth of the Russia – Georgia crisis and ceased the military conflict. At the time of the recognition of Kosovo's independence in 2008, it became apparent that there are serious discrepancies on key CSFP issues among EU Member States.

2.4.2. Planning and Funding the EU's Missions and Operations

With the experience gained from the 24 missions and operations conducted

in 2003–2012, the EU developed a complicated procedural framework for planning of operations. The procedures for planning operations are not perfect, even though the EU is often proud of developing a “comprehensive” crisis management approach, uniting military with civilian resources remains limited.

With the Lisbon Treaty going into force, the EU is expected to make the transition to a more integrated approach to crisis management. Operational planning is not only handled by the military. This new approach opened up prospects for much more flexible and dynamic instruments for managing international crises.

The European Council, meeting in Helsinki on 10 and 11 December 1999, agreed in particular that, “cooperating voluntarily in EU-led operations, Member States must be able, by 2003, to deploy within 60 days and sustain for at least one year, military forces of up to 50 000 to 60 000 persons capable of the full range of Petersberg tasks”.¹⁰⁴ On 17 June, the Council approved the rules and procedure for funding EU crisis management operations of a military nature, or those which have consequences in the field of defence.

On 22 September 2003, the Council decided that the EU should show flexibility in administrating the funding of common expenses of military operations, regardless of their scale, complexity or urgency, by creating a permanent financial mechanism to handle the funding of the shared expenses for every future EU military operation. On 23 February 2004, the Council passed Decision 2004/197/CFSP which established the “ATHENA-Mechanism” to administer the financing of the common costs of EU operations with military and defence consequences.¹⁰⁵

¹⁰⁴ Presidency Conclusions, Helsinki European Council (https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/ACFA4C.htm), last accessed on 9 October 2014.

¹⁰⁵ Council Decision 2011/871/CFSP of 19 December 2011 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena), Official Journal of the European Union, 23 December 2011, p. 35 (http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=uriserv:OJ.L_.2011.343.01.0035.01.ENG), last accessed on 17 August 2014.

In December 2011 the mechanism was set on a new legal basis (for further information about the mechanism, EU missions and operations, see Chapter 3).¹⁰⁶ The necessity for clarification of the mechanisms for planning operations is essential to the preparation of their financial a security. The task of increasing the capacity of EU forces – rendering them ready for deployment within sixty days and able to sustain for at least one year military forces of up to 50,000 to 60,000 people capable of fulfilling the complete range of Petersberg tasks – requires not only ensuring sources but also optimizing the decision-making mechanism.

2.4.3. Mechanism for EU Capabilities Development

For the achievement of its aims, especially those of the criteria for crisis management operations, the EU needs contributions from Member States to military and civilian capabilities. EU crisis management capabilities are considered as a complete range of means (including labour force, equipment, concepts, organisations and procedures) at a quantitative and qualitative level, which are necessary in order for CFSP missions and operations to be conducted successfully.¹⁰⁷

The Mechanism for Capabilities Development (MCD) of the EU was adopted in 2003,¹⁰⁸ with the “Berlin Plus” agreement having been taken into account. Its objective was to create an opportunity for the EU to encourage the achievement of commitments regarding Member States’ capabilities and to appraise them, re-evaluating the real aims of their capabilities if necessary. MCD functions in four fields:

- Determining military capabilities necessary for the fulfilment of the EU’s objectives, as well as the potential contribution of Member States to the realisation of requirements;

¹⁰⁶ Ibidem, p. 36.

¹⁰⁷ European Security and Defence College, IDL Mechanism and Actors (http://adlunap.ro/esdc/ilias.php?baseClass=ilSAHSPresentationGUI&ref_id=3904), last accessed in September 2012.

¹⁰⁸ Council of the European Union, Declaration on EU Military Capabilities, 19-20.05.2003 (<http://consilium.europa.eu/uedocs/cmsUpload/Declaration%20on%20EU%20Military%20Capabilities%20-%20May%202003.pdf>), last accessed on 25 August 2014.

- Defining potential flaws and progress evaluation of established problems;
- Resolving shortcomings (essentially the responsibility of Member States, who can be supported by the EDA, for example, on deficiencies in military capabilities);¹⁰⁹
- Ensuring agreement, transparency and mutual support for the development of capabilities requirements, which are the same for the EU and NATO.

The mechanism is based on *two basic principles*: the EU's autonomous decision-making and the voluntary character of Member States' contributions. To prevent duplication, areas in which civilian-military synergy can be achieved on are sought whenever possible between development processes of civilian and military capabilities, fully taking into account their particular characteristics.

Implementation of leading civilian and military aims of the EU is done in two aspects:

- *First*, as far as the declared contribution to respective lists includes only the part of national armed forces or civilian personnel/units, which the different Member States are freely prepared to offer, in answer to certain criteria; this does not present a binding obligation in case of potential crisis situations.
- *Second*, as far as providing assets in certain crisis situations is concerned, an additional national-level decision is necessary for each specific case. Member states have the freedom to decide with regard to their specific commitment to real operations and missions.¹¹⁰

Reaction time is very important when it comes to the effectiveness of crisis

¹⁰⁹ European Security and Defence College, IDL, Mechanism and Actors (http://adlunap.ro/esdc/ilias.php?baseClass=ilSAHSPresentationGUI&ref_id=3904) last accessed in September 2012.

¹¹⁰ ESDC Secretariat, Mechanism and Actors, IDL, Availability of capabilities for EU crisis management (http://adlunap.ro/esdc/ilias.php?baseClass=ilSAHSPresentationGUI&ref_id=3904), last accessed in September 2012.

management, keeping crises as contained as possible and protecting the civilian population. After 2007, the EU started, albeit at a relatively slow rate, to develop capabilities with which to accomplish the aforementioned tasks, building up the capacity to support operations through task forces in more than one conflict area.

2.4.4. *The EU's "Comprehensive Approach" to Crisis Management*

The *comprehensive security* model is directed not only toward conflict management, but also toward conflict prevention. It includes a wide range of peace-keeping actions: traditional peace-keeping, police missions, popularizing the supremacy of law, reforms in the security sector and post-conflict establishment of institutions.¹¹¹

Following the initiative of the Swedish presidency to conduct research to on the synergy in the development of using civil and military capabilities, which included the areas of transport, communications, logistics, the security of personnel sent out on missions, infrastructure, satellite capabilities and medical support, the significance of the EU's comprehensive approach for crisis management was confirmed by the Council of the EU in November 2009.¹¹² The "synergy" model for civil-military cooperation aims at multiplying the effects of crisis management, regardless of which stage of their genesis they are at, be it prevention, conflict management, or post-conflict recovery. Combining two types of expertise – military and civilian – overcomes the chronological institutional vacuum found in post-conflict periods of the recent past, minimizes the need for military intervention to the point of absolute necessity and emphasizes on institutional establishment and stability. For this approach to be maximally effective, it must be realized through a clearly and specifically developed legal basis. This is where the active role of the European Council and European Parliament comes in with relation to the preparation of the basic strategic documents.

¹¹¹ Greco, E. N. Pirozzi, S. Silvestri. EU Crisis Management: Institutions and Capabilities in the making, Istituto Affari Internazionali, November 2010, p.5 (http://www.iai.it/pdf/Quaderni/Quaderni_E_19.pdf), last accessed on 25 August 2014.

¹¹² EEAS, Common Security and Defence Policy, Development of European Military Capabilities, January 2011, (http://www.consilium.europa.eu/media/1222506/110106%20updated%20factsheet%20capacities%20militaires%20-%20version%208_en.pdf), last accessed on 25 August 2015.

Clarity with regard to the status of EU crisis management policies is given in the European Parliament's Resolution of 23 November 2010. It puts emphasis on the following key issues:

- The EU has dedicated itself to defining and following common policies and actions to keep peace, prevent conflicts, consolidate post-conflict rehabilitation and to support international security in accordance with the principles set down in the Charter of the United Nations, as well as to the consolidation and support of democracy, rule of law, human rights and the principles of international law, to support any nation having to face natural disasters or human-engineered threats.
- Domestic and foreign security are becoming more and more connected through crisis management, conflict prevention and policies to support peace, with the EU also supporting the guarantee of security of its citizens.
- The EU, by way of its civilian crisis management, clearly contributes to global security, as reflected in its founding values and principles.
- Effective answers to today's crises and security threats, including natural disasters, call for both civil and military capabilities. Therefore, it must be noted that the development of the EU's "comprehensive approach" to security and its combined capabilities for civil-military crisis management are a characteristic part of CFSP and are of key added value to it.
- CSDP is not the only instrument available, as its missions should be implemented as part of a further-reaching EU strategy.¹¹³

In the European Parliament Resolution of 11 May 2011 on the development of CSDP following the entry into force of the Lisbon Treaty (2010/2299(INI)), the thesis that civil-military capabilities for crisis man-

¹¹³ European Parliament resolution of 23 November 2010 on civilian-military cooperation and the development of civilian-military capabilities (2010/2071(INI)) (www.europarl.europa.eu/RegData/seance_pleniere/textes_adoptes/provisoire/2010/11-23/0419/P7_TA-PROV%282010%290419_EN.pdf), last accessed in September 2012.

agement have to be more closely coordinated and to act with greater synergy in terms of the “comprehensive security approach” without, of course, any changes being made to the defining characteristics dividing the military’s role from the civilian one and to the different decision-making procedures and chain of command, is expounded.¹¹⁴

The comprehensive approach should become the guiding principle for all EU external action. The HR also emphasised that comprehensiveness refers to the shared responsibility of EU-level actors and Member States.¹¹⁵

2.4.5. Participants in the Crisis Management Process

Following the main principles of capabilities development in crisis management, key participants in this process are Member States. At the EU level, the main participants are as follows:

- the Political and Security Committee (PSC);
- the EU Military Committee (EUMC);
- the EU Committee for the Civilian Aspects of Crisis Management (CIVCOM);¹¹⁶
- the EU Military Staff (EUMS);
- the Crisis Management and Planning Directorate (CMPD);
- Civilian Planning and Conduct Capability (CPCC).

The various levels of strategic planning and the wide range of instruments

¹¹⁴ European Parliament resolution of 11 May 2011 on the development of the common security and defence policy following the entry into force of the Lisbon Treaty (2010/2299(INI)) (http://www.europarl.europa.eu/RegData/seance_pleniere/textes_adoptes/provisoire/2011/05-11/0228/P7_TAPROV%282011%290228_EN.pdf), last accessed in September 2012.

¹¹⁵ HR of the EU for CSDP, Joint Communication to the EP and the Council, The EU’s comprehensive approach to external conflict and crisis, Brussels 11.12.2013 (http://www.eas.europa.eu/statements/docs/2013/131211_03_en.pdf), last accessed on 25 August 2014.

¹¹⁶ Preparatory document related to CESDP: Establishment of a European Union committee for civilian crisis management (Press Release: Brussels 10/3/2000) (<http://consilium.europa.eu/uedocs/cmsUpload/Preparatory%20document%20CESDP%20-%20Committee.pdf>), last accessed on 9 October 2014.

for crisis management allow the EU's capacity to increase and reduce reaction time in crisis situations. In this respect, important instruments are the *Integrated Police Units* (IPUs) which significantly increase the applicable field of activity and achievement of greater flexibility through the opportunity for including military and civilian operations in their structures.

* * *

The process of creating CFSP integrity is a reflection of the activity of the European Union as a union of all European countries, which would not be possible without the synchronization of the bodies which implement CFSP. The creation of the positions High Representative of the EU for CFSP and President of the Council of Europe is proof of the fact that the Member States agree the best way to guarantee their national interests is through institutionalization of the common interest.

Political will, however, could not be realized without the necessary institutional and administrative capacity. This difficult task is undertaken by the European External Action Services. Despite the criticism and gaps that resulted from its activity at first, being mobilized to coordinate the 28 Member States, it becomes more and more apparent that an increase in its efficiency has taken place since the moment it took its first steps.

As far as the prospects for the development of CFSP are concerned, doubtlessly through the institutionalization of its foreign policy and through the common body of the High Representative, the Union has gained the necessary scale to be a key player on the international stage. However, the character of problems facing world security requires ever-greater flexibility in foreign policy – as well as unity with more than one strategic partner, initiated by or supported by the EU, and a more significant delegation of rights with respect to decision-making of regional organisations and initiatives. Recent examples are the crisis in Ukraine and the ongoing destabilization of the Middle East. For the management of these processes, it is necessary to mobilize the full capacity of bodies and institutions of the EU which are involved in the implementation of CFSP.

Chapter 3:

Structures and Instruments of the EU's Common Security and Defence Policy

The EU's Common Security and Defence Policy has been built by the European Community since the 1960's. For a long time, Member States retained their attitude towards individual approaches, and not a communal model. Only after the downfall of the totalitarian regimes in the former Socialist countries has it become viable for the EU to extend eastward. This increases cooperation on the continent and also the EU's capabilities to plan and execute missions and operations outside these geopolitical boundaries. This, in turn, helps the EU to play a more important role on the world political scene.

The EU's Common Security and Defence Policy (CSDP) has well-developed institutional mechanisms, which engage not only the basic European institutions but also specialized bodies and structures: the European Parliament through its plenary staff, the Foreign Affairs Committee and the Security and Defence Subcommittee, the European Commission and the EU Council. The permanent structures that work on CSDP are the Political and Security Committee, the EU Military Committee, the Committee for Civilian Aspects of Crisis Management, the EU Military Staff and the Civilian Planning and Conduct Capability. A number of specialized structures carry out or assist in the implementation of different CSDP aspects. Such structures are the European Defence Agency, the EU Satellite Centre, the EU Operations Centre and the EU Situation Centre.

The EU's large spectrum of crisis-management means and instruments allows for flexible approaches taking into consideration the different characters of conflict areas around the world. Crisis prevention and management include political, diplomatic, economic, financial, civic and military means. Their implementation is consistent with the respective case's necessities. In its missions the EU actively pursues its principles of the supremacy of law, the defence of human rights and establishing and increasing the capacity of democratic institutions.

3.1. Permanent Structures of the Common Security and Defence Policy

3.1.1. *EU Institutions Participating in Policy and Decision Making in the CFSP/CSDP Sphere*

The most active European institutions in policy- and decision-making in the CFSP/CSDP sphere are the Council of the EU, the European External Action Service, the European Commission and the European Parliament.

The Council is an EU institution where the ministers of the Member States meet. This body operates in ten different compositions, covering all of the EU's policies. Depending on the matters under consideration, every member-state is represented by the respective minister (foreign affairs, finances, social issues, transport, agricultural, etc.).

The Council's work is prepared and coordinated by the Permanent Representatives Committee (COREPER), made up by the permanent representatives of the Member States in Brussels as well as their deputies. Over 150 committees and work-groups prepare the Council's work.¹¹⁷

After the Treaty of Lisbon was signed, it became possible for a particular mission to be assigned to a number of Member States, that have both the will and the necessary civilian and military means to carry it out. The Member States upon which a particular task depends on have to regularly report their progress to the Council.¹¹⁸

The European Commission places great value on the coordinated EU crisis-management approach as an integral part of CSDP; this guarantees that the European Community's instruments and activities in the framework of CSDP complement one another.¹¹⁹ Also, on issues such as terrorism, international sanctions, human rights and democracy in CFSP's perimeter of

¹¹⁷ Council of the EU, Policies (<http://www.consilium.europa.eu/policies?lang=en>), last accessed on 22 March 2014.

¹¹⁸ EU, CSDP (http://europa.eu/legislation_summaries/institutional_affairs/treaties/lisbon_treaty/ai0026_bg.htm), last accessed in April 2012.

¹¹⁹ EEAS, Crisis Management (http://eeas.europa.eu/cfsp/crisis_management/index_en.htm), last accessed in April 2012.

authority, the Commission has concrete priorities, and sometimes its own instruments, including micro- and mini-projects in the context of the European Initiative for Democracy and Human Rights, as well as capabilities for electoral assistance, observation and monitoring. In a crisis region which needs a long-term political, financial and administrative commitment, the Commission can make a huge contribution with successful solutions within the CFSP and CSDP's framework.¹²⁰ In Baroness Catherine Ashton the Committee had, for the first time, a Vice-President of the European Commission who is, at the same time, the High Representative of the Union for Foreign Affairs and Security Policy. She was responsible not only for EEAS, but for EDA, too.

The European Parliament reached an agreement on implementing the Common Security and Defence Policy during the sixth parliamentary mandate (2004-2009). This was manifested in the passing of a number of resolutions in regard to CFSP and in decisions to approve specific operations connected to CSDP (including "Althea" in the Democratic Republic of Congo and Chad). During the seventh parliamentary mandate (2009-2014) the European Parliament had resolved to use the greater freedoms that the Treaty of Lisbon has conferred to it in order to assert its parliamentary prerogatives for the development of CFSP and the new CSDP.¹²¹

3.1.2. Permanent Structures of CSDP

In order for the European Union to entirely assume its responsibilities in crisis-management, at the Nice summit meeting in December 2000, the Council decided to create permanent political and military structures. They are the Political and Security Committee, the EU Military Committee, the Committee for the Civilian Aspects of Crisis Management, the Crisis Management Planning Directorate, the EU Military Staff and the Civilian Planning and Conduct Capability.

3.1.2.1. The Political and Security Committee

The Political and Security Committee (PSC) organizes meetings at the ambassadorial level as a preparatory body of the EU Council. Its primary

¹²⁰ Rehl, J., H. B. Weissert (ed.), *Handbook on CSDP*, 2nd edition, Op. cit.

¹²¹ Ibidem.

functions are to follow the international state of affairs and provide help in defining policies within the framework of CFSP, including CSDP. It prepares a concerted answer by the EU in the case of crisis and exerts political control and strategic direction.¹²²

The Committee has its beginnings in a Council of Ministers resolution from 22 January 2001 (2001/78/CCFSP), which was to realize the standards of the Treaty of Nice – it can trace its lineage as far back as the Political Committee, created with the European Political Cooperation (EPC) (1970).¹²³

The Political and Security Committee is composed of representatives of the Member States at ambassadorial level and is chaired by a representative of the High Representative. The current chair is Belgian diplomat ambassador Walter Stevens. The PSC's statute is confirmed by the Treaty of Amsterdam. Tasks having to do with CSDP are added to its competences.¹²⁴ Its main functions are the following:

- offers the Council opinions in support of policy-making;
- examines the Council's draft conclusions on general matters;
- coordinates different work-groups in CFSP.

Apart from the aforementioned tasks the PSC's Council of Ministers can assign political control and strategic management of crisis-management operations. To prepare the EU's answer in crisis situations, the PSC drafts political goals to be fulfilled by the Union and recommends a plan of action on a national level.¹²⁵

Different groups working on various CFSP issues aid the Committee:

- The PSC consults with the *EU's Military Committee (EUMC)* and the *Committee for Civilian Aspects of Crisis Management (CIVCOM)*. CIVCOM provides information project recommendations and gives

¹²² CSDP structures and instruments (<http://www.consilium.europa.eu/eeas/security/defence/csdp-structures-and-instruments?lang=bg>), last accessed on 08 April 2012.

¹²³ Ibidem.

¹²⁴ Ibidem.

¹²⁵ Krastev, D., *EU's Security Policy*. Sofia 2010, pp. 155-156.

PSC its opinion in the field, for which it is responsible.¹²⁶

- *The Political and Military Group (PMG)* is preparatory to PSC. It provides assistance on political and military issues, ensuring coordination in CSDP's military aspects. Within the framework of its preparatory and coordinating role the PMG helps streamline the development processes in order to increase the EU's military capabilities.¹²⁷ Like CIVCOM, the PMG formulates recommendations and advice for the PSC on the political-military aspects of crisis-management.¹²⁸
- There is also a Working Group of the External Relations Advisors (*RELEX Group*). It deals with all horizontal aspects, and specifically on institutional, legal and budget matters, prepares the Council's joint actions, necessary to start EU crisis-management missions and operations, and also observes the ATHENA mechanism (financing military operations).¹²⁹

The PSC follows the international state of affairs in spheres within the scope of the CSDP and CFSP. This structure plays a central role in determining and keeping track of the EU's reaction during a crisis.¹³⁰ It is one of the EU Council's main structures. It deals with every aspect in the scope of CFSP, including CDSP, in agreement with Article 25 from the EU Treaty.

3.1.2.2. The EU Military Committee (EUMC)

The EU Military Committee is a military consultation and cooperation fo-

¹²⁶ Council of the EU, The European Union Military Committee (EUMC) (<http://www.consilium.europa.eu/eeas/security-defence/csdp-structures-and-instruments/eu-military-committee%28eumc%29?lang=en>), last accessed on 08 April 2012.

¹²⁷ ESDC Secretariat, Historical context of capability development (http://adlunap.ro/esdc/ilias.php?baseClass=ilSAHSPresentationGUI&ref_id=3904), last accessed in April 2012.

¹²⁸ Weisserth, H. B., ESDC Secretariat, Council Decision Making Bodies, European Security and Defence College (http://adlunap.ro/esdc/ilias.php?baseClass=ilSAHSPresentationGUI&ref_id=3700), last accessed in April 2012.

¹²⁹ Ibidem.

¹³⁰ EU, Summaries of EU legislation, Political and Security Committee (PSC) (http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/r00005_en.htm), last accessed in April 2012.

rum for the Member States. It deals with conflict prevention and crisis-management. It helps the Political and Security Committee by providing military advice and recommendations based on a consensual opinion, and also manages the EU Military Staff (EUMS).¹³¹

The EU Military Committee was created with an EC resolution from 22 January 2001 (2001/79/CCFSP) as a structure within the Council, replacing the Interim Military Body.¹³²

Its chairman is appointed for a three-year term by the EU Council through a recommendation by the Military Committee at the level of defence ministers.

The Military Committee gives advice and recommendations to the PSC per request or on its own, working within the bounds set by the PSC on:

- developing a comprehensive concept for the military aspects of crisis management;
- military aspects, pertaining to the political control and strategic leadership of the crisis-management operations and situations;
- risk-assessment of potential crises;
- military dimensions of a crisis situation and its consequences – especially post-crisis recovery; intelligence from the European Centre for Operations is used;
- defining, assessing and reviewing attainable goals in accordance with approved procedures;
- military relations between the EU and non-EU countries which are members of NATO; with countries seeking EU membership and with other countries and organizations, including NATO;
- financial assessment of operations and military exercises.¹³³

¹³¹ EU, Military Committee of the European Union (EUMC) (http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/r00007_en.htm), last accessed in April 2012.

¹³² Ibidem.

¹³³ EUR-Lex, Council resolution from 22 January 2001 for the establishment of EU Military Committee (2001/79/CFSP) (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32001D0079:BG:HTML>), last accessed in April 2012.

The EUMC is the highest-standing military institution in the Council; it is made up of the Member States' heads of defence, as well as their permanent military representatives.

3.1.2.3. Committee for the Civilian Aspects of Crisis Management

The Committee for Civilian Aspects of Crisis Management (CIVCOM), is an advisory body of the Council created to guarantee coordination, pooling of resources and distribution of the conclusions made and best practices in the EU's non-military missions for crisis management.¹³⁴

The European Council meeting in Lisbon on 23 and 24 March 2000 invited the Council to establish a committee for civilian crisis management. CIVCOM was subsequently established by Council Decision 2000/354/CFSP on 22 May 2000 as a Council working party reporting Permanent Representatives Committee. The Committee provides information, formulates recommendations and gives advice on civilian aspects of crisis management to the Political and Security Committee.

CIVCOM is chaired since 2010 by a representative of the High Representative, currently Finnish Diplomat Mika-Markus Leinonen, a former Director for Civilian Crisis Management in the Council Secretariat. The CIVCOM Chair is not embedded in one geographic or thematic service like the Chairs of the CFSP geographic/thematic Working Parties, but deals with various services, namely CMPD at the strategic level, CPCC at the operational level, and those in charge of Conflict Prevention and geographical areas.

3.1.2.4. The Crisis Management and Planning Directorate (CMPD)

Created on 16 November 2009, the directorate is responsible for the political and strategic planning of civilian and military missions, as well as contributing to other aspects of the EEAS's work related to the CSDP. The directorate ensures coordinated and effective action, as part of the EU's general crisis-management approach. It also develops the CSDP's partner-

¹³⁴ Preparatory document related to CESDP: Establishment of a European Union committee for civilian crisis management (Press Release: Brussels 10/3/2000) (<http://consilium.europa.eu/uedocs/cmsUpload/Preparatory%20document%20CESDP%20-%20Committee.pdf>), last accessed on 31 March 2014.

ships, policies and concepts, as well as its general capabilities.¹³⁵ It also coordinates the interaction between the EU's civilian and military capability development.

3.1.2.5. The EU Military Staff (EUMS)

At a summit in Nice (7-11 December 2000), according to article 17 from the EU Treaty, the EU Military Staff was established, with the view of fortifying the CFSP and specifically the Common Security and Defence Policy. The agency has been active since 11 June 2001. Since 1 January 2011, the EUMS has come within the boundaries of the European External Services Agency.

EUMS's structure and organization are multi-national. It consists of around 200 members of the military, commissioned by different Member States; on the international level they act as government officials. They are led by a general director (a superior officer).¹³⁶

Under the Military Committee's guidance, the EUMS contributes its military experience to the bodies of the EU; monitors potential crises, relying on its respective national and multi-national intelligence resources; gives the EU Situation Centre data and then receives its analysis; executes the military aspects of the preliminary strategic planning for the Petersberg missions; identifies and enumerates the European national and international forces for EU-led operations, coordinated with NATO. The EUMS also contributes to the development and preparation (including training and exercises) of the national and international forces of the EU Member States.

The Staff contributes to the process of establishing, evaluating and reviewing goals and capabilities, ensuring cooperation with NATO's defence planning process (NDPP) and the planning and review process related to "Partnership for Peace" (PARP). The Military Staff works in close coordination with the EDA. In November 2005 a NATO permanent liaison team (NPLT) was formed.

¹³⁵ EEAS, CSDP's structures and instruments (http://eeas.europa.eu/csdp/structures-instruments-agencies/cmpd/index_en.htm), last accessed on 22 March 2014.

¹³⁶ Rehl, J., Weisserth, H. B. (ed.), Handbook on CSDP, 2nd edition, Op. cit., pp. 44-46.

The EU's SHAPE unit, created in March 2006,¹³⁷ prepares EU operations making use of NATO's common assets and the opportunities provided by the "Berlin plus" Treaty. Therefore there is a NATO liaison team in the EUMS. The two contact teams contribute to the transparency between NATO and the EU and underscore the two unions' strategic crisis-management partnership. In order to increase cooperation between the military branches of both organisations, in New York there is a EUMS-to-NATO liaison representative.¹³⁸

The Staff provides military expertise and support for the High Representative and the execution of CSDP, including the EU's military operations, to ensure crisis-prevention and management. An important aspect of its activities includes early-warning actions, situation analysis and strategic planning in accordance with the EUMC's policies and resolutions.

3.1.2.6. The Civilian Planning and Conduct Capability (CPCC)

The Civilian Planning and Conduct Capability is responsible for planning, implementing, execution and review of civilian missions related to CSDP and provides assistance and consultation to the High Representative, the chairmanship and the EU Council's respective bodies.¹³⁹

The Capability is created in August 2007, shortly after the EU Council-approved document "Guidelines for Command and Control Structure for EU Civilian Operations in Crisis Management".¹⁴⁰ The CPCC's director exercises command and control of all civilian crisis-management operations under the political supervision and strategic leadership of the Political and Security Committee and under the general guidance of the High Representative of the Union for Foreign Affairs and Security Policy, Catherine

¹³⁷ Fabiani-Latini, S., The NATO Permanent Liaison Team to the EUMS, *Impetus*, Bulletin of the EU Military Staff, Autumn/Winter 2011 (http://www.consilium.europa.eu/media/1347266/impetus_n12_final_pdf.pdf), last accessed in April 2012.

¹³⁸ Weisserth, H. B. ESDC Secretariat, EU Internal Supporting Structures, European Security and Defence College (http://adlunap.ro/esdc/ilias.php?baseClass=ilSAHSPresentationGUI&ref_id=3700), last accessed in April 2012.

¹³⁹ Council of the EU, Civilian Planning and Conduct Capability (CPCC) (<http://www.consilium.europa.eu/eeas/security-defence/csdp-structures-and-instruments/cpcc?lang=en>), last accessed on 08 April 2012.

¹⁴⁰ *Ibidem*.

Ashton.¹⁴¹ The Member States and any third-party states taking part in CSDP missions transfer the command and control over their personnel and units to the CPCC's director. He is assisted by a deputy-in-chief who takes the director's place to guarantee an unbroken process of command. Full command over the countries' personnel remains within the responsibilities of the national institutions.¹⁴²

In 2014 there were eleven civilian CSDP missions underway under the supervision of the CPCC: EUPOL COPPS and EUBAM Rafah in the Palestinian Territories, EUBAM Libya, EUPOL Afghanistan, EULEX Kosovo, EUMM Georgia, EUPOL RD Congo, EUCAP Nestor (Horn of Africa and Western Indian Ocean), EUCAP Sahel Niger, EUCAP Sahel Mali and EUAM Ukraine.¹⁴³

The statistical data is impressive: Already in 2008 about 3,000 Europeans have been working on three continents on CSDP civilian operations – Africa, Near East, Afghanistan and the Western Balkans. The CPCC was responsible for their security 24/7 and provided everyday support, including constant observation.

This support ranges from administrative and financial to processing of planning documents related to missions, as well as legal deeds and frequent reports to the Council's preparatory institutions. Most of the supporting staff and the support teams from Brussels are EU citizens, taking part as commissioned or hired personnel.¹⁴⁴

When crisis-prevention and management are concerned, as well as accomplishing operations of different types, the approach which combines military and civilian expertise has proven its effectiveness in missions coordinated by the CPCC.

¹⁴¹ Ibidem.

¹⁴² Ibidem.

¹⁴³ EEAS, CPCC (http://eeas.europa.eu/csdp/structures-instruments-agencies/cpcc/index_en.htm), last accessed on 17 October 2014.

¹⁴⁴ General Secretariat of the Council of the European Union, Introducing CPCC (http://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/sede131008cpcc_/SEDE131008CPCC_en.pdf), last accessed on 17 October 2014.

Active use of civilian expertise saves resources and reduces the need for the implementation of armed forces, thus accelerating the crisis' solution.

3.1.2.7. EU Operations Centre

On 1 January 2007, the EU created a new, third, option for mission and limited-scope operations command (up to 2,000 troops) from Brussels.

The EU Centre for Operations was formed within the EU Military Staff (EUMS) to increase the capacity for crisis-management and response. It uses part of the core staff of the EUMS, and some additional staff from the Member States. Until then the EU has had two options for the management of military operations at the level of Operation Headquarters (OHQ):¹⁴⁵

- Autonomous operation by using the capabilities of any one of the five operational headquarters (OHQs): the French OHQ in Mont Valerian (Paris) in Northwood; the English OHQ in Northwood; the German OHQ in Potsdam; the Italian OHQ in Rome; and the Greek OHQ in Larissa. In 2003, Operation ARTEMIS Democratic Republic of Congo used the French OHQ while the current military operation in the country is working with the German OHQ.
- Using capabilities and common NATO assets (under the Agreement "Berlin Plus") and acting through the options for command and OHQ control, located at the headquarters of the Allied forces in Europe (SHAPE) in Mons, Belgium. This applies to operation Althea in Bosnia and Herzegovina.

The EU Operations Centre could reach the full capability command within twenty days.¹⁴⁶ It was activated for the first time on 23 March 2012 to co-

¹⁴⁵ ESDP Newsletter#3, January 2003, Operation Centre ready for activation. p7 (http://www.iss.europa.eu/uploads/media/ESDP_newsletter_003.pdf), last accessed on 15 March 2014 and EEAS, EU Operations Centre (http://eeas.europa.eu/csdp/structures-instruments-agencies/eu-operations-centre/index_en.htm), last accessed on 26 April 2014.

¹⁴⁶ Factsheet on the activation of the EU Operations Centre (http://eeas.europa.eu/csdp/documents/pdf/factsheet_opscentre_22_may_12_en.pdf), last accessed on 26 April 2014.

ordinate the three CSDP missions in the Horn of Africa (Operation Atalanta, EUTM Somalia and EUCAP Nestor).¹⁴⁷

3.1.2.8. European Situation Centre

The European Situation Centre is the EU's intelligence body, through whose data European security is maintained. It has its roots in European Security and Defence Policy of 1999, when a group of analysts working under the leadership of the then-High Representative Javier Solana. After the U.S. terrorist attacks on 11 September 2001, a sub-department was created, specialized in terrorism issues and called the Counter-Terrorism Group. In 2002, the Situation Centre became a forum for the exchange of sensitive information between the services of France, Germany, Italy, Netherlands, Spain, Sweden and the UK. While its original mission focused on assessing the situation abroad, in June 2004 Solana expanded its field of interests to terrorist threats within the EU.¹⁴⁸ The Centre provides early warning, situational awareness and intelligence data analysis. It is part of the EEAS and is led by the EU High Representative.

It focuses on sensitive geographic areas, terrorism and the proliferation of weapons of mass destruction. Information and assessments are in a civilian and military capacity, covering all aspects of crisis management in the EU.¹⁴⁹

¹⁴⁷ Council Decision 2013/725/CFSP (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:329:0039:0040:EN:PDF>), last accessed on 15 March 2014; and http://eeas.europa.eu/csdp/structures-instruments-agencies/eu-operations-centre/index_en.htm), last accessed on 30 March 2014.

¹⁴⁸ Buuren, J. van. Secret Truth, The EU Joint Situation Centre, Amsterdam: Eurowatch, 2009 (<http://www.statewatch.org/news/2009/aug/sitCen2009.pdf>), last accessed on 30 March 2014.

¹⁴⁹ Weisserth, H. B. ESDC Secretariat, EU Internal Supporting Structures, European Security and Defence College, IDL, (http://adlunap.ro/esdc/ilias.php?baseClass=ilSAHSPresentationGUI&ref_id=3700), last accessed in September 2012.

3.2. Supporting Structures of the EU Participating in CSDP

Apart from the EU's permanent crisis-management structures, another important component of CSDP are the agencies – The European Defence Agency, The European Union Institute for Security Studies, The European Satellite Centre, the EU Situation Centre and the European Security and Defence College.

3.2.1. *The European Defence Agency – EDA*

On 19 and 20 June 2003, in Thessaloniki, the European Council assigned a task “to relevant Council structures to take the necessary actions in 2004 in order to create an intergovernmental EU agency that deals with the development of defence capabilities, scientific research and supply in the this and the field of armament.” The establishment of such an agency is stipulated in the European Constitution draft treaty which, despite not being passed as of yet, transforms a number of principles in the Treaty of Lisbon.¹⁵⁰ The European Defence Agency was created on 12 July 2004. Its primary goals are:

- to improve the defensive capabilities of the EU – predominantly in the field of crisis-management;
- to encourage cooperation between the Member States' armed forces;
- to improve the EU's industrial and technological defence bases by creating a competitive European market for defence equipment;
- to encourage research in order to improve the industrial and technological defence potential of Europe.¹⁵¹

The EDA works under the direction and political supervision of the Council, where it presents regular reports and from which it regularly receives guidelines. It is open to all Member States, and, in 2014, it is working with 27 of them (due to Denmark's withdrawal from CSDP). The Head of EDA

¹⁵⁰ European Defence Agency, 2005–2012 (http://www.eda.europa.eu/Aboutus/What_wedo), last accessed in April 2012.

¹⁵¹ EU, European Union Agencies (http://europa.eu/agencies/security_agencies/eda/index_bg.htm), last accessed in April 2012.

is the Secretary-General and High Representative of the Union for the Common Foreign and Security Policy, and the current Executive Director is Claude-France Arnould.

The EDA relies on an approach consistent with the military needs of tomorrow, contributing different and often innovative solutions.¹⁵² Within the Agency the Member States initiate and participate in the development of capabilities using their expert personnel in a legal and administrative capacity.¹⁵³

3.2.1.1. Functions and Tasks of the Agency

The EDA provides multinational solutions to improve the capabilities in a time when budget restrictions create the necessity to encourage cooperation. Its work program is annually approved by a Steering Board, made up of Ministers of Defence. Its activities are divided into four functional fields:

- development of defence capabilities in the field of crisis management;
- promoting and enhancing European cooperation in the field of armament;
- increasing the efficiency of European defence research and technologies;
- creating a competitive market for defence products and increasing the capacity of the European defensive and technological industrial base.¹⁵⁴

The Agency operates in a common framework consisting of four strategies approved by the EDA Steering Board: Plan for the development of capabilities, Strategy for European defence research and technology, European strategy for cooperation in the armament field, and Strategy for European Development Capabilities, Strategy for European defence research and technology.

¹⁵² European Defence Agency, 2005–2012, Op. cit.

¹⁵³ EDA, Pooling & Sharing (http://www.eda.europa.eu/Libraries/Procurement/fact_sheet_-_pooling_sharing_301111_1.sfl b.ashx), last accessed in April 2012.

¹⁵⁴ European Defence Agency, 2005–2012, Op. cit.

3.2.1.2. Key Priority Areas of EDA

The Agency is a strategic body that invests in research and technology and promotes cooperation between the defence industries of the Member States. The original plan for the development of these capabilities was approved in July 2008 and in March 2011 the Steering Board of EDA approved the priority areas in which the Agency will focus its activities in the coming years.

They are presented in three groups:

- *Ten main priorities*: combating the use of self-made explosive devices, medical support, intelligence and observation, increased capabilities for the use of helicopters in operations, cyber-defence, multinational logistics, and exchange of information under the CSDP, strategic and tactical management of air transport, fuels and energy, providing mobility.
- *Protective measures*: neutralizing marine mines, chemical, biological, radiological and nuclear defence, defence against anti-aircraft weapons, military intelligence.
- *Communication environment and security*: a comprehensive approach; civilian-military capabilities comprising three components – staff, information security and technologies; radio-frequency management for the EU capabilities, space-based activities.¹⁵⁵

3.2.1.3. Pooling and Sharing Initiative

In November 2010, Germany and Sweden proposed “the Ghent initiative”. Given the reduced military budgets and the ever-increasing investment and operating costs in the defence sector, without which it would be difficult to maintain all military capabilities, both sides figure that positive results can be achieved only by jointly sharing costs and burdens.

Successful examples of this are the already existing bilateral and multilateral regional defence cooperation between the EU and NATO. After the discussion in Ghent, whose main topic was how to strengthen European mili-

¹⁵⁵ EDA (<http://www.eda.europa.eu/Capabilitiespriorities>), last accessed in April 2012.

tary capabilities, Germany and Sweden state their intention to identify areas of cooperation with a view of a more effective utilization of European resources and retaining a wider circle of military possibilities for adequate crisis response.¹⁵⁶

By remaining open to participation for all Member States, the EDA provides for the possibility for separate groups of them to create projects or programs together. In accordance with the “initiative of Ghent” a concept of “pooling and sharing” was established, which refers to the intentions and projects of sharing costs for more military capabilities across the EU Member States.¹⁵⁷

In its work program for 2012, the EDA continued to seek and promote opportunities for the development of capabilities for both pooling and sharing in both “areas that offer the potential for closer cooperation” and “areas/possibilities/technologies in which the Member States adopt interdependence”.¹⁵⁸

The “pooling and sharing” initiative can be seen as an attempt to respond to the growing difficulties in securing the smooth work of the CSDP activities in times of financial crisis, but also as an innovative approach towards future developments of cooperation between the Member States. This does not preclude the communal approach, set out by the adoption of a number of strategic documents, but extends it by encouraging cooperation between separate groups according to their needs and current capacity.

3.2.2. The European Union Satellite Centre – EUSC

The EUSC, also known as SatCen, was created by a Council resolution from 20 June 2001 and became active on 1 January 2002, based in Torrejón de Ardoz (Spain). It helps decision-making by the European Union on the

¹⁵⁶ Pooling and sharing, German-Swedish initiative, Berlin and Stockholm, 11 2010 (http://www.europarl.europa.eu/meetdocs/2009_2014/documents/sede/dv/sede260511deseinitiative_/sede260511deseinitiative_en.pdf), last accessed on 26 04 2014.

¹⁵⁷ Ghent Ministerial Meeting, Belgium Presidency, September 2010.

¹⁵⁸ EDA Work Programme 2012, Approved by the EDA Steering Board on 30 November 2011 (http://www.eda.europa.eu/Libraries/Documents/EDA_Work_Programme_2012.sfl b.ashx), last accessed in April 2012.

matters of CFSP (in particular CSDP), including the conduct of crisis management operations, by providing information and the resulting products of satellite imagery and additional data.¹⁵⁹ The Satellite Centre acts in close cooperation with the Joint Research Centre of the European Commission, as well as other national and international institutions.

The Centre's goals are synchronized with the European Space Strategy, endorsed by the Council on 16 November 2000.¹⁶⁰ The Centre's staff consists of experienced image analysts, geospatial specialists and support personnel from EU countries. Their Steering Board, consisting of in-house representatives and representatives of the European Commission and the EU, assigns a director and approves the annual budget and the Centre's work program.¹⁶¹ The EUSC provides support for the operational deployment of the EU forces (EUFOR in Bosnia and Herzegovina and EUFOR in the Democratic Republic of Congo), also to humanitarian and peace-keeping missions. The Centre is also an important instrument for early warning and facilitation of the information flow, assisting in the early detection and possible prevention of armed conflicts and humanitarian crises.¹⁶²

3.2.3. The European Union Institute for Security Studies – EUISS

This structure was established on 20 July 2001, but officially started work on 1 January 2002. It is based in Paris. The EUISS contributes to the development of the Common Foreign and Security Policy, including CSDP, through academic research, concepts and analyses in the respective fields, organizing seminars, maintaining an exchange network with other research institutes and centres within or outside the European Union.¹⁶³ It is among the permanent members of the ESDC network.¹⁶⁴

¹⁵⁹ European Union Satellite Centre, Mission (http://www.satcen.europa.eu/index.php?option=com_content&task=view&id=3&Itemid=11), last accessed on 22 March 2014.

¹⁶⁰ Europe-Gateway, European Union Satellite Centre (<http://www.europe.bg/htmls/page.php?id=5716&category=58>), last accessed on 22 March 2014.

¹⁶¹ Rehl, J., Weisserth H. B. (ed.). Handbook on CSDP, 2nd edition, Op.cit.

¹⁶² Ibidem.

¹⁶³ EUISS, (<http://www.iss.europa.eu/publications>), last accessed on 22 March 2014.

¹⁶⁴ Rehl, J., H. B. Weisserth (ed.). Handbook on CSDP, 2nd edition, Op. cit.

3.2.4. The European Security and Defence College

The European Security and Defence College (ESDC) was established on 18 July 2005, with the adoption of a Joint Council Decision (2005/575/CFSP), supplemented by the Joint Council Decision on 23 June 2008 (2008/550/CFSP).

The ESDC, itself embedded in EEAS structures,¹⁶⁵ is organized as a network of national institutes, colleges, academies and institutions within the EU, dealing with issues of CSDP, including the European Institute for the Study of Security.¹⁶⁶ Through training, scientific research and publications, as well as the inclusion of European research units and civil society structures in the debate on doctrinal issues, a greater public awareness in this field is achieved and also more solid public support for the activities of the EU's CSDP.¹⁶⁷

3.2.5. Other European Defence and Security Platforms

3.2.5.1. The European Security Round Table (ESRT)

The European Round Table on Security is a neutral platform between the EU institutions, NATO and other factors related to security and defence.¹⁶⁸ The forum is coordinated by a high-level Advisory Board, which is unique in its systematic approach and its focus on the EU.

Regular round tables are a key format for the organisation's meetings. They are structured and result-oriented, and gather together the most important participants in the field of security and defence to discuss and develop scenarios and policy possibilities on current and upcoming issues.¹⁶⁹

¹⁶⁵ EEAS, ESDC, CIVCOM welcomes the new ESDC publication, 24.03.2014 (http://eeas.europa.eu/csdp/structures-instruments-agencies/european-security-defence-college/news/2014/20140324_en.htm), last accessed on 24. August 2014.

¹⁶⁶ Ibidem.

¹⁶⁷ EEAS, CSDP, Structures and Instruments (http://eeas.europa.eu/csdp/structures-instruments-agencies/european-security-defence-college/index_en.htm), last accessed on 22 March 2014.

¹⁶⁸ European Security Round Table (<http://www.security-round-table.eu/esrt/index.php>), last accessed on 24 August 2014.

¹⁶⁹ Ibidem.

3.2.5.2. The European Security Foundation

The aim of the European Security Foundation (ESF) is to promote the development of the Common Foreign and Security Policy, based on values and interests of the European Union. The Foundation is committed to broader security issues under the European Security Strategy, which include crisis management, protection of external borders, objects from the Union's critical infrastructure, energy supply security, independent access to space, natural disasters management, armed forces missions under the EU's command. The ESF promotes more intensive cooperation between the parliaments of the Member States to build an effective system of parliamentary oversight for the activities and initiatives in the framework of the Common Security and Defence Policy.¹⁷⁰ The Foundation maintains a think tank for developing concepts and proposals for the development of CSDP.

3.2.5.3. The Brain Trust for the Security & Defence Agenda

It was founded in 2002 under the auspices of Javier Solana, Chris Patten and George Robertson, as an independent discussion forum for defence and security experts from NATO and the EU. The initiative organized the first mass-participation global event for online security policy – Security Jam, with the view of brainstorming so global views on global security can be exchanged. It included 4,000 participants from 126 countries. As part of this endeavour is the theme of promoting cooperation and the development of innovations that can be used to support strategic achievements in security.¹⁷¹

This organization is the only think tank in Brussels that focuses only on matters of security and defence. The voices of all stakeholders are heard. The initiative's international conferences point to topics such as the future of the EU's CSDP, NATO's role in the 21st century, regional conflicts, cooperation between the military and civilians, the development of "new tasks" in European armies and the nature of the threats in a globalized

¹⁷⁰ European Security Foundation (<http://www.europeansecurityfoundation.eu/>), last accessed on 24 August 2014.

¹⁷¹ Security & Defence Agenda, A neutral platform for discussing defence and security policies (<http://www.securitydefenceagenda.org/Default.aspx?tabid=1213>), last accessed on 24 August 2014.

world. Traditional events are the conference of NATO, which takes place in June, and the Day for Security and Defence, which is in November.

The think tank reports contain analyses on and recommendations for the implemented policy. Topics discussed include maritime security, bio threat level of preparedness, and relations between NATO, CSDP and the EU's strategy for Africa. These publications are widely distributed and turn the platform in a school for politicians across the world.¹⁷²

The organization allows for contribution on all subjects, including business and industry, maintaining independence, intellectual balance and quality for all its projects.¹⁷³ Despite the streamlined institutional mechanism and clear hierarchical and coordinational relations between institutions and EU structures involved in CSDP, there is a rising awareness of the need to attract independent platforms and structures that analyse the problems and challenges to European security. Their flexibility in analysing and evaluation of information is supposed to offset the relatively static and ungainly institutional decision-making mechanism by the major CSDP-involved bodies and structures.

3.2.5.4. The European Gendarmerie Force

The European Gendarmerie Force (EGF or EUROGENDFOR) is an initiative of France, Italy, the Netherlands, Portugal, and Spain, and later with Romania and Poland, aiming to enhance the crisis-management capabilities in sensitive areas. The organization was established in 2004. Membership can be obtained by any member state having a police force with military status. Turkey, as a candidate state was granted observer status.¹⁷⁴ EUROGENDFOR offers a complementary tool within the civil crisis management capacities of the EU. It responds to the necessity for expeditious conduct of the spectrum of activities related to civil and public security, both independently and along with military intervention, thereby providing a multinational and effective tool for certain peacekeeping operations, assisting crisis-management through the use of police forces.

¹⁷² Ibidem.

¹⁷³ Ibidem.

¹⁷⁴ European Gendarmerie Force (<http://www.eurogendfor.eu/>), last accessed on 24 August 2014.

Headquartered in Vicenza (Italy), they have a comprehensive operating system which allows for a state of rapid-deployment readiness in crisis regions; they can also provide a valid and operational instrument for crisis management – both for the EU and for international organizations such as NATO, UN and OSCE, and ad hoc coalitions.¹⁷⁵

3.3. CSDP Instruments

The EU has – in what is called the comprehensive approach – a wide range of instruments and resources (political, diplomatic, economic, financial, civilian and military) for effective international crisis management. This is an advantage, but at the same time a true challenge, as noted in the European Security Strategy (ESS). The Union faces the task of combining the different instruments and capabilities: the European assistance programs and the European Development Fund, as well as the military and civilian capabilities of Member States and others. By expanding the scope of CSDP operations beyond the Petersberg tasks (peacekeeping, humanitarian and rescue missions) the EU acquires a tool for a “tougher” sort of operations. This change provides additional flexibility in addressing security threats and taking joint action to manage crises with other international organizations.

3.3.1. Missions and Operations of the EU

3.3.1.1. The European Union as a Global Player in the Security Sphere

The implementation of the CSDP today means making responsible political decisions on crisis management, conducting operations in areas of crisis or preventing potential crises. With the creation of the CFSP and the Common Security and Defence Policy, the EU achieved one of the most impressive evolutions – from intergovernmental consultations and mechanisms for harmonization to an active participant, with its unique characteristics, in global security, contributing to security in different regions of the world. The EU’s civilian missions for crisis management and military support operations prioritize actions against armed aggression against the EU, but also beyond it. The Lisbon Treaty includes the task of “fighting terrorism”, with which the EU makes clear its intention that it is determined and

¹⁷⁵ Ibidem.

ready to face security challenges and protect the citizens of the Member States against any terrorist threat.

3.3.1.2. Features of the EU Missions and Operations

Military operations and civilian missions range from short-term crisis management to long-term stabilization; involving small consulting teams or major military or civilian deployment. They are geographically not limited.¹⁷⁶

After developing and creating appropriate structures and procedures, in 2003 the EU assumed an operational engagement by holding the first civilian missions (policing Bosnia and Herzegovina) and military operations (“Concordia” in the Former Yugoslav Republic of Macedonia) under its authority. As a result of the consistent operation of decision-making processes the EU is able to engage in international operations and missions, the end result of which is a change in the situation on the ground, thus improving regional and global security.¹⁷⁷

The missions and operations maps of the EU show the increased role the Union has in response to security threats – through prevention and crisis management in different parts of the world. A coordinated approach is present – impact at the very stage of threat emergence, preventing its growth and reducing resources needed to address it.

¹⁷⁶ Rehl, J., CDSP Mission Spectrum – from Petersberg to Lisbon, in Rehl J., Weisserth H.B. (ed.), Handbook on CSDP, 2nd edition, Op. cit., p. 56.

¹⁷⁷ EEAS, CSDP, Missions and Operations (<http://www.eeas.europa.eu/csdp/missions-and-operations/>), last accessed on 26 April 2014.

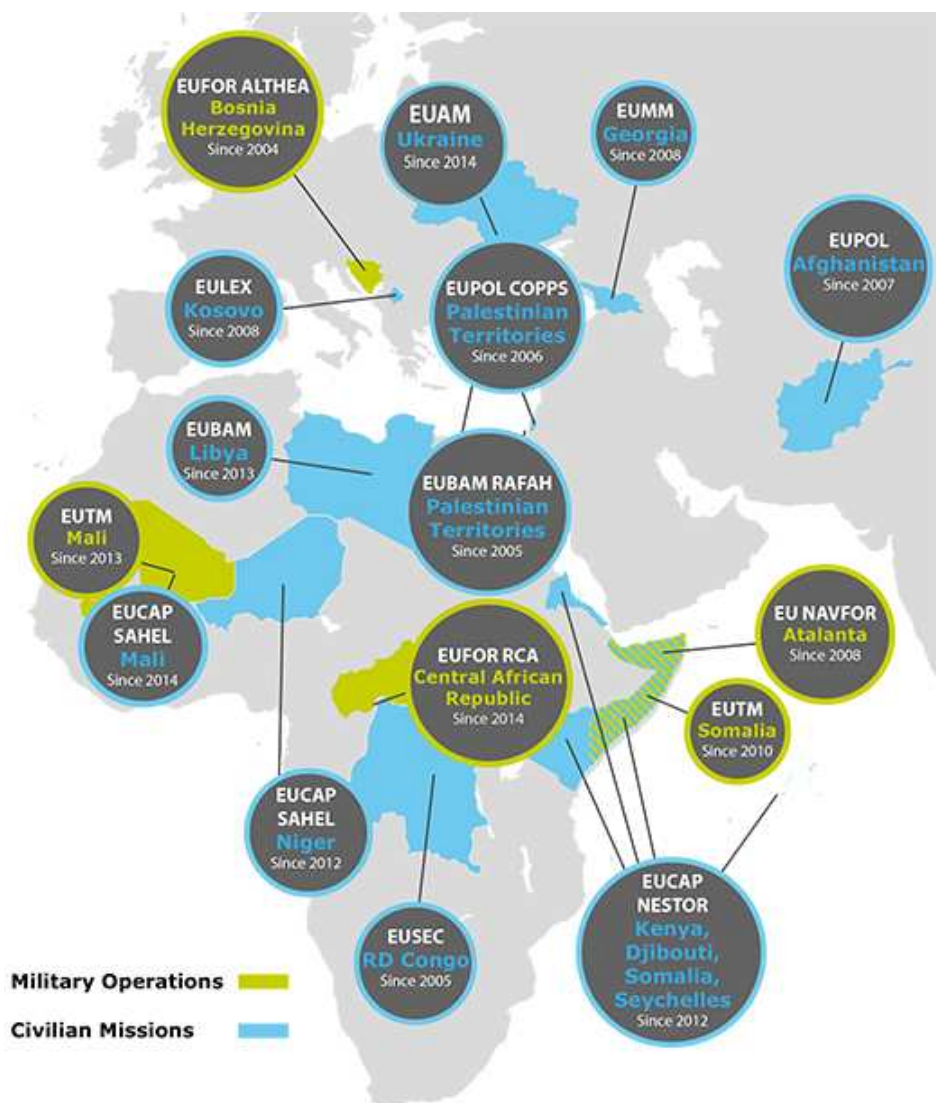


Figure 3.1. Ongoing missions and operations. (Source: EEAS)¹⁷⁸

¹⁷⁸ (http://eeas.europa.eu/csdp/missions-and-operations/index_en.htm), last accessed on 22 October 2014.



Figure 3.2. Completed missions and operations. (Source: EEAS)¹⁷⁹

3.3.1.3. EU Crisis-Management Instruments

The military rapid response forces provide essential capabilities for solving acute crises. They contribute to intelligence gathering, decision making, planning, the recruitment and deployment of forces, along with asset availability and potential command and control (C2) options so it can provide quick and decisive military response to crises.¹⁸⁰ Since 2003, defence minis-

¹⁷⁹ EEAS, Completed Missions and Operations (http://www.eeas.europa.eu/csdp/missions-and-operations/completed/index_en.htm), last accessed on 22 October 2014.

¹⁸⁰ ESDC, IDL, Mechanism and Actors, The specific case of Military Rapid Response and the Battlegroups (<http://adlunap.ro/esdc/ilias.php?baseClass=ilSAHSPresentation>

ters of the EU's Member States have committed to the formation of a rapid-response army of sixty-thousand. Battlegroups (BG) represent the EU's capability of rapidly deploying forces, which is a key aspect of the Headline goal for 2010.

They provide one of the possible answers to situations requiring a rapid military response, and are a specific case to be considered in the planning and force-generation phase of an operation. They are not a part of the process of capability development.¹⁸¹ On 1 January 2007, the EU acquired full operational capability to conduct two rapid response operations with a fighting group of 1,500 people, both of which can start almost simultaneously.¹⁸² BG can be deployed in a crisis area, at a distance of up to 5,000 km from Brussels and conduct operations within a 30-day period, with the possibility of extending that period up to 120 days.

Military rapid response forces contribute to speeding up the overall process of interrelated measures and activities in the field of crisis management.

3.3.1.4. Ongoing Missions and Operations of the EU

- EU Mission for the Rule of Law in Kosovo (EULEX Kosovo)

The European Union mission in Kosovo, started in 2008, was the largest civilian initiative within the CSDP, with the participation of over 1,700 international personnel, including police and customs officers, judges and prosecutors, and approximately 1,100 local staff.¹⁸³ Its task is to assist the Kosovo authorities in the rule of law area. As the EU took over the police tasks of the already existing UN mission UNMIK, and as NATO is with KFOR the leading peacekeeping force in Kosovo this mission is a good example of the cooperation between UN, NATO and EU.¹⁸⁴

GUI&ref_id=3904), last accessed in September 2012.

¹⁸¹ Ibidem.

¹⁸² Ibidem.

¹⁸³ EEAS, EULEX Kosovo (http://www.eeas.europa.eu/csdp/missions-and-operations/eulex-kosovo/index_en.htm), last accessed on 21 August 2014.

¹⁸⁴ NATO, NATO A-Z, NATO-EU: a strategic partnership (http://www.nato.int/cps/en/natolive/topics_49217.htm), last accessed on 21 August 2014.

- Mission to Advise and Assist in the Reform of the Security Sector in the Democratic Republic of Congo (EUSEC RD Congo)

The EU mission in the Democratic Republic of Congo (DRC) began on 8 June 2005 and has had a term until 30 September 2012, which was extended until 30 June 2015. The Union provides advice and assistance to the Congolese authorities responsible for safety, while promoting implementation of policies compatible with human rights and international humanitarian principles; with law issues related to gender equality and children affected by armed conflict; with democratic standards, principles of good public management, transparency and respect for the rule of law.¹⁸⁵

- Operation “Althea” in Bosnia and Herzegovina (EUFOR ALTHEA)

The operation began with a Council decision of 12 July 2004 to conduct a military operation in Bosnia and Herzegovina (BiH), within CSDP guidelines.¹⁸⁶ On 2 December 2004 the EU deployed its forces (EUFOR). They acted according to the agreement “Berlin plus” using NATO’s planning experience as well as its other assets and capabilities.¹⁸⁷

The operation was essential for stabilizing the situation in the country and the formation of state institutions. Even though Operation Althea has been reconfigured four times it is still acting in accordance with its peace enforcement mandate.¹⁸⁸

- EU Police Mission in Afghanistan (EUPOL Afghanistan)

The important comprehensive approach is used towards Afghanistan as well. As part of this approach, in June 2007 the EU launched a police Mission (EUPOL Afghanistan). Currently its mandate is until 31 December 2014. It is built on three pillars, namely institutional reform of the Ministry

¹⁸⁵ EEAS, EUSEC RD Congo (http://www.eeas.europa.eu/csdp/missions-and-operations/eusec-rd-congo/index_en.htm), last accessed on 23 October 2014.

¹⁸⁶ EEAS, Althea/BiH (http://www.eeas.europa.eu/csdp/missions-and-operations/althea-bih/index_en.htm), last accessed on 23 October 2014.

¹⁸⁷ NATO, NATO-EU: a strategic partnership, Op.cit.

¹⁸⁸ EEAS, ALTHEA/BiH (http://www.eeas.europa.eu/csdp/missions-and-operations/althea-bih/index_en.htm), last accessed on 23 October 2014.

of Interior, the professionalization of the Afghan National Police and connecting police to justice reform.¹⁸⁹

- EU Operation EU NAVFOR Somalia (ATALANTA)

This is the first EU naval operation. Since the beginning of the EU NAVFOR ATALANTA in December 2008, it has successfully performed its task and contributed to the improvement of maritime security off the coast of Somalia and the Indian Ocean. The operation had an initial term until December 2011, after which the EU Council decided to prolong that term until December 2014. The EU holds operation ATALANTA (EU NAVFOR ATALANTA) within the guidelines of the CSDP and in accordance with the UN's Security Council resolutions 1814, 1816, 1838 and 1846 of the year 2008 as well as international law. The budget was shared – through the “Athena” mechanism – among member-states of the EU based on their GDP. The EU NAVFOR contributed to reduce piracy attacks from 174 attacks in 2011 to 7 attacks in 2013.¹⁹⁰

At a conference in London on 25 February 2012, in accordance with the adopted Strategic framework for the Horn of Africa (near Somalia), the EU set out an integrated approach to the region – to support the political process, to provide humanitarian aid and development assistance. The Union is the largest donor to Somalia, with EUR 517 million in financial aid for the period of 2008-2013 as well as actions in the security field. High Representative Catherine Ashton announced that the EU would allocate an additional EUR 100 million to support AMISOM – AU's peacekeeping mission in Somalia. Apart from this, the EU is actively involved in the security sector. Operation ATALANTA (EU NAVFOR) is the most visible component of a much broader scope of actions against piracy. According to the EU's “comprehensive EU NAVFOR, EUCAP Nestor and the EU Training Mission Somalia (EUTM Somalia) form a coherent, integrated package

¹⁸⁹ EEAS, EUPOL Afghanistan (http://eeas.europa.eu/csdp/missions-and-operations/eupol-afghanistan/index_en.htm), last accessed on 23 October 2014.

¹⁹⁰ European Union Naval Force Somalia (<http://www.eunavfor.eu/>), last accessed on 23 October 2014.

supporting the EU's "Strategic Framework for the Horn of Africa".¹⁹¹

- EU Training Mission in Somalia (EUTM Somalia)

In addition to the European naval mission ATALANTA, in April 2010 the Union began a military training mission to support Somali security forces and the efforts of the Transitional Federal Government in Somalia. Training is conducted in close cooperation with the Union's partners, including the Transitional Federal Government of Somalia, as well as Uganda, the African Union, the United Nations and the United States. On the basis of this support the EU plans a new CSDP mission to support the naval capacity of the region's countries.¹⁹²

- EUCAP Nestor

The mission was launched on 16 July 2012 in order to strengthen the maritime capacities of five countries in the Horn of Africa and the Indian Ocean.¹⁹³

- EU Monitoring Mission in Georgia (EUMM Georgia)

On 15 September 2008, the Council decided to launch an autonomous civil mission in Georgia, led by the EU. In August 2010 its mandate was extended until 14 September 2012. More than 200 civilian observers were sent by the Member States to contribute to the stabilisation of the situation in the region and to build trust in the post-conflict zone.¹⁹⁴ EUMM was tasked to provide civilian monitoring of the activities of the conflicting parties throughout Georgia, including South Ossetia and Abkhazia, and watch for full compliance with the agreement and the approved subsequent measures.¹⁹⁵

¹⁹¹ EEAS, EUNAVFOR Somalia Factsheet (http://www.eeas.europa.eu/csdp/missions-and-operations/eu-navfor-somalia/pdf/factsheet_eunavfor_en.pdf), last accessed on 23 October 2014.

¹⁹² EEAS, EUTM Somalia (http://www.eeas.europa.eu/csdp/missions-and-operations/eutm-somalia/index_en.htm), last accessed on 23 October 2014.

¹⁹³ EEAS, EUCAP Nestor (http://www.eeas.europa.eu/csdp/missions-and-operations/eucap-nestor/index_en.htm), last accessed on 23 October 2014.

¹⁹⁴ EEAS, EUMM Georgia (http://www.eeas.europa.eu/csdp/missions-and-operations/eumm-georgia/index_en.htm), last accessed on 23 October 2014.

¹⁹⁵ European Union Monitoring Mission in Georgia (<http://www.eumm.eu/en/>)

- EU Mission for Border Assistance at the Rafah Crossing (EUBAM Rafah)

On 15 November 2005, Israel and the Palestinian Authority concluded an agreement on movement and access, including the agreed-upon principles for the Rafah Border Crossing (Gaza). On 21 November 2005, the EU Council welcomed and agreed that the EU should assume the role of a third party proposed in the agreement. Therefore it decides to start a Border Assistance Mission at the Rafah Border Crossing, codenamed EUBAM Rafah, to monitor the activities there.

The mission's operational phase began on 30 November 2005. With the latest opening of the checkpoint on 9 June 2007, in the presence of the EUBAM Rafah participants, the mission remains on standby, ready to resume, pending a political solution. On 3 July 2014 the mandate was prolonged until 30 June 2015.¹⁹⁶

- EU Police Mission in the Palestinian Territories (EUPOL COPPS)

On 14 November 2005, the Council decided to conduct an EU Police Mission in the Palestinian territories within the CSDP. On 19 December 2011 it was agreed to extend the mission's mandate of until 30 June 2012. The police mission was codenamed EUPOL COPPS and focused on long-term reform; it also envisaged enhanced support for the Palestinian Authority in establishing a sustainable and effective police force.¹⁹⁷

- EU Border Assistance Mission in Libya (EUBAM Libya)

The civilian mission was launched on 22 May 2013 in response to an invitation by the Libya. It is mandated to support in post-conflict reconstruction an especially to support the Libyan authorities in improving and developing border security.¹⁹⁸

about_eumm), last accessed on 23 October 2014.

¹⁹⁶ EEAS, EUBAM Rafah (<http://www.consilium.europa.eu/eeas/security-defence/eu-operations/eubam-rafah?lang=en>), last accessed on 23 October 2014.

¹⁹⁷ EEAS, EUPOL COPPS/Palestinian Territories (http://www.eeas.europa.eu/csdp/missions-and-operations/eupol-copps-palestinian-territories/index_en.htm), last accessed on 22 October 2014.

¹⁹⁸ EEAS, EUBAM Libya (http://www.eeas.europa.eu/csdp/missions-and-operations/eubam-libya/index_en.htm), last accessed on 23 October 2014.

- EUCAP Sahel Niger

The mission advises and supports the countries efforts to strengthen their security capabilities. The mission started on 8 August 2012 and the (second) mandate will end at 15 July 2016.¹⁹⁹ By 2014 it had already trained more than 3,000 member of Niger's internal security forces. Focus is among other things on achieving interoperability of Niger's security forces, developing forensic science expertise, reviewing HR management systems. EUCAP Sahel Niger works in cooperation with EUBAM Libya and EUCAP Sahel Mali.

- EUTM Mali

On request of Mali the EU launched a training mission to the Malian armed forces, with an initial mandate of 15 month, on 16 February 2013.²⁰⁰

- EUCAP Sahel Mali

The civilian mission was established on 15 April 2014. It will support the Malian the three internal security forces (police, Gendarmerie and Garde nationale) by delivering advice and training.²⁰¹

- EUFOR RCA

The military operation was established on 10 February 2014. It shall provide temporary support to a secure environment in the Central African Republic.²⁰²

- EU Advisory Mission for Civilian Security Sector Reform (EUAM Ukraine)

This unarmed and non-executive civilian mission was established on 22

¹⁹⁹ EEAS, EUCAP Sahel Niger Factsheet (http://www.eeas.europa.eu/csdp/missions-and-operations/eucap-sahel-niger/pdf/factsheet_eucap_sahel_niger_en.pdf), last accessed on 23 October 2014.

²⁰⁰ EEAS EUTM Mali (http://www.eeas.europa.eu/csdp/missions-and-operations/eutm-mali/index_en.htm), last accessed on 23 October 2014.

²⁰¹ EEAS EUCAP Sahel Mali (http://www.eeas.europa.eu/csdp/missions-and-operations/eucap-sahel-mali/index_en.htm), last accessed on 23 October 2014.

²⁰² EEAS, EUFOR RCA (http://www.eeas.europa.eu/csdp/missions-and-operations/eufor-rca/index_en.htm), last accessed on 23 October 2014.

July 2014 by the Council to assist Ukraine in the process of security sector reform, including police and rule of law. Starting phase is until 30 November 2014 and it has a two-year mandate after operational capability has been reached.²⁰³

Additionally the European Commission is responsible for the following project, which operates in a similar way as a civilian CSDP mission:

- EU Mission for Border Assistance to the Republic of Moldova and Ukraine (EUBAM Moldova and Ukraine)

The EU took up this mission in response to the joint letter from the presidents of Moldova and Ukraine from 2 June 2005, calling for additional EU support in building the capacity to manage borders, including customs, along the Moldova-Ukraine border between Moldova and Ukraine – and that between Ukraine and the separatist region of Transnistria in Moldova. On 7 October 2005, the European Commission and the governments of Moldova and Ukraine signed a Memorandum of Understanding on the Border Assistance Mission, and the official opening ceremony of the mission was on 30 November 2005.²⁰⁴ The missions aims on providing training and advice by professionals of border management services in EU Member States to Moldovan and Ukrainian officials.²⁰⁵

3.3.1.5. Completed Missions and Operations of the EU:

- EU Police Mission – EUPM (January 2003 – June 2012)

The EU Police Mission (EUPM) in Bosnia and Herzegovina began on 1 January 2003 as the first operation within the framework of the CSDP. The

²⁰³ EEAS, EUAM Ukraine, Background material, EU establishes mission to advise on civilian security sector reform in Ukraine 22.07.2014 (http://www.eeas.europa.eu/csdp/missions-and-operations/euam-ukraine/index_en.htm), last accessed on 22 October 2014.

²⁰⁴ EEAS, EUBAM Moldova and Ukraine (http://www.eeas.europa.eu/csdp/missions-and-operations/moldova-and-ukraine-border-mission/index_en.htm), last accessed on 22 October 2014.

²⁰⁵ EEAS, EUBAM Moldova and Ukraine, Background Material, (http://www.eeas.europa.eu/csdp/missions-and-operations/moldova-and-ukraine-border-mission/pdf/01122007_2_factsheet_moldova-and-ukraine-border-mission_en.pdf), last accessed on 22 October 2014.

aim was to establish sustainable policing arrangements in accordance with the best European and international practices. This has been achieved by monitoring, mentoring and inspection activities. This police mission has become a benchmark for the following operations: a benchmark for capacity building – through long-term reform of the police and security forces, usually in the form of small teams of European experts who train and advise local law enforcement officials.²⁰⁶

The EU Police Mission (EUPM)²⁰⁷ was supported by the NATO's Stabilisation Force (SFOR) and the Multinational Specialized Units (MSU). The mission was a result of the actions of the international UN police force and the UNMIBH mission, which ended on 31 December 2002. It involved 2,047 people, both police and military liaison personnel.²⁰⁸

- Military Operation in the Democratic Republic of Congo – AR-TEMIS (June 2003 – September 2003)

The aim was to ensure security and improve the humanitarian situation in Congo (especially in the city of Bunia in the Northeast of the country).

- Military Operation in the Democratic Republic of Congo, EUFOR RD Congo (April – November 2006)

The EU carried out the operation in full agreement with the DRC authorities and in close coordination with them and the mission of the United Nations in the country.

MONUSCO's (the UN mission in Congo) task was to protect civilians, ensure humanitarian aid and protections of human rights.²⁰⁹

- EU Police Mission in Kinshasa (April 2005 – June 2007)

This police mission had about 30 staff deployed at the request of the au-

²⁰⁶ EEAS, EUPM/BiH, (http://www.eeas.europa.eu/csdp/missions-and-operations/eupm-bih/index_en.htm), last accessed on 22 October 2014.

²⁰⁷ NATO, NATO A-Z, Peace support operations in Bosnia and Herzegovina (http://www.nato.int/cps/en/natolive/topics_52122.htm), last accessed on 21 August 2014.

²⁰⁸ UN, UNMIBH (<http://www.un.org/en/peacekeeping/missions/past/unmibh/>), last accessed on 21 August 2014.

²⁰⁹ UN (<http://monusco.unmissions.org/>), last accessed on 23 October 2014.

thorities of the DRC and in close cooperation with the UN to support transition to democracy. EUPOL Kinshasa was the first civilian ESDP mission in Africa.²¹⁰

- EU Support to AMIS (Darfur) / Darfur (AMIS) at the Request of the African Union (July 2005 – December 2007)

The aim of the EU's actions was to ensure effective and timely assistance to the African Union mission, thus reaffirming the EU's support for the African Union and its political, military and police efforts to tackle the crisis in the Darfur region of Sudan. NATO and the European Union support the African Union Mission in Darfur with respect to air-transport rotation.²¹¹ EU and NATO air experts coordinated the air transport of 37,500 soldiers to and from Sudan, as well as civilian police and military observers.²¹²

The mission of the African Union and the UN in Darfur UNAMID was established on 31 July in 2007 with the adoption of Resolution 1769 of the Security Council. It had the task of protecting civilians, as well as contributing to security and humanitarian assistance, monitoring and review of whether contracts are abided by, also of supporting the political process to preserve human rights and the rule of law, and of monitoring and reporting on the situation along the border with Tchad and the Central African Republic. The mandate ended when AMIS handed over to UNAMID in 2007,²¹³ the African Union and UN hybrid operation.²¹⁴

²¹⁰ EEAS, EUPOL Kinshasa (http://www.eeas.europa.eu/csdp/missions-and-operations/eupol-kinshasa/index_en.htm), last accessed on 22 October 2014.

²¹¹ NATO, NATO-EU: a strategic partnership (http://www.nato.int/cps/en/natolive/topics_49217.htm), last accessed on 23 March 2014.

²¹² NATO, Assisting the African Union in Darfur, Sudan (http://www.nato.int/cps/en/natolive/topics_49194.htm), last accessed on 22 October 2014.

²¹³ EEAS, EU Support to AMIS (http://www.eeas.europa.eu/csdp/missions-and-operations/eu-support-amis-darfur/index_en.htm), last accessed on 22 October 2014.

²¹⁴ See more: UN, UNAMID (<http://www.un.org/en/peacekeeping/missions/unamid/>), last accessed on 22 October 2014.

- EU Mission in Support of the Reform of the Security Sector in Guinea-Bissau (February 2008 – April 2010)

With this mission the EU provided advice and assistance on reform in the Guinea-Bissau's security sector as part of EU's consistent approach; the mission was also supported by the European Development Fund, an instrument created to assist the Africa reforms.²¹⁵

- European Forces in Eastern Tchad and the North Eastern Part of the Central African Republic (EUFOR Tchad/RCA) (January 2008 – March 2009)

The operation began on 28 January 2008 in accordance with the mandate set out in resolution 1778 (2007) of the UN Council of Security. It aimed to contribute to the security of civilians at risk, particularly refugees and displaced persons; to facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by helping to improve security in the area of operations; to assist in the protection of UN personnel, facilities, installations and equipment, ensuring the security and freedom of movement of their own officers, United Nations officers any and associated personnel near the mission's area.²¹⁶

- EU Mission Monitoring Aceh (AMM) – Indonesia (August 2005 – December 2006)

It was established to monitor the implementation of the peace agreement set out in the Memorandum of Understanding (MoU), signed by the Government of Indonesia and the Free Aceh movement (GAM) on 15 August 2005.

The mission became active on 15 September 2005, and was successfully completed on 16 December 2006.²¹⁷

²¹⁵ EEAS. EU SSR Guinea-Bissau (http://www.eeas.europa.eu/csdp/missions-and-operations/eu-ssr-guinea-bissau/index_en.thm), last accessed on 5 May 2014.

²¹⁶ EEAS, EUFOR Tchad/RCA (http://www.eeas.europa.eu/csdp/missions-and-operations/eufor-tchad-rca/index_en.htm), last accessed on 22 October 2014.

²¹⁷ EEAS, Aceh Monitoring Mission - AMM (http://www.eeas.europa.eu/csdp/missions-and-operations/aceh-amm/index_en.htm), last accessed on 22 October 2014.

- EU Military Operation “Concordia” in the Former Yugoslav Republic of Macedonia (FYROM) (March – December 2003)

On 31 March 2003, the EU’s “Concordia” operation assumed the responsibilities of the NATO-led “Allied Harmony” in the Former Yugoslav Republic of Macedonia. This was the first “Berlin Plus” operation in which NATO assets were made available to the EU, as it was intended in the Berlin Plus agreement.²¹⁸ The main objective of “Concordia” was, at the explicit request of the FYROM government, to help create a stable and secure environment to allow implementation of the Ohrid Framework Agreement from August 2001.²¹⁹

- EU Police Advisory Team (EUPAT) in FYROM (December 2003 – December 2005)

EUPAT included about 30 police advisers and provided support for the development of effective and professional police service based on the European standards of policing. Under the guidance of the Special Representative of the EU and in partnership with the host government’s police bodies, the EU experts monitored and advised the police of the country on priority issues in the field of border police, public peace, order and accountability, the battle with corruption and organized crime.²²⁰

- DRC Artemis (June 2003 – September 2003)

The decision to launch a military operation to stabilize the security conditions in Bunia, in the Democratic Republic of Congo was made on 12 June 2003. The operation was launched on 12 June 2003 and limited until 1 September 2003.

- EU Police Mission (EUPOL Proxima) in FYROM (December 2003 – December 2005)

In fulfilment of this mission, EU police experts conducted monitoring,

²¹⁸ NATO, NATO-EU: a strategic partnership, Op. cit.

²¹⁹ EEAS, Completed Missions and Operations, CONCORDIA/FYROM (http://www.eeas.europa.eu/csdp/missions-and-operations/concordia/index_en.htm), last accessed on 23 March 2014.

²²⁰ EEAS, Completed Missions and Operations, EUPAT (http://www.eeas.europa.eu/csdp/missions-and-operations/eupat/index_en.htm), last accessed on 23 March 2014.

mentoring and consulting of the country's police, thereby supporting the battle against organized crime and the promotion of European policing standards. PROXIMA is part of the overall commitment of the European Union to support the efforts of the Government of FYROM's towards EU integration.²²¹

- EU Rule of Law Mission in Georgia – EUJUST THEMIS (July 2004 – July 2005)

Within EUJUST THEMIS, teams of the participating countries' experienced staff consulted and advised Ministers, senior officials and representatives of the central authorities and the country's government.²²² It was established in August 1993 to monitor the compliance with the cease-fire between the government of Georgia and Abkhazia. In 2009 it ceased activities.²²³

- Operation of the European Forces in Libya – EUFOR Libya (April 2011)

On 1 April 2011, the EU Council decided, in accordance with Resolution 1970 and Resolution 1973 of the UN Security Council, to start operation EUFOR Libya. It aims to contribute to safe movement and evacuation of people from the region, to protect civilians and support the activities of humanitarian organizations by providing specific capabilities.²²⁴

However, his mission was never launched. The Member States couldn't agree on a full-scale CSDP operation, it was presented as a mission to support humanitarian assistance. Therefore the mandate was made dependent

²²¹ EEAS, Completed Missions and Operations, EUPOL PROXIMA/FYROM (http://www.eeas.europa.eu/csdp/missions-and-operations/proxima-fyrom/index_en.htm), last accessed on 23 March 2014.

²²² EEAS, Completed Missions and Operations, EUJUST THEMIS/Georgia (http://www.eeas.europa.eu/csdp/missions-and-operations/eujust-themis-georgia/index_en.htm), last accessed on 23 March 2014.

²²³ UN, Peacekeeping, UNOMIG (<http://www.un.org/en/peacekeeping/missions/past/unomig/>), last accessed on 23 March 2014.

²²⁴ EU Security and Defence news, Somalia: the EU renews its support to stability, development and political transition, Issue # 58, 5 March 2012 (http://www.consilium.europa.eu/uedocs/cms_), last accessed in April 2012.

on a request from the UN OCHA, which never came.²²⁵ The NATO-led operation in Libya is called Unified Protector.

- EUAVSEC South Sudan (June 2012 – January 2014)

In response to South Sudan's request that the EU helped to strengthen security at Juba international airport the mission was established on June 18 June 2012 as part of the comprehensive approach to Sudan and South Sudan. EUAVSEC established a training centre at the airport to train the South Sudanese airport staff and it facilitated the establishment of an Air-line Operators Committee and a National Civil Aviation Security Committee.²²⁶

- Integrated Mission for the Rule of Law in Iraq – EUJUST LEX Iraq (July 2005 – June 2014)

EU's rule of law mission in Iraq was part of the EU civilian missions for crisis management undertaken within the framework of the CSDP. EUJUST LEX's operational phase started on 1 July 1 2005, after invitation from the Prime Minister of the Iraqi Interim Government Ibrahim al Dzhafari, who called for the beginning of Iraqi legal professionals' integrated training.²²⁷ The mission was closed on 30 June 2014. The mission's mandate was to strengthen the rule of law and to achieve this goal the mission advised and mentored Iraqi authorities and provided trainings.

- EUPOL RD Congo (July 2007 – September 2014)

The police mission succeeded EUPOL Kinshasa and supported Security sector Reform in the field of the police and its interaction with the justice

²²⁵ EU Observer, Was Eufor Libya an April fool's joke?, Opinion, 13.07.2011 (<http://euobserver.com/opinion/32624>), last accessed on 24 October 2014.

²²⁶ EEAS, EUAVSEC South Sudan, Factsheet (http://www.eeas.europa.eu/csdp/missions-and-operations/euavsec-south-sudan/pdf/factsheet_euavsec_south-sudan_en.pdf), last accessed on 24 October 2014.

²²⁷ EEAS, EUJUST LEX Iraq, Factsheet (http://www.eeas.europa.eu/csdp/missions-and-operations/eujust-lex-iraq/pdf/factsheet_eujust-lex_iraq_en.pdf), last accessed on 23 October 2014.

system.²²⁸ Using Mentoring, Monitoring, Advising (MMA) it supported building a multi-ethnic justice system to stabilize DRC.²²⁹

The EU's multilateral approach to crisis management is also implemented in missions related to the need for response to an immediate and dynamic threat like the piracy in the Indian Ocean and the Gulf of Aden. In addition to the immediate neutralization of that threat a long-term solution to the problem of sea-lane security requires support with a view of overcoming the failure of state in Somalia and the establishment of stable democratic institutions, capable of countering the threat. The operation in Libya aims to develop capabilities that allow rapid evacuation action of EU citizens and civilians in areas affected by armed conflict or civil war.

Also on the rise are the role of prevention policy and the priority of applying diplomacy and economic development incentives. This approach enhances the EU's international prestige and preserves the resources that it allocates to financially secure its missions, during a time of financial crisis.

3.3.2. Financing CSDP activities

Any administrative expenditure of the institutions related to the application of CSDP, and also for civilian missions and military operations, are taken out of the EU's budget. If the costs are not charged to the Union budget, they are usually borne by the Member States in accordance with their gross national product (unless the Council decides otherwise). The new aspect, introduced by the Treaty of Lisbon, is the creation of a so-called start-up fund.²³⁰

Because defensive operations cannot be financed from the EU budget, to provide the total cost of these operations, the EU Council makes use of a

²²⁸ EEAS, EUPOL RD Congo, Factsheet (http://www.eeas.europa.eu/csdp/missions-and-operations/eupol-rd-congo/pdf/factsheet_eupol_rd_congo_en.pdf), last accessed on 24 October 2014.

²²⁹ Federal Foreign Office Germany, EUPOL RD Congo (<http://www.auswaertiges-amt.de/DE/Europa/Aussenpolitik/GSVP/Missionen/EUPOL-RD-Congo.html?nn=363308>), last accessed on 24 October 2014.

²³⁰ Hauser, G. Financing CSDP, European Security and Defence College, 2010 (http://adlunap.ro/esdc/ilias.php?baseClass=ilSAHSPresentationGUI&ref_id=3680).

special mechanism – ATHENA, created on 1 March 2004. It administers the financing of the common costs of EU operations and acts on behalf of all Member States (except Denmark, which does not participate in the preparation and implementation of decisions and actions of the Union which have defence implications), or on behalf of the Member States that contribute to the financing of the respective military operation. To achieve its tasks in accordance with the objectives and policies of the European Union, ATHENA coordinates its activities with the Member States, as well as the EU institutions and bodies and with international organizations.²³¹

A review of the mechanism after each operation is envisaged, with 18 months as the smallest possible period between reviews. ATHENA is managed by a Special Committee, composed of representatives of EU members, under the supervision of the European Commission, which attends the meetings of the Committee. Member states have the choice either to pay their contributions in anticipation of a possible rapid-response operation or to pay within five days of its start.²³²

Civilian crisis-management operations are funded through CFSP, whose budget is approved according to the Union's budgetary procedure. By decision of the Council and the European Parliament the resources for CFSP allocated from the EU budget increased from approximately 35 million before 2004 to about 280 million in 2010. Title 19 from the budget covers "External Relations" and Chapter 3 from it is devoted to the Common Foreign and Security Policy, which is being implemented by the European Commission.²³³ The European Parliament exercises civilian control over CFSP's budget by approving it.

The CSDP operations' financing has at its disposal a dynamic and flexible mechanism which is constantly updated according to the Community's budgetary capabilities and those of the Member States. The adopted differentiated mechanism, reflecting the principle of financing military operations in proportion to budgetary capabilities through the ATHENA mechanism, as well as the financing of civilian crisis-management opera-

²³¹ Rehl, J., H. B. Weisserth (ed.), *Handbook on CSDP*, 2nd edition, Op. cit.

²³² Ibidem.

²³³ Ibidem.

tions from the CFSP budget, confirms the steady trend towards closer co-operation between Member States so the EU can maintain and develop its global peacekeeping role.

3.3.3. Inclusion of Human Rights and Gender Equality in CSDP

Violation of human rights is an integral part of crises and conflicts. Promoting human rights, with special emphasis on gender equality, children's rights and the rule of law is essential to sustainable conflict resolution and lasting peace and security. In line with the European Security Strategy, various practical steps have been taken to ensure the inclusion of human rights in the CSDP. The office of human rights counsellor is planned among the special advisors. Aspects of human rights are included in CSDP exercises and preparatory activities – such as fact-finding missions and planning teams.²³⁴

In 2000, the international community pledged to pay special attention to the vulnerability of women in war and to cooperate for their inclusion at all levels of decision-making in peace-establishing operations and conflict resolution, and also in humanitarian activities. As a result, Resolution 1325 of the Security Council of the UN is passed. The EU regards it as a leading principle of CSDP operations and accordingly develops a framework for gender equality.

Special emphasis on the place of civilians, including women, in crisis areas and armed conflicts contributes significantly to the success of missions in regions with specific cultural characteristics and traditions different from those in the Community.

* * *

Several main conclusions can be made regarding the structure that implements the EU's Common Security and Defence Policy. The communal approach is on a steady rise; also, closer interaction and cooperation between Member States are promoted through the creation of specialized agencies and bodies involved in security issues.

²³⁴ Ibidem.

There is, however, awareness that simply institutional efforts in the field of CSDP are not enough. It is necessary to attract and integrate the European scientific potential, to motivate and engage in the process of security the structures of civil society. Independent expert reports will take a significant place in the drafting of policies relating to European security in the future as well.

By combining military and civilian expertise, the European Union succeeded in conducting and finalizing missions or operations worldwide. Currently, 17 are active. As a vital component for CSDP's success is the developed network of civilian expertise. In this process, the EU has the capacity to conduct eight simultaneous CSDP missions consisting of about 3,000 people deployed on three continents.

Still, there is growing criticism that the structure for the implementation of the Common Security and Defence Policy is too complex and administratively burdened. It should be noted however that the European Union itself is a complex mechanism that balances between community policies and the national policies of Member States both in terms of internal interaction and the implementation of CFSP/CSDP.

Chapter 4:

European Security Strategy

“A Secure Europe in a Better World”

Designed primarily as a union of economic communities, aiming to overcome the serious consequences facing the European countries after World War II, for decades the European Union had focused its institutional construction in the development of a common market and guaranteeing fundamental liberties.

Functions to ensure the security and collective defence were implemented through NATO's structures. Only at the end of the 20th century, did the Member States realize that bridging the gap in opinions and at times their conflicting interests in the assessment and approach to security problems beyond and within the Union needed a common, targeted, long-term and strategically sustained security and defence policy.

The activities of the EU as a separate entity with its own foreign policy were expanding more and more, stepping on a much broader political base. When the process of creating a European Security and Defence Policy (the current CSDP) began, a beginning was made in establishing military and civilian capabilities for crisis management, albeit without a comprehensive and coherent strategic framework for external action.

There is no doubt that half a century of accumulated expertise by many of the countries which are members of the North Atlantic Treaty determined the necessary fundamental but demarcating framework for the EU's CFSP. Not surprisingly, it is the former NATO Secretary General Javier Solana who was engaged in the development of a strategic document to position the Union as a separate player in the sphere of global security. The adoption of the European Security Strategy – “A Secure Europe in a Better World,” is a turning point in the development of the Common Foreign and Security Policy of the EU and also of CSDP, outlining the communal interest for better coordination and integrity into a long-term and sustainable European security policy.

Amid the new dynamic geopolitical environment the new program document gave insight into the strategy's importance, established the framework for examining and monitoring its future effects, showing the EU's ambition to be a strong factor on a global scale.

4.1. Development and Adoption of the European Security Strategy

In October 1999, Javier Solana left NATO to become Secretary General of the EU Council and its first High Representative for the CFSP, tasked to put forward ideas and to analyze policy options in order to help leaders of EU Member States to reach a consensus on foreign policy and security matters, and thus increase the political influence of the Union in international relations.²³⁵ The background of the European Security Strategy began with an informal meeting of EU foreign ministers on 2 and 3 May 2003, in Rhodes, Greece.²³⁶ Solana was charged with the task to produce a document that identifies key features of security as well as its challenges, and to prepare recommendations for a comprehensive European security strategy.²³⁷

The drafting team formed by Solana was relatively small and under the strict supervision of several key figures, including Robert Cooper, Director General for Political and Military Affairs in the Council Secretariat. The advantage of this style of work is that it guaranteed a non-bureaucratic approach toward the preparation of the document. The team worked faster than expected and after a month had passed the draft was ready – “A Secure Europe in a Better World”. It was presented by Solana at the Euro-

²³⁵ SETimes.com, Regional Resources, Who's who, Elections, Javier Solana, Secretary General of the Council of the EU and High Representative of the Common Foreign and Security Policy, (http://www.setimes.com/cocoon/setimes/xhtml/en_GB/infoBios/setimes/resource_centre/bio-archive/solana_javier), last accessed on 22 March 2014.

²³⁶ Bailes, A. The European Security Strategy, An Evolutionary History, Stockholm International.

²³⁷ The European Union pilot project on transatlantic methods for handling global challenges in the European Union and United States, EU-U.S. Security Strategies, Comparative Scenarios and Recommendations, Full Report, p. 29, (http://www.iai.it/pdf/Economia_difesa/EU-US-security-strategies.pdf), last accessed on 22 March 2014.

pean Council meeting in Thessaloniki in 2003. Strategy recommendations were approved without extensive discussions and Solana received a mandate to provide a comprehensive document to be adopted by the Heads of the Member States in December 2003.²³⁸

After the meeting in Thessaloniki, Javier Solana sought expert teams' opinions on the project. In 2003, three seminars were organized – in Rome (19 September), Paris (6-7 October) and Stockholm (20 October), uniting officials from Member States, future Member States and European institutions, as well as academia experts, NGOs and the media. This innovative process allowed the HR to gather comments and suggestions from a wide range of participants and observers; some of those are taken into account for the final European Security Strategy, unanimously adopted at a meeting of the European Council on 12 December 2003 in Brussels.²³⁹

The European Security Strategy (ESS) became the main instrument of political developments in ESDP/CSDP, regulating the relations with the United Nations, regional organizations and strategic partnerships. Its 14 pages envisage for Europe to cope with both distant and imminent threats, to build and defend its security and proclaim its values. The document stresses that the EU does not intend to terminate the alliance with North America.²⁴⁰

The Strategy contains a number of clear choices and has the potential to serve as a framework for the EU's foreign policy, despite the autonomy of its Member States. It is important to emphasize that in this new reality for the first time the concept of "Europe for Citizens" is applied, through the active participation of the Member States' civil society structures, in the debate on the preparation of the Strategy. Academic and research units are included, also non-governmental organizations and the media. The preparation of a document so important for the European future requires not only wide enough representation of the entities that take part in the proc-

²³⁸ Ibidem, pp. 29–30.

²³⁹ Rehl, J., H. B. Weissert (ed.), *Handbook on CSDP*, 2nd edition, Op. cit.

²⁴⁰ European Security Strategy, *A Secure Europe in a Better World*, adopted on 12 December 2003, (<http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>), last accessed on 22 March 2014.

ess, but also a sufficiently clear and unambiguous interpretation of major issues, the scope of application, its concepts and positions. The forums in Rome, Paris and Stockholm outline the main issues that the EU should decide on in order to overcome differences between the Member States. This effectively realizes the vision of Jean Monnet for a united Europe from 1952: “We are not uniting states, we are uniting people.”

“A Secure Europe in a Better World” is a new element to the Member States’ understanding that they require a better coordination of efforts and also to create a long-term and sufficiently sustainable perspective for EU citizens. Like any strategic political product, it is controversial both in terms of the issues it covers, and the degree of differentiation corresponding to the autonomy of EU policies in other political areas. However, two important consequences of the adoption of the European Security Strategy can be identified:

On the one hand, the EU seeks to ensure efficient functioning of all policies set out in the Founding Treaties and the Union’s secondary legislation, and on the other hand, it determines CFSP’s further development – to be built upon a strategic and long term approach that takes into account the communal interest to a greater degree than it does the interests of individual Member States. In this sense, the Strategy proves itself as an important tool in terms of the EU’s integrity.

4.2. Structure of the European Security Strategy

4.2.1. Introduction

In the introduction to the document, European countries recognize the role of the EU in the continent’s peace and stability and declare their commitment to peaceful resolution of disputes, to cooperation through the creation of common institutions, to disseminating the rule of law and democracy and the realization of the idea of a united and peaceful Europe. Noted also is the essential role of the United States in European integration and security – in particular through NATO – while it also states that no country is able to cope alone with the complex problems of the contempo-

rary world.²⁴¹ The ESS confirmed that Europe still faced security threats and challenges, given that over the previous decade no region in the world had proven immune to armed conflict. Most of these were internal, and many of the victims were civilians.²⁴²

The European Union contributes a quarter of the global gross national product (GNP) through a broad range of instruments; it is undoubtedly a global factor. In recent years, European forces have been deployed beyond Europe's boundaries, in remote areas such as Afghanistan, East Timor and the Democratic Republic of the Congo. European interests are being dynamically brought together and the EU's mutual solidarity is being strengthened, allowing the Union to assume its share of responsibility for global security and in building a better world.²⁴³

The Strategy recognizes the dynamic nature of the security issues created by historical processes of political regime transformation, overcoming authoritarian rule and the establishment of democratic institutions. At the same time the scope of all the issues to security, in whatever region of the world they occur, confirms the inability of any state to engage successfully with their solution on its own, and also its inability to remain unaffected by these processes. Impact occurs not only through direct military threats, but also through different other effects – waves of migration, trading obstacles, changing economic relations, etc. Building CFSP, the EU stands on the principles of respect for the rule of law and its supremacy, focusing its abilities.

4.2.2. Threats to Global Security

4.2.2.1. Global Challenges

In the first part of the ESS the security circumstances after the Cold War are considered. In the European community a process of open borders began, which made it necessary to connect internal and external aspects of

²⁴¹ European Security Strategy, A Secure Europe in a Better World, adopted on 12 December 2003, p. 1, (<http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>), last accessed on 22 March 2014.

²⁴² Ibidem.

²⁴³ Ibidem.

security. Many people experience the freedom and the values and principles of the European Union, which are the basis of its development – democracy, rule of law, human rights, market economy, solidarity, sustainable development, cultural diversity; but others perceive globalization as an obstacle and injustice. These trends extend the scope of activities of non-state alliances, giving them the opportunity to participate in international affairs. They also lead to increased European dependence, and hence the vulnerability of the integrated infrastructure in terms of transport, energy, information technology and others.²⁴⁴

The Strategy also considers the situation in the developing world where poverty and disease cause tremendous suffering and pose serious security concerns. The statistics given as of 2003 state that nearly 3 billion people, or half the world's population, live on less than EUR 2 a day, and each year 45 million people die of malnutrition. It is noted that AIDS is one of the most devastating pandemics in human history. New diseases can spread quickly and become a global threat. In many cases, economic failure is linked to political problems and violent conflict. In this context, security is a vital prerequisite for development. Conflict not only destroys infrastructure, including the social one, but also encourage crime, deters investment and makes normal economic activity impossible. Some countries and regions are caught in a cycle of conflict, insecurity and poverty.²⁴⁵

The complex international security environment poses before the EU issues on the impact of the global economic crisis, the Eurozone debt crisis, the EU's geopolitical regionalization, energy and other commodity dependencies, smouldering conflicts close to Europe, religious fundamentalism and terrorism, international crime, illegal migration, the Union's aging population and climate change.²⁴⁶ Answers to these questions will play an important role in the geo-economic and the cultural-civilizational positioning of the EU in the world.

The European Union faces the challenge of not only reacting to opportunities offered by globalization, but also the risks it carries. One of the main

²⁴⁴ Ibidem, p. 2.

²⁴⁵ Ibidem.

²⁴⁶ Katrandjiev, V., *The foreign policy of the European Union*. Sofia, 2011, p. 58.

threats is related to deepening disparities in the development of different regions, including aggravation of the political and economic situation in the poorest countries to a level of full lack of control and predictability of demographic patterns – pandemics, famine, migration waves, etc. The delay of intervention through economic assistance, medical assistance, support for democratic institutions, technology- and know-how-sharing in agriculture poses risks to the population of these countries and the citizens of the EU Member States. The implementation of appropriate policies is hampered by the EU's internal economic crisis itself, which requires restructuring of the financial and political instruments.

4.2.2.2. Main Threats to European Security

Through the ESS a serious attempt is made to identify the main threats to European security. Many of them are new, not entirely obvious nor easily predictable. The document terms terrorism as the main threat to the EU, with its threats in recent years to people's lives, to the openness and tolerance of European societies and, in general, it is a growing strategic threat to Europe. It is noted that terrorist movements become more and more financially secure, more connected by electronic networks and ready to use unlimited violence to cause colossal material damage and human casualties. It is recognized that the most recent wave of terrorism is global and is linked to violent religious extremism, and Europe is both its target and a base for it. In the United Kingdom, Italy, Germany, Spain and Belgium there have been discovered logistical nests of "Al Qaeda" militant units; such a discovery calls for concerted European action.²⁴⁷

Although terrorism has been associated with the Cold War as well, its contemporary manifestations have an important new feature. The location of this threat in a country or a region is now impossible. Terrorist networks and cells are created even in the capitals of democratic countries, attracting local citizens to their structures' activities. This asymmetry of threats requires entirely new approaches and measures as part of the democratic countries' response. There exists a special type of integrity to the interacting criminal activities. Terrorist organizations are supported by international drug trafficking and the trafficking of human beings for the purpose

²⁴⁷ ESS, A secure Europe in a better world, adopted on 12 December 2003, p. 3.

of exploitation. The collapse of states in various regions open a range of possibilities for terrorist organizations and other manifestations of organized crime – arms trafficking, piracy, etc.

In 2009 the EU took action against the terrorist threat within the UN and also in its relations with third countries, led by the principle that effective measures to combat terrorism and the protection of human rights, fundamental freedoms and the rule of law are goals that complement and strengthen one another. In 2009, cooperation with the U.S. in the battle against terrorism was strengthened by political dialogue between the EU and Washington at the highest level and with technical cooperation on a working level.²⁴⁸

Another major potential threat to global security, as discussed in the Strategy, is *the spread of weapons of mass destruction* (WMD). Solving this problem requires a global approach based on international control over the WMD trade.²⁴⁹ Security in Europe is closely linked with the Mediterranean and the Middle East and that is why the EU believes it has a duty to contribute to stability in these regions through the establishment of a zone free of weapons of mass destruction (including biological, chemical and radioactive war substances) and of the means for their acquisition.²⁵⁰

Regional conflicts are also within the ESS' scope. For example, problems in Kashmir and the Korean peninsula directly affect European interests, just as conflicts that are closer to Europe do. Nuclear tests in the DPRK and nuclear risks in South Asia are a cause for concern. Moreover, serious or "frozen" conflicts that persist along the European borders threaten the stability of the Union and take human lives, destroy social and regional

²⁴⁸ Annual report from the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament on the main aspects and basic choices of the CFSP – 2009, June 2010, p. 9, (http://eeas.europa.eu/cfsp/docs/2009_annual_report_en.pdf), last accessed on 22 March 2014.

²⁴⁹ Ibidem.

²⁵⁰ Council Decision 2010/799/CFSP of 13 December 2010 in support of a process of confidence-building leading to the establishment of a zone free of weapons of mass destruction and their means of delivery in the Middle East in support of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction, № L 341, 23 December 2010, pp. 27–31., (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:341:0027:0031:EN:PDF>), last accessed on 22 March 2014.

infrastructure, threaten minorities, fundamental freedoms and human rights. According to the Strategy's analysis they can lead to extremism, terrorism and failure of state, enabling the development of organized crime. It is believed that in the foundations of contemporary regional conflicts there stand older issues.²⁵¹

State failure is another major threat that the Strategy pays attention to. Listed are the reasons for the collapse of institutions and state: organized crime and terrorism, bad governance – corruption, abuse of power, weak institutions, civil conflict. Somalia, Liberia and Afghanistan are among the known examples. State failure is an alarming phenomenon that undermines global governance and contributes to regional instability.²⁵²

Organized crime is stated in the ESS as a major internal threat for the Union's security, which also has an important external dimension: cross-border trafficking in drugs and women, illegal migrants and weapons as a significant part of criminal gang activities. It is stated that these activities are often associated with weak or failing states and undermine the legal and social order, and drug proceeds contribute to the weakening of state structures. Money from illicit trade in gems, timber and light firearms fuels conflict in other parts of the world. In extreme cases, organized crime can fuse itself with the state. The Strategy notes that 90% of the heroin in Europe is extracted from poppies grown in Afghanistan, where the drug trade finances private armies; many of the drugs are distributed through criminal networks on the Balkans, also responsible for 200,000 of the 700,000 women who are the documented victims of worldwide sex trade. Finally, it is noted that the new dimension of organized crime which should be given further attention is the growth in maritime piracy.²⁵³

Taking into account various elements from the threats to European security, the strategy analyses each of them – terrorism seeking extreme violence, weapons of mass destruction, organized crime, failure of state and the “privatization of power”, all of which indicates that the EU faces very serious challenges. Under the Internal Security Strategy for the EU,

²⁵¹ ESS, A secure Europe in a better world, adopted on 12 December 2003, p. 4.

²⁵² Ibidem.

²⁵³ Ibidem, pp. 4-5.

adopted by the Justice and Home Affairs Council on February 25-26 2010, “zero risk” does not exist, but the EU must strive to create a safe environment in which the citizens of Europe feel protected. Moreover, the necessary mechanisms ought to be introduced to maintain a high level of security not only within the EU, but – as far as it is possible – also when its citizens travel to third countries or use the internet.²⁵⁴

It is a strategic interest of the EU to protect the security of the Member States and their citizens, respecting the principles of international law and the rule of law, by responding to hazards associated with the transfer of terrorism, trafficking of people, drugs and weapons.

4.2.3. The Three Strategic Goals of the EU to Protect Security and to Promote European Values

4.2.3.1. Strategic Threat Response

In the second part of the ESS it is stated that we live in a dynamic world that offers us better opportunities, but also presents bigger threats. For this reason, it is necessary to think globally and act locally. Provided are two strategic objectives of the EU for security protection and promotion of European values. In relation to the first priority it is noted that the European Union is taking active steps to confront major threats to its security.

In response to the events of 11 September 2001 it took measures that include a European arrest warrant, actions to combat the financing of terrorism and a mutual legal assistance agreement with USA. The document stresses that the defence capabilities are improved, also an action program is adopted, which provides measures to strengthen the International Atomic Energy Agency and tighten export control, and combat illegal transportation and illegal supply. The EU is determined to achieve universal adherence to the regimes established by multilateral agreements, and to affirm the verification provisions they contain.²⁵⁵

²⁵⁴ The EU Internal Security Strategy, adopted by the Justice and Home Affairs Council at its meeting on 25 and 26 February 2010, and approved by the European Council on 25 and 26 March 2010, pp. 11-12, (http://www.consilium.europa.eu/uedocs/cms_data/librairie/PDF/QC3010313ENC.pdf), last accessed on 22 March 2014.

²⁵⁵ ESS, A secure Europe in a better world, adopted on 12 December 2003, p. 6.

The European Union and its Member States shall take measures to facilitate regional conflict resolution and to help restore the countries with impaired states. Security threats constantly change, and so the EU should always be ready to respond. In July 2011 a right-wing extremist in Norway carried out a devastating terrorist attack. In August 2011 the British authorities seized 1.2 tons of cocaine after an extremely successful operation. Across the EU cyberspace attacks cause more and more damage to public and private computer systems. These are clear signs acting as reminders of how important it is to take measures to counter threats to internal security;²⁵⁶ it is said in a statement from the European Commission in November 2011.

In contrast to the obvious threat during the Cold War, none of the new threats are only military, nor can they be addressed by purely military means, the statement goes on to note. Each requires a mixture of instruments. Proliferation of weapons of mass destruction can be controlled through export controls and through political, economic and other pressures. For the prevention of terrorist acts a mixture of intelligence, police, judicial, military and other means is needed. In countries with impaired state military means may become necessary to restore order, and humanitarian means to address the immediate effects of the crisis. Regional conflicts need political solutions but in the post-conflict phase it can come to the use of military and police. Economic instruments are applied to effect recovery and crisis-management helps the return to civil order.²⁵⁷

4.2.3.2. Building Security in the Neighbouring Regions

The second objective of the EU's Strategy is aimed at immediate neighbours, which have to become responsibly managed states. Neighbouring countries where there are serious conflicts and weak states, where organized crime flourishes, society is dysfunctional or there is too high a rate of population growth, can create dangers for the welfare of the EU's security.

²⁵⁶ EU, Press Releases, Internal Security: The EU needs better tools to fight crime, terrorism and extremism, Brussels, 25 November 2011. (http://europa.eu/rapid/press-release_IP-11-1453_en.htm?locale=en), last accessed on 22 March 2014.

²⁵⁷ *Ibidem*, p. 7.

The integration of acceding states increases European security, but also brings the EU closer to potential trouble-making regions, notes the document. The task is to build a “ring” of well-governed countries to the East of the European Union and on the borders of the Mediterranean, with which to maintain a close working relationship. Trust in European foreign policy depends on its successes. The European perspective is both a strategic objective and an incentive for reform. The necessity for the EU’s neighbours in the Western Balkans, those in the Caucasus, and the Middle East to be included is acknowledged, and they also have to be convinced of the benefits of economic and political cooperation while their political problems are addressed as well.²⁵⁸

The EU’s cooperation with neighbouring regions in the fields of economy, security and culture is an important prerequisite for the prevention of future conflicts, and for ensuring European security and the propagation of European values beyond the Union’s borders.

4.2.3.3. International Order Based on Effective Multilateral Approach

The third priority of the ESS is to create a stronger international society, properly functioning international institutions and an international order based on rules and an effective multifaceted approach. The European Union supports international law and its development, and considers as the basic framework for international relations the Charter of the United Nations, with the Security Council bearing the primary responsibility of maintaining international peace, the Security Strategy highlights. A European priority is to strengthen the UN and to enable it to act more efficiently.²⁵⁹

With the Strategy the EU urges international organizations, regimes and treaties to deal effectively with threats to international peace and security and to be ready to respond to violations of their rules. The membership in institutions key to the international system becomes more accessible, namely in institutions such as the World Trade Organization (WTO) and international financial institutions. The goal is for membership in such or-

²⁵⁸ Ibidem, p. 9.

²⁵⁹ ESS, A secure Europe in a better world, adopted on 12 December 2003, p. 9.

ganizations to become more widespread, while their high standards are maintained. One of the central elements of the international system is the transatlantic relationships of which NATO is the expression. Regional organizations strengthen global governance. The impact and effectiveness of the OSCE and Council of Europe are of particular importance for the European Union, states the Security Strategy. Organizations such as the Association of Southeast Asian Nations (ASEAN), the South American Regional Organization for Economic Cooperation (Mercosur) and the African Union have an important contribution to make to a better-ordered world.²⁶⁰

Policies on trade and development can be powerful tools for pushing for reforms. Promoting good governance through programs for support, conditionality and targeted trade measures remain an essential element of the EU's policy, because a world that guarantees justice and opportunity for all will also be safer for the European Union and its citizens. Many countries position themselves outside the international community, some seek isolation, while others continually violate the norms. The EU should be ready to assist such countries to return to the international community, says the document.²⁶¹

The European Union recognizes that combating security threats is a process of continuous competition between democratic states and the structures of organized crime. The geographical scope is not limited to a specific country or region. Wherever there are authoritarian regimes or a lack of state, the preconditions for global security risks globally are doubtlessly more, but opportunities for focused response are also comparable. Besides missions of a military and civil-military nature, other productive tools are the support for institution-building and democratic development, leading to economic progress, which deters conflicts, crime and migration, stimulates investment and trade progress. Increasingly clear is the awareness that into these policies should be brought regional organizations and their role should be increased – by building stable relations and partnerships.

The principle of subsidiarity in solving problems, through the integration

²⁶⁰ Ibidem.

²⁶¹ Ibidem, p. 10.

of regional organizations and local communities, give results. The last decade, however, shows that most of the threats are related to the erosion of democratic principles and basic values in the thinking and conduct of citizens within the European Union itself. Shocking cases of terrorist attacks carried out by nationals of Member States against their own societies suggest that certain patterns in domestic politics, education, the role of media and structures in civil society should be reconsidered.

4.2.4. Challenges Ahead of “A United Europe for a Better World”

4.2.4.1. Greater Activity of the European Union

To achieve efficiency in countering threats to security, a proactive stance in implementing the EU’s policies is needed. Thus the EU’s capacity for crisis management needs to increase, as well as its ability to accommodate multiple simultaneous tasks, focusing from crisis management and post-crisis recovery activities to preventive activities.

In the third part of the ESS – “Political consequences for Europe,” it is noted that the European Union should provide strong support for the United Nations in response to threats to international peace and security. The Union is determined to expand its cooperation with the UN in order to help countries emerging from conflict, and to provide greater assistance in situations requiring management of short-term crises.

The Union needs to be able to act before the particular situation deteriorates, at the first signs of spreading weapons of mass destruction and before humanitarian emergencies arise. Preventive action can deter more serious problems from occurring. If the European Union takes over greater responsibilities and assumes a more active role, it will also have a greater political weight.²⁶²

The EU’s capabilities for fast and accurate response in the case of crisis along the EU’s borders need to be combined with the increased political legitimacy of its actions, based on enhanced cooperation with the United Nations.

²⁶² ESS, A secure Europe in a better world, adopted on 12 December 2003, p. 11.

4.2.4.2. Larger Capacity of the European Union

For the EU to become “more capable”, a transformation of the military groupings of the Member States is necessary, into more flexible mobile forces, enabling them to deal with new threats. For this purpose, the European Security Strategy “encourages” a more efficient use of resources and common assets to reduce duplication, so as to reduce costs and increase its capabilities.²⁶³

Member states of the EU can more use effectively the opportunities offered by the “pooling and sharing” initiative and can actively engage in joint initiatives in the areas of capacities, logistics and equipment. The current financial crisis increases the need to optimize costs and could act as a catalyst for pooling and sharing initiatives. The pooling and sharing of capabilities makes it possible to reduce costs and provide higher overall growth.²⁶⁴

The strategy calls for the establishment of an EU Defence Agency and a system combining the resources of the Member States with those of the EU institutions for greater diplomatic strength and flexibility. Common-threat assessment is the best basis for joint action, which requires better sharing of intelligence between Member States and between them and the partner-countries.²⁶⁵

To enhance and strengthen the EU’s capacity in different areas a wider range of missions should be considered, including joint disarmament operations, crisis management, and providing support to third countries in the fight against terrorism, as well as security reforms in partnership with NATO through “Berlin Plus”.

Achieving a common position for the Member States related to fact and security threat evaluation is essential for a shorter response time and optimization of the required resources. Moreover, the strengthening of coordination to achieve common positions and providing synchronized diplomatic pressure leads to a reduction of the need for more aggressive approaches to overcoming crisis situations.

²⁶³ Biscop, S., The European Security Strategy, European Security and Defence College (http://adlunap.ro/esdc/ilias.php?baseClass=ilSAHSPresentationGUI&ref_id=842).

²⁶⁴ (http://www.iai.it/pdf/Quaderni/Quaderni_E_19.pdf), last accessed on 10 May 2014.

²⁶⁵ ESS, A secure Europe in a better world, adopted on 12 December 2003, p. 12.

4.2.4.3. Greater EU Coherence

Greater coherence is understood to mean the challenge of collecting a variety of instruments and capabilities for diplomatic cooperation, developing trade, policies to protect the environment, and all of this to be combined into a holistic approach that can merge the external policies of individual Member States.²⁶⁶

The Strategy emphasizes that the essence of the Common Foreign and Security Policy and the Common Security and Defence Policy is that the Union is stronger when it acts together. The EU has set up different instruments, each with its own structure and rationale. And now the challenge is to bring together the different instruments and capabilities: European assistance programs and the European Development Fund, the military and civilian capabilities of the Member States, etc., all of which could affect the future of European security and that of the other countries it affects.²⁶⁷

Affirmed is the mechanism to improve coordination in the Member States' activities during: through expansion and consolidation of the political and diplomatic tools, taking into account regional specifics and improving the economic environment in the affected areas.

4.2.4.4. Partnership in the EU's Work

The Strategy considers international cooperation as a necessity and notes that transatlantic relations are indispensable – the European Union and the United States are a great force for good in the world. The purpose of the EU is an effective and balanced partnership with the USA and coordination of actions.²⁶⁸

In 2012, the U.S. made a turn into the next decade and to different priorities, noting in its latest military strategy that Europe's collective defence depends largely on Europe itself.²⁶⁹ Here we can conclude that with the

²⁶⁶ Biscop, S., *Op. cit.*

²⁶⁷ ESS, *A secure Europe in a better world*, adopted on 12 December 2003, p. 13.

²⁶⁸ *Ibidem.*

²⁶⁹ New U.S. Military Strategy, January 6 2012, (http://bnt.bg/bg/news/view/67411/sa_sht_s_nova_voenna_strategija), last accessed on 15 May 2012.

reduction of the U.S. military budget and combat potential, Europe is given the opportunity to increase its increased strategic training and with early intervention unnecessary waste of operation time is avoided.

Respect for common values contributes to the progress towards a strategic partnership. History, geography and cultural ties bind the EU to all parts of the world: the Middle East neighbours, partners in Africa, Latin America and Asia. These relations are an important asset that ought to be used. The EU should aim to develop a strategic partnership with Japan, China, Canada, India and all other countries which share its goals and values.²⁷⁰

At the same time, the Union can also assign particular priority to its relations with some strategic partners – with the U.S. on security, with China on climate change, with Russia on energy supply, etc.

The European Union has established itself as a global geopolitical factor with one crucial feature – it is a reliable and well-meaning partner in foreign operations. This helps to overcome distrust in regions with different cultural and religious profiles – such as Arab countries' attitude to the United States and NATO. Not surprisingly, the EU is a key player in the Israeli-Palestinian peace talks.

On the other hand, close relations with the African continent, due to the colonial history of some EU countries, facilitate better communication and greater awareness in approaching security issues.

Achieving a stable security environment in the world is not possible without cooperation with major powers and factors of stability, such as Russia, China, India, Brazil. But in the short term the major axis for building stability and security will continue to be the EU-NATO.

²⁷⁰ ESS, A secure Europe in a better world, adopted on 12 December 2003, p. 14.

4.3. Report on the Implementation of the European Security Strategy – “Providing Security in a Changing World”

Five years after the adoption of the European Security Strategy in December 2008, Javier Solana presented to the European Council an implementation report (Brussels - S407/08), entitled “Providing security in a changing world”, in accordance with the state-and-government-provided mandate. The document was developed in collaboration with the European Commission and considers the practical implementation of the strategy and the actions that should be taken to improve its performance. The analysis received the support of state and government heads.²⁷¹

The report states that five years after the adoption of the European Security Strategy, the European Union carries greater responsibilities and remains an anchor of stability. The Union’s expansion from 15 to 27 countries in 2004 and 2007 has brought about democracy and prosperity. The Balkans have changed for the better. Neighbour-oriented policies have created a strong framework for relations with partners in the south and east. Since 2003 the EU has played an increasingly important role in responding to crises and conflicts in places such as Afghanistan or Georgia.²⁷²

The Strategy’s review aims to update it across the background of an evolving security environment and to discuss the EU’s future plans. The global challenges and key threats identified in the report include: the proliferation of weapons of mass destruction, terrorism and organized crime, cyber security, energy security and climate change. The ESS outlines the same group of challenges and threats to the EU’s security interests. Five years later they have not disappeared, but some have become more serious and complex.²⁷³

²⁷¹ The European Security Strategy, A secure Europe in a better world, brochure, prepared by General Secretariat of the Council, Luxembourg, Office for the Official Publications of the European Union, 2009, p. 3. (http://www.consilium.europa.eu/ue_docs/cms_data/librairie/PDF/QC7809568ENC.pdf), last accessed on 26 April 2014.

²⁷² Report on the Implementation of the ESS, Providing Security in a Changing World, adopted on 11 December 2008, p. 1. (http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/EN/reports/104630.pdf), last accessed on 26 April 2014.

²⁷³ Ibidem pp. 3-6.

In the second part the report deals with “building stability in Europe and the world” and the reasons which prevent this. Within our continent, expansion continues to create a powerful drive for stability, peace and reform. For the sake of the continent’s security and development, internal conflict must be rooted out. Ruthless exploitation of natural resources is often a major cause of conflict. Maritime piracy has emerged as a new dimension of organized crime. It is the result of state failure. In the second part the report refers to the threat of small firearms’ proliferation, as well as cluster munitions and landmines. In 2005 the European Council adopted a strategy to combat illicit accumulation and trafficking of small arms and weaponry and the ammunition for them.²⁷⁴

In the third part, entitled “Europe in a changing world”, the report notes that for the EU to respond to the changing security environment, there must be effective interaction between the Member States within the EU’s neighbouring regions and also globally. These matters occur outside the previously set boundaries and affect both domestic and foreign policy. They show how in the twenty-first century, more than ever, sovereignty means responsibility. In terms of basic human rights, the EU should continue to work according to the agreement reached at the UN summit in 2005, standing on the principle that there is a shared responsibility to protect people from genocide, war crimes, ethnic cleansing and crimes against humanity.²⁷⁵ This was confirmed in the European Parliament resolution of 10 March 2010 on the European Security Strategy and the Common Security and Defence Policy (2009/2198) (INI), which established the model for five-year reports on their execution.²⁷⁶

In 2010 the EU Parliament urged for a serious debate to begin on introducing the new Lisbon Treaty provisions on ESDP:

- a clause on mutual assistance in case of an armed attack on the territory of a member-state;

²⁷⁴ Ibidem, pp. 6-9.

²⁷⁵ Ibidem, pp. 9-12.

²⁷⁶ European Parliament resolution of 10 March 2010 on the annual report from the Council to the European Parliament on the main aspects and basic choices of the Common Foreign and Security Policy (2009/2198)(INI).

- a solidarity clause in the event of a terrorist attack, a natural or a man-made disaster;
- the role of Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, together with the creation of the European External Action Service (EEAS) that includes in a comprehensive manner conflict prevention structures, civil/military crisis-management and peace-building;
- Expanding the scope of CSDP;
- a permanently structured cooperation for Member States which fulfil higher military capability criteria and have made more binding commitments in this area with a view to the most demanding missions, as well as enhanced cooperation.²⁷⁷

Although the paradigm of the main security risks before the EU is characterized by a relative stability, analysis of the effects of the European Security Strategy made by Solana's team and reflected in the report "Providing security in a changing world" confirms the dynamics of internal and external threats to the Union's security. The Community's enlargement by 12 new countries posed a challenge to the effectiveness of the decision-making mechanism, as well as the one for conducting operations ensuring security and stability. At the same time, the EU has at its disposal much greater resources and capacity to respond to threats, having expanded its borders and having mobilized the resources of its 28 Member States.

4.4. Internal Security Strategy of the European Union

At its meeting of 10-11 December 2009 the European Council, as a reflection of the Stockholm Programme adopted at the same time, called for the generation of an Internal Security Strategy (ISS). It requested the topic of dealing with organized crime, terrorism and natural disasters to be included. On 25 February 2010, the Justice and Home Affairs Council accepted the EU's draft for a Strategy for Internal Security.²⁷⁸

²⁷⁷ Ibidem, p. 3.

²⁷⁸ 2998 Council meeting Justice and Home Affairs. Brussels, 25 and 26 February 2010, p. 7. (http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/113068.pdf), last accessed on 26 April 2014.

The strategy was approved by the European Council at its meeting on 25-26 March 2010, and became complementary to the 2003 European Security Strategy. The Internal Security Strategy was adopted in order to facilitate European progress, bringing together existing activities and setting out principles and guidelines for future work. The document's points are aimed at preventing crime and enhancing the capability of timely and appropriate response to natural and man-made disasters through effective development and management of the necessary instruments.²⁷⁹

The development and implementation of the strategy became a priority of the Standing Committee on operational cooperation on internal security (COSI), created by the Lisbon Treaty. The Strategy also covers aspects of security in the area of integrated border management and judicial cooperation in operational matters. EU Security demands an integrated approach; specialists in the field need to share a common culture, to exchange information in the most efficient manner possible and to be able to rely on the necessary technological infrastructure.²⁸⁰

4.4.1. Objectives of the Internal Security Strategy

The first goal is to disrupt international criminal networks that threaten the public, and to truncate their pathways to funding; for this to happen they need to be identified, the economy protected from criminal inroads, criminal assets need to be confiscated.

The second objective is to prevent terrorism and counter radicalization and terrorist recruitment, proactively assisting civil society in combating these phenomena, blocking terrorists' access to financing and materials, tracking transactions, and transport protection.

²⁷⁹ The EU Internal Security Strategy, adopted by the Justice and Home Affairs Council at its meeting on 25 and 26 February 2010, and approved by the European Council on 25 and 26 March 2010, p. 9, (http://www.consilium.europa.eu/uedocs/cms_data/librairie/PDF/QC3010313ENC.pdf), last accessed on 26 April 2014.

²⁸⁰ Communication from the Commission to the European Parliament and the Council, The EU Internal Security Strategy in Action: Five steps towards a more secure Europe, Brussels 22 November 2010 (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0673:FIN:EN:PDF#page=2>), last accessed on 07 August 2014.

The third strategic objective is to increase the security of citizens and businesses in cyberspace. To fight cybercrime the EU countries could cooperate and act on building the capacity for law enforcement and the judiciary, to work with the industry in order to protect and assist citizens, and improving the skills needed to deal with cyber attacks.

Enhancing security through border management is the fourth strategic goal, which can be attained by using the full potential of the European system of surveillance of external borders (EUROSUR), by increasing the contribution of the European border control agency “Frontex”, also by general management of risks associated with the transfer of goods across the EU’s external borders and improving cooperation between departments on a national level.

The fifth objective is to strengthen Europe’s resilience to crises and disasters, which can be achieved by making full use of the solidarity clause, developing an approach to assessing the threats and risk, connecting various situational centres and developing a European rapid-response capacity for coping with disasters.²⁸¹

The European Security Strategy sets the model for a new philosophy in the approach to security issues. The fundamental principles it builds upon have to do with better coordination between Member States, improving capabilities by participating in missions of various character, expanding the toolbox of crisis-management activities, strengthening diplomatic efforts and prevention. The strategic approach is also preserved in interaction within the EU – through the adoption of the EU’s Internal Security Strategy. It is acknowledged that threats to European security are an issue of the Union’s internal order, not just foreign policy. Neutralizing international criminal networks is a prerequisite to guaranteeing the fundamental freedoms enshrined in the founding treaties. This type of criminal activity affects the economic foundations themselves, through criminalization of the economy and providing the necessary financial resources for illegitimate influence, secret lobbying and the formation of corrupt practices, affecting the proc-

²⁸¹ EU, Summaries of EU legislation, EU internal security strategy (http://europa.eu/legislation_summaries/justice_freedom_security/fight_against_organised_crime/jl0050_en.htm), last accessed on 26 April 2014.

ess of decision-making within the EU. Given the increased proportion of Internet trade within the EU, there arises a need to increase the role of institutions specialized in the field of cyber-security. Each obstacle to cyberspace transactions, through the hacking of corporate data volumes, causes millions of Euros in damage to the European economy.

* * *

The European Security Strategy is connected not only to security and defence, but to the whole foreign EU activity. It is one of the documents most widely spread and widely read by the general public, and is frequently analysed in colleges and universities worldwide. During the decision-making process European institutions use it to highlight the goals of the given initiative, encouraging cooperation between the Member States.

Modern risks to the security of European citizens require both an active position by the institutions involved and a sufficiently wide set of tools to overcome the problems at hand. In this respect, the ESS is a strategic framework for action, but does not exhaust the possibilities for faster and appropriate response to the challenges. The strategy sets out the principles and highlights the need for coordination, joint action, solidarity and shared responsibilities on the basis of which to prepare and adopt solutions.

ESS stresses that the EU should develop a culture of strategy that encourages early and rapid intervention when necessary, in the context of their characteristic holistic approach, using a full set of tools, through a partnership with multilateral institutions, regular prevention and stabilization. The Union applies “soft force”, preferring non-military instruments and civilian momentum is directed at changing the international environment.

The European Security Strategy remains to prove its effectiveness in the long term. But the fact is that the events in the first decade of the twenty-first century – a terrorist attack against the United States on 11 September 2001, the military interventions in Iraq and Afghanistan, the terrorist attacks within the EU itself – in the UK, Spain and Norway, indicate the need for a strategic approach and enhanced coordination between the Member States of the European Union, and also with partner organizations

such as the UN, NATO, OSCE, the Arab League and others. Within the EU, the understanding for a need for an institutionalized approach to foreign affairs is confirmed; this understanding has led to the creation of the position of High Representative of the Union for Foreign Affairs and Security Policy.

Chapter 5:

Home Affairs and Justice of the European Union

Establishing a stable and balanced institutional architecture in the field of justice and home affairs of the European Union is a precondition for the overall political, economic and institutional development of the Union. In the process of intensified integration of the Member States and the gradual abolishment of a number of regulations regarding the freedom of European citizens and legal entities, the need for more effective tools for control and counteraction to European Union domestic security risks grows. In this context the process of institutional building is based on the dynamics of its development and also on the need for expanding specialization and expertise in different areas that relate to justice and internal order – fighting organised crime; control over migration and border security; fighting corruption and fraud; police cooperation and cooperation concerning criminal jurisdiction, etc. Judicial organs that guarantee the unification of ways in which laws are applied have been established. These organs ensure the existence of the same standards in the juridical actions of all the Member States of the European Union.

Stemming from the current problems and challenges to security, internal order and justice, the European Union has been developing strategic documents for its Counter-Terrorism Strategy, the European Arrest Warrant, the European Programme for Critical Infrastructure Protection (EP-CIP), the European strategy on fighting drugs (2005-2012), the Directives on Anti-Money Laundering (AML) Counter-Terrorist Financing, the Stockholm Programme called “An open and secure Europe serving and protecting citizens”, a directive for prevention of and counteraction to human traffic and victim protection, a directive for sexual abuse, sexual exploitation of children and child pornography, the Code of Conduct on Arms Exports, and the strategy for combating accumulating and trafficking of small arms and light weapons. The Common European Asylum System is in the process of being established. After the Union’s expansion, it has been required that the number of associates from the new countries working in specialised institutions be augmented and that the partnership between the European institutions concerning justice and home affairs – Eu-

ropol, Frontex, Eurojust, the European Anti-Fraud Office (OLAF) and others – become closer. This happens by improving coordination, unifying standards and practices as well as by increasing levels of effectiveness in order to guarantee the common freedom zone.

5.1. Internal Security and Migration Policy of the European Union

5.1.1. Freedom of Movement, Schengen Agreement

Freedom of movement within the European Union boundaries after the inner frontiers were removed poses certain questions to the governments of the Member States, such as implementing additional security measures to the external borders of the Union, since criminals take advantage of the freedom of movement within the common territory. This is why the national police departments and the judicial organs have to work together and to fight cross-border delinquency.²⁸²

One of the most important changes simplifying travel conditions in the European Union was made when the governments of Belgium, France, Germany, Luxembourg and the Netherlands signed an agreement in 1985 in the small border city of Schengen, Luxembourg. This agreement achieved the elimination of border control of Member States along their mutual borders, irrespective of where people came from. Another of its achievements was the cooperated partnership regarding paper control with the non-European Union countries and the introduction of a common visa policy. Thus, an inner border-free zone known as Schengen was created.²⁸³

In 1990 some of the European Community countries signed the Convention for Application of the Schengen Agreement, which contains detailed regulations and practical measures on how to apply its norms. Its factual implementation started in July 1995 when border control between the countries that signed the agreement – Belgium, Germany, France, Luxem-

²⁸² EU, Freedom, security and justice (http://europa.eu/abc/12lessons/lesson_10/index_bg.htm), last accessed in September 2012.

²⁸³ Ibidem.

burg, the Netherlands, Spain, and Portugal – was abolished. By the beginning of 2014, 26 countries had applied all the regulations of the Schengen Agreement in full force. Twenty-two of them were members of the European Union and four were not – Iceland, Norway, Switzerland and Liechtenstein. Ireland and the Great Britain still have border control concerning individuals who travel from other Member States of the European Union and Schengen. Cyprus, Bulgaria and Romania are in the process of fully joining the Schengen zone.²⁸⁴

The *EU's internal security policy* encourages the Member States to constantly develop inter-border crime prevention instruments that are not hindered by factors such as national borders, the Member States' different legislations and languages. In recent years the European Union has had considerable success in this field due to intense cooperation between the legislative and judicial organs since the beginning of the zero border control policy.²⁸⁵

The Schengen agreement reflects the integration of the European Union and its transformation into an effective common zone. The agreement outlines the balance between free movement that is part of the establishment contracts and also guarantees the inviolability of the European Union borders and the security of its citizens. Such balance is extremely delicate because the measures taken regarding intensified police cooperation are not to impose a threat on the European citizens in view of their rights related to the inviolability of their personal data.

5.1.2. *Refugee Policy*

Europe takes pride in its established traditions of welcoming foreigners and securing refuge for those trying to escape threat and persecution.²⁸⁶

²⁸⁴ European Commission, Home Affairs, What we do, Policies, Schengen, (http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/schengen/index_en.htm), last accessed on 7 August 2014.

²⁸⁵ Internal security strategy for the European Union, adopted by the Justice and Home Affairs Council at its meeting on 25 and 26 February 2010 was approved by the European Council on 25 and 26 March 2010.

²⁸⁶ EU, Freedom, security and justice (http://europa.eu/abc/12lessons/lesson_10/index_bg.htm), last accessed in September 2012.

According to the Geneva Convention of 1951, governments have the obligation to secure refuge for individuals, who seek to evade persecution and serious harm in their native country and are in need of international protection. The original convention was geographically and temporarily limited to persons fleeing events occurring before 01 January 1951 and within Europe. The limitation were removed in the Convention's only amendment in 1967.²⁸⁷

The Convention provides a definition on who is a refugee:

A refugee, according to the Convention, is someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.²⁸⁸

Within the European Union where there are no borders and the countries share the same fundamental values, the members have to work together in order to find common solutions that guarantee high standards of refugee protection. Having this in mind, in 1999 the Member States of the European Union decided to create a Common European Asylum System (CEAS).²⁸⁹

Between 1999 and 2013 the Union adopted legislative measures that aimed to harmonize the common minimum standards of securing refuge, among them the most important being: the Directive for qualifications and requirements for receiving refugee status or that of a beneficiary in additional need of protection; the Directive regarding the procedures for acquiring refuge; the Dublin regulation which appoints which member-country is responsible for reviewing candidatures for obtaining refugee rights.²⁹⁰

The main legal instruments on asylum are:

²⁸⁷ Convention and protocol relating to the status of refugees, 1951 (<http://www.unhcr.org/protect/PROTECTION/3b66c2aa10.pdf>), last accessed on 7 August 2014.

²⁸⁸ Ibidem, p. 3.

²⁸⁹ European Commission (ec.europa.eu/home-affairs/policies/asylum/asylum_intro_en.htm), last accessed on 7 August 2014.

²⁹⁰ European Commission, DGS, Home Affairs, (http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/index_en.htm), last accessed on 7 August 2014.

- The *Qualification Directive 2011/95/EU*,²⁹¹ standardizes the reasons for the qualification of non-EU nationals and stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection;²⁹²
- The *Asylum Procedures Directive 2013/32/EU*,²⁹³ sets common procedures for granting and withdrawing international protection to enable fairer, quicker and better quality asylum decisions;
- The *Reception Conditions Directive 2013/33/EU*,²⁹⁴ ensures standards for the reception of applicants for international protection;
- The *Dublin Regulation (EU) 604/2013*,²⁹⁵ clarifies the criteria and mechanisms for determining the member state responsible for examining an application for international protection;
- *EURODAC* gives law enforcement authorities access to a databank of all asylum seekers in the EU.²⁹⁶

A European Refugee Fund (ERF) was established in the year 2000 with an annual budget of 114 mln Euro to help to ensure solidarity with countries receiving more refugees and displaced persons than others.²⁹⁷

Within the boundaries of the wide-range cooperation between the European Union governments, leaders have been developing the overall Euro-

²⁹¹ Qualification Directive 2011/95/EU (http://eur-lex.europa.eu/legal-content/EN/ALL/;ELX_SESSIONID=hhHjTk5Zw7kq3NdrGMPg11WLbtTXNgbDwL6w771fPSYpb57SGWWH!-462921947?uri=CELEX:32011L0095), last accessed on 7 August 2014.

²⁹² European Commission, Asylum statistics, Context, (http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Asylum_statistics), last accessed on 7 August 2014.

²⁹³ Asylum Procedures Directive 2013/32/EU (<http://easo.europa.eu/wp-content/uploads/Dve-2013-32-Asylum-Procedures.pdf>), last accessed on 7 August 2014.

²⁹⁴ Reception Conditions Directive 2013/33/EU (<http://easo.europa.eu/wp-content/uploads/Dve-2013-33-Reception-conditions.pdf>), last accessed on 7 August 2014.

²⁹⁵ Dublin Regulation (EU) 604/2013 (<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R0604&from=EN>), last accessed on 7 August 2014.

²⁹⁶ European Commission, DGS, Home Affairs, What we do, Identification of Applicants, EURODAC (http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/identification-of-applicants/index_en.htm), last accessed on 7 August 2014.

²⁹⁷ European Commission, DGS, Financing, Refugee Fund (http://ec.europa.eu/dgs/home-affairs/financing/fundings/migration-asylum-borders/refugee-fund/index_en.htm), last accessed on 7 August 2014.

pean Union refugee policy based on the principles of solidarity and responsibility.²⁹⁸ In order to gain more reliable data on migration pattern and asylum flows the Migration Statistics Regulations was adopted in 2007 to establish a common framework for the collection and compilation of EU statistics.²⁹⁹

These statistics show that after two peaks in 1992 (670,000 applications in the EU-15) and in 2001 (424,200 applications in the EU-27), the number of asylum applications within the EU-28 fell to just below 200,000 by 2006.³⁰⁰ However, currently the amount of asylum applicants is increasing again. A recent Eurostat survey notices an increase of 30% in the first quarter of 2014 compared to the same quarter in 2013. While Germany accounts for more than 60% of the overall increase, Latvia, Italy and Bulgaria faced doubling numbers of applicants. It were people from Syria (17,000 applicants in the first quarter of 2014), Serbia and Afghanistan whose number of applications increased most. Gambian applicants quadrupled while Senegalese and Bangladeshi quadrupled.³⁰¹

There is still a wide diversity how asylum applications are handled in different EU Member States. Securing refuge for refugees coming from hotspot areas is an expression of the application of European Union principles of unconditional human rights and supremacy of law.

5.1.3. *Immigration Policy*

At the same time, however, migration policy has to be strictly regulated and effectively managed. Today the European Union governments are facing the question of how to manage the increasing number of immigrants –

²⁹⁸ EU, Freedom, security and justice (http://europa.eu/abc/12lessons/lesson_10/index_bg.htm), last accessed in September 2012.

²⁹⁹ European Commission, DGS, Home Affairs, What we do, Asylum, Statistics (http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/statistics/index_en.htm), last accessed on 7 August 2014.

³⁰⁰ (http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Asylum_statistics), last accessed on 7 August 2014.

³⁰¹ Bitoulas, A, Population and social condition, Eurostat, Data in Focus, 08/2014, (http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-QA-14-008/EN/KS-QA-14-008-EN.PDF), last accessed on 07 August 2014.

legal and illegal – in a zone without any inner borders.³⁰² Providing illegal immigrants' access to the European Union is a direct threat to EU citizens as it allows terrorists and extremists to enter the Union. At the same massive amounts of immigrants settle in areas close to the Union's borders, a circumstance which may lead to humanitarian crises and the collapse of healthcare and social systems. Establishing judicial boundaries for legal migration is a crucial condition for the integration of refugees into the countries they reside in. The measurements the European Union has adopted cover the conditions for entering and residing concerning certain immigrant groups – highly qualified workers, students or researchers to whom the European Union Blue card directive applies with regard to the possibilities of immigrants' families joining them if the immigrants stay for a longer period of time.

In December 2011 an Individual Residency Directive which outlines the rights of workers coming from non-European Union countries but legally residing in Member States was adopted.³⁰³ In November 2011, the European Union launched its own immigration portal that gives useful information about foreign citizens who would like to move to a country in the Union or immigrants who are already in the European Union but would like to move to another European Union country.³⁰⁴

The European Union has been trying to reduce illegal immigration and to prevent the abuse of the system by implementing more security measures mainly on the Eastern and Southern external borders of the Union which is primarily a responsibility of the new Member States. Those new countries receive financial support in implementing this policy.³⁰⁵

³⁰² Europe in 12 Lessons, Lesson 10 Freedom, security and justice (<http://bookshop.europa.eu/en/europe-in-12-lessons-pbNA3110652/>), last accessed on 21 August 2014.

³⁰³ European Commission, What we do, Policies, Immigration (http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/immigration/index_en.htm), last accessed on 21 August 2014.

³⁰⁴ Ibidem.

³⁰⁵ Europe-Gateway, Justice and Home Affairs (<http://www.europe.bg/htmls/page.php?category=195>), last accessed on 21 August 2014.

5.2. European Union Counter-Terrorism and Organised Crime Policy

5.2.1. *Counter-Terrorism Policy*

Terrorism poses security threats and also endangers the freedom and values of the European Union and its citizens. Fighting it requires implementation of various resources of the Union due to the asymmetric nature of the threat. The most important component is prevention; however, it is only one of the means for battling terrorism, ranking along with protection, persecution and reaction. In order to prevent terrorist acts the European Union exercises strong control over the protection of critical infrastructure and citizens, concentrating its efforts on the reasons, possibilities and resources of terrorism. Coordination between the law-enforcing and judicial authorities of the European Union and international cooperation are crucial for guaranteeing the effectiveness of the fight against international terrorism. The Amsterdam agreement helps to develop this cooperation but security measures have been considerably intensified after the terrorist attack of 9/11 in the USA and attacks in Europe (Madrid and London in 2004 and 2005, respectively).³⁰⁶

5.2.1.1. Trans-Border Crime

The majority of the European Union Member States have signed conventions with other international institutions related to fighting terrorism. Amongst such documents, the following should be noted: the Council of Europe Convention on the Prevention of Terrorism which was signed on 27 January 1977 (this convention, however, does not treat terrorist acts as political or similar to political crimes or as such based on political convictions); the International Convention for the Suppression of Terrorist Bombings signed on 15 December 1997; International Convention for the Suppression of the Financing of Terrorism signed on 9 December 1999.³⁰⁷

³⁰⁶ EU, Summaries of EU legislation, Fight against terrorism (http://europa.eu/legislation_summaries/justice_freedom_security/fight_against_terrorism/index_bg.htm), last accessed on 26 April 2014.

³⁰⁷ Council Framework Decision of 13 June 2002 on combating terrorism (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32002F0475:EN:HTML>), last accessed on 26 April 2014.

It was not until June 2002 when the European Union adopted a package deal referring to the fight against terrorism which led to Member States unifying their legislative systems and approving of a minimum rule package regarding terrorist acts. The package deal categorizes the different types of terrorism and points out the penalty policies the Member States have to incorporate into their national legislation.³⁰⁸ The 2002 European Council Package deal was modified in 2008.

5.2.1.2. Counter-Terrorism Strategy of the European Union

The Counter-Terrorism Strategy of the European Union has been developed in view of the fact that the Union expanded in 2004 and 2007 when the “free movement across the open territory of the Union” became broader and could possibly be used for terrorist purposes.³⁰⁹ The document, signed in November 2005, outlines the directives for fighting terrorism on a global level and at the same time observing human rights and giving European citizens an opportunity to live in a zone of freedom, security and justice.³¹⁰

After the European Union agreed on this strategy it started developing and implementing policies in all sectors related to preventing terrorist attacks and managing possible consequences including the implementation of the European Programme for Critical Infrastructure Protection (EPCIP) and the EU-US Terrorist Finance Tracking Programme (TFTP). The European Commission has been developing a European document for tracking the financing of this crime.³¹¹

EPCIP is a package of measures whose goal is to improve the protection of critical infrastructure in all countries of the European Union and in all economic sectors. The 2008 directive concerning the European critical infra-

³⁰⁸ Panayotov, P. *Criminal Law of the European Union and the Bulgarian criminal rights*. Sofia 2012, pp. 87–90.

³⁰⁹ The European Union Counter-Terrorism Strategy, Brussels, 30 November 2005 (<http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2014469%202005%20REV%204>), last accessed on 21 August 2014.

³¹⁰ European Commission, *What we Do, Policies, Crisis & Terrorism* (http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/crisis-and-terrorism/index_en.htm), last accessed on 21 August 2014.

³¹¹ *Ibidem*.

structure is a vital element of the programme.³¹² The European Union is facing a serious challenge to implementing its anti-terrorism strategy. Two aspects are important – first, the minimum package of standards for a regulated anti-terrorism fight in the national legislation and an effective penal policy regarding this crime; second, combined and coordinated efforts toward the implementation of the four priorities of the strategy – prevention, protection, persecution and reaction against terrorism. In the spirit of protection, but also a form of prevention, persecution and reaction to terrorist acts taken out of their preventive context can only provide solutions for minimizing damages and enabling the purpose of justice.

5.2.2. Fighting Organised Crime

The European Union and its Member States need to work closely when fighting organised crime which threatens the security of their citizens. Every single one of the aspects of crime – economic and financial, human trafficking, smuggling weapons, drugs, corruption, cyber-attacks – is an individual threat, but combined with the rest it multiplies security risks.

5.2.2.1. Drugs

The actions which the European Union takes against drug distribution are closely related to its fight against organised crime and its policies concerning environmental protection and European citizens' health protection. Organised crime groups make considerable profit – up to 230 bln Euro a year – from drug distribution. In order to face this threat the European Union adopted an anti-drug strategy of the European Union in 2004, which is realised by diminishing drug distribution. In order for to fight this threat, in November 2004, the organisation adopted a European Union anti-drug strategy (2005-2012)³¹³ which was developed on the basis of the European Union Action Plan which covers drug deliveries and the decrease in their distribution.

In June 2010, the European Union worked out a pact to fight international drug traffic. The focus of this pact is cutting off heroin and cocaine distri-

³¹² Ibidem.

³¹³ EU Drugs Strategy (2005–2012), Brussels, 22 November 2004 (<http://register.consilium.europa.eu/pdf/en/04/st15/st15074.en04.pdf>), last accessed on 9 July 2014.

bution channels. The European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) presents the European Union Member States with facts and numbers about the current situation of the drug issue in Europe as well as solid arguments against drug abuse.³¹⁴ The speed of drug distribution requires a constant coordination between the organs and institutions dealing with this problem. In recent years along the increased usage of the so-called conventional drugs – cocaine, heroin, cannabis – there has been an increased usage of synthetic drugs. The latter are especially popular among young people due to their availability and easy application that does not require any special equipment for the drug to be consumed. The fact that the chemical formula of synthetic drugs constantly changes is an additional complication in effectively fighting drug distribution.

5.2.2.2. Cyber Crime

Fast-growing modern technology and dependence on such gives people the opportunity to commit cybercrimes such as stealing identity or online child abuse as well as to attack strategic information systems which could in the worst case threaten a states entire sovereignty. In the context of ever-increasing cyber threats, the European Union offers an innovative and prompt way of dealing with these crimes. The approach includes a wide range of aspects – from inter-institutional multi-country cooperation in cyber research to training police officers to actively and successfully solving criminal acts.

On request of the European Commission a second special Eurobarometer on cyber security was conducted in 2013. According to this, only a minority of 28% stated that they would never access the internet and about over one-third of European citizens used internet banking. The survey also showed that internet users are concerned about security issues and have changed their behaviour accordingly. Already 12% of the EU citizens have experienced online fraud.³¹⁵

³¹⁴ European Commission (http://ec.europa.eu/home-affairs/policies/crime/crime_intro_en.htm), last accessed on 16 September 2012.

³¹⁵ Special Eurobarometer 404, Cyber Security, Report, November 2013, (http://ec.europa.eu/public_opinion/archives/ebs/ebs_404_en.pdf), last accessed on 07 August 2014.

In the official statement entitled “Towards a general policy on the fight against cyber-crime”, the Commission outlines its basic elements: intensified cooperation in the area of law implementation, public-private partnerships and international cooperation. The role of the private sector is also stressed in the statement since it is one of the main targets of wide-range attacks unknown up to now.³¹⁶

In March 2012, the European Commission suggested that a Cybercrime Centre was established as part of the European Police Office (Europol) in the Hague and that it should be the main institution fighting cyber-crimes in Europe.³¹⁷ The European Cybercrime Centre (EC3), went operational on 01 January 2013 and works in close cooperation with the private sector, the research community, academia etc.³¹⁸ Only in the first year the EC3 assisted in 19 major cybercrime operations and at time of presenting the first report it supported nine large child sexual exploitation police operations and 16 investigations regarding payment fraud.³¹⁹

European cybercrime experts focus on the protection of the already existing profiles in social networks (that they should not become public) and offering assistance in view of online identity larceny. The centre also focus on cyber-crimes that cause very serious harm, such as online child sexual abuse, child pornography distribution and cyber-attacks against important infrastructure and informational technologies in the Union, credit and bank crimes and so on.³²⁰

In order to be able to cope with wide-range and highly specialized cyber-

³¹⁶ European Commission, Home Affairs, What we do (http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/cybercrime/index_en.htm), last accessed on 7 August 2014.

³¹⁷ EU, Press Release, An EU Cybercrime Centre to fight online criminals and protect e-consumer (http://europa.eu/rapid/press-release_IP-12-317_en.htm), last accessed on 7 August 2014.

³¹⁸ Europol, EC3 Infographic (<https://www.europol.europa.eu/ec3/infographic>), last accessed on 7 August 2014.

³¹⁹ EU, Press Release, European Cybercrime Centre – one year on, (http://europa.eu/rapid/press-release_IP-14-129_en.htm), last acc. on 7 Aug.2014.

³²⁰ EU, Press Release, An EU Cybercrime Centre to fight online criminals and protect e-consumer (http://europa.eu/rapid/press-release_IP-12-317_en.htm), last accessed on 7 August 2014.

attacks the Commission proposed a directive concerning the issues of cyber-attacks against informational technologies in 2010.³²¹ Cyber-crime will figure amongst the main threats to European citizens in the following years. The introduction of cash-desk-free payment, the increase in online trade and the development of virtual platforms for online management of material assets require serious investments in guaranteeing cyber space security.

5.2.2.3. Money Laundering

The aim of money laundering is legalizing financial means received through illegal actions. There are numerous sources which are usually bound to other kinds of crimes – traffic of weapons, people and drugs, tax crimes, abuse of public funds. These illegal acts pose a considerable threat to the financial stability of the European Union. There is little community control over all kinds of money laundering which gives opportunities for it to exist.

A key element in the system was adopted by the European Union in October 2005. The third *Anti-Money Laundering Directive* (AML)³²² requires that financial operators, as well as some non-financial ones (the so-called door-men) report any suspicious or unusual transaction or acts. The Directive incorporates into the European legislation the Financial Action Task Forces (FATF) 40 revised recommendations.³²³ The FATF is an inter-governmental body to develop and promote standards in money laundering prevention and suppression of financing acts of terrorism. The Financial Intelligence Units (FIUs) are responsible for obtaining, requesting, analysing and distributing information to the respective authorities about potential financial operations, money laundering or financing acts of terrorism.³²⁴

³²¹ Ibidem.

³²² Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:309:0015:0036:en:PDF>), last accessed on 21 August 2014.

³²³ 40 Recommendations of the Financial Action Task Force 2003 (<http://www.fatf-gafi.org/media/fatf/documents/recommendations/pdfs/FATF%20Recommendations%202003.pdf>), last accessed on 7 August 2014.

³²⁴ European Commission, What we do, Policies, (http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/money-laundering/index_en.htm), last accessed on 7 August 2014.

There are two major aspects to the process of fighting money laundering – active cooperation and coordination within the European Union and also the partnership with third-party countries which are usually part of the scheme of these crimes. In this context, companies from European Union Member States and companies that are registered or own mother companies located in so-called offshore zones exercising commercial activity on the territory of the Union are expected to be subject to additional regulations the future.

5.2.2.4. Corruption

Corruption continues to be one of the greatest challenges to all societies, including the European one, although its dimensions and nature can seriously vary in each country. The way this crime harms and causes damage to the European Union is by decreasing the amount of investments, presenting obstacles to just and transparent operations on the domestic market, and decreasing the amount of public finances. According to data from the European Commission about economic expenses created by corruption in the European Union, their amount reaches 120 bln Euro per year, which is 1% of the Union's GDP and is less than its annual budget.³²⁵

Corruption is a serious crime with international influence. In many cases corruption is connected with other criminal acts such as human and drug trafficking. In May 2010,³²⁶ the European Council adopted the Stockholm Programme entitled "An open and secure Europe serving and protecting citizens".

The Commission has a political deadline to intensify the fight against corruption and to work out a comprehensive anti-corruption policy in close collaboration with Council of Europe's Group of States against corruption (GRECO).³²⁷ In June 2011, the Commission introduced a mechanism to periodically evaluate the efforts of the Member States of fighting corrup-

³²⁵ Ibidem.

³²⁶ The Stockholm Programme, 4 May 2010 (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:115:0001:0038:EN:PDF>), last accessed on 7 August 2014.

³²⁷ Council of Europe, Group of States against corruption (GRECO) (www.coe.int/t/dghl/monitoring/greco/default_en.asp), last accessed on 7 August 2014.

tion.³²⁸ This mechanism helps create the establishment of the necessary preconditions and terms of a stricter political responsibility when making decisions about a given matter so that political will can be strengthened, mutual trust enhanced and anti-corruption practices perfected. All of this encourages the European Union countries to exchange their best techniques and information and thus prepares a way for future European political initiatives in the field of anti-corruption.³²⁹

Applying these measures, the Commission is striving for a coherent approach and a wide range of actions toward forming European anti-corruption policies.³³⁰ There will be a revision of the existing legal boundaries concerning confiscation of property acquired in illegal ways and this revision will include corruption cases.³³¹

In the process of fighting corruption one of the crucial institutional instruments is the creation of a functioning legal regulation form in the Member States regarding confiscation of property acquired through illegal means. At the same time the mechanism to its development should be connected with the results of criminal jurisdiction so that civil rights and interests can be fully guaranteed.

5.2.2.5. Forgery and Piracy – a Threat to European Union Citizens' Health and Safety

The rate of forgery, piracy and violation of intellectual rights has been increasing recently. Non-original products are a serious threat to the national governmental economies and to the health and safety of European Union citizens. Coping with these crimes requires systematic efforts and actions in the Union; along its borders and in its relations with the Member States. In

³²⁸ Commission decision of 6.6.2011, Establishing an EU Anti-corruption reporting mechanism for periodic assessment ("EU Anti-corruption Report") (http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/pdf/com_decision_2011_3673_final_en.pdf), last accessed on 7 August 2014.

³²⁹ European Commission, What we do, Policies, Op. cit.

³³⁰ Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee, Fighting Corruption in the EU, Brussels, 6.6.2011 (http://ec.europa.eu/home-affairs/news/intro/docs/110606/308/1_EN_ACT_part1_v12%5B1%5D.pdf), last accessed on 7 August 2014.

³³¹ European Commission, What we do, Policies, Op. cit.

2009 there were 43,500 cases in the Union of suspected products stopped at borders on the grounds of probable violation of intellectual rights.³³²

The European Forgery and Piracy Observatory³³³ and the Commission departments have been working on implementing laws regarding the criminal aspects of forgery and piracy. They have been working together as concerned sides of the private and public sector which also subsidize expert level events regarding forgery, forging medications and other crimes in the field of pharmacy.

The Commission took part in the discussions with the *Anti-Counterfeiting Trade Agreement* (ACTA), establishes international standards for applying intellectual property rights.³³⁴ However, large parts of the European civil society blamed the Agreement for restricting personal freedom on the internet and called it “a surveillance machine with unpredictable consequences”. This objection was expressed in mass strikes, which led to its not being ratified by the European Union due to the need of further analysis.

5.2.2.6. Human Traffic

The European Union introduced a set of general regulations for criminalizing the events connected with human traffic because it is considered to be a modern form of slavery by which the basic human rights of victims are violated. European and national institution actions of the Member States are focused on protecting human traffic victims, who, in most cases, are physically abused, and also on persecuting criminals.³³⁵

At the end of 2010 the Commission appointed Maria Vasiliadou to be the European traffic problem coordinator between the Union’s institutions and

³³² Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:195:0016:0025:en:PDF>), last accessed on 07 August 2014.

³³³ The European Observatory on Counterfeiting and Piracy (<https://oami.europa.eu/ohimportal/en/web/observatory/home>), last accessed on 7 August 2014.

³³⁴ Ibidem.

³³⁵ EU, Summaries of EU legislation (http://europa.eu/legislation_summaries/justice_freedom_security/fight_against_trafficking_in_human_beings/index_bg.htm), last accessed on 07 August 2014.

the Member States and also the countries that are not part of the European Union.³³⁶ The European Commission approach regarding this problem is reflected in the Directive on preventing and combating trafficking in human beings and protecting its victims.³³⁷ The document was signed in April 2011. In 2007 a European Union internet page devoted to this issue was created³³⁸ and in 2007 the 18th of October was appointed as the European Union Anti-Trafficking Day.³³⁹

Human traffic has been forbidden in the European Union charter of fundamental rights and it is a problem related not only to secure European Union borders but also to prevent human exploitation and violating human rights within the European Union. As a reaction to this threat the European Union 2001/36 Directive recommends that Member States should increase penile repressions against offenders of this law and it also recommends that the minimum jail sentence for this crime should be five years and that accomplice forms and those of encouraging and assisting should be incriminated. The Directive also states that there will be penile actions against juridical entities if anyone in their employment is involved in human traffic.

5.2.2.7. Fight against Sexual Abuse and Sexual Exploitation of Children Including Child Pornography

Sexual abuse with children, child prostitution and child pornography are especially serious crimes. In March 2010, the Commission proposed the establishment of a Directive for sexual abuse, sexual exploitation of chil-

³³⁶ EU, Press releases database, The Commission appoints an EU Anti-Trafficking Coordinator, 14 December 2010 (<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/1715&format=HTML&aged=1&language=EN&guiLanguage=f>r), last accessed on 21 August 2014.

³³⁷ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:101:0001:0011:EN:PDF>), last accessed on 21 August 2014.

³³⁸ European Commission, What we do, Policies, Op. cit.

³³⁹ EU, Press releases database, Anti-trafficking day: the Commission calls for better protection of the victims, Brussels, 18 October 2010 (<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/1346&format=HTML&aged=1&language=EN&guiLanguage=en>), last accessed on 21 August 2014.

dren and child pornography³⁴⁰ and in June 2011, the European Parliament and the Council reached an agreement. The document covers areas such as persecuting offenders, protecting and providing special care to victims and preventing criminal acts.³⁴¹ The directive emphasizes the considerable development and the additional differentiating of the types of crimes in this field and also the respective penile responsibility.³⁴²

In terms of preventing child sexual abuse and child pornography, it is expedient that there should be necessary control and mechanisms monitoring the access of minors to cyber space, which is the primary channel through which this criminal act takes place, and also regulation concerning imperative requirements to information and internet providers.

5.2.2.8. Firearm Traffic

The European Union has been making considerable efforts to strengthen cooperation in the field of control over firearm traffic. International cooperation is based mainly on tools such as Schengen Convention and the *Naples II Convention* on “Mutual Assistance and Cooperation between Customs Administrations”.³⁴³

Primary tools for firearm traffic control are the Customs Informational System (CIS) and the Schengen Informational System (SIS) which have data about stolen weapons. On an executive level the European Firearm Expert group (EFE) presents expertise concerning illegal firearm traffic.³⁴⁴ The European Union has adopted measures that complement the initiative for strengthening the control over the illegal sales and ownership of fire-

³⁴⁰ Directive of the European Parliament and of the Council on combating the sexual abuse, sexual exploitation of children and child pornography, repealing Framework Decision 2004/68/JHA, Brussels 29.3.2010 (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0094:FIN:EN:PDF>), last accessed on 21 August 2014.

³⁴¹ European Commission, What we do, Policies, Op. cit.

³⁴² Panayotov, P. Criminal Law of the European Union and the Bulgarian criminal rights. Sofia, 2012, p. 104.

³⁴³ Council Act of 29 May 2000 establishing in accordance with Article 34 of the Treaty on European Union the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union (<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2000:197:0001:0023:EN:PDF>), last accessed on 21 August 2014.

³⁴⁴ European Commission, What we do, Policies, Op. cit.

arms in the European Union. The purpose is to monitor traffic within the Union and to develop cooperation between the national institutions responsible for weapon control.³⁴⁵

One of the main purposes of the Commission's current policy regarding matters of export control is to finalize the processes of implementing all recommendations of the UN protocol against illegal production and trafficking in firearms and ammunition into the European legislative system.³⁴⁶ Accumulating and uncontrolled distribution of small arms and light weapons (SALW) contribute to the expansion of organised crime. This is why the European Union is devoted to creating international instruments for control over weapon trade,³⁴⁷ undertaking initiative within its Common Foreign and Security Policy, such as the Code of Conduct on Arms Exports, establishing a common military deal brokering policy and approving the Strategy for combating accumulating and trafficking of small arms and light weapons.³⁴⁸ The political aim here is to bring into effect and strengthen the UN Action Plan concerning small arms and medium weapons.³⁴⁹

Main international agreements on export protocol are:

- The *Wassenaar Arrangement* (WA) which includes 40 countries. The foundational document of the regime, entitled "The Initial Elements", was adopted in 1996 and outlines the purposes and range of the agreement.³⁵⁰

³⁴⁵ Ibidem.

³⁴⁶ Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (http://www.unodc.org/pdf/crime/a_res_55/255e.pdf), last accessed on 21 August 2014.

³⁴⁷ Council decision 2010/336/CFSP of 14 June 2010 on EU activities in support of the Arms Trade Treaty, in the framework of the European Security Strategy (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:152:0014:0014:EN:PDF>), last accessed on 30 September 2012.

³⁴⁸ EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition, Brussels, 13 January 2006 (<http://register.consilium.europa.eu/pdf/en/06/st05/st05319.en06.pdf>), last accessed on 21 August 2014.

³⁴⁹ European Commission, What we do, Policies, Op. cit.

³⁵⁰ Permanent Representation of the Republic of Bulgaria Vienna, Austria (<http://www.mfa.bg/bg/101/pages/menu/509>), last accessed on 29 September 2012.

- The *Australia Group* (AG) – includes 41 countries from Europe, the Americas and the Asian-Pacific region and is an informal agreement between the countries whose main responsibility is to reduce the distribution of chemical and biological weapons.³⁵¹
- The *Zangger Committee* – provides support regarding regulations connected with the export control prescribed in the Treaty on the Non-Proliferation of Nuclear Weapons.³⁵²
- The *Missile Technology Control Regime* (MTCR) – coordinates the actions of national systems for export control by applying common principles and rules in order to prevent the proliferation and transfer of missile equipment, material, and related technologies.³⁵³
- The *Nuclear Suppliers Group* (NSG) – an agreement based on voluntary application of the guidelines and principles of controlling transfers of nuclear material.³⁵⁴
- The *Organisation for the Prohibition of Chemical Weapons* (OPCW) – established according to Article 8 of the UN Convention on the Prohibition of the Development, Production, Stockpiling and **Use** of Chemical Weapons and on their Destruction.³⁵⁵

The danger of organised groups acquiring illegal weapons poses threats not only to Member States' national security but also to European security as a whole, as well as to the economic development and investment climate in the Union. There is another current debate along with the regulations for control over the distribution of and trading with conventional weapons – increasing restrictions to and control over the possession of firearms by European Union citizens. The July 2011 tragedy when the Norwegian An-

³⁵¹ “Australia Group” adopted new “ground rules”, 11 .06. 2002 (http://news.ibox.bg/news/id_777076851), last accessed on 07 August 2014.

³⁵² Report of the Interministerial Commission for Export Control and Non-Proliferation Weapons of Mass Destruction to the Minister of Economy and Energy implementation of the Export Control Act of weapons and items and dual use for 2007 (http://www.sipri.org/research/armaments/transfers/transparency/national_reports/bulgaria/Bulgaria_2007.pdf), last accessed on 07 August 2014.

³⁵³ Ibidem.

³⁵⁴ Ibidem.

³⁵⁵ Organization for the Prohibition of Chemical Weapons (<http://pravoto.com/site/diction/12039-organizatziya-za-zabrana-na-himicheskoto-orazhie>), last accessed in September 2012.

ders Breivik took the life of 77 young people proved that decreasing control over selling weapons can lead to unpredictable consequences.

5.2.3. *Crime Prevention*

Since 2001 the European Network for Crime Prevention (EUNCP)³⁵⁶ has been exchanging experience with the European Union and also information about various aspects of crime prevention. In 2009, based on evaluation from the Network, some disadvantages were established concerning some Member States' passiveness in this matter.³⁵⁷ Preventing crime originating from money laundering, corruption, piracy and forgery requires a wide range of measures and tools. However, we also have to pay attention to the importance of finding a balance between the control over crimes committed by persons versus legal entities and also providing economic freedom to stimulate growth and development.

The faster the tracking of criminal activity assets, the more effective the confiscation and restitution can be. The Asset Recovery Offices³⁵⁸ help confiscate assets acquired as a result of crime. They identify illegally acquired assets on their territories and support the exchange of information in Europe.³⁵⁹

In March 2012, the European Parliament decided to increase cooperation in the field of crime combating by creating a Special Committee for combating organised crime, corruption and money laundering and by assigning it a one-year period in which to analyze the penetration of organised crime and mobster groups into the economy and public finances of the European Union and to propose legal and other measures through which the Union can manage threats on a European, regional and national level.

³⁵⁶ European Crime Prevention Network (<http://www.eucpn.org/>), last accessed on 21 August 2014.

³⁵⁷ European Commission, What we do, Policies, Op. cit.

³⁵⁸ Council Decision 2007/845/JHA of 6 December 2007 concerning cooperation between Asset Recovery Offices of the Member States in the field of tracing and identification of proceeds from, or other property related to crime (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:332:0103:0105:EN:PDF>), last accessed on 21 August 2014.

³⁵⁹ European Commission, What we do, Policies, Op. cit.

The European Commission, too, participates in this process. The Commission recommends the simplification of restitution procedures for assets transferred to other people as well as allowing the possibility of confiscating assets when a criminal procedure verdict cannot be made when the suspect is deceased, severely ill or has hidden. A new requirement to the Member States is to manage withheld or confiscated assets in a manner preventing their decrease in value.

The conclusions of a number of international experts and think-tanks show that the key to preventing terrorism and organised crime is: first, actions for combating crime by reducing its financing and, second, actively working with young people from risk groups, creating conditions for education and employment and forming within them awareness and support of the law.

5.3. The European Area of Freedom, Security and Justice

The law-generated peace of the European Union is based on the specific interaction between public legislation and that of the Member States, established on the rights of European citizens, democracy and supremacy of law. Even though for the most part the administration of justice is conducted by national jurisdictions, the European cooperation mechanisms have been expanding concerning the unification of material law as well as within the various legal procedures. The purpose is to unify the administration of justice in the European Union, which will guarantee common standards and practices.

5.3.1. Legal Sources of the European Union

The two main sources of European Union law are called primary and secondary law. Primary law consists of the treaties that outline the legal boundaries of the European Union. Secondary law consists of legal instruments based on these treaties – for example, regulations, directives, decisions, agreements. A characteristic of European legislation is that it can be directly applied in the courts of the Member States and that their laws can be pronounced inapplicable if they contradict the European Union legisla-

tion ³⁶⁰ (supremacy of the European Union legislation).³⁶¹ Primary legislation of the European Union is the supreme legal source within the EU and it includes the following contracts:

- Founding treaties include the Treaty on European Union, the Treaty on the Functioning of the European Union³⁶² and the Treaty Establishing a European Atomic Energy Community (Euratom);
- Protocols, annexes and declarations in connection with particular treaties, contracts for the accession of member-states and others.³⁶³

These treaties clarify the main principles that regulate the institutional structure and authority of the European Union organs in their appointed areas and the participation of the Member States in the decision making process. The last update on the European Union primary legislation was made when the Member States signed the Lisbon Treaty which was brought into effect in December 2009.

The secondary legislation of the European Union consists of unilateral acts and agreements. Unilateral acts are regulations, directives, decisions, opinions and recommendations. Legally binding acts adopted through legislative procedures are called legislative acts. Agreements are signed by the European Union Community and a given country, by Member States or by different institutions of the European Union.³⁶⁴ A legislative answer to social changes is provided by power of the secondary acts of the European Union and also a deeper legislative priority between the Member States. In this regard we witness a stable tendency toward harmonizing the European

³⁶⁰ EU, Sources of European Union law, (http://europa.eu/legislation_summaries/institutional_affairs/decisionmaking_process/114534_en.htm), last accessed on 21 August 2014.

³⁶¹ Kwiecien, Roman: The Primacy of European Union Law over National Law under the Constitutional Treaty, in German Law Journal Vol 06, No11, (www.germanlawjournal.com/pdfs/Vol06No11/PDF_Vol_06_No_11_1479-1496_Special%20Issue_Kwiecien.pdf), last accessed on 21 August 2014.

³⁶² Consolidated version of the Treaty on the functioning of the European Union, Official Journal of the European Union, 9 May 2008 (<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:115:0047:0199:EN:PDF>).

³⁶³ EU law web portal (https://e-justice.europa.eu/content_eu_law-3-bg.do), last accessed in May 2010.

³⁶⁴ Ibidem.

Union legislation and the ever-increasing role of social, as opposed to national, law-making.

5.3.2. Judicial System of the European Union

There are three different courts: The Court of Justice of the European Union (CJEU), whose seat is in Luxembourg, consists of three main components:

- the Court of Justice (established in 1952);
- the General Court (established in 1988);
- and the Civil Service Tribunal (established in 2004).

The CJEU is the judicial authority the European Union, along with the courts and tribunals of the Member States, ensures the enforcing and correct interpretation of European Union law. It is a multilingual institution, for any of the official European Union languages could be requested during a court case. The court is obliged to guarantee that its judicial practice is distributed throughout all Member States.

Since their creation, the three components of the European Union Court have made approximately 15,000 decisions. Since 17 June 1997, the judicial practice of the court has been available online in all official European Union languages.³⁶⁵ The CJEU is the oldest of the courts, later in the integration process it became evident, that the court couldn't cope with the work load alone.

The General Court of the European Union tries cases which are not transferable to specialized courts or to the European Communities' court at the first instance. It also hears appeals against decisions that have been made by specialized courts at the first instance. The General Court consists of at least one judge from each member-country.³⁶⁶ These judges are appointed for a term of six years and are lawyers who do not necessarily have to be eligible to be appointed as judges in his own country.

³⁶⁵ Court of Justice of the European Union (http://curia.europa.eu/jcms/jcms/Jo2_6999/), last accessed in June 2012.

³⁶⁶ EU law web portal, Op. cit.

The basis for the Civil Service Tribunal was made with the Treaty of Nice to reduce the workload of the Court of Justice and the General Court. Specialized European Union courts can be established for specific areas. They can hear and conclude cases at the first instance and afterward an appeal can be made to the General Court.³⁶⁷

The CJEU should not be confused with the European Court of Human Rights (ECHR), the latter not being a court in the EU, but established within the Council of Europe according to the European Convention of Human Rights³⁶⁸ so that it can secure the observation of rights and freedoms guaranteed by this Convention. However, judicial practice developed by the European Court of Human Rights may have a crucial impact on the European Union legislation, for the main rights guaranteed by the European Convention are also main principles of the EU's legislation.³⁶⁹

The European Union judicial system is a specific structure that is responsible for the necessities regarding the law enforcement of such a complex mechanism as the European Union. Undoubtedly, community legislation would be meaningless unless there were a mechanism to unify its enforcement and harmonization of its interpretative decrees concerning European legislation in such a manner that guarantees the exact same application of the court's decisions in every member-country. The structure of the court is established on clear rules regarding the material and typological possibilities of the trying of cases.

5.3.3. Detention Mechanism in the European Union – European Arrest Warrant

The European Arrest Warrant (EAW) is a request issued by a judicial organ in one of the Member States in the European Union requiring the detention of a person in another member-country or for them to be turned over so they can be tried, sentenced to jail or any other detention purpose.

³⁶⁷ Ibidem.

³⁶⁸ European Convention on Human Rights (http://www.echr.coe.int/Documents/Convention_ENG.pdf), last accessed on 21 August 2014.

³⁶⁹ EU law web portal, Op. cit.

The mechanism is based on an agreement between the European Union countries entitled Framework Decision on the European Arrest Warrant and also based on the principle of mutual recognition of verdicts and includes direct and confidential contacts between the judicial organs. Every person that has been detained by power of the EAW has the right to have a lawyer and, if necessary, an interpreter according to the legislative system of the country where they have been detained.³⁷⁰

The EAW aims at expanding cooperation within the European Union concerning judicial proceedings. It is a reliable instrument in the combat against crime, preventing a number of judicial proceedings from taking place. At the same time, the EAW mechanism has enough guarantees in place to ensure the rights of people against whom judicial proceedings have started.

5.4. European Union Institutions in the Field of Justice and Home Affairs

5.4.1. The European Judicial Cooperation Unit – Eurojust

The judicial cooperation between the European Union Member States has its institutional reflection in the European judicial cooperation unit – Eurojust. During the European Council meeting in Tampere, Finland in October 1999, the decision of creating a European judicial unit whose purpose would be to help combat organised crime was made. The future Eurojust would consist of national persecutors, magistrates and police officers who would have equivalent authority defined by each member-country of the European Union according to its judicial systems.³⁷¹ The forerunner to this unit was a structure called Pro-Eurojust, established in 2000. Prosecutors from various Member States took part in Pro-Eurojust, testing out con-

³⁷⁰ European Commission, Justice, European Arrest Warrant (http://ec.europa.eu/justice/criminal/recognition-decision/european-arrest-warrant/index_en.htm), last accessed on 24 August 2014; and Council Framework Decision on the European arrest warrant and the surrender procedures between Member State (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32002F0584:en:HTML>), last accessed on 24 August 2014.

³⁷¹ Eurojust, History of Eurojust (<http://eurojust.europa.eu/about/background/Pages/History.aspx>), last accessed on 21 August 2014.

cepts, until the establishment of Eurojust itself in February 2002.³⁷² Eurojust encourages and improves coordination and cooperation between authorities by facilitating international judicial cooperation as well as the enforcement of European arrest warrants and assists the respective authorities in improving the effectiveness of investigating and conducting judicial cases.³⁷³

According to the European legislation system, Eurojust is a coordinating organ when it comes to administering justice. Integrating national magistrates in its functioning improves the synchronic effectiveness of implementing the instruments of cooperation in the field of administering justice and judicial proceedings.

5.4.2. The European Police Office – Europol

After the gradual removal of borders and border control between the members of the European Union, a common inner market was created and along with it a common “criminal geographical” zone which vastly enables organised crime and threatens the security of European Union citizens. In this context the Maastricht Treaty (1992) requires cooperation between the members of the European Union and their authorities so they could initiate judicial proceedings in the field of combating crime and also so that a European police unit (Europol) could be established.³⁷⁴

The Unit uses its unique informational abilities and the expertise of 700 employees to identify and track the most significant and dangerous criminal terrorist networks in Europe. The European Union law-enforcement authorities rely on this investigative act and on Europol’s services and its operative coordination centre to obtain verified information in the process of conducting almost 12,000 international investigations a year.

³⁷² Ibidem.

³⁷³ Eurojust, (<http://www.eurojust.europa.eu/Pages/home.aspx>), last accessed on 21 August 2014.

³⁷⁴ Europe-Gateway, EUROPOL (<http://www.europe.bg/htmls/page.php?id=1277&category=235>), last accessed on 21 August 2014.

Europol cooperates with the international law protection organisation of the criminal police – Interpol, established in 1923 in Vienna. In 2009 a special unit was established in Brussels to ensure the cooperation between the two organisations. Cooperation becomes ever closer with the exchange of experience and staff. The European Union subsidizes many Interpol projects, for example, facilitating its access to the Global police communication system.³⁷⁵

Security threats stemming from the expansion of organised crime grow as the new members of the European Union are being integrated in the Schengen zone and because of the fact that there is no longer inner border control. Due to these circumstances, there is an increased need for closer police coordination.

The Europol network is the most efficient structure when it comes to combating organised crime acts on the territory of the European Union Member States. Europol is not only a system for cooperation, but it also creates mechanisms for exchanging experience and expertise and thus it develops structures and increases the level of efficiency amongst the national police authorities of Member States.

5.4.3. The European Anti-Fraud Office – OLAF

The European Anti-Fraud Office (OLAF) was established in 1999 as an independent structure within the European Commission. The office is financially and administratively independent.

The purpose of OLAF is threefold:

- 1) Protecting the financial interests of the European Union by combating fraud, corruption and other illegal acts;
- 2) Protecting the reputation of the European institutions by investigating cases of grave legal offenses which could lead to judicial or disciplinary acts on behalf of their members and staff;

³⁷⁵ INTERPOL (<http://www.interpol.int/About-INTERPOL/International-partners>), last accessed on 21 August 2014.

- 3) Assisting the European Commission in developing and implementing policies for fraud prevention and detection.³⁷⁶

OLAF contributes to facilitating the efforts of the European Union institutions to guarantee the best use of the money of the European tax payers by conducting completely independent inside investigations on a national level when the European Union budget is threatened by illegal acts that affect the Union's financial interests. The investigations OLAF conducts combine the inside and outside control of fraud combat with the purpose of preventing abuse of European Union funds. It is important to note that there cannot be a centralized structure which could effectively prevent crime if it only depends on its capacity. In this context the role of coordination and cooperation between national structures and OLAF has been proving crucial.

5.4.4. The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union – Frontex

On 26 October 2004, by power of 2007/2004 Decision of the Council,³⁷⁷ an European agency for the management of operational cooperation at the external borders of the Member States of the European Union/ European agency for the external borders (Frontex) was established. The agency's task is to strengthen and facilitate the cooperation between the national customs authorities of the Member States by coordinating and developing European border management. Frontex develops and operates with informational systems which enable the exchange of information including the informational and coordination network that was created by power of the 2005/267 Decision of the European border investigative system.³⁷⁸

³⁷⁶ European Commission, European Anti-Fraud Office (http://ec.europa.eu/anti_fraud/about-us/mission/index_en.htm), last accessed on 21 August 2014.

³⁷⁷ Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (http://frontex.europa.eu/assets/About_Frontex/frontex_regulation_en.pdf), last accessed on 21 August 2014.

³⁷⁸ Frontex (<http://frontex.europa.eu/>), last accessed on 21 August 2014.

Frontex works in cooperation with different institutions that specialize in the area of developing freedom, security and justice – for example, Euro-pol, Eurojust, EPPA, CEPOL and the customs authorities. It works in close cooperation with the customs control authorities of non-members of the European Union or countries that are not part of Schengen – mainly identifying a source or transitory route of illegal migration – observing the CFSP of the European Union.³⁷⁹

Frontex has a coordinating and methodological function related to implementing and applying unified modern standards for border control. It helps authorities where experience is insufficient and when it comes to high-risk areas by providing expertise and on-the-job training.

European Union external border control is a means to prevent all kinds of international crime that poses a threat to European Union citizens. Every “gap” in the border control of each member-state is a threat to the whole Union. Frontex has adopted a special prevention approach when cooperating with the border control authorities of neighbouring countries that pose potential risks of illegal migration and violation of border control.

5.4.5. The European Union Agency for Fundamental Rights – FRA

The European Union Agency for Fundamental Rights was established by the Council in 2007 in Vienna³⁸⁰ and focuses on analytical activities related to processing information and data to ensure guaranteeing the fundamental rights of European citizens as per the Charter. The FRA provides the community organs of the European Union and the Member States expertise in the form of conclusions and statements to guarantee synchrony between adopted policies and measures and the observation of fundamental rights. The agency collects proof concerning the status of fundamental rights in the entire European Union and provides the Council with recommendations on improving the situation, in addition to informing citizens

³⁷⁹ Frontex, Missions and Tasks (<http://frontex.europa.eu/about-frontex/mission-and-tasks>), last accessed on 21 August 2014.

³⁸⁰ Council regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights (http://fra.europa.eu/fraWebsite/attachments/reg_168-2007_en.pdf), last accessed on 21 August 2014.

about their rights.³⁸¹ The agency is the successor to the European Monitoring Centre on Racism and Xenophobia (EUMC). In the process of its work it cooperates with a number of national, regional and international institutions and organisations as well as with the structures of civil society.

5.4.6. The European Asylum Support Office – EASO

At the beginning of 2009, the European Commission accepted a regulation recommending the establishment of an European Asylum Support Office in response to a request by the European Council. Its primary purpose is to coordinate and strengthen the cooperation between the Member States in the field of asylum support and thus to encourage the unification of the various national and European practices concerning the right to obtain asylum.³⁸²

By power of the 439/2010 European Parliament and Council regulation signed on 19 May 2010, the European Asylum Support Office was established in order to facilitate, coordinate and support practical cooperation between the Member States; to work closely with the respective organs of national asylum and immigration offices as well as with other national institutions and with the European Commission.³⁸³

The first official business day of the office was on 19 June 2011 at its seat in Valletta, Malta. The Executive Director of the office is Rob Visser. It has been expected that through the actions of the Agency a comprehensive European asylum system will be created, which will strengthen solidarity between the European Union Member States and help them fulfil their European and international obligations in this regard.

³⁸¹ European Union Agency for Fundamental Rights (FRA) (http://fra.europa.eu/fraWebsite/about_fra/about_fra_en.htm), last accessed on 21 August 2014.

³⁸² European Commission, the Commission proposes to establish a European Asylum Support Office, 18 February 2009 (http://ec.europa.eu/bulgaria/press_corner/news/180209-asylum_bg.htm), last accessed on 21 August 2014.

³⁸³ Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:132:0011:0028:EN:PD>), last accessed on 21 August 2014.

5.4.7. *The European Monitoring Centre for Drugs and Drug Addiction – EMCDDA*

In response to the increase in drug consumption, the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) was established in Lisbon in 1993 as one of the decentralized agencies of the European Union.³⁸⁴ Statistical data shows that one out of three young Europeans has tried drugs and that at least one European citizen dies of an overdose on an hourly basis.

The mission of the EMCDDA is to collect, analyze and distribute objective and reliable information about drugs and drug addiction in Europe. The agency devotes its efforts to encouraging scientific research, developing infrastructure and instruments needed to collect data for each country provided by the national centres for drug monitoring within Reitox, the European information network on drugs and drug addiction.³⁸⁵

The EMCDDA collects and analyses data on a European level. These data are not always entirely correct because drug distribution and addiction differs in each country and this is why it is hard to come up with summarized data about the problem. Besides their criminal aspect, drug addiction matters have specific social and health dimensions that directly affect many social bonds on both a national and micro-social level. Improving expertise regarding this problem is not only an efficient counter-instrument against drug distribution but also a solid investment in Europe's future.

5.4.8. *The European Police College – CEPOL*

The college was founded as an agency of the European Union in 2005 and it is based in Bramshill, England.³⁸⁶ It unites senior police officers in Europe in the hope of encouraging international cooperation in terms of combating organised crime and also maintaining social security, law and

³⁸⁴ European Monitoring Centre for Drugs and Drug Addiction, EMCDDA, (<http://www.emcdda.europa.eu/about/mission?ref=Guzels.TV>), last accessed on 21 August 2014.

³⁸⁵ Ibidem.

³⁸⁶ CEPOL (<http://www.cepol.europa.eu/index.php?id=history>), last accessed on 21 August 2014.

order. CEPOL holds between 60 and 100 training seminars and conferences a year. Training takes place in the respective country's police academies and involves a wide range of topics. CEPOL's annual budget for 2011 was 8,341 mln Euro.³⁸⁷

The European police college is a methodical organ that coordinates the expertise of the head departments of Member States' national structures. The main functions are outlined by topic in training discussion forums which correlate to the various types of threats to European citizens' security.

5.4.9. The European Agency for the Operational Management of Large-Scale IT Systems

The European Commission is responsible for the management of many of the IT systems in the area of freedom, security and justice. A new agency for large-scale IT systems, which will provide long-term solutions to problems in this area became operational in December 2012. Systems such as the database of fingerprints of applicants for asylum and illegal immigrants found within the EU (EURODAC), the Visa Information System (VIS) and a second generation Schengen system (SIS II) are amongst the first it became responsible for. Following the specialisation and gradual development of the agency, it will become a centre for the improvement development of operational management and will be an independent European organ (regulative agency).³⁸⁸

The main responsibility of the Agency is to maintain IT systems so they can function 24/7, thus guaranteeing a continuous and undisturbed exchange of information between national authorities. It will also be responsible for taking security measures, conducting system management training for IT specialists, auditing and publishing statistics and monitoring of its researchers' actions.³⁸⁹

³⁸⁷ EU, European Police College, CEPOL, (<https://www.cepol.europa.eu/who-we-are/european-police-college/about-us>), last accessed on 21 August 2014.

³⁸⁸ European Commission, What we do, Policies, Schengern, Borders & Visas, (http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/index_en.htm), last accessed on 21 August 2014.

³⁸⁹ Ibidem.

The ability to always provide information and the trustworthiness of the communication systems of the European Union are a precondition to their functionality. It is ever more evident that the success in cooperating to prevent threats and risks to the security of the European Union depends on its informational and communicative superiority. Furthermore, cyber security is becoming increasingly at risk due to the fact that illegal actions could be done from anywhere in the world, with relatively few resources needed to carry out threats, the possibility of a wide range of destruction ensuing and also the possibility of criminals escaping justice. Consequently, the number of challenges the agency will be facing in the future will increase substantially.

* * *

Cooperation in the area of law-enforcement and home affairs of the European Union is a dynamic and extremely important European process that requires intensified coordination and integrity which are to guarantee the effective implementation of laws, supremacy of law and observation of the whole spectrum of European civil rights. The main challenges to the European Union will continue to be achieving a balance between the closer cooperation in the area of administering justice and not interfering in the personal space of European citizens.

A number of strategic documents, among which the Stockholm Programme which expires at the end of 2014, manage judicial and security matters based not on national programmes but on the point of view of 500 million Europeans. Expanding the competencies of the agencies and organs dealing with cooperation in the area of justice and internal order is also on the agenda.

Expanding the authority of Frontex, establishing a common asylum system in the European Union and creating automated check points in the Schengen zone are among the recommendations of the Commission. It is expected that Eurojust will be authorized to conduct investigations on its own and not simply to assist. Among the discussed ideas is the establishment of a European prosecutor's office investigating crimes related to the financial interests of the European Union. Additionally, the Union's priorities include increasing its institutional capacity, guaranteeing civil rights and including increasing standards when it comes to guaranteeing the rights of

criminal suspects. These types of recommendations refer to improving the access to information and legal assistance.

The practical cooperation range of the transatlantic partnership has been broadening. According to the plan for cooperation between the European Union countries in the area of administering justice and domestic security, there will commence new negotiations with the USA for exchanging financial data to combat terrorism. It is clear that the borderline between *freedom* and *security* is not set in stone, but establishing mechanisms for combating crime within the European Union – thus decreasing the level of European civil freedom and rights – poses the risk of distorting the overall fundamental model that was followed when the European Union was created as a common zone for freedom and shared values.

Chapter 6:

The OSCE and the European Union – Powerful Partnership to Establish the European Security Architecture

After the end of the Cold War, the Conference on Security and Co-operation in Europe (CSCE) was established as a unique common European forum based on participation equality and a consensus mechanism for making decisions. Gradually, as tension between the East and the West was overcome, the CSCE (later renamed to OSCE) was institutionalized as an international organisation. The range of activity of the Organisation for Security and Cooperation in Europe involves all European countries, the USA, Canada and Central Asia, which justifies its being called a Euro-Atlantic and Euro-Asian community. With 57 participating states, it is the largest international regional structure that deals with security matters.

The mission of the OSCE has become ever more intensified since the beginning of democratic changes in the former Soviet countries and the processes of European integration. In some countries the aforementioned processes are accompanied by crises and conflicts, making the active involvement of the international community absolutely necessary, effectuated by European Union actions and those of OSCE partners.

The European Union has been involved in a partnership with the OSCE since the commencement of the Helsinki process when the European Commission was introduced to the negotiations that preceded the signing of the Final Act of Helsinki in 1975, as well as to the subsequent meetings of the Organisation for Security and Cooperation in Europe. For the first time in 1989 the competencies of the European Commission were recognized in the process of cooperation with the sovereign participant countries as the cooperation between the European Union and the OSCE became more intensified, proof of which are the numerous signed acts that followed. In 1990 on behalf of the European Community, the Chair-in-Office of the European Commission and the Chair-in-Office of the Council of Ministers signed the Paris Charter for a New Europe of the OSCE; in 1999 during a summit in Istanbul European Union representatives of the same

rank signed the Charter for European Security. This set of measures was further developed through the Strategy for reacting to the stability and security threats in the 21st century which was adopted in 2003 in Maastricht.

The collaboration between the European Union and the OSCE is in the three OSCE dimensions: politico-military, economic-environmental and humanitarian. The current challenges the OSCE is facing are related to establishing common democracy and security space from Vancouver to Vladivostok mainly aided by cooperation in establishing democratic institutions and defending human rights; establishing rule of law; supporting adequate management and sustainable economic development as well as environmental and power security; implementing all measures associated with preventive diplomacy and actions toward avoiding and managing conflicts, post-conflict recovery, strengthening trust, control over armament, disarmament.

6.1. History of the OSCE

6.1.1. *The Helsinki Process – Key Developments*

Between 22 November 1972 and 8 June 1974, in Helsinki, preparatory conversations took place in order to found the Conference on Security and Co-operation in Europe (CSCE). They lasted for over six months before a set of definite recommendations (known as *Blue Book*) was agreed on. The first stage of the Helsinki process took place again in the Finnish capital – from 3-7 June 1973. The ministers of foreign affairs of the participant countries expressed their standpoints concerning European security and definitively accepted the Blue Book.³⁹⁰ On 1 August 1975, governmental leaders from 35 countries convened in Helsinki to sign the Final Act of the Conference on Security and Co-operation in Europe (CSCE). The act in question became known as the *Helsinki Final Act*.³⁹¹ The paper contains political engagements in three “baskets” for all the present sovereign European countries at that time (except for Albania) and two Northern Ameri-

³⁹⁰ OSCE, Who we are, The 1980s (<http://www.osce.org/who/timeline/1980s>), last accessed on 12 April 2014.

³⁹¹ OSCE (<http://www.osce.org/mc/39501?download=true>), last accessed on 12 April 2014.

can countries – the USA and Canada. Those engagements aimed at achieving unity with the principles of politico-military security aspects; economy, science and technology development recommendations as well as cooperation intentions in the humanitarian field and that of human rights.³⁹²

Since the commencement of the Helsinki process in 1973 the CSCE and the OSCE have adopted a wide-ranging comprehensive approach to security, e.g., protecting and keeping human rights and fundamental freedom as well as cooperation in the field of economy and ecology within the boundaries of the politico-military dimension. During that period main priority was given to the promotion and the protection of human rights, although the emergence of a new human security trend. Later, by the end of 1990, this trend was defined in detail and adopted politically.³⁹³ Between November 1986 and January of the following year, the CSCE reviewed the advancement of the measures for strengthening trust and security (CSBMs) and suggested that new negotiations should begin in Vienna taking place simultaneously with the negotiations for conventional armed forces in Europe.³⁹⁴

Up to 1990 the Conference on Security and Co-operation in Europe was mainly a forum for negotiation between the West and the East whose objective was to achieve trust and to provide security measures and standards for enhanced democratic behaviour. The multilateral meetings within the boundaries of the Helsinki process served as a supervision tool for fulfilling assumed responsibilities and acting according to ratified standards that are of a political character.³⁹⁵

The process of institutionalization of the Conference on Security and Co-operation in Europe was commenced at the second summit in Paris in November 1990. On 24 March in Helsinki an “Open Skies” agreement was signed, defining the extent of supervising flights over the territory of the

³⁹² OSCE, CSCE/OSCE timeline (<http://www.osce.org/who/timeline>), last accessed on 12 April 2014.

³⁹³ Evers, Frank. OSCE Efforts to Promote the Rule of Law. History, Structures, Survey, March 2010, CORE, Working Paper 20 (http://ifsh.de/file-CORE/documents/CORE_Working_Paper_20.pdf), last accessed on 12 April 2014.

³⁹⁴ Ibidem.

³⁹⁵ Bulgarian Ministry of Foreign Affairs, OSCE (<http://www.mfa.bg/bg/pages/view/36>), last accessed in June 2012.

participant countries.³⁹⁶ During the Summit in Helsinki in 1992 human rights and fundamental freedoms were formulated as being indispensable values, including those of national minorities, democracy, constitutional state, economic liberty, social justice and responsibility toward the world around us. In 1992 the OSCE adopted its first three (among the many to come) field operations – in Kosovo, Sandjak and Voyvodina.³⁹⁷ During the process of its development the OSCE became quite successful in preserving the peace in Europe, guaranteeing security and developing cooperation. The fact that Europe was divided until the beginning of the 1990's led to the OSCE serving as a platform for political dialogue and mutual control between the participants over its initial 15 years. As the emergence of new states after the collapse of USSR and SFRY, the Conference has included on its agenda matters related to ensuring human and minority rights, legal equality, forming democratic institutions and managing crises.

6.1.2. The Transition from the CSCE to OSCE

During a summit in Budapest in December 1994, the participants decided to rename the Organisation and effective 1 January 1995, its name became the Organisation for Security and Co-operation in Europe (OSCE). However, the political essence of the responsibilities assumed had not been changed.³⁹⁸

As a result of the terrorist attacks in the USA, global security threats that international organisations are facing have changed. The Bucharest anti-terrorist plan on the territory of the OSCE, adopted in 2001, and the Bishkek action plan that was coordinated at a mutual UN Committee conference for control over drugs and crime prevention, also adopted in 2001, focused on preventing and combating terrorism in Central Asia. A special representative of the OSCE Chairmanship who is in charge of combating terrorism has been appointed and an anti-terrorist section in the Secretariat,

³⁹⁶ OSCE, The 1990s (<http://www.osce.org/who/timeline/1990s>), last accessed on 12 April 2014.

³⁹⁷ Europe-Gateway, Aims and Activities (<http://www.europe.bg/htmls/page.php?id=1326&category=235>), last accessed in June 2012.

³⁹⁸ OSCE, Budapest Summit marks change from CSCE to OSCE (<http://www.osce.org/node/58703>), last accessed on 12 April 2014.

in whose programmes the European Union is an active participant, has been established.³⁹⁹ The wide-range essence of security in the context of the OSCE is closely related to the approach toward cooperation in solving various issues the Organisation deals with. The presumption is that cooperation could benefit all and the lack of security in one country or region could affect all. This principle is reflected in the equal status of all member countries of the OSCE and in the consensus model of making decisions, which is as important as the decisions themselves.

6.1.3. OSCE Security Dimensions

The OSCE security approach is directed toward a wide range of security issues including arms control, confidence and security building measures, human and national minorities' rights, democratization, strategies for police actions, the fight against terrorism, economic and environmental actions.⁴⁰⁰

The traditionally developed politico-military dimension since the time of the Cold War provides a platform for effectuating an institutionalized security issue dialogue and for negotiating specific measures in the field of arms control, disarmament, non-proliferation and CSBMs. The security conception would not be complete without the economic and environmental dimension which is based on the commonly accepted relation between security, democracy and prosperity. In this context the OSCE does its best to fully integrate each country's economy into the global economic system as well as to bring into effect key principles such as economic freedom, social justice and responsibility when it comes to the environment. In relation to the fulfilment of the second dimension engagements, the OSCE annually holds its environmental and economic forum in Prague. The key role and importance of the human dimension for the OSCE is predetermined by the all-range security through cooperation concept where the organisation emphasizes on the relations between each participant country to observe hu-

³⁹⁹ Shopov, V., R. Djubailova, I. Serbezov. European Union and the OSCE – State and development of relations in security and establishment of democratic values and traditions. Role of Bulgaria. Sofia, 2005 (www.logincee.org/file/8548/library), last accessed in May 2012.

⁴⁰⁰ OSCE, Who we are (<http://www.osce.org/who>), last accessed on 12 April 2014.

man rights and fundamental freedom within its territory.⁴⁰¹ Reacting to the demands of the evolving international and security environment, in 2013 the OSCE participating States have started a large scale review process of the Organisation's effectiveness, instruments, working methods and approaches to address old and new challenges to security. It was given the name "Helsinki+40" as a tribute to the origins of the OSCE but also targeting the approaching 40th anniversary of the Helsinki Final Act. The desired end-state of this process would be an OSCE which is not only a platform for dialogue but a security community stretching from Vancouver to Vladivostok.

6.2. OSCE Strategic Papers for Improving International Security

The context and the evolution of the OSCE security conceptions outline an interesting direction. The OSCE tries to maintain a balance between the "harsh" and "subtle" security changes which gives it the opportunity to realize a successful conceptual and strategic development in order to be an authoritative and respected organisation that provides good practices and policies in crisis regions.

The 90's were a pivotal point in the analysis, reformulation and expansion of the functions and the role of the OSCE. The priority which was focused mainly on the "harsh" security was expanded with the addition of new matters referring to the democracy process, the establishment of strong institutions and the ensuring of human rights. The comprehensive security approach is being implemented by the power of OSCE strategic documents.

6.2.1. The 1990 Paris Charter for a New Europe⁴⁰²

At the CSCE summit in Paris that took place on 19-21 November 1990, a year after the fall of the Berlin Wall, the vision of the new role of the organisation was discussed – the latter being the main guarantor of security in

⁴⁰¹ OSCE, Human dimension (<http://www.osce.org/odihr/43546>), last accessed on 12 April 2014.

⁴⁰² OSCE, Charter of Paris for a new Europe, Paris, 1990 (<http://www.osce.org/node/39516>), last accessed on 12 April 2014.

a Europe without division lines. It was then when some analysts saw in the Paris Charter the structure of a common European Constitution which was what the European federalists insisted on.

6.2.2. *The 1992 Helsinki Document “The Challenges of Change”*⁴⁰³

Two years after the CSCE New Europe Paris Charter was signed, a “Challenges to Change” final document was agreed on during a summit in Helsinki in 1992. The document established that for the first time in decades, the CSCE region was facing the possibility of war. The document granted the CSCE the status of a regional agreement in accordance with chapter VIII of the UN Charter and it became a preliminary instrument for early warning, preventing conflict, managing crises and post-war recovery in its zone.

6.2.3. *The Budapest “Document 1994 – Towards a Genuine Partnership in a New Era”*⁴⁰⁴

At a summit in Budapest in December 1994, the Budapest “Document ‘94 – Towards a Genuine partnership in a new era” was adopted. Its objective was to strengthen the CSCE. The fundamental CSCE change was outlined in it as new members joined and the role of the Organisation in forming a common security area increased.

The decision to change the name of the Organisation from CSCE to Organisation for Security and Co-operation in Europe (OSCE) was made. It was proposed that the capacity of the OSCE be expanded as well as its role in preventive diplomacy and that conflict solving possibilities be developed as well as those for crisis management and ensuring peace.

⁴⁰³ OSCE, Conference for Security and Co-operation in Europe, 1992, Helsinki (<http://www.osce.org/mc/39530?download=true>), last accessed on 12 April 2014.

⁴⁰⁴ OSCE, CSCE Budapest Document 1994 (<http://www.osce.org/mc/39554?download=true>), last accessed on 12 April 2014.

6.2.4. *The 1999 Istanbul Charter for European Security*⁴⁰⁵

At a summit in Istanbul in November 1999, an OSCE European security charter was accepted. It was a logical continuation of the process that commenced in Paris in 1990 and it emphasized the control over the distribution and usage of light arms and their destabilizing impact. The charter relies on the “strong democratic institutions” and the constitutional state. The aim of the charter is that European countries develop a higher degree of trust within themselves and that they should intensify their cooperation.

The charter also encourages economic reforms and the creation of market economies which are a condition to guaranteeing economic and social rights and strengthening the common security zone. The participants at the meeting agreed on a more ample application of the following measures: sending delegations to provide counsel and expertise during reforms of practices and legislation; sending personal representatives of the presiding country on missions to analyse facts and provide counsel; organizing training programmes for improving standards concerning the three security dimensions; organizing field operations in certain countries, etc.

6.2.5. *The 1999 Vienna Document of the Negotiations on Confidence and Security Building Measures*

As a result of the review of the 1994 Vienna Document (VD-94) the Forum for security adopted the “1999 Vienna Document” which includes a number of measures for perfecting the mechanisms already in existence for the purpose of exchanging military information by specifying the requirements and unifying the way of providing information.⁴⁰⁶ In 2010 a new impetus was given to the much needed process of substantial modernisation of the document in order to bring it in line with current military realities, which culminated in 2011 into the first update in the last twelve years with a procedure at place envisaging this to be done every five years.⁴⁰⁷

⁴⁰⁵ OSCE, Istanbul Summit 1999 (<http://www.osce.org/mc/39569?download=true>), last accessed on 12 April 2014.

⁴⁰⁶ OSCE, Vienna Document 1999 (<http://www.osce.org/fsc/41276?download=true>), last accessed on 12 April 2014.

⁴⁰⁷ OSCE Annual Report 2011 (<https://www.osce.org/sg/89356?download=true>), last accessed on 12 April 2014.

6.2.6. The 2003 Maastricht OSCE Strategy to address Threats to Security and Stability in the Twenty-First Century

The change in security zone threats was taken into consideration by the member countries while developing the OSCE strategy for managing security and stability risks in the 21st century. The latter was adopted by the Council of Ministers in Maastricht in 2003.⁴⁰⁸

The document outlines that security and stability threats in the OSCE region are more likely to evolve into negative, destabilizing consequences which are contrary to the politico-military, economic, environmental and human dimensions to a degree that far exceeds any major armed conflict.

6.3. Contracts Ratified under the Aegis of the OSCE

The OSCE has played a major role in improving international security due to its contribution toward establishing a unique network of contracts, engagements, norms and measures in the 1990's.

6.3.1. The Treaty on Conventional Armed Forces in Europe CFE

The treaty was signed in 1990 and was brought into effect on 9 October 1992. It established five categories of armament levels between NATO and the Warsaw Treaty states at the time: battle tanks, ironclad battle machines, artillery systems, battle planes and striking choppers. Thirty countries ratified the CFE. The final act of the negotiations for the adaptation agreement of the CFE was signed during a summit of heads-of-state and governmental leaders of OSCE countries on 19 November 1999 in Istanbul.⁴⁰⁹

In December 2007 the Russian Federation suspended the implementation of the treaty. Since then there have been constant efforts by interested states to overcome the impasse in order to find a way to revitalize and modernize the conventional arms control regime in Europe.

⁴⁰⁸ OSCE, Maastricht Ministerial Council (<http://www.osce.org/node/58689>), last accessed on 12 April 2014.

⁴⁰⁹ Ministry of Foreign Affairs of the Republic of Bulgaria (<http://www.mod.bg/bg/doc/cooperation/DOVS.pdf>), last accessed in May 2012.

6.3.2. *The 1992 “Open Skies” Treaty*

The “Open Skies” Treaty was signed on 24 March 1992 in Helsinki during a meeting of the ministers of foreign affairs of the OSCE member countries. It became effective 1 January 2002, after 26 countries ratified it. Later, the number of those countries grew to 34. The importance of equal security for all countries was affirmed as was noted the effectiveness of the “open skies” regime over Europe⁴¹⁰ – unarmed air flights for observation of the whole territory of the 34 countries that signed the treaty in the Northern hemisphere – from Vancouver to Vladivostok.

6.4. **Structure and Bodies of the OSCE**

The OSCE is a forum for political dialogue between the member countries that gives them the opportunity to mutually look for decisions based on sovereign equality and consensus. The Organisation is an operational structure that focuses on political and economic reforms needed to strengthen democratic stability as well as to effectively implement the principles and engagements of the OSCE.⁴¹¹

6.4.1. *Political Bodies of the OSCE*

6.4.1.1. OSCE Summits

The summits between the heads-of-state and governmental leaders of the OSCE member countries outline the Organisation’s prerogatives. The first summit was held in August 1975, when the foundational OSCE document was adopted, namely the Helsinki Final Act. Over the next 15 years the multilateral process that began in Helsinki was further developed into three meetings known as Review Conferences.⁴¹²

6.4.1.2. OSCE Ministerial Council

The Ministerial Council is a high political organ in the structure of the OSCE where ministers convene once every year – at the end of each presi-

⁴¹⁰ OSCE, The CSCE Declaration on the Treaty on Open Skies, Helsinki, 1992 (<http://www.osce.org/mc/16146>, last accessed on 12 April 2014).

⁴¹¹ Shopov, V., R. Djubailova, I. Serbezov. Op. cit.

⁴¹² OSCE, Summits (<http://www.osce.org/summits>), last accessed on 12 April 2014.

dential term and it is usually held in the country that presides the Organisation. The Council discusses political matters related to the actions of the OSCE and makes strategic decisions.

The initial meeting of the CSCE ministers of foreign affairs was held in Helsinki on 3-7 July 1973, when the beginning of the Helsinki process was established. The 1990 New Europe Paris charter marked the foundation of the “Council of the Conference on Security and Co-operation in Europe of foreign affairs”.

The 1992 Helsinki document affirmed its role as a central organ in making decisions and managing the OSCE as it provides it with a wider range of authority in the field of avoiding conflicts and managing crises. The 1994 Budapest document changed the name of the Council to Council of Ministers as it affirmed its major political role. The 2012 meeting in Dublin marked a low point of trust and confidence among states as no single operative decision in all three dimensions was adopted. At the same time, a new process was launched with the aim to restore the relevance of the OSCE and the quality of the political dialogue for which it has stood for so long.

However, regardless disputable “visions of security” among participating States, the OSCE Secretary General Lamberto Zannier expressed hope that within the “Helsinki +40 road map” divergences will be bridged and the Organization will be able to better address issues like fundamental freedoms in the digital age, efforts on combating corruption, money-laundering and the financing of terrorism.⁴¹³

The last Ministerial Council was held from 5-6 December 2013 in Kiev, despite the existing large-scale civil demonstrations in Ukraine that aimed to support the accession of the country to the EU. Major focus was given to the necessity of furthering the Helsinki + 40 Process, as well as appeal for bridging divergences and increase of efforts dedicated to strengthening

⁴¹³ OSCE Ministerial Council in Dublin (<http://www.osce.org/cio/97824>), last accessed on 23 September 2014.

the Euro-Atlantic and the Eurasian security.⁴¹⁴ By the end of 2013, 20 OSCE Ministerial Council meetings were held.⁴¹⁵

6.4.1.3. OSCE Chairmanship

The OSCE chairmanship is taken by the minister of foreign affairs of the country appointed to lead the Organisation for one year. The Chairperson-in-Office has crucial political functions related to avoiding conflicts and managing crises and, along with the former and upcoming Chairperson-in-Office of the Organisation, form the so-called “Troika”.⁴¹⁶ The OSCE Troika functions on a succession principle and utilizes the mechanisms for consultations and reaching a consensus while developing its cooperation with the UN, the EU, NATO and the Council of Europe.

6.4.1.4. Permanent Council of the OSCE

Between the meeting sessions of the Council of Ministers, the major political organ of the OSCE is the Permanent Council – an organ whose members meet regularly (weekly) for political consultations, headquartered in Vienna. Comprised of the permanent representatives of the OSCE member countries, it is charged with everyday operational functions and tasks.⁴¹⁷ Three committees are attached to it that are in charge of the respective security dimensions and various informal action teams which assist it in certain issues.

6.4.1.5. OSCE Forum for Security Co-operation (FSC)

The OSCE Forum for Security Cooperation (FSC) was founded at the OSCE summit in Helsinki in 1992. It is the institutional framework for actions in the field of the politico-military dimension and it is one of the two permanently functioning OSCE organs that convenes once a week in Vienna. It represents a unique platform for countries where they can discuss current security challenges. The member countries preside over the

⁴¹⁴ OSCE Ministerial Council in Kiev (<http://www.osce.org/cio/109228>), last accessed on 25 September 2014.

⁴¹⁵ OSCE, Ministerial Councils (<http://www.osce.org/mc>), last accessed on 12 April 2014.

⁴¹⁶ Ministry of Foreign Affairs of the Republic of Bulgaria, OSCE (<http://www.mfa.bg/bg/pages/view/36>), last accessed on 20 May 2012.

⁴¹⁷ OSCE, Permanent Council (<http://www.osce.org/pc>), last accessed on 12 April 2014.

Forum on a rotating principle for a period of four months. Since the OSCE is a unanimity based organisation consensus is required every time before taking a decision.⁴¹⁸



OSCE Permanent Council, Vienna, January 2014

6.4.2. OSCE Executive Structures

The *OSCE Secretary General* has administrative and representative functions. He or she is appointed by the Ministerial Council for a period of three years and he or she assists the presiding country and organizes the overall agenda of the OSCE.⁴¹⁹

The *OSCE Secretariat* is headquartered in Vienna, but there are some sections located in Prague which assists the Organisation operationally. The Secretariat has the following specialized departments: an anti-terrorist one, another that manages borders, one that combats human trafficking, a de-

⁴¹⁸ OSCE, Forum for Security Co-operation (<http://www.osce.org/fsc>), last accessed on 12 April 2014.

⁴¹⁹ Ibidem.

partment that aims to prevent emerging conflicts, one which is in charge of economic and environmental matters, another one that manages foreign cooperation, gender equality and a strategic police section.⁴²⁰

The *Conflict Prevention Centre* (CPC) is one of the most important OSCE Secretariat structures which directly assists and coordinates all actions within the field operations of the Organisation through regional bureaus and strong expertise dedicated to the first dimension (politico-military).

The CPC represents a model for a successful interaction between the specialized and geographical departments and units. The Centre operates in the field of early warning, conflict prevention, crisis management and post-conflict rehabilitation and thus it guarantees the implementation of the Organisation's political decisions.⁴²¹

The Conflict Prevention Centre is engaged in a number of projects and activities such as education and training, security border management, adequate management, solving problems related to the security in the OSCE member countries and their neighbouring regions.⁴²²

The *Office for Democratic Institutions and Human Rights*, based in Warsaw, is the chief OSCE institution dealing with the human dimension matters. A main element in its functions is to organize monitoring missions during election processes in each participating country of the OSCE and also to ensure support to the democratic institutions in the newly emerged democracies.⁴²³

The *Special Representative and Coordinator for Fighting Trafficking in Human Being*⁴²⁴ is appointed by the Chairperson-in-Office. The special representative is obliged to ensure swiftly coordination between the all three OSCE's dimensions. By doing so political efforts can better fight human trafficking.⁴²⁵

⁴²⁰ OSCE (<http://www.osce.org/secretariat>), last accessed on 12 April 2014.

⁴²¹ OSCE, Conflict Prevention Centre – Secretariat (<http://www.osce.org/secretariat>), last accessed on 12 April 2014.

⁴²² Ibidem.

⁴²³ OSCE, Office for Democratic Institutions and Human Rights (<http://www.osce.org/odihr>), last accessed on 12 April 2014.

⁴²⁴ OSCE (<http://www.osce.org/cthb/43180>). OSCE, Combating trafficking in human beings (<http://www.osce.org/secretariat/trafficking>), last accessed on 12 April 2014.

⁴²⁵ OSCE, Office for Democratic Institutions and Human Rights, Op. cit.

The *High Commissioner on National Minorities* (HCNM) serves as an instance for early warning and preventing conflicts at their initial stages in a given country or between member countries where there are ethnic conflicts.⁴²⁶ The High Commissioner's mandate contains guidelines for determining whether or not he should become involved in a particular situation and provides him with the necessary freedom of initiative in this regard. Despite the relative freedom of actions that the HCNM enjoys, the High Commissioner cannot function properly without the political support of the participating States. For the High Commissioner, the Permanent Council is the primary OSCE body as far as political support is concerned.

The *OSCE Representative's on Freedom of the Media* basic task is to co-operate with and assist the participating states in furthering free, independent and pluralistic media, which is crucial for a free and open society and accountable systems of government. It supervises the implementation of OSCE principles and commitments in respect of freedom of expression and media freedom by the participating states and secures a prompt reaction when their liberty is endangered or when there are unfavourable conditions for its functioning.⁴²⁷

The OSCE possesses a well-developed institutional structure. Besides the managerial and coordination functions carried out by the Secretary General and the OSCE Secretariat, it also has specified sections engaged in the various dimensions of its activities. Specialized structures also focus activities on such areas which have a crucial security role in combating human trafficking, assistance in establishing strong and democratic institutions and guaranteeing rule of law through monitoring of electoral processes, observing the rights of minorities and implementing the model of civil society.

6.4.3. Other Structures and Institutions of the OSCE

The *Parliamentary Assembly of the OSCE* (OSCEPA) was established in 1990 and it consists of 320 members who represent the Parliaments of all mem-

⁴²⁶ OSCE, OSCE High Commissioner on National Minorities, (<http://www.osce.org/hcnm>), last accessed on 12 April 2014.

⁴²⁷ OSCE, Representative on Freedom of the Media (<http://www.osce.org/fom>), last accessed on 12 April 2014.

ber participants. The main priority of this organ is to facilitate the inter-parliamentarian dialogue as this is considered a vital aspect of the common efforts to face democracy challenges within the OSCE framework.⁴²⁸

The *Court for Conciliation and Arbitration* headquartered in Geneva secures a mechanism for the peaceful resolution of arguments between the states. It was established in 1995 by power of the OSCE Convention for Conciliation and Arbitration that was signed by thirty-three countries in Stockholm in 1993.⁴²⁹

The *Minsk Group* is in charge of the OSCE's efforts toward finding a political decision to the conflict in and around Nagorno-Karabakh, in which conflict Armenia and Azerbaijan are involved. This group is presided by France, Russia and the USA.⁴³⁰

6.4.4. *Organs Connected to the OSCE*

The Joint Consultative group is based in Vienna and deals with matters related to the implementation of decrees from the Treaty on Conventional Armed Forces in Europe.⁴³¹ The "Open Skies" Consultative Commission is an organ that executes the decrees from the "Open Skies" Treaty, which provides for unarmed aerial observation flights for dispelling military concerns and increases trust and stability among its signatories.⁴³²

It consists of representatives of all the countries that have signed the Treaty. Meetings are held once a month in Vienna.⁴³³

⁴²⁸ OSCE, Parliamentary Assembly of the OSCE (<http://www.oscepa.org/about-oscepa>), last accessed on 12 April 2014.

⁴²⁹ OSCE, Court of Conciliation and Arbitration (<http://www.osce.org/cca>), last accessed on 12 April 2014.

⁴³⁰ OSCE, Minsk Group (<http://www.osce.org/mg>), last accessed on 12 April 2014.

⁴³¹ OSCE, Joint Consultative Group (<http://www.osce.org/jcg>), last accessed on 12 April 2014.

⁴³² OSCE, Treaty on Open Skies (<http://www.osce.org/library/14127>), last accessed on 26 September 2014.

⁴³³ OSCE, Open Skies Consultative Commission (<http://www.osce.org/oscc>), last accessed on 12 April 2014.

6.4.5. OSCE Field Operations

The “first generation” OSCE field operations for preventing and managing potential and ongoing conflicts was brought to pass on the basis of a mandate given by the 1992 Helsinki document entitled “Challenges to Change”. The objective is to overcome inner ethnic and political tension through intermediation; to supervise fulfilment of ceasefire agreements; to provide assistance for post-conflict rehabilitation; to prevent protracted conflicts from recurring in crisis regions in South East Europe and former USSR regions.

The Organisation sends “second generation” field missions with broadened range as it assumes responsibilities to establish democratic institutions, to endorse good management, to implement democratic practices, to achieve rule of law, freedom of media, economic development, to secure border management and police training. The field operations that the OSCE leads can be conditionally divided into three categories: Conflict Prevention, Conflict Resolution and Post-Conflict Rehabilitation.⁴³⁴

6.4.5.1. OSCE Field Operations for Prevention of Conflicts

6.4.5.1.1. OSCE Mission to Skopje

The OSCE mission in Skopje was launched in 1992 and so far has been the longest operation the Organisation has undertaken. The major mandate given at the beginning was for monitoring mobility along the border with Serbia and the other neighbouring countries in order to prevent excessive conflicts. In 2001, during the seven-month conflict in the country, the power of the mission grew considerably. During the same year in August, supported by the intermediation of the international community, the Ohrid package deal was signed and thus an end was put to the armed conflicts and the rights of all were guaranteed.⁴³⁵

⁴³⁴ Gazdag, F., EU and OSCE Approaches to Post-Conflict Rehabilitation, International Relations and Security Network, April, 2006 (<http://www.isn.ethz.ch/isn/Digital-Library/Publications/Detail/?ots591=0C54E3B3-1E9C-BE1E-2C24-A6A8C7060233&lng=en&id=25275>), last accessed on 12 April 2014.

⁴³⁵ OSCE, OSCE Mission to Skopje (<http://www.osce.org/skopje>), last accessed on 12 April 2014.

6.4.5.1.2. OSCE Mission in Estonia (Closed)

From 1992 to 2001, the OSCE established a mission in Estonia to assist the process of defining the status of Russian population in the country. The mandate included assisting the integration and understanding between the Estonian and Russian community, encouraging local mechanisms for facilitating the dialogue between them as contacts with national and local organs were established, more particularly the ones responsible for civility, migration, language matters, social services and employment.⁴³⁶

6.4.5.1.3. OSCE Mission in Latvia (Closed)

The Latvia mission started in 1993 and lasted until 2001. It assumed the responsibility of supervising the fulfilment of the Russian-Latvian agreement concerning the status of retired Russian military officers living in Latvia. Its objective was to decrease the existing ethnic tension and to prevent conflicts.⁴³⁷

6.4.5.1.4. OSCE Mission to Ukraine (Closed)

In June 1994, the OSCE decided to send a mission to Ukraine in order to prevent tension and to improve the mutual understanding between the Autonomous republic of Crimea (Ukraine); to facilitate the dialogue between the central government and the Crimean authorities regarding the autonomous status of the Crimean Republic; to assist in the development of free mass media means. The mission was headquartered in Kiev, however, it has an office in Simferapol as well. At the end of 1997 the number of its international personnel was reduced.⁴³⁸

6.4.5.1.5. The OSCE Project Co-ordinator in Ukraine

According to PC Decision No.295 of 1 June 1999 and following the closure of the OSCE Mission to Ukraine an OSCE Project Co-ordinator in Ukraine was established for the purpose of carrying out tasks related to the

⁴³⁶ OSCE, OSCE Mission to Estonia (<http://www.osce.org/node/43973>), last accessed on 12 April 2014.

⁴³⁷ OSCE, OSCE Mission to Latvia (<http://www.osce.org/node/43972>), last accessed on 12 April 2014.

⁴³⁸ OSCE, OSCE Mission to Ukraine (<http://www.osce.org/node/43976>), last accessed on 12 April 2014.

new form of co-operation between Ukraine and the OSCE. According to PC Decision No, 295, this co-operation is based on the planning, implementation and monitoring of projects between relevant authorities of Ukraine and the OSCE and its institutions. Such projects may cover all aspects of activities and may involve governmental as well as non-government bodies of Ukraine.

6.4.5.1.6. OSCE Mission to Serbia

In 2001, the Yugoslavian leader Slobodan Milošević had finally resigned and was arrested. In order to encourage democratic processes and to establish an adequate governance in Yugoslavia, the OSCE opened a mission there during the same year. After the declaration of independence of Montenegro (3 June 2006), the name of the mission was changed to the “OSCE mission in Serbia”. This change took place in Vienna on 29 June 2006. The main mandate of the field mission in Serbia was to encourage democratic processes including the Serbian aspiration to become an EU member, to modernize its legislation, to train its police organs and to strengthen media freedom and responsibilities.⁴³⁹

6.4.5.1.7. OSCE Mission to Montenegro

The OSCE Montenegro mission was commenced on 29 June 2006, after the government of Montenegro invited the OSCE in accordance with Decision 732 of the Permanent Council of the OSCE. The mandate of the mission was to assist Montenegro in ratifying democratic reforms, establishing European legislation and an independent judicial system, training the police, supporting independent media and free broadcasting, protecting human rights, securing rule of law and administrative capacity, as well as assistance for furthering the regional cooperation.⁴⁴⁰

The OSCE conflict prevention field missions aim at ratifying rule of law and democratic practices in society, encouraging interethnic dialogues, observing the rights of national minorities and sustaining the policies in order

⁴³⁹ OSCE, OSCE Mission to Serbia (<http://www.osce.org/serbia>), last accessed on 26 November 2014.

⁴⁴⁰ OSCE, OSCE Mission to Montenegro (<http://www.osce.org/montenegro/44406>), last accessed on 12 April 2014.

for them to become fully integrated. The missions in Macedonia, Estonia and Latvia focused on guaranteeing minority rights, whereas those in Ukraine, Southern Caucasus, Serbia and Montenegro aimed at establishing democratic governance and institutional stability.

6.4.5.2. OSCE Field Missions for Solving Protracted Conflicts

The end of the Cold War and the collapse of the Soviet Union marked the reshaping of international affairs as well the emergence of a new form of conflict. “Frozen, protracted or intractable”⁴⁴¹ are the usual definitions that accompany the state of “no peace no war”. The genesis of these conflicts refers to a “set of conditions that are responsible for the transformation of non-conflictual situations into conflictual ones”.⁴⁴²

Often neglected, due to the false perception of relative stability, these situations hold the potential to change the geometry of the region in which they persist, because of the considerably large military buildup around their borders. Neglecting economic and social development, for sake of defensive capabilities, the majority of states with protracted conflicts, experience numerous hurdles in their internal affairs, which ultimately might result in conflict escalation.⁴⁴³

The OSCE intent to contribute to negotiation processes oriented toward decreasing tension in some of the most complicated regional conflicts – Nagorno Karabakh in Azerbaijan, Abkhazia and Southern Ossetia in Georgia, Transnistria in Moldavia and Chechnya in Russia. Those “frozen conflicts” took place between 1989-1992. The Organization sent its missions there to work locally for an extended period. Their goal was to negotiate a political agreement regarding the status of those regions that had achieved certain independence, but which had not been recognized as autonomous states by the international community.

⁴⁴¹ Crocker, A., Hampson, F., *Grasping the Nettle: Analyzing Cases of Intractable Conflict*. Washington, DC: USIP Press. 2005.

⁴⁴² Azar, E., *The Management of Protracted Social Conflict: Theory & Cases*, Dartmouth Publishing Company, 1990.

⁴⁴³ Gergov, G., *Under what conditions protracted social conflicts effects negatively on states economics*, Vienna 2014.

6.4.5.2.1. OSCE Minsk Group Mission

The Minsk Group was established in 1992 and co-chaired by Russia, France and the United States. Their main aim is to encourage promptly and peacefully negotiated resolution to the conflict between Armenia and Azerbaijan over the Nagorno-Karabakh region. So far the usefulness of the Group is limited to maintain the status quo and to prevent further escalation of tensions. Thanks to the CSCE mission in Nagorno-Karabakh there have not been wide-range military actions for over twenty years.⁴⁴⁴

6.4.5.2.2. OSCE Mission to Georgia (closed)

One of the CSCE's greatest challenges was the situation in Georgia after it declared its independence.⁴⁴⁵ The OSCE Georgia mission was established in 1992 and was focused on assisting in the process of settling the Georgian-Ossetian conflict and later, to support UN efforts to settle the Georgian-Abkhazian conflict and to assist in establishing democracy and reforms in the country. In August 2008, as a result of an armed conflict, Russia took full control over Abkhazia and Southern Ossetia. After the diplomatic intervention on behalf of France, the so-called "Medvedev-Sarkozy" plan was adopted, by the power of which fire was ceased and the Russian army withdrew to its pre-conflict positions. The European Union sent over 200 observers to Georgia and the OSCE returned its military observers for prevention and accidents. The OSCE mandate in Georgia terminated on 31 December 2008.⁴⁴⁶

6.4.5.2.3. OSCE Offices in Baku and in Yerevan

The OSCE mandate in Southern Caucasus is wide and it incorporates all the aspects of OSCE activities in the politico-military, economic, environmental and human dimension. The focus is mainly on the democratic functioning of institutions, judicial and police effectiveness and on observing

⁴⁴⁴ OSCE, Facilitating dialogue, Interview with Ambassador Andrzej Kasprzyk (<http://www.osce.org/cio/104093>), last accessed on 12 April 2014.

⁴⁴⁵ OSCE, OSCE Mission to Georgia (<http://www.osce.org/georgia-closed/43383>), last accessed on 12 April 2014.

⁴⁴⁶ OSCE, Conflict prevention and resolution (<http://www.osce.org/what/conflict-prevention>), last accessed on 12 April 2014.

human rights. The OSCE offices in Baku, Azerbaijan,⁴⁴⁷ and Yerevan, Armenia⁴⁴⁸ were established in 1999 and are similar to those in Central Asia in terms of structure and functions. The OSCE Office in Baku was transformed into Project Co-ordinator in Baku on 1 January 2014 on the request of the Government of Azerbaijan. The OSCE Office in Baku was transformed into Project Co-ordinator in Baku on 1 January 2014, on the request of the Government of Azerbaijan, in accordance with PC Decision No.1092 of 26 July 2013 and with the aim to support co-operation between the Government of the Republic Azerbaijan and the OSCE and its institutions aimed at implementing OSCE principles and commitments. The Project Co-ordinator should carry out planning and implementation of projects between relevant national authorities and OSCE and its institutions. The projects covers all three dimensions of the OSCE comprehensive security concept, taking into account the needs and priorities of Azerbaijan.

6.4.5.2.4. OSCE Mission to Moldova

The conflict between the Transnistrian and the Kishinev central government authorities escalated in the spring of 1992. The severe fights resulted in several hundred victims and over 100 000 refugees. Fire was ceased in July 1992, after negotiations. In 1993 the CSCE sent a mission to Kishinev in order to sustain the efforts toward finding a peaceful solution to the conflict. Later, an Office was established in Tiraspol in Transnistria. Since 1999 the mission has been charged with removing and destroying Russian ammunition and armament in the region and guaranteeing transparency during the process.⁴⁴⁹

6.4.5.2.5. OSCE Assistance Group in Chechnya (closed)

The group was formed following the decision of the OSCE Permanent Council dated 11 April 1995, and was commissioned to encourage observance of human rights and fundamental freedom, development of democratic institutions and processes, including recovery of local authorities; to

⁴⁴⁷ OSCE, OSCE Mission in Baku (<http://www.osce.org/baku/43374>), last accessed on 12 April 2014.

⁴⁴⁸ OSCE, OSCE Office in Yerevan (<http://www.osce.org/yerevan/43387>), last accessed on 12 April 2014.

⁴⁴⁹ OSCE, OSCE Mission to Moldova (<http://www.osce.org/moldova/>), last accessed on 12 April 2014.

observe elections; to facilitate humanitarian aid to victims of the crisis; to provide assistance to the organs of the Russian Federation and to international Organisations in the process of securing the prompt return of refugees and those who were settled in a different place to their homes in the region of crisis; to encourage the peaceful resolution of the crisis and the stabilization of the situation in Chechnya.⁴⁵⁰

Territory division between former Soviet republics is accompanied by processes that influence not only their security but also the stability of the entire European continent. This process is extremely complicated because of the territorial disunion of national minorities and formed ethnic groups, which leads to the international community taking actions that define the status of both recovered and newly formed states and autonomous areas with diverse ethnic groups.

Undoubtedly, the OSCE field mission operations for solving conflicts play a tremendous role in ceasing armed confrontations, avoiding their expansion and reducing the number of civilian victims. This was greatly noticed during the Russian-Georgian conflict of 2008 when the coordinated actions of the European Union and the OSCE and the “Medvedev-Sarkozy” plan stopped the conflict from escalating.

6.4.5.3. OSCE Field Missions for Post-War Recovery

The most important tasks of the OSCE field missions related to post-conflict rehabilitation and long-term stabilization of countries and regions that have experienced “*militarized interstate dispute*”⁴⁵¹ have been achieving trust and understanding between the communities involved in such conflicts as well as establishing democratic governance.

⁴⁵⁰ OSCE, The OSCE Assistance Group to Chechnya (<http://www.osce.org/node/43969>), last accessed on 12 April 2014.

⁴⁵¹ Charles S. Gochman, Zeev Maoz, Militarized Interstate Disputes, 1816-1976 Procedures, Patterns, and Insights, *The Journal of Conflict Resolution*, Vol. 28, No. 4 (Dec., 1984), pp. 585-616 (<http://www.jstor.org/discover/10.2307/173983?uid=3737528&uid=2&uid=4&sid=21104786504283>), last accessed on 23 September 2014.

The three most significant large-scale OSCE missions of this type are the ones in Bosnia and Herzegovina, Croatia and Kosovo. Those missions began to function immediately after the end of the armed conflicts that led to casualties, oppression, destruction and hatred. The OSCE participated in the post-war reconstruction of Albania after 1997.

6.4.5.3.1. Missions in Central Asia

After the dissolution of the USSR, the Central Asian countries Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan faced grave challenges – a situation between their desire to establish a civil society, democratic institutions and multi-party political system and the aspiration of authoritarian communist leaders to keep their power even after the changes.

The first OSCE office in that region was established in the Tajik capital Dushanbe in 1994 (consequently, five more field offices were opened in the country) in order to help the recovery of the country after the civil war. Between 1997 and 2002, the missions helped the work of the Commission for national reconciliation in Tajikistan after which it was transformed into a centre similar to the rest of the OSCE centres in Central Asia.⁴⁵²

In 1995 the OSCE established a communications office in Tashkent, Uzbekistan that was responsible for the whole Central Asia region. Later on, the OSCE opened offices in other former Soviet republics – Astana (Kazakhstan),⁴⁵³ Bishkek (Kyrgyzstan),⁴⁵⁴ Ashkhabad (Turkmenistan).⁴⁵⁵ Despite the scarce personnel, those offices were actively involved in the three major OSCE dimensions.

After the April 2010 crisis and the consequent hostility and aggression in June of the same year, the OSCE sent a special representative to Kyr-

⁴⁵² OSCE, OSCE Office in Tajikistan (<http://www.osce.org/tajikistan>), last accessed on 12 April 2014.

⁴⁵³ OSCE, OSCE Centre in Astana (<http://www.osce.org/astana>), last accessed on 12 April 2014.

⁴⁵⁴ OSCE, OSCE Centre in Bishkek (<http://www.osce.org/bishkek/>), last accessed on 12 April 2014.

⁴⁵⁵ OSCE, OSCE Centre in Ashgabat (<http://www.osce.org/ashgabat/>), last accessed on 12 April 2014.

gyzstan whose task was to relieve the dialogue and to coordinate the efforts with the other international Organisations in order to minimize tensions.⁴⁵⁶

6.4.5.3.2. OSCE Mission to Bosnia and Herzegovina

This mission was established in Sarajevo in December 1995 on the basis of the Dayton package deal for peace which was signed in Paris in December 1995, as well as the consequent decisions of the international community. The OSCE assumed the responsibility of bringing into effect many of the decrees of the peace agreement and established its regional centres in Tuzla, Mostar and Banya Luka; 14 smaller field offices and 6 political resource centres.

The OSCE mission played an active role in projects that assisted in overcoming cultural-ethnic division between the three major ethnic groups, restructuring the army under civil control, disarmament activities and destruction of land mines and light arms that remained from the period of military actions.⁴⁵⁷

6.4.5.3.3. OSCE Mission to Croatia (Closed)

In April 1996, the Permanent Council of the OSCE decided to send a mission to Croatia after the destructive war that began when Tito's Yugoslavia fell apart. The armed conflict caused vast destruction, took numerous victims and caused people to flee. The objective was to assist the Croatian authorities and the interested sides in guaranteeing human rights as well as those of people that were part of national minorities. The mandate also included support to establish a legislative system and development of democratic institutions.

At the end of 2007, the mission came to an end and was replaced with an OSCE office in Zagreb that was given a mandate to observe the processes connected with war crimes and to report on the carrying out of the programme for securing homes for Croatian Serbians who suffered because of

⁴⁵⁶ OSCE, Conflict prevention and resolution (<http://www.osce.org/what/conflict-prevention>), last accessed on 12 April 2014.

⁴⁵⁷ OSCE, OSCE Mission to Bosnia and Herzegovina (<http://www.oscebih.org/Default.aspx?id=156&lang=EN>), last accessed on 12 April 2014.

the war.⁴⁵⁸ At the end of 2011 the OSCE Office in Zagreb was closed view to the accession of Croatia to the EU.

6.4.5.3.4. The OSCE Missions in Kosovo

The first OSCE mission in Kosovo (based in Pristina and with permanent presence in Pech and Prizren) was conducted as part of the group of missions in the former Yugoslavia for a longer period of time along with the one in Novi Pazar (Sandjak) and Subotica (Voyvodina) created in 1992. The missions had a common office in Belgrade.⁴⁵⁹ They were taken out of the city in July 1993, after the expiration of the Memorandum for Understanding due to the fact that the Federal Republic of Yugoslavia's membership in the CSCE/ OSCE was discontinued.

The second OSCE mission in Kosovo (October 1998 - March 1999) functioned as a verifying one. Until the mission was withdrawn after the Rambouillet negotiations had failed, about 1400 OSCE verifying employees controlled the implementation of Resolutions 1160 and 1199 of the UN Security Council on behalf of the Federal Republic of Yugoslavia.

The current third Kosovo mission was situated by virtue of the OSCE Permanent Council on 1 July 1999, under the aegis of the UN. Its purpose was to assist the country in establishing independent institutions for a democratic society, to encourage observing human rights and rule of law, to improve security and to keep public peace.⁴⁶⁰ At the end of 2005, the mission changed its focus and began to monitor the implementation of the newly established reforms.

6.4.5.3.5. OSCE Presence in Albania

In response to the collapse of lawfulness and public peace in the whole of Albania in 1997, the OSCE Permanent Council took decision to send a mission on 27 March 1997. The mandate of the mission was updated in

⁴⁵⁸ OSCE, OSCE Mission to Croatia (<http://www.osce.org/node/45520>), last accessed on 12 April 2014.

⁴⁵⁹ OSCE, The OSCE Missions of Long Duration (<http://www.osce.org/node/43978>), last accessed on 12 April 2014.

⁴⁶⁰ OSCE, OSCE Mission in Kosovo (<http://www.osce.org/kosovo/>), last accessed on 12 April 2014.

December 2003. The OSCE field mission assisted the judicial and legal reforms, the regional-administrative reform, the electoral reform, the prevention of human trafficking, fight against corruption, establishing independent mass media means, etc.⁴⁶¹

The OSCE missions are considered to have a positive effect by both states involved in a given conflict and the local communities, by which consideration their effectiveness is increased. The OSCE field missions for post-war development focus primarily on instruments connected with the economic development of the specific region and the integration of each minority and ethnic community. The OSCE establishes a capacity for managing crises in each stage of their development – prevention, ceasing conflicts and post-conflict recovery. The Organisation plays a crucial role in the conflicts on the Western Balkans.

6.4.5.4. Special Monitoring Mission in Ukraine

The OSCE's responses to the crisis in Ukraine range from high-level diplomacy and multilateral dialogue, addressing concerns over fundamental freedoms and human rights, through to monitoring, fact-finding and military visits.

Following a request of Ukraine to the OSCE, the Special Monitoring Mission was established with a consensus decision No.1117 of the OSCE Permanent Council of 21 March 2014, initially deployed for a period of six months until 20 September 2014, which later was extended by request of the President of Ukraine for another six-month period. The monitors are expected to reduce tensions between involved actors and to foster peace, stability and security. It is worthy to mention that the OSCE possesses no military capacity.⁴⁶²

Observers aim is to inspect various problematic areas and to issue reports on daily-basis regarding the developments on the ground. Major disputed question is the possibility of sending OSCE observers to Crimea. One par-

⁴⁶¹ OSCE, OSCE Presence in Albania (<http://www.osce.org/albania/>), last accessed on 12 April 2014.

⁴⁶² OSCE Special Monitoring Mission to Ukraine, Conflict prevention and resolution (<http://www.osce.org/ukraine-smm/117733>), last accessed on 24 September 2014.

anticipating state claims that OSCE mandate does not allow any OSCE operations within Crimea, which limits the ability to receive comprehensive information regarding the events in and around Ukraine.⁴⁶³

The overall aim of the mission is to contribute, throughout the country and in co-operation with the concerned OSCE executive structures and relevant actors of the international community (such as the United Nations and the Council of Europe), to reducing tensions and fostering peace, stability and security; as well as to monitoring and supporting the implementation of all OSCE principles and commitments.

The mandate of the SMM is to: gather information and report on the security situation in the area of operation; establish and report facts in response to specific incidents and reports of incidents, including those concerning alleged violations of fundamental OSCE principles and commitments; monitor and support respect for human rights and fundamental freedoms, including the rights of persons belonging to national minorities; to establish contact with local, regional and national authorities, civil society, ethnic and religious groups, and members of the local population; facilitate the dialogue on the ground in order to reduce tensions and promote normalization of the situation; report on any restrictions of the monitoring mission's freedom of movement or other impediments to fulfilment of its mandate; co-ordinate with and support the work of the OSCE executive structures, including the High Commissioner on National Minorities, the OSCE Office for Democratic Institutions and Human Rights and the OSCE Representative on Freedom of the Media, in full respect of their mandates, as well as co-operate with the United Nations, the Council of Europe and other actors of the international community. Upon agreement of the Permanent Council the Monitors were initially deployed to Kherson, Odessa, Lviv, Ivano-Frankivsk, Kharkiv, Donetsk, Dnepropetrovsk, Chernivtsi, Luhansk, while the Head Office was situated in Kiev. As of 31 October 2014 the Mission consists of a total strength of 419, with 252 field monitors and 100 vehicles as of 15 September from more than 40 OSCE par-

⁴⁶³ Henry Farrell, *The Washington Post*, Five key questions – and answers – about the OSCE mission in Ukraine, 25 March 2014, (<http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/03/25/five-key-questions-and-answers-about-the-osce-mission-in-ukraine/>), last accessed on 24 September 2014.

ticipating States. Each monitoring team consists of a team leader and at least nine or more monitoring officers. The monitors work in small groups on a shift basis to ensure cover on the ground 24 hours a day, seven days a week. Each participating State can second monitors to take part in the Mission. The Mission is headed by the Chief Monitor, Ambassador Ertugrul Apakan of Turkey. He was appointed by the OSCE Chairperson-in-Office, the Swiss Foreign Minister Didier Burkhalter on 2 April 2014. The Chief Monitor is assisted by two Deputy Chief Monitors, Mark Etherington of the United Kingdom and Alexander Hug of Switzerland.

6.5. Partnership between the OSCE and the European Union

In his declaration at a special plenary session of the OSCE Permanent Council in September 2002, the High European Representative for CFSP Javier Solana defined the two Organisations as naturally born partners that share a common future and a common past. The EU and the OSCE, being influential regional organisations, truly share common values and have mutual interests although the essence and the range of their activities are significantly different. However, the constant interaction between them is a permanent characteristic of their most recent history.⁴⁶⁴

6.5.1. Basics of the Relations between the OSCE and the European Union

Since the beginning of the Helsinki Process the European Union/European Council has played an essential role in the work of the CSCE/OSCE. The European Commission made a significant contribution to the Helsinki Final Act in 1975, which was signed by the Italian Presidency of the Council on behalf of the European Community. It is common for the OSCE to add “Chairmanship/EU” to the tag of the country which takes over on a rotating principle. The Chairman of the Commission signed

⁴⁶⁴ Ruiz Díaz, Lucas J. Reconfiguring the European Security Space: the Increasing Complexity of the EU – OSCE Relationship, 11–14 July, 2011 (<http://www.peacekeeping-cost-is0805.eu/sites/web/images/ACTIVITIES/Publications/Lucas%20Ruiz%20-%20Reconfiguring%20the%20European%20Security%20space.%20The%20increasing%20complexity%20of%20the%20EUOSCE%0relationship.pdf>), last accessed on 20 May 2012.

the Paris Charter for a New Europe as well as the Charter for European Security together with the European Union Presidency.⁴⁶⁵ The CSCE's transition to Organisation for Security and Cooperation in Europe in 1995 plus the increase in operation activities and capacities in the field of conflict prevention, crisis management and post-conflict recovery contribute to the encouragement of synergy and to the avoidance of undertaking the same actions on behalf of the two Organisations.⁴⁶⁶

The cooperation dimensions between the OSCE and the EU have been expanding as the EU Common Security and Defence policy develops and the first European crisis management operations launched within it. The process has been developing alongside the ever-increasing EU engagement concerning other OSCE member countries enhanced by the signing of the treaty for stabilizing and associating regions such as the Balkans, Southern Caucasus and Eastern Europe.⁴⁶⁷

The operational priorities between the EU and the OSCE were defined: early warning activities, conflict prevention, post-conflict recovery; expansion of the activity range of the OSCE in the politico-military dimension by the so called "soft security"; implementing the values and standards of the OSCE in the Euroatlantic zone; distributing the EU welfare model through the economic and environmental dimension; assisting the OSCE in adapting to new circumstances and, in order to achieve that, the EU assumes that reforms are needed to improve the political and administrative management of the Organisation.⁴⁶⁸

The EU is rather influential when it comes to putting the agenda together and carrying out the decision-making process in the OSCE, for its members are half of the OSCE participating countries (28 of 57). The EU member countries and the European Commission are among the main OSCE partners in terms of financing and realizing projects in the three

⁴⁶⁵ OSCE (<http://www.osce.org/ec/43243>), last accessed on 12 April 2014.

⁴⁶⁶ European Commission, The EU's relations with the Organisation for Security and Cooperation in Europe (http://ec.europa.eu/external_relations/organisations/osce/index_en.htm), last accessed on 12 April 2014.

⁴⁶⁷ Zellner, W. Managing Change in Europe. Evaluating the OSCE and Its Future Role: Competencies, Capabilities, and Missions. CORE. Working Paper 13.

⁴⁶⁸ Shopov, V., R. Djubrailova, I. Serbezov. Op. cit.

dimensions of the Organisation, covering its action zone as the former contributes nearly 2/3 to its budget.⁴⁶⁹ The cooperation between the EU and the OSCE has become a vital part of the overall activities of the latter Organisation. This principle was confirmed both by the Platform for Security and Cooperation (part of the Charter for European Security) signed in Istanbul in 1999 and it defines the cooperation instruments with regional groups and also the Strategy for Addressing Threats to Security and Stability in the 21st century which was adopted in Maastricht in 2003 and further developed the instrumentality in question.

6.5.2. Cooperation Framework

On a political and operational level the relations between the OSCE and the European Union are maintained through:

- consultations between the respective threesomes and the Secretary General of the OSCE on a ministerial level and on an ambassadorial/political level of the Security Committee;
- European Union Chairmanship addresses to the OSCE Permanent Council;
- invitations to the Secretary General/High Representative and the Commissioner of Foreign Affairs to address the Ministerial and Permanent Councils of the OSCE;
- invitations to OSCE representatives to informal meetings of the respective commissions or operational teams of the EU;
- contacts between the Secretary General and the EU Commissioner of Foreign Affairs and the Secretary General/ High Representative for the Common Foreign and Security Policy;
- European Commission participation in the working process of OSCE organs through its delegation in Vienna;
- annual conversations on a personnel level concerning current affairs reflected in the agenda of each Organisation.

⁴⁶⁹ OSCE, Secretariat, External Co-operation (<http://www.osce.org/ec/43243>), last accessed on 12 April 2014.

6.5.3. Cooperation in the Field of Crisis Management

The intensifying of cooperation is reflected in the security strategies of both organisations which outline the main agenda concerning contribution to security and stability in and around Europe. The EU uses the potential of all three OSCE dimensions to the maximum according to the goals set by the Common Foreign and Security Policy (CFSP) while at the same time the EU is engaged in further establishing security and stability in the OSCE zone based on democratic principles, good management, rule of law, human rights observation. After the end of the Cold War, both the EU and the OSCE worked on wide-range strategies and instruments in order to cope with crises and to strengthen European security. Main priorities are the anti-terrorism actions, armament control and combating international crime. Those strategies include human rights issues, social-economic development, clear management and rule of law. In recent years, the environmental policies' significance has been growing.⁴⁷⁰

The joint efforts of the EU and the OSCE related to certain regional matters are instruments for preventing crises from future escalation and stabilizing situations such as the ones in Southern Serbia in 2000-2001. The result of such efforts was the Ohrid Package deal dated 13 August 2001.⁴⁷¹

The close cooperation between the EU and the OSCE is a vital element in the development of an international and wide-range approach to crisis management which requires the effective implementation of both military and civil means. The wide-range methods and instruments of these Organisations are a positive step toward their adaptation to a new stability scenario after the events of 11 September 2001. The EU and the OSCE have the preventive capabilities to deal with conventional and non-conventional threats identified in their security programmes.

⁴⁷⁰ European Parliament Resolution of 11 November 2010 on “Strengthening OSCE – the role of the EU” (2012/C 74 E/04), last accessed on 12 April 2014.

⁴⁷¹ OSCE, NATO – External Co-operation (<http://www.osce.org/ec/43242>), last accessed on 12 April 2014.

6.6. Other Partnerships the OSCE has developed

The OSCE has broad competencies in the field of security as it maintains cooperative relations with Mediterranean (Algeria, Morocco, Egypt, Israel, Jordan and Tunisia) and Asian partners (Japan, Republic of Korea, Thailand, Afghanistan, Mongolia and Australia) as well as with international organisations such as the UN, NATO and the Council of Europe.

No country by itself or even an international organisation has the capacity, nor the potential, to deal with all security threats alone. This requires establishing dialogues, coordination, information exchange and intensified cooperation with other partner organisations. All of these should comprise the main methods in the work of the OSCE. The Mediterranean and Asian partners have a tremendous role in this process.

6.6.1. *OSCE Mediterranean Partners for Cooperation*

The OSCE has special cooperation relations with six Mediterranean countries: Algeria, Egypt, Jordan, Tunisia, Morocco and Israel. This relationship was established at the time of the Helsinki process and the Helsinki Final document (1975) which included a Mediterranean chapter where it says that European security is closely related to Mediterranean security. The direct relationship was reflected in the subsequent documents of the CSCE/OSCE – The Charter for European Security from Istanbul and the OSCE Strategy from Maastricht for Dealing with Security and Stability Threats in the 21st Century.⁴⁷²

The OSCE has been working in cooperation with its Mediterranean partners for over 35 years. During the first twenty years their relations were limited to official declarations which reiterate the messages of the Helsinki Final Act – that European security is connected to Mediterranean security and vice versa.⁴⁷³ During a Council of Ministers in Rome in 1993, Algeria,

⁴⁷² OSCE, Mediterranean Partners for Co-operation (<http://www.osce.org/who/84>), last accessed on 12 April 2014.

⁴⁷³ IPI International Peace Institute, The OSCE-Mediterranean Partnership and the Arab Uprisings, 2011 (http://reliefweb.int/sites/reliefweb.int/files/resources/osce_mediterranean.pdf), last accessed on 12 April 2014.

Egypt, Israel, Morocco and Tunisia expressed the desire to establish closer relations with the CSCE. This political will led to the latter consideration for more concise relations of the five countries at a summit in 1994 when it was decided that those states would be invited to the sessions of the Council of Ministers, the Review Conferences and the sessions of the OSCE Threesome. By doing so, they would be provided with access to the OSCE official documents as well as the opportunity to express their standpoints on matters of mutual interest.⁴⁷⁴

In 1994, a permanently functioning Contact Group was created which holds meetings six times a year in Vienna on an ambassadorial level. The cooperation with the Mediterranean partners is maintained by the upcoming presiding country of the OSCE whose representative is in charge of the Contact Group's actions. In 1995 the Permanent Council accepted Decision № 233 and invited the Mediterranean partner countries to participate with supervisors to the missions of the Office for Democratic Institutions and Human Rights (ODIHR) to the OSCE.⁴⁷⁵

In the 2003 OSCE Strategy for Combating Security and Stability Threats in the 21st century, later confirmed by the 2007 Madrid Declaration, the OSCE participant countries encouraged the Mediterranean and Asian partners to “voluntarily implement the OSCE principles and the assumed responsibilities” and at the same time the rest OSCE partners declared they would readily assist them in this aspect.⁴⁷⁶

The 2011 Vilnius cooperation decision outlined the specific future steps toward expanding the range and intensifying the political and practical interaction with them in all the three security dimensions of the Organization.

The Mediterranean partnership is a platform for nipping a number of crisis situations in the bud. The reason lies in both the extensive geographical area that OSCE activities cover and the diverse essence of the partner Organisations which differ from a political, economic and cultural point of view.

⁴⁷⁴ Ibidem.

⁴⁷⁵ Ibidem.

⁴⁷⁶ Ibidem.

6.6.2. *Asian Partnership for Co-operation with the OSCE*

The foundations of the cooperation between the OSCE and its Asian partner countries were laid at the beginning of the 90's when the structures of the Organisation were established. Japan was granted its OSCE partner status in 1992, the Republic of Korea – in 1994, Thailand – in 2000, Afghanistan – in 2003, Mongolia – in 2004.⁴⁷⁷

The partnership with those Asian countries is based on two leading principles: sharing the experience of the OSCE and the benefit of the partners' contribution. The aforementioned countries sustain the values and responsibilities of the OSCE and have taken steps toward their voluntary implementation.⁴⁷⁸

During the 1992 summit in Helsinki, the CSCE countries agreed on developing their relationships with Japan in its capacity of a non-participating country, thus laying the grounds for establishing a dialogue with the Asian Partners for Co-operation (APCs). They appreciated Japan's considerable interest in OSCE topics and its active participation in the European cooperation including its contribution to the work of the Organisation by sending personnel to OSCE missions, ODIHR missions for observing elections and subsidizing OSCE projects in this area.⁴⁷⁹

In 1994 the Republic of Korea became a member country of the OSCE. It participated in a few ODIHR missions for observing elections. In 2003 the country hosted a seminar concerning the application of OSCE measures for establishing trust and security in North East Asia.⁴⁸⁰

Thailand's joining the Asian partnership in 2000 led to an intensified dialogue with the rest of the regional partners regarding the human dimension matters, especially human trafficking, and encouraged the development of relations with the ASEAN (ARF) Regional Forum. In 2005 Thailand hosted a pivotal seminar discussing traffic combat held in Bangkok and

⁴⁷⁷ OSCE (<http://www.osce.org/de/node/111473>), last accessed on 12 April 2014.

⁴⁷⁸ Ibidem.

⁴⁷⁹ Ibidem.

⁴⁸⁰ Ibidem.

also a mutual OSCE-ARF seminar about preventive diplomacy within the boundaries of the OSCE conference in Japan in 2004.⁴⁸¹

Afghanistan became a member country in 2003. In 2004 and 2005 the OSCE sent teams for election campaign support to assist the Afghan Parliament and presidential elections and to provide recommendations for the improvement of the Afghan election process in accordance with the commonly agreed-on international standards.⁴⁸²

Mongolia joined in 2004. Its participation involved sending police observers to a seminar in Kyrgyzstan in 2005. It hosted the mutual conference between the OSCE and its Asian partners for cooperation entitled “Strengthening the Cooperative Security between the OSCE and the Asian Partners for Cooperation”, which took place on 12-13 June 2007.⁴⁸³

In 2012 at the Dublin Ministerial meeting Mongolia became the 57th OSCE participating state – a fact that committed the country to the norms and principles of the Organisation and established a model of engagement evolving from partnership to full-fledged participation.

In 2003 the Asian Contact Group was created. It provides the Asian partners with the opportunity to be informed about the development of events and activities carried out in the OSCE region as well as in Asia. The annual conferences with the Asian partners provide an exchange of ideas in areas such as regional cooperation, fighting human trafficking and implementing the OSCE measures for establishing trust in Asia.⁴⁸⁴

In 2009 Australia was granted the status of a partner for cooperation and was invited to take part in sessions of the Contact Group. In the Asian region Australia participates in OSCE summits and it also assists the practical work of sustaining the OSCE values.⁴⁸⁵

⁴⁸¹ Ibidem.

⁴⁸² Ibidem.

⁴⁸³ Ibidem.

⁴⁸⁴ Ibidem.

⁴⁸⁵ Australian Minister for Foreign Affairs and Trade, Australia becomes an Asian Partner for Cooperation of the OSCE, 2009 (<http://www.foreignminister.gov.au/releases/2009/fa-s091203.html>), last accessed on 12 April 2014.

The impact of the summit of the OSCE in Astana in the Euro-Asian zone is felt throughout this spacious area. As a country presiding over the OSCE in 2010, Kazakhstan contributed significantly to the process of intensifying the cooperation with regional structures such as the Shanghai Cooperation Organisation (SCO), the Conference for Interaction and Confidence-Building Measures in Asia (CICA), Asian Cooperation Dialogue (ACD), the Economic Cooperation Organisation (ECO), etc.⁴⁸⁶

The Asian cooperation significantly adds to the expertise established by the OSCE and increases its potential. During the course of the work of the Organisation, the mutual commitment between the member countries and their partners is taken into account regarding both their regional affiliation as well as their current position connected with security at a global level.

6.7. Cooperation with the UN

The OSCE admits that the UN Security Council has the main responsibility of keeping world peace and security. Thus the United Nations is a key strategic partner of the OSCE. In 1992 the participating countries declared the OSCE (at that time it was called the CSCE) “a regional treaty according to the 8th chapter of the Charter of the United Nations”. In 1992 the United Nations Secretariat and the CSCE agreed on their cooperation range and, the same year, the UN granted the CSCE the statute of an observer.⁴⁸⁷

After 11 September 2001, the cooperation was intensified in order for the OSCE to be able to actively be involved in the work of the United Nations and its specialized organs in their global anti-terrorist efforts. The mutual agenda of both the UN and the OSCE includes the ratifying and the implementation of a model of twelve universal instruments for combating terrorism.⁴⁸⁸ The 2005 summit encouraged the United Nations to expand its consultations and cooperation with regional organisations. On 17 October 2005, the UN Security Council accepted the S/RES/1631 Resolution, by which cooperation with regional organisations was strengthened.⁴⁸⁹

⁴⁸⁶ Ibidem.

⁴⁸⁷ OSCE (<http://www.osce.org/networks/111477>), last accessed on 12 April 2014.

⁴⁸⁸ Ibidem.

⁴⁸⁹ Ibidem.

In response to the expressed desire on behalf of the United Nations for the further strengthening of cooperation, the OSCE Permanent Council accepted a Cooperation Declaration with the UN in 2006. The OSCE regional operations are carried out in close cooperation with the United Nations; for example, the OSCE Kosovo mission is an inseparable part of the UNMIK UN mission and the OSCE Georgia mission supports the efforts of the UN in solving the conflict in Abkhazia.

There is multiple-level cooperation between the two organisations. The Chairmanship and the Secretariat of the OSCE keep close relations with the UN specialized organs and agencies through frequent consultations and the so-called “cross representation” at meetings. The OSCE participates in the annual top level leadership debate of the United Nations between the Secretary General of the UN and regional and intergovernmental organisations.

6.8. Cooperation with NATO

On a political level, NATO and the OSCE consult one another mutually regarding regional security matters, as each organisation develops its own initiatives directed toward the countries from the Mediterranean region.⁴⁹⁰

On an operational level, the cooperation for preventing conflicts, managing crises and post-conflict recovery is especially active on the Western Balkans where the two organisations make mutual efforts on location. Their participation in the wide-range international operations for maintaining peace and post-conflict recovery in Bosnia and Herzegovina and in Kosovo marked the beginning of a successful model for practical interaction based on the comparable advantages of the two organisations – NATO military expertise and the experience of the OSCE in the field of establishing institutions and civil society, observing human rights, police activities, etc.⁴⁹¹

⁴⁹⁰ NATO, NATO's relations with the OSCE (http://www.nato.int/cps/en/natolive/topics_49911.htm), last accessed on 12 April 2014.

⁴⁹¹ Ibidem.

6.9. Cooperation with the Council of Europe

The Office for Democratic Institutions and Human Rights (ODIHR) of the OSCE works in close cooperation with diverse structures of the Council of Europe, such as the Parliament Assembly and the Venetian Commission for Democracy. This partnership involves areas such as combating terrorism, discrimination and observing elections.⁴⁹²

Both organisations encourage the observation of human rights, democracy and rule of law as they are vital elements of political stability, good management, economic development and socially sustainable communities.⁴⁹³

The relations between the Council of Europe and the OSCE became official in April 2000, in a “Common Catalogue of Cooperative Rules and Order”. The document guaranteed that the good practice which had already been in existence would continue in order to avoid repetition and to make way for future mutual actions. The Declaration for Intensified Cooperation between the Council of Europe and the OSCE was signed in 2005 by the rotary OSCE Chair-in-Office and by the President of the Committee of Ministers of the Council of Europe as a new stage of the cooperation between the two organisations.⁴⁹⁴

The cooperation between the Council of Europe and the OSCE focuses on four priority areas: combating terrorism, defending national minorities, combating human trafficking as well as tolerance and non-discrimination issues.⁴⁹⁵ The OSCE and the Council of Europe have a common goal-encouraging stability through democracy, rule of law and the observation of human rights in Europe.⁴⁹⁶ The High Commissioner of National Minorities works in close cooperation with the Council of Europe concerning the freedom of mass media and revision of media legislation and the campaign for criminalizing offense.⁴⁹⁷

⁴⁹² Council of Europe, external relations, OSCE (http://www.coe.int/t/der/osce_EN.asp), last accessed on 12 April 2014.

⁴⁹³ Ibidem.

⁴⁹⁴ Ibidem.

⁴⁹⁵ Ibidem.

⁴⁹⁶ Ibidem.

⁴⁹⁷ Ibidem.

The OSCE field missions function in close cooperation with the Council of Europe regarding matters of human rights, civility and establishing democracy.⁴⁹⁸

A group comprised of representatives of the OSCE Threesome, the Office of the Council of Europe and the two secretariats was created in 2004. The coordination group convenes once every two years to discuss cooperation and priority areas. Today cooperation between the OSCE and the Council of Europe exists in practically all areas that pose risks to security. They include global threats related to terrorism and human trafficking and also activities for guaranteeing universal values such as human rights, tolerance, lack of discrimination, and protection of national minorities.

* * *

The transformation of security threats and risks on a global basis at the beginning of the 21st century led to the necessity of interaction and coordination between all international organisations devoted to security zone issues. Unlike the Cold War period when opposition was the foundation of ideological division, the threats of today put all democratic countries in danger. In this aspect, the OSCE is a platform that unites the European countries providing a broader decision-making area than that in the EU alone.

This allows for a wider spectrum of measures and policies to be applied regarding the counteraction of security risks, prevention and crises management. The process of establishing partnerships with other international and regional organisations will undoubtedly further continue. The OSCE has been called to find solutions to problems that would arise not only in terms of observing the international legal order but also such related to the increase in global population and resource deficiency.

In a short-term perspective, climate changes, depletion of natural resources and the deficiency of fundamental goods might provoke conflicts in large global regions. Taking all of this into consideration, the remarkable signifi-

⁴⁹⁸ Ibidem.

cance of establishing strong partnerships with regional and sub-regional organisations and institutions and undertaking preventive coordination measures and actions becomes clear. With a territorial range of 48,851 million square kilometres, the OSCE is the largest regional security organisation in the world called to be a global guarantor of peace, democracy, human rights and the international dialogue in its field of influence.

In this context the OSCE is a platform for meetings between the East and the West which creates opportunities for debates and discussions covering security issues at the highest level of authority and legitimacy. The results achieved and the expertise acquired by the Organisation in various regions should logically be preserved and further developed by member countries. The idea to create a parallel structure similar to the OSCE, for example, the Russian President Vladimir Putin's idea to establish a Euro-Asian Union, cannot be productive regarding the uniting of efforts and encouraging international community cooperation in response to security threats. It is expedient to focus on partnership and solidarity rather than on division and opposition.

Chapter 7:

NATO – Strategic Partner of the EU in the Context of the Common Security and Defence Policy of the EU

Cooperation between the European Union and NATO has a long tradition based on shared values of peace, democracy, the rule of law and respect for international law. The Soviet and its satellites' threat to Western democracies motivated some of the winners and losers in the Second World War to unite in 1949 in a common defence alliance, setting up the North Atlantic Treaty Organization. With the participation of the U.S. and Canada in NATO, and later of Germany, a Euro-Atlantic partnership is built that in the coming decades becomes the mainstay of world peace.

During the Cold War, NATO, in the absence of a common European army, ensured Europe's security. With the Maastricht Treaty and the creation of CFSP the EU began a gradual process of building its own capabilities and combat forces for participation in missions and operations in different parts of the world, some of which are within mandates of NATO and the UN.

With NATO's and the EU's process of expansion to new Member States formerly from the Socialist Bloc, the two structures' global importance increased, as well as the capability of response to the threats and challenges facing Euro-Atlantic security.

The attacks against the U.S. on 11 September 2001 and the subsequent attacks in London and Madrid proved that no country is able to independently handle asymmetric threats, and effective response to terrorism is possible only by improving coordination and deepening the collaboration between the EU and NATO as strategic partners.

NATO and the EU simultaneously reached a consensus with regard to ensuring security in the times of financial crisis and reduction of military budgets, realizing NATO's "Smart Defence" and the EU's "Pooling and Sharing" initiatives, which are aimed at strengthening military capabilities

by defining common priorities, initiatives, specialization, as well as multinational and innovative approaches, and also strengthening regional cooperation and the coordination between allies and partners. The EU's "Pooling and Sharing" initiative is recognized as NATO's priority as well. The NATO-EU joint group works coordinate the development of capabilities in the context of multinational cooperation and to exclude duplication of efforts.

7.1. NATO – a Political and Military Alliance

7.1.1. History

The North Atlantic Treaty Organization was established on 4 April 1949 in Washington. The aim of the founding countries was to prevent the risk of the Soviet Union (USSR) extending its control over the European continent. By signing the Treaty, they charged one another to provide common defence and to ensure freedom and security by political and military means. Including North America in the defence of Western Europe, NATO demonstrated that every attempt at political or military pressure on Western Europe is doomed to failure.⁴⁹⁹

In the first few months of its establishment, NATO operated as a political organization with mainly advisory functions. The Korean War (June 1950 – March 1953) was the main catalyst for the Union to become an effective system for collective defence with established military structures. Some of the first meetings of the NATO Council were held in a London hotel. In the beginning the headquarters were located in Washington D.C., but in early 1952 it was decided that they should be located in Paris – in Fontainebleau.⁵⁰⁰

After creating the position of Secretary General and the Secretariat, International Headquarters and the Department of Political Affairs, in 1957 the

⁴⁹⁹ Republic of Bulgaria Ministry of Foreign Affairs, NATO: Establishment, Nature and Role in the Cold War Years (<http://www.mfa.bg/bg/pages/view/5258>), last accessed in June 2012.

⁵⁰⁰ Baev, J., The system of European security and the Balkans during the Cold War. Publisher "Damian Yakov". Sofia, 2010, pp. 53–54.

Committee of Political Advisors was created, and in 1961 – the Atlantic Policy Advisory Group. A decisive factor in the consultation process was the consensus wording, established in 1960: “Member States shall inform the Council for NATO about any development that may significantly affect policy of the Alliance”.⁵⁰¹

After the French government’s intention, announced on 10 March 1966, to withdraw its employees from the integrated NATO military headquarters and to end French participation in international military formations within international Commands, in early June the NATO Council decided to move its headquarters from France. On 26 October 1966 it was decided to re-establish the headquarters in Brussels.⁵⁰²

During the Cold War, NATO adopted a strategy of “flexible response”, which, according to the United States, meant that war in Europe should not develop into an all-encompassing nuclear conflict. According to this strategy, many of the Treaty’s armies are equipped with U.S. nuclear weapons under dual control (double key), allowing both the country that has received the weapons and the U.S. to put a veto on their use. Since 1985, the significant economic and political reforms introduced by Soviet leader Mikhail Gorbachev change the status quo. He announced that Moscow stops its support for totalitarianism in Central and Eastern Europe and the “perestroika” was gradually replaced with freely chosen (non-communist) governments.⁵⁰³ The collapse of the Berlin Wall in 1989 proclaimed a new era of free markets, democracy and peace. However, there still exist frightening uncertainties. NATO survives because it stands against the resurgent militant nationalism, to ensure grace in Europe.⁵⁰⁴

In 1991, as in 1949, NATO was the founder of wider European security architecture. In December 1991 the North Atlantic Cooperation Council was launched, renamed to “Euro-Atlantic Partnership Council” in 1997.

⁵⁰¹ Ibidem, p. 55.

⁵⁰² NATO Review, History, The big move, issue – summer 2007 (<http://www.nato.int/docu/review/2007/issue2/english/history.html>), last accessed on 13 April 2014.

⁵⁰³ Haglund, D. North Atlantic Treaty Organization (NATO) (<http://www.history.com/topics/north-atlantic-treaty-organization-nato>), last accessed on 13 April 2014.

⁵⁰⁴ NATO, A short history of NATO (<http://www.nato.int/history/nato-history.html>), last accessed on 13 April 2014.

This is a forum for consultations with 22 partner countries, many of which perceive relations with NATO as fundamental to their aspirations to stability, democracy and European integration. The interaction developed to the south as well. In 1994, NATO began its Mediterranean Dialogue with six countries in the region: Egypt, Israel, Jordan, Mauritania, Morocco and Tunisia. Algeria joined in 2000.

The dialogue aimed to contribute to the security and stability in the Mediterranean area. The fall of Communism gave way to unbridled nationalism and ethnic violence in Yugoslavia. It became increasingly obvious that this was a case of ethnic cleansing. Then NATO decided to act, and offered full support for the UN's efforts, including in the form of maritime embargo, to stop war crimes in Yugoslavia. The situation came to nine-day air raids in September 1995, which played a major part in ending the conflict. In December NATO deployed international military forces under a UN mandate (60,000 people), which helped lead to the signing of the Dayton Peace Agreement. In 2004, NATO transferred the commitment to the European Union.⁵⁰⁵

The World Trade Center and Pentagon terrorist attacks of 11 September 2001 in the U.S. showed that the lack of political order in some parts of the world can have terrible consequences. The terrorist organization "Al Qaeda" has used Afghanistan as a base from which to create instability. Subsequent attacks, including those against the railways in Madrid on 11 March 2004 and in England on 7 July 2005 confirmed that militants target civilians in their attacks.⁵⁰⁶ Events of 11 September 2001 in the U.S. revealed terrorism as a major threat, whose nature and scale are incomparable to its previous manifestations. For the first time in NATO's history the clause of Article 5 of the North Atlantic Treaty was invoked. Article 5 is the core element of the treaty and the basis for the *collective defence*.⁵⁰⁷ In 2010 an Emerging Security Challenges Division (ESCD) was established in NATO HQ to address issues of energy security, cyber defense, critical in-

⁵⁰⁵ Ibidem.

⁵⁰⁶ Ibidem.

⁵⁰⁷ Hunter, R, NATO's Article 5: The Conditions for a Military and a Political Coalition (<http://www.europeaninstitute.org/20010902629/Fall-2001/natos-article-5-the-conditions-for-a-military-and-a-political-coalition.html>), last accessed on 15 March 2014.

frastructure protection, counter terrorism and counter piracy as well as to provide strategic analysis and assessment of the security environment. The first two assistant secretary general mandates in this area were taken by Hungarian and Romanian diplomats.⁵⁰⁸

Since the creation of the NATO on 4 April 1949 in Washington, until the beginning of the 21st century, its objectives and functions underwent significant development and transformation. The initial organization that sought to act against the Soviet Union and its satellites has gradually become an effective weapon against threats to the rule of law in democratic countries. With the collapse of the Socialist Bloc, NATO's objectives, functions and priorities were reformulated. Most former members of the Warsaw Pact gradually joined NATO. Since 2009 the NATO member-countries were 28, 26 of which were European, and the rest – North American.⁵⁰⁹

7.1.2. NATO Structures and Administrative Bodies

The Alliance is composed of a civilian, a military structure and the agencies and organisations.

7.1.2.1. Civilian Structure

The civilian structure consists of NATO Headquarters, the Permanent Representatives and National Delegations and the International Staff.⁵¹⁰

- *NATO Headquarters* in Brussels⁵¹¹ is its political and administrative centre. At the Headquarter the North Atlantic Council meets. The work of the Council, representations and missions is supported by the International Secretariat and International Military Staff of

⁵⁰⁸ NATO, News 04 Aug. 2010, New NATO division to deal with Emerging Security Challenges (http://www.nato.int/cps/en/natolive/news_65107.htm), last accessed on 15 March 2014.

⁵⁰⁹ NATO, NATO Member Countries (http://www.nato.int/cps/en/natolive/nato_countries.htm), last accessed on 15 March 2014.

⁵¹⁰ NATO, NATO Organization (<http://www.nato.int/cps/en/natohq/structure.htm>), last accessed on 15 October 2014.

⁵¹¹ It is located in Belgium since 1967. It was originally based in London and moved first to Paris in 1952.

NATO, also based in Headquarters. It is also the work place of around 4,000 people which makes it a place for informal and formal consultation. It also hosts over 5,000 meetings per year. It is also a place of cooperation with partner-countries' diplomatic missions.⁵¹²

- Core of NATO are *National delegations* with embassy status, led by *permanent representatives*. The national representations of the Member States are located at the HQ; their task is to represent their government as well as to contribute to the NATO collective decision and action process.⁵¹³
- *International Staff*, which employs over 1,000 civilians as international NATO personnel. This is an advisory and administrative body subordinate to the Secretary-General and supporting the Member States' delegations.⁵¹⁴

7.1.2.2. Military Structure

The military structure consists of:

- A *Military Committee* which is the supreme power in NATO and is the oldest permanent body after the North Atlantic Council, both bodies having occurred with the creation of the Union. The Committee is the main source of military advice to the decision-making NATO civilian authorities – the North Atlantic Council and the Nuclear Planning Group.
- *International Military Staff (IMS)* – responsible for the preparation of estimates, research and reports on military topics, which form the basis for discussions and decisions by the Military Committee. This body provides the conditions for the implementation of decisions and policies on military matters by NATO's appropriate military structures.

⁵¹² NATO, NATO A-Z, NATO Headquarters (http://www.nato.int/cps/en/natolive/topics_49284.htm), last accessed on 15 October 2014.

⁵¹³ NATO, NATO A-Z, National delegations to NATO (http://www.nato.int/cps/en/natolive/topics_49205.htm), last accessed on 15 October 2014.

⁵¹⁴ NATO, NATO A-Z, International Staff (http://www.nato.int/cps/en/natolive/topics_58110.htm), last accessed on 27 June 2014.

- *Allied Command Operations (ACO)* – it is situated at the Supreme Headquarters of the Allied Powers in Europe (SHAPE), near Mons (Belgium). The command structure is based on functionality rather than geography. It has three command levels: strategic, operational and tactical (component).
- *Allied Command Transformation (ACT)* is the only strategic Command in the 28-nation organization, whose headquarters is in North America: Norfolk, Virginia. It focuses on areas such as education and training, concept development, a comprehensive approach, experimentation, research and technology development with a view to the modernization of the organization and joint work with NATO's Response Force (NRF) to improve their military effectiveness.⁵¹⁵
- *Other Commands and NATO organizations* – Canada United States Regional Planning Group (CUSRPG), NATO Air Early Warning and Control Force Command (NAEW & CFC), Combined Joint Planning Staff (CJPS)⁵¹⁶ NATO's military expertise is the tool for the formulating and implementation of policies and political decisions regarding their most effective realization in terms of the economical use of human and financial resources. Combining military and civilian expertise helps NATO achieve its goals and objectives and to enhance its public legitimacy.

7.1.2.3. Agencies of NATO's Reform Process

NATO Agencies that are executive arm of NATO in the area of capability development and service provision. Key two agencies are NATO Communications and Information Agency (NCI Agency)⁵¹⁷ and NATO Support Agency (NSPA).⁵¹⁸

At the Lisbon summit in November 2010 the leaders of the NATO Member States approved the consolidation of the organizational structures and

⁵¹⁵ NATO, Allied Command Transformation (<http://www.act.nato.int/>), last accessed on 27 June 2014.

⁵¹⁶ NATO Organisation Op.cit.

⁵¹⁷ NATO, NATO Communications and Information Agency (www.ncia.nato.int), last accessed on 27 June 2014.

⁵¹⁸ NATO, NATO Support Agency (www.nspa.nato.int), last accessed on 27 June 2014.

the streamlining the functions of the 14 agencies into 3, as well as a new approach to their management and the supervision of their activities. A plan is adopted for a reform of the command structure in order to increase the effectiveness and efficiency of the agencies and to induce significant savings of resources (of the order of 20% of running costs) without compromising the performance of the already running multinational programs.

A *Procurement Agency* (NPO), which will include current NATO agencies: ground surveillance (NATO Alliance Ground Surveillance Management Agency – NAGSMA); management of the programs for developing the fighters “Eurofighter” and “Tornado” (NATO Eurofighter and Tornado Management Agency – NETMA); management of the program to develop helicopters (NATO Helicopter Management Agency – NAHEMA); management of the program for mid-range air defence; mid-range (NATO Medium Extended Air Defence Systems Management Agency – NAMEADSMA); part of the agency for the management of early warning (NATO Airborne Early Warning and Control Programme Management Agency – NAPMA), which will accomplish the upcoming modernization program of flight tools and equipment NAEW & C (NATO Airborne Early Warning and Control).

The *Conference of National Armaments Directors* (CNAD) will act as the Supervisory Board for the period until the start of the new agency, in the place of a general manager chosen by the NAC (North Atlantic Council – NAC). The agency will be headed by a Design Chief Executive, DCE. The proposition is to create a new NATO Procurement Organisation, which includes a Procurement Agency with a small office in Brussels and program offices of the current agencies which are subject to assimilation NAGSMA, NETMA, NAHEMA, NAMEADSMA and part of NAPMA – at Brussels, Munich, Aix-en-Provence, Huntsville and Brunssum. The Agency will establish an organizational framework for the implementation of current and especially future multinational programs.

Support Agency (NSPA), headquartered in Capelin, Luxembourg, which includes current NATO agencies for: maintenance and supply (NATO Maintenance and Supply Agency – NAMSMA); management of the program for air transport (NATO Airlift Management Agency – NAMA); management of pipelines in Central Europe (Central European Pipeline Management

Agency – CEPMA); part of the agency for management of the program for early warning, providing support to the capabilities of NAEW & C. It began work on 1 July 2012, as partial consolidation of the structures will be done by the end of 2014 and the full consolidation and the potential change in location – by the end of 2016. At the end of April 2011 the rear admiral from the U.S. reserve Mike Lyden was selected as its General Manager.

A *Communication and Information Agency (NCIA)*, which includes the current NATO agencies: NATO Consultation, Command and Control Agency – NCSA; NATO CIS Services Agency – NCSA, without the CIS modules for deployment, which remain in the command structure; the NATO Air Command and Control System Management Agency – NACMA); the Active Layered Theatre Ballistic Missile Defence – ALTBD. The Communication and Information Agency is headquartered in Brussels and in late 2011 for its general manager Dutch Major General Koen Gijsbers was elected.

7.1.2.4. Political Bodies

The North Atlantic Council (NAC) is the main political decision-making body within NATO. It brings together state and government leaders, foreign ministers, defence ministers or permanent representatives (ambassadors) of each member state to regularly discuss the policy of the Alliance, as well as operational issues that require collective solutions. It is a forum for broad consultations between Member States on all issues affecting peace and security, where each one has the right to express its views. Policies adopted by the North Atlantic Council are an expression of the collective will of all sovereign countries that are members of the Alliance.⁵¹⁹

The *NATO Parliamentary Assembly* is the inter-parliamentary organization uniting the parliaments of NATO Member States and discusses issues related to security. The Assembly is completely independent of NATO, but it provides the link between it and parliaments of the Member States, helping to build parliamentary and public consensus in support of NATO policies.

⁵¹⁹ NATO, NATO A-Z, North Atlantic Council (http://www.nato.int/cps/en/natolive/topics_49763.htm), last accessed on 17 October 2014.

It meets twice a year and consists of representatives elected by national parliaments.⁵²⁰

7.1.2.5. The NATO Secretary General

The NATO Secretary General is a top international diplomat who has responsibility for making decisions and ensures their implementation. He or she is a representative of the Organization and also its spokesman. The function of the Secretary General is performed by a senior statesman of high political status in one of the Member States. He or she is nominated by the Member States, and the mandate is given for four years and may be extended by mutual agreement.

The position of Secretary General has always been occupied by Europeans. Since 1 October 2014 the Secretary General is Jens Stoltenberg, a former Prime Minister of Norway.

7.1.2.6. NATO Summits

The NATO summits are held periodically and provide the possibility for the state and government leaders of the Member States to assess the situation and to set strategic directions related to the Alliance's activities.⁵²¹ Since the founding of NATO in 1949 until September 2014 there have been twenty-six summits of NATO, the last one having taken place in Wales on 4-5 September 2014. At the previous summit in Chicago 2012 a strategic plan for the character and commitments of NATO after 2014 was adopted, as well as a joint statement confirming the Organization's long-term commitment to Afghanistan. The Joint Declaration of 20 May has reaffirmed the EU's role as a unique and strategic partner for NATO.

The full strengthening of this partnership, enshrined in the Strategic Concept for NATO, is expected to build on the practical cooperation in missions, on the expansion of political consultations and capability develop-

⁵²⁰ NATO, NATO A-Z, NATO Parliamentary Assembly (http://www.nato.int/cps/en/natolive/topics_50080.htm), last accessed on 17 October 2014.

⁵²¹ NATO, NATO Summit Meetings (http://www.nato.int/cps/en/natolive/topics_50115.htm), last accessed on 17 October 2014.

ment in the times of strict economies.⁵²² NATO's Wales Summit 2014 took place at a challenging time for the Alliance's history. In the context of the crisis in Ukraine new regional realities and developments occurred. Heterogeneous regional and geostrategic interests suggest a continuation of the trend of conflict and confrontation in the Black Sea and Caucasus regions. The global security environment was becoming even more unpredictable and dangerous, as the acts of aggression of one state over another have questioned not only Europe's fundamental principles, but moreover – the International law. In this regard, NATO Heads of State and Government adopted a Summit declaration in which they stated that

“At a time when Ukraine's security is being undermined, the Alliance continues its full support for Ukraine's sovereignty, independence and territorial integrity within its internationally recognised borders.”⁵²³

The escalating situation across the Middle East and North Africa was included in the agenda of the Summit. The ever growing instability and the newly occurred security threats, such as cyber and missile attacks, in the above mentioned regions represent a challenge of new kind.⁵²⁴

At the summit in Wales a key declaration was adopted regarding the withdrawal of ISAF from Afghanistan, that happened to be the longest NATO intervention, lasting for over 13 years.⁵²⁵

7.1.3. Regional Defence Cooperation within NATO

Regional cooperation is considered to be the most natural and effective process for the Alliance. Within NATO, there are over 20 successful examples of bilateral and multilateral resource sharing used to create capabilities. Here are some examples:

⁵²² NATO, Chicago Summit Declaration (http://www.nato.int/cps/en/natohq/official_texts_87593.htm), last accessed on 17 October 2014.

⁵²³ NATO, NATO Summit Declaration 2014, (http://nato.int/cps/en/natohq/official_texts_112964.htm?selectedLocale=en), last accessed on 27 September 2014.

⁵²⁴ U.S. Embassy in the UK, 2014 NATO summit (<http://london.usembassy.gov/nato2014/>) last accessed on 27 September 2014.

⁵²⁵ Gov.uk, NATO Summit Wales 2014 (<https://www.gov.uk/government/topical-events/nato-summit-wales-cymru-2014/about>), last accessed on 27 September 2014.

7.1.3.1. Scandinavian/Nordic Defence Cooperation

The five Nordic nations – Denmark, Norway, Finland, Iceland and Sweden – have a long-standing tradition of cooperation in peacekeeping operations. The beginning was in the 1950's with the NATO peacekeeping operations in the Middle East and continues during the Cold War with the Nordic Cooperation in the United Nations and subsequent NATO operations such as SFOR/IFOR and ISAF. During the first peacekeeping operations the Nordic cooperation was focused on training and coordination with UN forces, including different UN courses and the exchange of information. After the entry of Finland and Sweden in the NATO initiative “Partnership for Peace” in 1994, the Scandinavian countries form the Scandinavian defence cooperation (NORDAC)⁵²⁶ with the aim of coordinating development and procurement programs. In 2003, Iceland became a member of NORDCAPS. In November 2008 Denmark and Iceland joined Norway, Sweden and Finland for establishing of support structures for Scandinavian defence (NORDSUP). The aim of the Nordic Cooperation is to strengthen the participants' national defence and to obtain synergies and facilitate efficient common solutions.⁵²⁷ The Nordic defence cooperation is an example of successful cooperation between Member States of NATO, and its partners.

7.1.3.2. A Consortium of Four European countries – Belgium, Denmark, Netherlands, Norway

This cooperation allows the negotiation of the agreement known as “the deal of the century”: the purchase of 348 F-16 fighter jets worth 2.8 billion dollars in 1975. In exchange for the transaction parties are afforded involvement in the production of F-16 fighter jets.⁵²⁸ The planes were divided between the parties within the European Air Force Participation (EPAF): 116 for Belgium, 58 for Denmark, 102 for the Netherlands and 72 for Norway.

⁵²⁶ NORDEFECO (www.nordefco.org), last accessed on 17 October 2014.

⁵²⁷ NORDEFECO, The basics about NORDEFECO (<http://www.nordefco.org/The-basics-about-NORDEFECO>), last accessed on 17 October 2014.

⁵²⁸ Gueorgui Ianakiev and Nickolay Mladenov, Offset Policies in Defence Procurement: Lesson for the European Defence Equipment Market (<http://aspheramedia.com/v2/wp-content/uploads/2011/02/Ianakiev1.pdf>), last accessed in September 2012.

7.1.3.3. Baltic Military Cooperation

Since the early 90's the Baltic States – Estonia, Latvia and Lithuania – have maintained close political and cultural relations, pursuing similar foreign policy goals. The Baltic countries began intensive regional military cooperation. In 1995 the Military Commands of the three countries expressed their support for the establishment of a military alliance of the Baltic States, but because of unresolved political debate as to undefined naval borders, differences in national interests and policies and reluctance to slower integration into NATO, the Baltic Parliamentary Assembly rejected the idea of creating a Military Union of the Baltic states. This called into question the future of the “Baltic unity.” However, Estonia, Latvia and Lithuania retain their agreement on many security and defence issues. After joining NATO in 2004 the three countries continue to implement regional cooperation projects in the field of defence and security – joint rapid-response force, control of airspace, cyber-security, energy security, military training, etc.⁵²⁹ Baltic states are associated with NORDEFCO.

7.1.3.4. Defence cooperation within the Visegrad Group / Four (V4)

The group is comprised of four countries – Poland, the Czech Republic, Hungary and Slovakia. It bears this name after two meetings in 1991 of the leaders of Poland, Hungary and Czechoslovakia in the 16th century Visegrad castle, located in present-day Hungary. In 1993 the Visegrad Three became a Four – after the split of the Czech Republic and Slovakia. The initial purpose of the group was to promote the countries' accession to the EU and NATO. Once these targets were met in 2004, many expected the group to break up, but that did not happen – on the contrary, regional cooperation continues to extend into new areas, in support of EU expansion to the Balkans, in the energy policy and the defence sector.

In May 2011 the Visegrad Four launched a ‘battle group’ under Poland's command. It is supposed be ready for action in 2016, as an independent military force not subject to the command of NATO. In 2013 the four countries will begin joint military exercises under the auspices of the

⁵²⁹ Molis, A., *Baltic Military Cooperation: Past, Present and the Future*, pp. 28–30 (<http://www.lfpr.lt/uploads/File/2009-22/Ar%C5%ABnas%20Molis.pdf>), last accessed on 17 October 2014.

NRF.⁵³⁰ The Visegrad countries are aware that defence money is insufficient and there would be greater potential for cost savings if they work together, not individually. This leads to the development of joint military programs for military modernization and education.⁵³¹

7.1.3.5. Franco-British Cooperation

In late 2010, the British Prime Minister David Cameron and the French President Nicolas Sarkozy signed two agreements on general military cooperation, and for the first time in the history of both countries – for assistance in experiments with nuclear warheads. Agreements between Britain and France will lead to a series of major steps, including the creation of joint military forces and the shared use of aircraft carriers and nuclear installations. The warheads treaty envisages the creation in the UK to study the experiments with nuclear warheads and another in France to conduct them. The global financial crisis has led London and Paris to work out these agreements. Both countries have huge ambitions to remain major nuclear forces, but they can no longer afford it individually.⁵³²

7.1.3.6. Canada-US Defence Cooperation

North American Air Force Space Command (NORAD) is a binational organization of the United States and Canada, which conducts missions of space warning and aerospace control over North America, including the monitoring of space objects, detection, validation and warning of attacks on North America, as well as ensuring air sovereignty and air defence of Canada and the United States. In May 2006 a navy early-warning initiative was added, leading to shared knowledge and understanding of the activities carried out at sea by the U.S. and Canada and along offshore waterways.⁵³³

⁵³⁰ Friedman, D., Visegrad: The new military power in Europe, 25 May 2011 (<http://argumenti-bg.com/4836/vishegrad-novata-voennasila-v-evropa/>), last accessed on 17 October 2014.

⁵³¹ Kiss, P., Eastern European Defence Review: Defence cooperation within the Visegrad Group. Unexplored opportunities? 25 February 2011 (<http://csis.org/blog/eastern-european-defence-review-defence-cooperation-within-visegrad-group-unexplored-opportunity>), last accessed in September 2012.

⁵³² Henry, S., Franco-British military cooperation – available circa 2 November 2010 at the internet address: <http://bnt.bg/bg/news/view/40035/flameCandle70x80px.swf>.

⁵³³ NORAD (<http://www.norad.mil/AboutNORAD.aspx>), last accessed on 27 June 2014.

7.1.3.7. German-Swedish Initiative for Pooling and Sharing of Capabilities

In November 2010 in Ghent, Germany and Sweden suggested a new initiative, Pooling and Sharing, for the development of the European defence cooperation, taking into account the reduced military budget, continually increasing investment and operating costs in the defence sector, without which it would be difficult for some nations to maintain their military capabilities. Germany and Sweden state their intention to identify areas of cooperation to more effectively make use of European resources and maintain a wide range of military capabilities to consolidate national political ambitions, and retain the possibility for Europe to act adequately during crises.⁵³⁴

Regional defence cooperation is a tool to preserve and develop the full range of military capabilities – through the specialization of the participant countries – in times of resource shortage and reduced military budgets. Examples of such regional initiatives indicate that besides military expertise, they bear strong potential for economic development. The model for the consortium of the four European countries to acquire F-16 aircraft in exchange for the transfer of know-how and its incorporation in the production of aircraft machines demonstrates the possibilities of stimulating the development of the defence industry along with the purchase of new weaponry.

7.1.4. *NATO Concepts and Initiatives*

7.1.4.1. The new NATO Strategic Concept (2010)

Ever since 1952, NATO has been updating its Strategic Concept. At that time, the Military Committee approved for the first time a document known as MC 14/1 that reflects primarily the military strategy for repelling aggression against Member States. Such documents are classified information, but in 1991 the first non-classified Strategic Concept of the Union was published, laying out a new security strategy and defence in the

⁵³⁴ Pooling and sharing, German-Swedish initiative, Berlin and Stockholm, November 2010 (http://www.europarl.europa.eu/meetdocs/2009_2014/documents/sede/dv/sede260511deseinitiative_/sede260511deseinitiative_en.pdf), last accessed on 17 October 2014.

changed strategic environment, and in 1999 an updated version of which was adopted. In the new strategic documents, there was a new approach to security, based on open dialogue and greater cooperation with partner countries, international organizations and NGOs. At the NATO Summit in Strasbourg and Kehl on 3-4 April 2009, the Heads of State assigned the NATO Secretary General the task to develop a new Strategic Concept.⁵³⁵ The Union officially laid out the reasons leading to this at a Security conference in Brussels with the participation of a wide range of representatives from NATO and partner countries, international organizations, business and civil society.⁵³⁶ In December 2009 at a meeting in Brussels, foreign ministers from NATO's countries discussed the new Strategic Concept. In May 2010 they finished work and gave their recommendations to the Secretary-General Anders Fogh Rasmussen, who in turn proposed them to the senior representatives of the Member States.

On 19 November 2010 in Lisbon, the new Strategic Concept for NATO was approved. It confirmed that the Alliance's greatest responsibility is to protect and defend Allied territory and populations against attack, as required by Article 5 of the Washington Treaty. A key element of the overall strategy remains deterrence, based on an appropriate mix of nuclear and conventional capabilities.⁵³⁷

The Alliance takes a broader approach to security – through cooperation and consultation, strategic partnerships, developing skills and flexible mechanisms for the early identification of threats, confirming the principles and values underpinning the organization and the strategic priorities for the common security. The increasing role of new “players”, including China

⁵³⁵ NATO, A Roadmap for the New Strategic Concept (<http://www.nato.int/strategic-concept/roadmap-strategic-concept.html>), last accessed on 17 October 2014.

⁵³⁶ NATO, NATO launches public debate on the Strategic (http://www.nato.int/cps/en/SID-4E297E18-B166FA2D/natolive/news_56326.htm?), last accessed on 17 October 2014.

⁵³⁷ Sabev, S., New Strategic Concept and the development of military capabilities in the next decade (http://www.atlantic-bg.org/images/news/Round%20Table%20Discussion%20on%20NATO%20New%20Strategic%20Concept%20and%20Bulgarian%20National%20Security,%20Sofia,%20Central%20Military%20Club,%20November%202009,%202010/docs/NATO_new_sc_military_capabilities_devt_ss.pdf), last accessed on 17 October 2014.

and Russia, on the international scene imperatively necessitates a change to the principles for the use of NATO's armed forces. The growing rivalry between the world's leading countries highlights the need to develop different methods of warfare. Therefore, a key element of the new doctrine of the alliance is now the "strategy of indirect action" as complex impact – politico-diplomatic, military, economic, ideological, and information-political.⁵³⁸

NATO's Transformation and the three main tasks defined in the Strategic Concept – collective defence, crisis management and security through co-operation, identify prospects for development in the short and middle-term. Direct military confrontation has shifted to implementation of mechanisms for the prevention and management of crises, leading to more efficient results and significantly reducing the necessary resources. The security application field expands as well, by attracting partners such as regional organizations and local communities.

7.1.4.2. The Smart Defence Initiative

The "Smart Defence" initiative to build capabilities through multinational and innovative approaches was launched by the Secretary-General of NATO Anders Fogh Rasmussen in February 2011 in Munich. The concept aims to assist Member States in meeting two challenges – how to build high level defence capabilities with the limited resources available, and how to invest enough to prepare for the future by enhancing regional cooperation and coordination among allies and partners through joint initiatives in the acquisition of expensive weapons and equipment, maintenance, repair, training of staff and others.

In March 2011 the Secretary General Rasmussen presented his concept of "Smart Defence" at a meeting of defence ministers of NATO. A Task Force was created under the leadership of Allied Command Transformation (ACT), to analyse and summarize the opportunities for joint initiatives and projects and report back in the middle of October 2011. The basic principle is that projects belong to participating nations and NATO's role is

⁵³⁸ Todorov, A., The new strategic doctrine of NATO, 23 January (<http://lubamanolova.info/spisanie-geopolitika/1384-novata-strategicheskadoktrina-na-nato>, Bulgarian Ministry of Defence), last accessed in January 2010.

to facilitate the process.⁵³⁹ The three pillars of “Smart Defence” are prioritization, specialization and cooperation through international projects. The EU’s “Pooling and Sharing” initiative is recognized as a priority for NATO. Strategic partnership between NATO and the EU must address the following identified areas of cooperation – countering improvised explosive devices, medical maintenance and helicopters – C-IED, missions and operations, and other new areas. Joint group of NATO – EU for the development of capabilities is envisaged, to be used as a forum for exchange of ideas in the context of multinational cooperation.

The target group led by Deputy Chief of Staff of the Allied Command Transformation (ACT) Vice Admiral Carol Pottinger (USA) has five working sub-groups (WG) and uses support from Allied Command Transformation (ACT), Allied Command Operations (ACO), International Military Staff (IMS), International employees (IS), Headquarters NATO (NATO HQ), the NATO Maintenance and Supply (NAMS), and also interacts with the states and coordinates with EDA.⁵⁴⁰

In accordance with the NATO Defence Planning Process (NDPP) the planning aims will affect not only countries separately as individual goals, but also by groups of countries as multinational objectives. In its capability review capacity, NATO conducts bilateral meetings that discuss and offer the allies possible areas for multinational cooperation.⁵⁴¹

On 8 and 9 June 2011 summit of defence ministers a document on multinational approaches and innovative solutions in building capabilities (AC/281-N (2011) 0100 (R)) is approved; it identifies two hundred multinational proposals reflecting the maturity and level of interest of the Alliance’s members.⁵⁴² In September 2011, the Committee for Defence Policy and Planning spread the final report of the Working Group for capacity

⁵³⁹ Bulgarian Ministry of Defence – statement regarding: building defence capabilities through multinational and innovative approaches / Smart Defence initiatives, p. 1., last accessed in April 2012.

⁵⁴⁰ Ibidem, p. 2.

⁵⁴¹ Ibidem.

⁵⁴² Centre of Excellence in Confined and Shallow Water, Building Capability Through Multinational Approaches Task Force, (http://www.coeccsw.org/Proceedings/Presentations/Pottenger%20OSD_MNA_TF_brief.pdf), last accessed on 11 August 2014.

building through multinational and innovative approaches, summing up a list of 46 multinational projects.⁵⁴³

At the meeting in Chicago in May 2012, a package of twenty multinational projects was presented, each of which has one or more leading countries but each country considers whether to participate in any given initiative, stating specific commitments. Among the leading initiatives are: Joint intelligence, surveillance and military intelligence (JISR); missile defence (BMD) – an important step in building reliable capabilities of protecting the civilian population, the territory and military forces of European countries – to be completed by 2018; NATO air policing; Joint Maritime Patrol Aviation (PMPA); Multinational ammunition cooperation; Multinational Aviation Training Centre, Multinational logistics partnership; Combat Reconnaissance Machines; sensors for air survey and monitoring; unmanned aerial systems; the role of women leaders in security and defence, and more.

7.2. Development of Relations between NATO and the EU

The EU and NATO together ensured the security of Member States during the Cold War, with economic and diplomatic security being provided by the EU and military and political such provided by NATO. They also helped limit the spread of Communism and supported democratization in Central and Eastern Europe. Today both sides even coordinate security missions from the Balkans and Eastern Africa to Iraq and Afghanistan.⁵⁴⁴

The 1990's are filled with a number of key dates and events in the relations between the EU and NATO. Some important ones are the following:

The Treaty of Maastricht in 1992 establishes close interaction between NATO and the WEU. In June 1992 in Oslo, NATO foreign ministers sup-

⁵⁴³ NATO, NATO A-Z, Smart Defence (http://www.nato.int/cps/en/natolive/topics_84268.htm?), last accessed on 11 August 2014.

⁵⁴⁴ Ginsberg, R., J. Monnet, J., Palamountain. Measuring and Evaluating CSDP Impact: The Case of EU–NATO Relation, For the Twelfth Biennial International Conference of the European Union Studies Association Boston, Massachusetts, March 3–5, 2011, p. 10 (http://euce.org/eusa/2011/papers/1i_ginsberg.pdf), last accessed on 11 August 2014.

port the objective of developing the WEU as a means to strengthen the European pillar of the NATO and the defence component of the EU, which would achieve the “Petersberg tasks” (humanitarian missions, peace-keeping missions, crisis-management missions, including peace support and protection of the environment). NATO supports the concept of joint forces with specific tasks, which creates opportunities for “separable but not separate” deployed headquarters, which can be used for operations led by Europe and form the conceptual basis for future operations involving NATO and other non-member countries.⁵⁴⁵

At a meeting in Berlin of the Foreign Ministers of NATO Member States 1996 agreed to build a European Security and Defence Policy in order to improve European capabilities, the assets of the Union becoming available in crisis-management operations led by WEU.⁵⁴⁶

In the permanent arrangements for consultation and cooperation between the EU and NATO in 2000, it is stated that the partnership between the two organizations will develop along the lines of security, defence and crisis management, all of which is a common interest.⁵⁴⁷ After the agreement for a permanent relationship between the EU and NATO in December 2002, EU HR Javier Solana noted:

“In today’s world security and stability are the result of a collective effort. Our security will be guaranteed the best through cooperation. Because of this the agreement which we celebrate today is important not just in itself, but also for European people and the beyond.”⁵⁴⁸

In 2001 the first official meeting between NATO and the EU at the level of Ministers of Foreign Affairs was held in Budapest, within which both

⁵⁴⁵ Ginsberg, R., J. Monnet, J. Palamountain. *Op. cit.*

⁵⁴⁶ *Ibidem.*

⁵⁴⁷ ESDC, IDL, Permanent Arrangements for EU–NATO Consultation and Cooperation, Extract from the Presidency Report Policy on the European Security and Defence to the Nice European Council in December 2000, p. 2. (http://adlunap.ro/esdc/data/esdc_v1/lm_data/lm_1223/asset/2/pdf/AKU4%2Nice%20Council%20-%20EU-NATO%20cooperation.pdf), last accessed in December 2012.

⁵⁴⁸ Remarks by Javier Solana, EU High Representative for the Common Foreign and Security Policy following the agreement on the establishment of EU–NATO permanent arrangements, Brussels, 16 December 2002 (<http://www.consilium.europa.eu/uedocs/cmsUpload/73803%20-%20Solana%20-%20Permanent%20arrangements%20+%20NATO%20declaration.pdf>), last accessed on 11 August 2014.

organizations made a joint statement on the Western Balkans. The following year an arrangement for security cooperation between the EU and NATO ("Berlin Plus") was reached. Both unions agreed on a framework for cooperation to transfer the management of the crisis in Macedonia from NATO to the EU.

In 2003 the first meeting of the Group on the capabilities of NATO and the EU was held. A common strategy for the Balkans was created. In the same year the first joint exercise in crisis management is conducted and the EU assumed from NATO the responsibility for security in Macedonia in accordance with the "Berlin plus" treaty.⁵⁴⁹

In the period 2003-2005 there was a lack of progress in the dialogue NATO-EU, due to disagreements about the war in Iraq and Turkey blocking the official EU-NATO meetings. The North Atlantic Council met with the Political and Security Committee (with Solana) for the first time in 2004, and the following year NATO established a permanent liaison office in EUMS. In 2006 the EU formed a permanent unit at SHAPE (Supreme Headquarters Allied Powers in Europe) of NATO. In connection with the conflict in Kosovo in 2008 a meeting was held by the Secretaries General of NATO and the EU.⁵⁵⁰

In 2010, in an expression of the close cooperation between the EU and NATO, NATO's Secretary General attended the meetings of EU defence ministers; NAC and PSC met in NATO Headquarters.

7.3. The Framework of Cooperation

7.3.1. NATO Declaration on ESDP and the EU (16 December 2002)

The NATO and EU's Declaration for ESDP, adopted on 16 December 2002, reaffirmed the EU's access to NATO's planning capabilities for its own military operations: through respect for the interests of the Member States of NATO and the EU; following the principles of the Charter of the

⁵⁴⁹ Remarks by Javier Solana, EU High Representative for the Common Foreign and Security Policy following the agreement on the establishment of EU-NATO permanent arrangements, Brussels, 16 December 2002, Op. cit.

⁵⁵⁰ Ibidem.

United Nations; through consistent, transparent and mutual reinforcement advancement of the requirements for military capabilities common to both organizations.⁵⁵¹

Three broad goals are also identified:

- For the European Union to ensure the highest level of participation in ESDP for European countries which are not members of the EU.
- For NATO to support ESDP and to give the EU access to scheduling capabilities of NATO.
- Both organizations to adopt agreements to ensure a consistent, transparent and mutual development of their common requirements for military capabilities.⁵⁵²

The Declaration reaffirms the principles of strategic partnership between the EU and NATO through joint consultations and ensures autonomy of decision-making on the basis of equality.

7.3.2. The “Berlin Plus” Agreement

EU and NATO form a true strategic and functional partnership and both organizations need to ensure active consultations, cooperation and transparency at all times. The partnership must also ensure effective crisis management. For this purpose, the EU and NATO agree upon crisis consultations aimed at effective and rapid decision-making within any organization in the event of a crisis. This includes interaction between the Political and Security Committee of the EU and the North Atlantic Council of NATO, also the Military Committees of the EU and NATO, as well as meetings between the Secretary General/High Representative and the NATO Secretary General. To allow the exchange of classified documents and information, the EU and NATO signed an agreement for information security.

⁵⁵¹ NATO, NATO-EU: a strategic partnership (http://www.nato.int/cps/en/natolive/topics_49217.htm), last accessed on 11 August 2014.

⁵⁵² EU, Summaries of EU legislation, Cooperation with NATO, as of 21 May 2007, (http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/l33243_en.htm), last accessed on 11 August 2014.

When a crisis leads to an EU operation, it will benefit from the agreement “Berlin plus”.⁵⁵³ At the summit of 1999 in Washington, this provision is extended to EU-led crisis management operations under the European Security and Defence Policy.⁵⁵⁴

“Berlin plus” covers three main elements directly related to operations; these elements can be combined – EU access to NATO planning, options for the European command of NATO and using NATO assets and capabilities:

- First, NATO guarantees the EU access to its planning process. At the early stage, before the EU knows whether a mission will take place at all, it may include assistance from NATO (from SHAPE in Mons) for activities performed by the EU Military Staff in order to identify different possibilities (known as “Military strategic options”). Subsequently, if the operation is using assets and capabilities of NATO, it will provide the necessary operational planning.
- Secondly, the EU may ask NATO to provide an option for the command of a military operation led by the EU. In this case, the Deputy Supreme Commander of the Allied Forces in Europe (DSACEUR) should command the operation of the EU. He or she remains in SHAPE where an operational EU headquarters is set up. The other elements of the command set by the EU (such as the commander of the EU’s Headquarters and EU forces deployed in the theatre of operations or command of the EU component) may be granted either by NATO, or the EU Member States.
- Thirdly, the EU may wish to use NATO’s assets and capabilities. For this purpose, NATO has identified assets and capabilities that it may decide to provide if the EU needs them. Moreover, NATO defines principles and also financial and legal considerations applicable to the granting of its assets and capabilities to the EU. On this basis, a special agreement between the EU and NATO is prepared for any

⁵⁵³ Council of the European Union, EU-NATO: The framework for permanent relations and Berlin Plus (<http://www.consilium.europa.eu/uedocs/cmsUpload/03-11-11%20Berlin%20Plus%20press%20note%20BL.pdf>), last accessed on 11 August 2014.

⁵⁵⁴ Quille, G. Security and defence policy, 2008 (http://infoeuropa.sliven.bg/eu_fact_sheets/relations/cfsp/article_7233_en.htm), last accessed on 26 September 2012.

given operation, determining conditions of use. It also provides the opportunity for the recall of assets due to unforeseen circumstances, such as the occurrence of an emergency under Article 5 of the Washington Treaty.⁵⁵⁵

Another important element of the EU – NATO cooperation is the development of military capabilities, that is, how to provide the military capacity required managing crises.⁵⁵⁶

Overlapping parts of the staff composition of Member States in the two organizations necessitates improved cooperation and enhanced coordination. The application of the “Berlin Plus” provides the EU with access to NATO’s planning and the use of its assets and capabilities. There is a sustained tendency to deepen transatlantic cooperation in defence and security.

7.4. Missions and Operations of NATO with EU Involvement

7.4.1. Mission “Allied Harmony” in FYROM

The NATO-led mission “Allied Harmony” in the Former Yugoslav Republic of Macedonia began in December 2002 was completed in December 2003 and is the first of the “Berlin Plus” type, in which NATO assets are made available to the EU. The mission helps the Macedonian government in providing stability throughout the country.⁵⁵⁷ The operation’s responsibilities include support for the international observers and providing security advice to the Macedonian government. “Allied Harmony” consists of approximately 400 personnel.⁵⁵⁸ At a ceremony on 28 December 2010, NATO’s military representative in Macedonia, General David Humar, symbolically passed the keys of the “Able Sentry” located in the “Alexander

⁵⁵⁵ Council of the European Union, EU–NATO: The framework for permanent relations and Berlin Plus Op.Cit.

⁵⁵⁶ Ibidem.

⁵⁵⁷ NATO, NATO–EU: a strategic partnership, Op. cit.

⁵⁵⁸ Mays, M., T., Historical. Dictionary of Multinational Peacekeeping, Scarecrow Press, 1.12.2010.

the Great” airport in Skopje, to the Minister of Defence Zoran Konjanovski. The change in mission means that NATO will focus primarily on supporting reforms in Macedonia’s army.⁵⁵⁹

7.4.2. Operation “Joint Efforts” in Bosnia and Herzegovina

NATO conducted its first crisis-response operation in Bosnia and Herzegovina. The NATO-led forces for the implementation of the peace treaty, numbering 60,000 military (IFOR), deployed in December 1995, after the signing of the Dayton Peace agreement in Paris (21 February 1995).⁵⁶⁰ The Security Council of the United Nations adopted Resolution 1031, which mandated NATO to start its largest operation ever conducted, called “Joint Endeavor.” The IFOR forces had a one-year term and in December 1996 they were replaced by the NATO Stabilisation Force (SFOR), with an initial size of about 32,000 troops, later reduced to 7,000 people until December 2004, when the mission to implement the military aspects of the agreement was assumed by the EU’s operation “Althea”.⁵⁶¹ Operations in Bosnia and Herzegovina showed that the new geopolitical situation and security roles require sharing and operational cooperation. These were the first full-scale missions in NATO’s history that help to change the traditional concept of unions in Europe.⁵⁶²

7.4.3. NATO Peacekeepers in Kosovo (KFOR)

NATO led the peacekeeping forces in Kosovo (KFOR) in 1999, to end the violence there and to prevent humanitarian disaster. The Alliance is committed to supporting wider international efforts in order to build peace and

⁵⁵⁹ Taleski, M., NATO mission in Macedonia: from military to civilian, 12.01.2011 (<http://www.setimes.com/cocoon/setimes/xhtml/bg/features/setimes/features/2011/01/12/feature-04>), last accessed on 11 August 2014.

⁵⁶⁰ NATO, NATO A-Z, Peace support operations in Bosnia and Herzegovina, (http://www.nato.int/cps/en/natolive/topics_52122.htm), last accessed on 11 August 2014.

⁵⁶¹ The history of Dayton Accords, 12.12.2005 (<http://setimes.com/cocoon/setimes/xhtml/bg/dayton/setimes/special/dayton/history/feature-01>), last acc. on 11 08 14.

⁵⁶² Boyadjieva, N. International organizations, the Balkans security and the concept of peacekeeping since 1990, The electronic Bulgarian Journal of American and Transatlantic Studies 2008 (http://www.jatsbulgaria.org/show.php?type=article&id=72&issue_id=6&head=2), last accessed in September 2012.

stability in the region within the mandate given by the UN. Following the declaration of independence of Kosovo in February 2008, NATO retained a presence in the country. In June 2008 it decided to take responsibility for the dissolution of the Protection Corps in Kosovo and to help create professional and multi-ethnic Kosovar security forces.⁵⁶³

KFOR was initially composed of about 50,000 people from NATO Member States, as well as NATO partner-states and non-NATO countries – under unified command and control. By early 2002 the composition of KFOR was reduced and improving the security environment allowed NATO to gradually further reduce the people participating in the operation to 26,000 in June 2003 and to 17,500 people at the end of 2003.⁵⁶⁴

Today, about 5,000 soldiers from the NATO-led forces, from 31 countries continue to make contributions to maintaining a safe and secure environment.⁵⁶⁵ Kosovo exemplifies both the complexity of managing crises and the wide range of measures implemented by the EU and NATO. NATO changes strategy and its force structure in order to better meet the challenges of maintaining peacekeeping operations.⁵⁶⁶

7.4.4. International Stabilisation Force in Afghanistan (ISAF)

NATO's mission in Afghanistan, ISAF, was deployed in August 2003. Its goal is to expand the power of the central government of Afghanistan to create a favourable environment for functioning democratic institutions and the establishment of the rule of law. NATO and the EU played a major role in introducing order and security in the country, designated by the Security Council in December 2001.⁵⁶⁷ Assistance to the Afghan authorities to restore the country's social infrastructure and economic development is assigned to three different structures: the missions of the UN, the EU and NATO in Afghanistan. NATO's priority is ensuring the "hard" security,

⁵⁶³ NATO, NATO-EU: a strategic partnership, Op.Cit.

⁵⁶⁴ NATO, NATO A-Z, NATO's role in Kosovo (http://www.nato.int/cps/en/natolive/topics_48818.htm), last accessed on 11 August 2014.

⁵⁶⁵ Ibidem.

⁵⁶⁶ Boyadjieva, N., Op. cit.

⁵⁶⁷ NATO, NATO-EU: a strategic partnership, Op. cit.

while the EU invests in Afghanistan vast financial resources, and the UN mission executes various infrastructural and socio-economic projects.⁵⁶⁸

At the NATO Summit in Wales (2014) the decision, to withdraw ISAF from Afghanistan was made.

7.4.5. Support to the African Union Mission in Darfur, Sudan (AMIS)

From June 2005 until 31 December 2007, NATO provided air transport for 37,000 soldiers and staff for the African Union mission (AMIS) in Sudan; the operation was managed from Europe. A special air-traffic unit in the African Union Headquarters in Addis Ababa (Ethiopia) coordinated the movement of incoming troops and ground personnel. Both the European Union and NATO provided staff for the support of the unit, but the African Union had the lead.⁵⁶⁹

The purpose of the mission in Sudan was to end violence and improve the humanitarian situation in the region, which in 2003 suffered from heavy conflicts. In the beginning of 2008 AMIS was transformed into a joint mission of the United Nations and African Union in Darfur (UNAMID).

7.4.6. Mission “Unified Protector” in Libya

After the uprising against the Gaddafi regime in Libya in February 2011 the Security Council adopted UN resolutions 1970 and 1973 in support of the Libyan people, condemning the gross and systematic violation of human rights. They introduced active measures including a flight exclusion zone, arms embargo and permission for the Member States, acting through their respective regional organizations, to take “all necessary measures” to protect Libyan civilians. The operation began on 23 March 2011, and gradually over the following weeks extended by integrating more components of multinational military action in accordance with UN resolutions. On 31 March NATO took overall command and control of international mili-

⁵⁶⁸ Burlinova, N., Second Afghan War, 14 December (<http://geopolitica.eu/spisanie-geopolitika-broi-5-2011/1143-vtorata-afganistanskavoina>), last accessed on 10 09 12.

⁵⁶⁹ NATO, NATO A-Z, Assisting the African Union in Darfur, Sudan (http://www.nato.int/cps/en/natolive/topics_8191.htm), last accessed on 11 August 2014.

tary operations in Libya.⁵⁷⁰ Capabilities included fighter aircraft for surveillance and intelligence, drones, attack helicopters, warships and aircraft carriers, and at the peak of deployment there are more than 260 military aircraft and 8,000 soldiers.⁵⁷¹ The NATO-led operation Unified Protector has three components: an arms embargo in the Mediterranean Sea – to prevent transfer of weapons, munitions and mercenaries in Libya; a ban on flights – to avoid bombing civilian targets; the prevention of sea or airstrikes against naval and air forces involved in protecting civilian and populated areas in Libya.⁵⁷²

7.4.7. Operation “Ocean Shield” to Battle Piracy (Ocean Shield)

Since September 2008 the naval forces of NATO and the European Union (respectively, Ocean Shield and EUNAVFOR, Atalanta) have combined efforts off the coasts of Somalia and conducted missions to combat maritime piracy.⁵⁷³ NATO’s Operation Ocean Shield was approved on 17 August 2009 by the North Atlantic Council. It has contributed to international efforts to combat piracy in the region and provides support and assistance for countries in the region in unfolding activities to develop their capacity to combat these crimes.⁵⁷⁴

As of March 2012, Denmark, Italy, the Netherlands, the USA and Turkey provide ships and maritime patrol aircraft to the permanent mission groups operating on a rotating basis; about 800 employees are also deployed – as part of operation “Ocean Shield”. At the discretion of the U.S., 30 to 40 warships from the EU, NATO, the U.S. and other countries are involved in efforts to combat piracy at any given time. They are not under a com-

⁵⁷⁰ NATO, NATO A-Z, NATO and Libya, Operation Unified Protector, February-October 2011 (<http://www.nato.int/cps/en/natolive/71679.htm>), last accessed on 11 August 2014.

⁵⁷¹ Operation UNIFIED PROTECTOR, Protection of Civilians and Civilian-Populated Areas & Enforcement of the No-Fly Zone, October 2011 (http://www.nato.int/nato_static/assets/pdf/pdf_2011_10/20111005_111005-factsheet_protection_civilians.pdf), last accessed on 11 August 2014.

⁵⁷² NATO, NATO A-Z, NATO operations and missions (http://www.nato.int/cps/en/natolive/topics_52060.htm), last accessed on 11 August 2014.

⁵⁷³ NATO, NATO-EU: a strategic partnership, Op.Cit.

⁵⁷⁴ NATO, NATO A-Z, NATO operations and missions, Op.Cit.

mon command, although representatives of fleets meet once a month in Bahrain and coordinate their actions. Several thousand Somalis are involved in piracy; their number, according to Western military experts, has tripled in the last few years.⁵⁷⁵

Operation “Ocean Shield” is an example of a successful new approach, focusing on regional cooperation in the fight against piracy by helping the countries from the region build and develop their own capabilities to counter the threat. This complements the efforts of the international organizations in the region for a lasting solution to the problem and ensures maritime security off the Horn of Africa.

Operations and EU missions carried out in partnership with NATO may be analysed and compared in terms of their geographical nature. Within Europe, the missions in Macedonia, Bosnia and Herzegovina and Kosovo demonstrate the EU’s prevalence, through the application of “Berlin Plus”. Missions in Afghanistan and Darfur have a complex nature requiring a proactive stance and coordinated actions on the part of both the EU and NATO.

A typical approach with them is attracting additional partnerships with local communities and regional organizations. Maritime piracy is due to the collapse or failure of states. Its occurrence is an obstacle to the security not only of the EU and NATO Member States, but to normal trade and shipping in the affected regions. This requires the commitment to the security of relatively large maritime areas to be shared with third countries.

⁵⁷⁵ Aps, P. Somali pirates – advanced technologies cannot help, 18 June 2010 (<http://e-vestnik.bg/9368/somaliyski-pirati-i-visokite-tehnologiine-pomagat/>), last accessed on 03 July 2011.

7.5. NATO and Crisis Management

7.5.1. *Mechanisms Used in Operations to Maintain Peace*

Operations to maintain peace have a multifunctional character and are implemented in support of the mandate of the UN/OSCE or at the invitation of a sovereign government; they include military forces and diplomatic and humanitarian agencies, and their goal is to achieve long-term political settlement of the crisis or to fulfil other conditions specified explicitly in the mission's mandate.

They include peacekeeping and peace enforcement, as well as conflict prevention, peacekeeping operations, peace-building and humanitarian operations. Peacekeeping operations are generally undertaken in accordance with Article 6 from the UN Charter and are implemented with the consent of all parties in the conflict, in order to monitor and facilitate implementation of the peace agreement. Implications of expanded NATO actions have to be carefully assessed before an opinion that reflects the new actual level of international peace and security is given.⁵⁷⁶

Peace enforcement. Peace enforcement operations are undertaken in accordance with Article 7 of the UN Charter. By their nature, they are forced and held when the consent of all parties is not given or is under question. They are designed to maintain or re-establish peace, or to strengthen the conditions defined in the mission's mandate.

Conflict prevention. Actions aimed at preventing conflict usually take place under Article 6 of the UN Charter. They range from diplomatic initiatives to preventive deployment of forces designed to prevent the problem from culminating in a possible military conflict or to deepen and grow.

Building peace. Peace building covers activities that support political, economic, social and military measures, as well as structures aiming to

⁵⁷⁶ East, A. R., NATO's Changing Role in the International System: Security in the Post-Cold War World, University of Tennessee, Honors Thesis Projects, 2002 (http://trace.tennessee.edu/cgi/viewcontent.cgi?article=1535&context=utk_chanhonoproj), last accessed on 11 August 2014.

strengthen and consolidate political negotiations and agreements in order to identify causes for conflict. This includes mechanisms to identify and support structures which may play a role in the consolidation of peace, strengthening the sense of confidence and supporting economic reconstruction.

Humanitarian operations are conducted to relieve suffering and may precede or accompany humanitarian activities provided by specialized civilian organizations.⁵⁷⁷ Operations in which NATO has committed are peace-keeping, peace-building and peace-enforcing. The legal basis for them is usually a mandate by an international organization like the United Nations. It is essential with regard to the legitimacy of these operations, given the fact that most cases are conducted in regions with different religious, ethnic and cultural backgrounds.

Cultural dissonance is often used by opponents of the forces of the Alliance for manipulation of local communities and countering the efforts for overcoming the crisis. This requires to be considered in addressing the specific situation involving local communities, dialogue with leaders and coordinating efforts to achieve understanding and support.

7.5.2. *NATO Crisis Response System (NCRS)*

NATO decides whether to participate in an operation for crisis management on a case by case basis. These decisions as well as all others made by the Union are based on consensus between Member States. The NATO Crisis Response System (NCRS) is an effective tool to assist decision-making. Its purpose is to provide a unity of efforts between the headquarters of NATO, Member States and strategic commands, providing a comprehensive guide of options and measures to prepare for the management and response to crises.⁵⁷⁸

⁵⁷⁷ NATO, NATO A-Z, Crisis management (http://www.nato.int/cps/en/nato/live/topics_49192.htm), last accessed on 11 August 2014.

⁵⁷⁸ NATO Measures on issues relating to the linkage between the fight against terrorism and the proliferation of weapons of mass destruction (http://www.un.org/disarmament/WMD/SGReport_Terrorism/Docs/Report%20of%20the%20North%20Atlantic%20Treaty%20Orgn%20-%20NATO.pdf), last accessed on 11 August 2014.

The system for crisis response and reaction was approved in 2005 and every year it is subject to review. One of its key components is NATO's Crisis Management Process (CMP), which divides a crisis in six different phases (Indications and warning, assessment, development of response possibilities, planning, execution, transition), and thus provides a structure under which the process of military and non-military crisis response should be structured, flexible and adaptable to different situations.⁵⁷⁹

7.5.3. NATO Response Mechanism in Humanitarian Emergencies and Natural Disasters

Crisis management is a broad concept that goes beyond military operations to include issues such as protection of the population. Early in its existence, NATO developed measures for civil defence in the case of nuclear threat (in 1950). Member states quickly realize that these capabilities and capacity could be effectively used against the negative effects of disaster caused by floods, earthquakes, or technological accidents and cases of humanitarian disasters and catastrophes.⁵⁸⁰

In 1998 the Euro-Atlantic Disaster Response Coordination Centre (EADRCC) was created to coordinate assistance provided by Member States and partner countries to areas affected by disasters. The Union also establishes a Euro-Atlantic unit for disaster response as a temporary structure, which is a multinational mix of civilian and military elements provided on a voluntary basis by the Member States, ready at all times to be deployed and sent to the problem area.⁵⁸¹

Planning for civil emergencies is a key element of the commitment of NATO in crisis management. In recent years it has supported many countries – Albania, devastated by floods, the Czech Republic, Hungary, Romania and Ukraine; it also supported the High Representative of the UN on problems with the Kosovo refugees; sent aid to those affected by the earthquakes in Turkey and Pakistan, assisted in fighting fires in the Former Yugoslav Republic of Macedonia and Portugal; helped Ukraine and

⁵⁷⁹ NATO, NATO A-Z, Crisis management, Op. cit.

⁵⁸⁰ Ibidem.

⁵⁸¹ NATO, EADRCC, (<http://www.nato.int/eadrcc/>), last accessed on 11 August 2014.

Moldova after extreme weather conditions ravaged the energy transportation capabilities of the countries. NATO conducts regular exercises and civil emergency planning.⁵⁸²

The two organizations interact in civil planning emergencies as well – by exchanging information on measures taken by them on particular issues.⁵⁸³ The process of planning and coordination is critical for timely response during the first hours of a disaster.

7.6. NATO Plan for Construction of Ballistic Missile Defence System (BMDS) in Europe

In May 2012 NATO officially declared the first phase of the building of a ballistic missile defence system, designed to protect Europe from missiles coming from the Middle East and especially Iran, to have been completed. This system would be controlled and managed by the Ramstein base in Germany.

Over the last 10 years protection against ballistic missile strikes has become important to the national security of many countries of NATO and the EU – in the first place of the U.S. An effective missile defence will prevent ballistic missiles of aggressor countries from reaching their targets.⁵⁸⁴

Over the past 20 years six countries – India, Pakistan, China, DPRK, Iran and Israel have developed limited capabilities in ballistic medium-range missiles. A total of 30 countries have short-range ballistic missiles (less than 1000 km), mostly of the type Scud-B or similar (with a range of about 300 km). Five countries have ballistic missiles with greater range – over 5,500 kilometres (intercontinental ballistic missiles – IBMs): the U.S., Russia, China, France and Britain. Striving to develop such technologies are also India, Pakistan, DPRK, Iran and Israel.⁵⁸⁵ Iran has ballistic missiles with a range of 2,000 to 2,500 kilometres, capable of reaching Southeast Europe,

⁵⁸² NATO, NATO A-Z, Crisis management, Op. cit.

⁵⁸³ NATO, NATO-EU: a strategic partnership, Op. cit.

⁵⁸⁴ Sabev, S., NATO Missile Defence and National Security (<http://www.atlantic-bg.org/files/05-2010/doc-006.pdf>), last accessed in March 2014.

⁵⁸⁵ Ibidem.

which is why NATO plans (within the Ballistic Missile Defence System) to deploy a powerful radar in Anatolia (Turkey), as well as SM-3 missile frigates in the Mediterranean and interceptors in Romania and Poland.

The NATO's BMDS project in Europe was initially a U.S. initiative; the U.S. developed the technology and financed most of its construction. At the April 2008 Bucharest summit of NATO, the U.S. plan was integrated into that of NATO. The European Member States of NATO decided to participate by co-financing the use of shared equipment and control structures.⁵⁸⁶

At the NATO summit in Lisbon in November 2010, national and government heads decided to adopt an advanced missile defence program and develop its capabilities. It is envisaged that it should become the basis for determining its command, control and communications. In June 2011, defence ministers of NATO approved an action plan for the implementation of the BMDS and for building the capacity of the system over the next decade.⁵⁸⁷

NATO's plan to build a missile defence shield in Europe should be implemented in several phases:

- First stage (until 2012) – deployment of existing missile defence systems for ballistic missiles with small and medium range – with primary focus over Southern Europe as the most vulnerable area, through the use of sea-based AEGIS missile systems with SM-3 Block IA and deployment of a front-based radar.
- Second stage (until 2015) – increasing capability by deploying advanced naval and land-based missiles SM-3 Block IB and five additional sensors in Southern Europe, to extend protection to more Member States.
- Third stage (until 2018) – protection against ballistic missiles with medium and long-range through the deployment of a positioning

⁵⁸⁶ NATO, Ballistic missile defence (http://www.nato.int/cps/en/natolive/topics_49635.htm), last accessed on 12 April 2014.

⁵⁸⁷ Ibidem.

area in Northern Europe and advanced sea-based missiles SM-3 Block IIA. Achieving full coverage of all EU Member States.

- Fourth stage (until 2020) – development of additional capabilities for the protection of the United States from potential MIA from the Middle East – using still more advanced missiles SM-3 Block IIV.⁵⁸⁸

In 2003, under the auspices of the NATO – Russia Council (NRC) a study which evaluates possible levels of interoperability between the systems for missile defence of NATO and Russia began. The Council is responsible for developing a comprehensive joint analysis of a possible future framework for missile defence cooperation. In April 2012 NATO and Russia successfully conduct a computer simulation of a joint project action, despite the reserved Russian position on NATO's BMDS initiative.

7.7. Other Areas of Cooperation between NATO and the EU

7.7.1. The Cooperation for Development of Defence Capabilities

The development of capabilities is an area of cooperation which is essential and it has the potential for future expansion. The NATO and EU capability development group started work in May 2003 to ensure consistency and support for the two organizations' efforts in this area. Since the establishment in July 2004 of the European Defence Agency (EDA), its experts have contributed to the group's development capabilities, playing an important role in complementing the priorities of NATO on the Smart Defence Initiative and the EU "Pooling and Sharing" initiative.⁵⁸⁹

In May 2010 a group of experts making proposals for the new Strategic Concept of NATO, stated that its transformation into an organization with more dynamic military and political structures required a new commitment to effective financing. One of the main goals was to improve cooperation with the EU. Of the NATO Member States, 75% are committed to the Treaty of Lisbon and are a majority in the EU. The fragmentation of mili-

⁵⁸⁸ Sabev, S., Op. cit.

⁵⁸⁹ NATO, NATO–EU: a strategic partnership, Op. cit.

tary budgets for agencies and programs could dangerously compromise the parties' objectives in security, but cooperation between NATO and EDA for the development of defence capabilities will increase the return on investment.⁵⁹⁰

7.7.2. The Cooperation in the Fight Against Terrorism and Non-Proliferation of Weapons of Mass Destruction

Both NATO and the EU are engaged in the fight against terrorism and the spread of weapons of mass destruction. They exchange information on protecting the civilian population from chemical, biological, radiological and nuclear attacks.

Measures are discussed to materialize the cooperation of the EU and NATO on the issue of terrorism and the proliferation of weapons of mass destruction. Such measures may in time make reasonable and possible the movement towards a successful anti-terrorism cooperation between NATO and the EU – a full and direct exchange of intelligence on terrorism.⁵⁹¹

7.7.3. The NATO – EU Cooperation in the Field of Energy Security and Cyber-Defence

The adoption of the new NATO Strategic Concept reveals the need to address the emerging areas of cooperation with the EU. This applies in particular to the issues of energy security and cyber-defence. Consultations take place at the expert level.⁵⁹²

The issue of energy security is present in the discussions during the informal meetings between the NAC and the Political Security Committee of

⁵⁹⁰ NATO and the European Defence Agency – the game is not a zero sum game (<http://www.nato.int/docu/review/2010/Lisbon-Summit/NATO-EDA/EN/index.htm>), last accessed on 02 June 2014.

⁵⁹¹ EP, Directorate General for External Policies of the Union, Briefing Paper EU and NATO: Co-operation or Competition, 2006 (<http://edz.bib.uni-mannheim.de/daten/edz-ma/ep/06/pe348.586-en.pdf>), last accessed on 11 August 2014.

⁵⁹² NATO, NATO-EU: a strategic partnership, Op. cit.

the EU.⁵⁹³ Duplication of structures can be avoided to ensure rapid and effective cyber-defence. Civilian and military institutions can coordinate efforts on focusing against threats that do not distinguish between civilian and military systems. Since most countries in NATO are members of the EU as well, it would be inefficient to have two separate systems for cyber-defence. Cyber security should be a top issue in NATO-EU cooperation.⁵⁹⁴

Capability development through the complementarities of NATO's work on the Smart Defence initiative and the EU Pooling and Sharing initiative helps to clear the new strategic priorities of both organizations, to address duplicate functions and better use of resources for security and defence. Meanwhile new global security challenges related to the spread of terrorism and weapons of mass destruction require not only strong interactions, but attracting additional partnerships on the basis of the UN, OSCE and other international and regional organizations. Asymmetric threats are able to manipulate and destroy not only defence infrastructures, but also have an overall negative effect on fundamental economic structures. This requires a new approach, which in many cases is implemented against the criminal groups and organizations within the EU or a member-state of NATO.

* * *

Throughout the history of its existence, NATO has proven to be arguably the most successful political-military alliance. Its functionality and reliability are confirmed by the integration of most of former Socialist countries in it. At the same time, changing risks and security challenges in the twenty-first century impose a reconsideration of its role and functions.

The same applies to the EU. In order to be commensurate with its economic strength and weight in world politics, the EU should build its own capacity for external action. Parts of it are civilian and military capabilities for crisis management. The possibilities of the Common Security and De-

⁵⁹³ Shea, J., Energy Security: NATO's Potential Role (<http://www.nato.int/docu/review/2006/issue3/bulgarian/special1.html>), last accessed on 11 August 2014.

⁵⁹⁴ Cyber NATO partners, Atlantic community, 15 October 2010 (<http://www.vse.kiden.com>), last accessed in June 2012.

fence Policy have a stable foundation in the experience and expertise gained from most EU Member States' membership in NATO.

With the adoption of the new Strategic Concept of NATO at the summit in Lisbon in November 2010, the Alliance has become committed to working more closely with the European Union – the main international partner of NATO in the process of crisis-prevention, conflict-management and the stabilization of post-conflict situations. This interaction is an important element in the development of international “comprehensive approach” to crisis and operation management requiring effective combination of military and civilian vehicles.

Along with cooperation on conventional security threats, several new areas of future active partnership between NATO and the EU are also defined, including energy security and cyber-defence. The North Atlantic Alliance acknowledges the progress in the development of European defence with the adoption of the Lisbon Treaty, which provides the necessary framework for strengthening the capacity of the European Union to tackle global security challenges.

Chapter 8:

EU Energy Security and the Role of the Black Sea Region

The necessity of guaranteeing Europe's energy security was realized as far back as the end of World War II. The first community contracts relied not only on the mutual control over the main energy resources for that period – coals and nuclear energy – but also on intensifying the cooperation between the Member States on improving the energy resource market situation. The Community's economic development has changed the prioritizing of energy resources as the strategic importance of coals has gradually decreased and that of oil and petrol products increased. The dynamic economic development in Europe in the second half of the 20th century led to understanding the necessity of a common EU energy market; at the same time the change in risks to the safety zone at the beginning of the 21st century also requires special policies to protect the European Critical Energy Infrastructure (ECEI).

Energy security is a fundamental component of the overall security of the EU. The scarcity of energy resources in a mid-term aspect and the Union's dependence on raw energy material import raise a number of questions connected with the necessity of guaranteeing necessary deliveries and finding alternative resources.

Large variety of strategic documents focus EU efforts on energy security issues, amongst which: the European Energy Programme for Recovery (EEPR); the EU Energy Security and Solidarity Action Plan; and the European Strategy for Sustainable, Competitive and Secure Energy. The problems with energy material deliveries could possibly lead to economic recession or even collapse of entire industrial sectors. Amongst the leading components of European energy security, increasing energy effectiveness, developing a competitive energy market and adopting a policy for securing energy independence deserves more attention.

Designing effective models for protecting the European Critical Energy Infrastructure (ECEI) set up in Member States is of strategic importance in

order to guarantee the European Union's energy security since damaging these models would result in negative consequences for Member States.

One of the regions with strategic energy security importance is the Black Sea region. It connects Europe with the Caspian Sea, Central Asia and the Middle East and, on a broader scale, with Southeast Asia and China, having its close ties but at the same time geopolitical differences and rivalry. The Black Sea region is a developing market with great economic potential and it is also a vital junction for energy and transport routes. Along with the significant development opportunities that the countries in the region have, they are also facing a number of challenges that require in-depth coordinated action on a regional level in key areas such as energy, transport, environment, mobility and security.

Recent studies indicate that European energy independence and pipeline security will be facing numerous serious hurdles until 2050.⁵⁹⁵ The economic crisis over the last few years has clearly shown the acute energy issues of most Member States and invokes initiatives, suggestions and decisions on the part of European institutions, individual governments, regional authorities and businesses in order to establish a well-functioning common energy policy.

8.1. Evolution of Energy Policy and Security in Europe

On the initiative of the French Minister of Foreign affairs Robert Schuman (the Schuman Plan of 9 May 1950) and the support of the Chancellor Adenauer, the treaty of the European Coal and Steel Community (ECSC) was signed on 18 April 1951. The main idea came from the French General Commissary for the Plan of Modernization and Equipment at the time, Jean Monnet. He believed that the treaty would improve the German-French relations and he wanted to lay the foundations of a European Federation; furthermore, it would give the Federal Republic of Germany (which had still not received sovereignty) the chance to negotiate on the

⁵⁹⁵ European Energy Innovation , Security of Gas Supply and Liberalisation: What are the Challenges Ahead of Us? (<http://www.europeanenergyinnovation.eu/Articles/Winter2012/SecurityofGasSupplyandLiberalisation.aspx>), last accessed on 26 September 2014.

international stage. The ECSC foundation contract came to effect as of 23 July 1952 with France, Italy, the Federal Republic of Germany and the Benelux countries.⁵⁹⁶

Until 1954 the ECSC abolished almost all obstacles in the way of trading with coal, steel, cast and scrap iron that had previously existed between the Member States. As a result of these measures taken, the trade with those goods drastically increased in the second half of the 50's. A set of common rules for control over the cartels and the regulation of integrations was established. Since the 60's, one of the main tasks of the ECSC was to supervise its members in terms of reducing excess production of coal by replacing it with oil as industrial fuel.⁵⁹⁷

After the integration of the three European communities (ECSC, Euratom and EEC) in 1967 (by power of the 1965 Treaty of Brussels, known as the "Merger Treaty"), the Council of Ministers adopted a directive according to which all Member States obliged themselves to maintain minimum reserves of solid fuel and oil products which should satisfy their needs over a 65-day period. With the escalation of conflicts in the Middle East and the increase in oil price in 1972 the reserve requirement equalled the quantity of fuel that would be sufficient for three months. One year later a directive was adopted regarding the ability of the countries to secure electricity production for at least thirty days. Although the countries realized the necessity of energy independence, their rejection to delegating part of their sovereignty to the community hindered the process of achieving a common energy security policy.

During the 70's and the 80's of the 20th century, when the coal and steel industries suffered a deep crisis, the ECSC managed to organize industrial restructuring and conversion, emphasizing on the protection and rights of labourers in accordance with the European social model.⁵⁹⁸

⁵⁹⁶ Europe-Gateway (<http://www.europe.bg/htmls/page.php?id=476&category=235>), last accessed in May 2012.

⁵⁹⁷ Encyclopædia Britannica, European Coal and Steel Community (ECSC) (<http://www.britannica.com/EBchecked/topic/196004/European-Coal-and-Steel-Community-ECSC>), last accessed on 13 August 2014.

⁵⁹⁸ EU, General background to the ECSC (http://europa.eu/ecsc/results/index_en.htm), last accessed on 13 August 2014.

The ECSC ceased to exist in 2002 when the 50-year validity period of the treaty elapsed; however, its activities were not entirely cancelled. The Research Fund for Coal and Steel continued to function. The ECSC had outlined the common energy policy and long-term planning. The adopted model for intensified recovery of European economies and their competitive development after World War II was applicable in the beginning of the 21st century, too, notwithstanding different reasons for its relevance, such as the financial crisis, the dependence on import and the deficiency in raw materials.

The European Energy Charter (EEC) was signed in 1991. The contract related to it defined the international cooperation between the European countries and other industrialized countries, the aim being developing the energy potential of the Central and Eastern European countries as well as guaranteeing security and power supplies to the European Union.⁵⁹⁹ It was not until 1998 that the contract came into effect. When the Maastricht Treaty was signed in 1992, energy security was not explicitly included therein.⁶⁰⁰

Until the end of the 20th century, energy effectiveness did not become a component of the overall energy policy. Even the European Energy Charter simply remained a piece of paper for approximately seven years after it had been signed.

For the first time the long-term goals of the energy policy of the European Union were set out in the White Paper of 1995. In 2000 the Green Paper of the European strategy for security of energy supply to the EU was adopted. It is focused on the following twenty to thirty years and lays stress on structural weaknesses, geopolitical, social and ecological imperfections of EU energy supplies.

In October 2004 the European Commission accepted a message of protecting critical infrastructure in the process of combating terrorism. About

⁵⁹⁹ EU, European Energy Charter (http://europa.eu/legislation_summaries/energy/external_dimension_enlargement/l27028_en.htm), last accessed on 12 June 2014.

⁶⁰⁰ EU, Treaties for EU (http://europa.eu/about-eu/basicinformation/decision-making/treaties/index_bg.htm), last accessed on 05 May 2012.

a year later, in December 2005, the Justice and Home Affairs Council called on the Commission to prepare a suggestion for a European programme for critical infrastructure protection and decided that counteracting terrorist threats should be a priority. In April 2007, the Council accepted a conclusion about a European programme for protection of critical infrastructure and again pointed out that the Member States have the final responsibility for managing the mechanisms for its protection within their national borders. At the same time the Council welcomed the efforts of the Commission toward developing a European procedure for detecting and marking European Critical Energy Infrastructure and evaluating the necessity of its improved protection.⁶⁰¹

8.2. Strategic Documents for the Development of the European Energy Security

8.2.1. The Green Paper of the European Strategy for Security of Energy Supply to the EU, accepted in 2000

The European strategy for energy supply security is orientated toward sustainable development and guaranteeing of incessant stock of energy products on the European market so that the economies of the Member States function normally and that the needs of consumers (private and industrial) are met in the context of observing the requirements for environmental protection. Guaranteeing the security of energy supplies reduces to a minimum the risks of depending on a certain energy provider by balancing between various sources (in terms of products and geographical region).

The Green Paper sets as a main goal a 20% reduction of conventional combustibles in the transport sector and a replacement of “new energy sources” by 2020 – bio-combustibles, natural gas, hydrogen or other alternative combustibles obtained in an environmentally friendly way.⁶⁰²

⁶⁰¹ Council Directive 2008/114/EC of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:345:0075:0082:EN:PDF>), last accessed on 13 August 2014.

⁶⁰² Alliance of the Producers of Ecological Energy – BG Association (<http://www.eco-energy-bg.eu/SPEE/Files/Read1EnergyPBG.php?id=3&language=2&typeenergy=4>),

8.2.2. *Directive 2005/ 89/ EC of the European Parliament and the Council, 18 January 2006, Concerning Measures to Safeguard Security of Electricity Supply and Infrastructure Investment*

The Directive outlined the measures that aim at ensuring the security of electric power supplies through which the effective functioning of the domestic market of electric power should be ensured.⁶⁰³ The document pointed out that the Member States need to ensure a high level of electric power supply security by taking the necessary measures for establishing stable investment climate and defining the roles and responsibilities of the competent organs including those of regulatory organs when needed as well as all market participants based on published information.⁶⁰⁴

8.2.3. *The 2005 Green Paper and the 2006 European Programme for Critical Infrastructure Protection*

For the first time a community definition of the term “critical infrastructure” was given in the Green Paper of the European Programme for Critical Infrastructure Protection (EPCIP) and a recommended sector list was proposed in that regard. Based on the Green paper in 2006, the EU included a European Programme for Critical Infrastructure Protection⁶⁰⁵ with which the protection of critical infrastructure in the European Union should be improved by applying new mechanisms and procedures.⁶⁰⁶

The Green paper and the European Programme for Critical Infrastructure Protection establish an informational warning network for critical infrastructure and strengthen the EU capacity in terms of its effectiveness by decreasing the level of its vulnerability.

last accessed on 13 August 2014.

⁶⁰³ Directive 2005/89/EC of the European Parliament and of the Council of 18 January 2006 concerning measures to safeguard security of electricity supply and infrastructure investment (<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32005L0089&from=EN>), last accessed on 13 August 2014.

⁶⁰⁴ Ibidem.

⁶⁰⁵ Georgiev G., D. Bratanov. Analysis of the Possibilities for Automation of the Assessment of Elements of Critical Infrastructure Through Mobile Robots.

⁶⁰⁶ EU, Green Paper on the security of energy supply (http://europa.eu/legislation_summaries/energy/external_dimension_enlargement/l27037_en.htm), last accessed on 13 August 2014.

8.2.4. *Directive 2008/114/EC of the Council of 8 December 2008, with regard to detecting and marking European critical infrastructure and the evaluation of the necessity of its improvement*

The Directive includes the energy and transport sectors and creates a procedure for deciding which European infrastructure is critical and then marking it. The document enables the Commission to assist the Member States, upon their request, in the process of evaluating the potential of European critical infrastructure and to guide their attention to the presence of such.⁶⁰⁷

The Directive outlines that each member country should guarantee the implementation of operational plans for critical infrastructure security or of their equivalent as they are annually revised after having been established.⁶⁰⁸

8.2.5. *The EU Energy Security and Solidarity Action Plan*

As part of the EU's new policy in the field of energy and environment that was discussed and agreed on by the European Council in March 2007,⁶⁰⁹ the Commission proposed an EU Action plan for Energy Security and Solidarity in 2008, consisting of five points and being a key to the Second Strategic Energy Review.⁶¹⁰

The policy of long-term planning of the EU's energy security has its advantages but it poses a number of risks, too. As already mentioned, the investments in renewable energy are extremely high and it takes a long time for them to become profitable and the return pace is considerably slower than that of conventional resources. All this raises the question whether the

⁶⁰⁷ Council Directive 2008/114/EC of 8 December, Op. cit.

⁶⁰⁸ Ibidem.

⁶⁰⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Second Strategic Energy Review: an EU energy security and solidarity action plan, Brussels, 13 November 2008 (<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52008DC0781:EN:HTML>), last accessed on 15 May 2014.

⁶¹⁰ EU, Summaries of EU legislation, Energy Security and Solidarity Action Plan, available as of 4 March 2009 (http://europa.eu/legislation_summaries/energy/european_energy_policy/en0003_en.htm), last accessed on 15 May 2014.

European economy will be able to finalize this transitory period of modifying the share of power resources that supply the EU energy security. Meanwhile, the “20-20-20” initiative regarding the reduction of greenhouse gases by 20% by the year 2020 needs to be sustained by EU competitive economies; otherwise, it could lead to higher production cost and thus to a lower competition rate of the European economy. Therefore, the conclusion is that it will take cohesion and solidarity when it comes to engagements related to climate changes on a global level.

8.2.6. The European Energy Programme for Recovery (EEPR)

The beginning of the EEPR was inaugurated by the European Economic Recovery Plan, which was accepted by the Commission on 26 November 2008 in response to the economic and financial distress in Europe. The Plan called for coordinated national action added to EU direct action aimed at the “emergence” of purchasing power and increase of economic demand through immediate budget stimulation.⁶¹¹ In this context both the European Union and the Council accepted the Regulation (EC) Number 663/2009⁶¹² for the establishment of the EEPR.

The European Energy Programme for Recovery is an instrument for the long-term planning and provision of public investments in renewable energy resources. In this context it is expedient to point out that the significant amount of “green energy” investments presupposes a longer period until they become profitable; however, it simultaneously creates the necessary sustainability for economic development.

⁶¹¹ Report from the Commission to the Council and the European Parliament on the implementation of the European Energy Programme for Recovery, Brussels, November 2013, p. 2. (http://ec.europa.eu/energy/eepr/eeef/doc/com_2013_791_en.pdf), last accessed on 13 August 2014.

⁶¹² Regulation (EC) No 663/2009 of the European Parliament and of the Council of 13 July 2009 establishing a programme to aid economic recovery by granting Community financial assistance to projects in the field of energy (<http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009R0663>), last accessed on 14 August 2014.

8.2.7. *Energy 2020 – A Strategy for Competitive, Sustainable and Secure Energy*

On 10 November 2010, the Commission introduced its new strategy for a competitive, sustainable and reliable energy sector.⁶¹³ In the “Energy 2020” Communication, the energy priorities for 10 years ahead were outlined and the measures for meeting the necessity of reducing energy expenses implemented as well as those for establishing a market with competitive prices and secure supplying, encouraging technological leadership and conducting effective negotiations with the EU’s international partners.⁶¹⁴

8.2.8. *The European Strategic Plan for Energy Technologies*

Energy technologies are crucial to accomplishing the 2020 and 2050 European goals related to combating climate changes, power supply security and the competitiveness of European companies. The European strategic plan for Energy Technologies (the SET plan) was adopted by the European Union in 2008 and it was the first step toward creating an energy technology policy in Europe.⁶¹⁵

It is absolutely mandatory to establish a common inner energy market. Regardless of whether the 2015 deadline of this goal will be met, accelerating the finalisation of the process will have a positive influence on the economies of all Member States. In this regard the goal that the 28 countries should speak with “one voice” concerning energy matters on the international stage makes perfect sense – the European economy has become dependent to the point that this is the most integrated component of EU policies and the common interest should dominate that of each member country. In this context it is essential to expand the level of innovations

⁶¹³ Energy 2020, A strategy for competitive, sustainable and secure energy, Luxembourg 2011, (http://ec.europa.eu/energy/publications/doc/2011_energy2020_en.pdf), last accessed on 13 August 2014.

⁶¹⁴ EU, Press Release Database, 10 November 2010, Energy: Commission presents its new strategy towards 2020, (<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/1492&format=HTML&aged=0&language=en&guiLanguage=en>), last accessed on 13 August 2014.

⁶¹⁵ European Commission, Energy, Technology&Innovation, Set-Plan (http://ec.europa.eu/energy/technology/set_plan/set_plan_en.htm), last accessed on 13 August 2014.

and new technological solutions in the area of energy policies. However, when it comes to reducing energy expenses, this key priority might turn out to be a challenge to the new Member States which have not progressed much technologically and consume a great deal of energy, thus rendering the priority a challenge to their competitiveness.

8.2.9. The European Energy Security Strategy

On 28 May 2014, in response to the critical situation in Ukraine, the European Commission released an EU energy security strategy. Based on detailed assessments⁶¹⁶ of the Member States' energy dependence, the strategy classifies short-term measures and medium to long-term measures.

In a short-term perspective, the strategy stresses the importance of resilience in case of possible gas supply disruptions. Already existing emergency and solidarity mechanisms should be reinforced.⁶¹⁷ To do this gas stocks need to be increased, emergency infrastructure (such as reverse flows) need to be developed and the short-term energy demand needs to be reduced. It also proposes energy security stress tests.⁶¹⁸

In the medium term to long-term perspective, Europe's energy market as such needs to become better functioning and integrated. External dependency needs to be reduced and suppliers shall become more diversified. The Commission also points out that Member States should work more closely together and that in order to achieve synergies between energy objectives and foreign policy the Union should speak to its partners with a single voice.⁶¹⁹

⁶¹⁶ European Commission, In-depth study of European Energy Security (http://ec.europa.eu/energy/doc/20140528_energy_security_study.pdf), last accessed on 18 August 2014.

⁶¹⁷ European Commission, Communication from the Commission to the European Parliament and the Council, European Energy Security Strategy, Brussels 28 May 2014 (<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014DC0330&from=EN>), last accessed on 18 August 2014.

⁶¹⁸ European Commission, Energy, Security of energy supply (http://ec.europa.eu/energy/security_of_supply_en.htm), last accessed on 18 August 2014.

⁶¹⁹ Ibidem.

8.3. EU Domestic Energy Market Security and the Role of the Black Sea Region

The modern and competitive European economy needs a long-term strategic vision regarding the security of energy supplies and diversified approaches to securing them. In this context the EU participates in the development of a number of projects and initiatives related to the establishment of alternatives to the already existing supply corridors for gas and oil import, development of the inner electric and gas distribution network as well as the creation of a common energy market.

Due to the fact that 350 million people live in the Black Sea region and the nearby Caspian Basin and their common potential adds up to 220 billion Euro in foreign investments, they comprise the second important supplier of energy resources (the first being the Persian Gulf) and their significance as a priority transitory corridor to the EU has been increasing.⁶²⁰

As part of the policy for strengthening the European energy security, the Union assists the Black Sea region countries in developing a clearer vision regarding the alternative energy source matters, those of energy infrastructure and the process of energy saving, which considerably decreases the amounts of resources needed.⁶²¹

In October 2011, the European Commission adopted a regulation proposal regarding “Guidelines for the trans-European energy infrastructure”, the goal being to guarantee that by 2020 the construction of strategic energy networks and storage facilities will be completed. The Commission highlighted 12 priority areas concerning electricity, gas, oil and transport networks for hydrocarbons. It has been proposed that the “mutual interest” principle be implemented in terms of projects that contribute to the achievement of these priorities.

⁶²⁰ Lyubcheva, M., *The Black Sea region in EU Policies*, Black Sea Institute, September 2010, Burgas (<http://library.fes.de/pdf-files/bueros/sofia/07836.pdf>), last accessed on 13 August 2014.

⁶²¹ Communication from the Commission to the Council and the European Parliament *black sea synergy – A new regional cooperation initiative*, Brussels, 11 April 2007. (<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52007DC0160>), last accessed on 13 August 2014.

8.3.1. The Black Sea Region and EU Energy Security

When Bulgaria and Romania joined the EU in 2007, the major energy routes crossing the Black Sea region were incorporated into the Union's geostrategic map. Thus, the potential of the countries from the region considerably increased in terms of being a key component of the energy security of the Union.

The European Union, its Member States and those of the Black Sea region have a long history of cooperation in the field of the energy sector.⁶²² The following EU Member States are part of the Black Sea region – Bulgaria, Greece and Romania. Turkey is a candidate-country. Partners within the boundaries of the European neighbourhood policy are Armenia, Azerbaijan, Georgia, the Republic of Moldova, and Ukraine. The Russian Federation bears mention in its capacity of being a strategic partner.⁶²³ The area is rich in natural resources and it is a production and transitory zone of strategic importance for the security of energy supplies to the EU.⁶²⁴

The importance of the Black Sea is defined by its role as a natural energy resource.⁶²⁵ The EU and the countries from the region are highly interested in developing a sustainable and ecological dimension of their cooperation concerning the ever-increasing amounts of oil transported through the Black Sea basin, for they cause an escalating concern regarding environmental safety.⁶²⁶ In view of the common challenges that the EU and Black Sea region countries are facing, the Union supports the regional development in South East Europe through the 2007 “Black Sea Synergy” initiative.⁶²⁷

⁶²² Raykov, M., *The Bulgarian Energy Agenda*, International Round Table Bulgaria and Europe: Our Energy Security, Sofia, Grand Hotel Sofia, 12 June 2010.

⁶²³ Resolution of the European Parliament of 20 January 2011, *An EU Strategy for the Black Sea* (2010/2087(INI)).

⁶²⁴ Communication from the Commission to the Council and the European Parliament *black sea synergy – A new regional cooperation initiative*, Op. cit.

⁶²⁵ Resolution of the European Parliament of 20 January 2011, *An EU Strategy for the Black Sea* (2010/2087(INI)).

⁶²⁶ Communication from the Commission to the Council and the European Parliament *black sea synergy – A new regional cooperation initiative*, Op. cit.

⁶²⁷ EEAS, *Black Sea Synergy* (http://eeas.europa.eu/blacksea/index_en.htm), last accessed on 13 April 2014.

8.3.1.1. The Black Sea Region and the European Trans-Border Energy Networks

The majority of gas supplies for Europe pass through the countries from the Black Sea region – about 80% of the European import of blue fuel that comes from Russia passes through Ukrainian territory uninterruptedly. As a result of the Russian-Ukrainian gas confrontation and the subsequent energy crisis of January 2006, the EU has focused its efforts toward reducing the European countries' energy dependence on Russia by diversifying the suppliers, routes and transport mechanisms.⁶²⁸

The trans-European energy networks have a deciding role in guaranteeing the security and diversification of supplies. Achieving operational compatibility of EU energy networks with those of the countries of the neighbouring regions of the Mediterranean Sea, the Black Sea and the Caspian Basin, as well as the Middle East and the Persian Gulf region, will be a key issue.⁶²⁹

The projects for constructing new gas pipelines which should increase the Caspian energy supplies to the European markets have contributed to the Black Sea region's ever more active international role. Russia, Azerbaijan and Turkmenistan have great significance regarding gas supplies to the Old Continent. Considerable projects, some of which have already been completed, are: Nord Stream, South Stream, AGRI and East-West.

8.3.2. *Security for the European Energy Supply*

As the consumption of energy and the dependence on the import of oil and natural gas increase and the amounts of resources decrease, the risk of inconsistent supply becomes more significant. Therefore, securing the European energy supply is a top priority on the EU agenda. Due to the

⁶²⁸ Grund, M. in an interview for the Bulgarian National Radio, Economic and energy prospects in the Black Sea region, 11 March 2011 (http://bnr.bg/sites/radio_bulgaria/Economy/Business/Pages/Ikonomicheski%20i%20energiini%20prespektivi%20pred%20Chernomorskia%20region.aspx), last accessed on 02 February 2012.

⁶²⁹ Alekov, D., The global petrol and gas pipelines, 23 January 2012 (<http://www.economynews.bg>), last accessed on 05 February 2012.

political crisis in Ukraine, the EU Energy Security Strategy,⁶³⁰ based on Member States' energy dependence, was released on 28 May 2014.⁶³¹

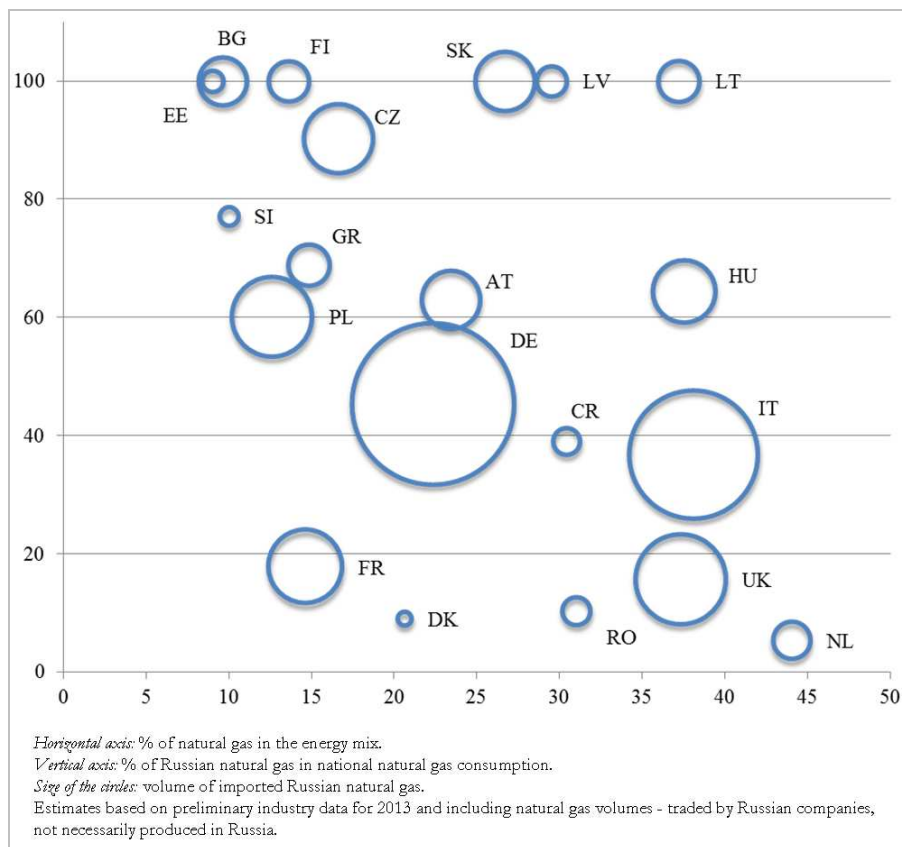


Figure 8.1. Dependency on natural gas supplies from Russia.⁶³²

⁶³⁰ See chapter 8.2.9.

⁶³¹ European Commission, Energy, Security of energy supply (http://ec.europa.eu/energy/security_of_supply_en.htm), last accessed on 13 August 2014.

⁶³² European Energy Security Strategy 2014, p.21, (<http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52014DC0330&qid=1407855611566>), last accessed on 17 October 2014.

Country	Imports via Ukraine in March 2013 (mcm/day)	Total gas imports in March 2013 (mcm/day)	Share of Ukrainian transit in imports
Austria	14.30	14.30	100%
Bulgaria	7.90	7.90	100%
Croatia	3.96	3.96	100%
Hungary	21.48	21.48	100%
Romania	4.96	4.96	100%
Slovakia	14.84	14.84	100%
Slovenia	3.16	3.16	100%
Greece	6.56	9.44	69.5%
Italy	83.87	172.74	48.6%
Poland	13.83	31.53	43.9%
Czech Republic	11.19	27.59	40.6%
Average	16.91	28.35	82.1%

Table 8.1. Gas import dependency in Central and South East Europe (2012) ⁶³³

In order to guarantee EU energy supply, the following aspects are crucial:

- Strategic oil and oil product reserves, in the context of which the Member States need to form and maintain minimum reserves of petrol and petrol resources so that consumers have an incessant access.
- Gas supply security ensured by the construction of a trans-Caspian pipeline system. On 12 November 2011, the European Union approved of a mandate for negotiating a commitment treaty between the EU, Azerbaijan and Turkmenistan in order to support the infrastructural project. It will be signed by the EU once all member country governments have approved of it.
- Electric energy supply security ensured by defining clear standards for exploitation of electric transport networks and their correct maintenance and development.

Supply security is ensured by stocking minimum amounts of strategic re-

⁶³³ Sharples, J., Judge, A., Bulgaria and Macedonia would be hardest hit by a suspension of Russian gas exports through Ukraine, The London School of Economics and Political Science, (<http://blogs.lse.ac.uk/europpblog/2014/03/13/bulgaria-macedonia-and-romania-would-be-hardest-hit-by-a-suspension-of-russian-gas-exports-through-ukraine/>), last accessed on 24 September 2014.

sources of oil and oil products, alternative gas pipelines and contemporary electricity transmission networks so that any accidental or crisis cut of energy supplies to the EU along one of the constructed routes do not influence the economies of EU Member States.

8.3.3. Infrastructural Security of Oil Supply to the EU

The ever increasing demand, insecure and insufficient supply, skyrocketing prices and global warming place the topic of oil in the centre of political debates. Oil remains a crucial source of energy and EU activities connected with it share one main goal – for all Europeans to have access to oil at reasonable prices.⁶³⁴ On 19 January 2012, the European Commission established the European Union Offshore Oil and Gas Authorities Group to deal with matters of obtaining oil and gas in sea regions and averting and reacting to any major failure in the process of obtaining oil and gas in sea regions within the boundaries of the Union as well as beyond them, if necessary.⁶³⁵

8.3.3.1. The Petrol Product Reserves in the EU

The 2006/67/EC Directive of the Council of 24 July 2006 states that Member States must maintain minimum amounts of raw petrol and/or petrol products. Petrol product reserves could be stored in various places in the Community and, at the same time, there is a need to help store reserves outside the national territories of the Member States. Decisions for keeping petrol reserves outside the national territory of the respective member-country must be made by the government according to need, taking into account the security of supply.⁶³⁶

⁶³⁴ Ibidem.

⁶³⁵ Commission Decision of 19 January 2012 on setting up of the European Union Offshore Oil and Gas Authorities Group (2012/C 18/07, Official Journal of the EU, 21 January 2012, p. 8 (<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:018:FULL:EN:PDF>), last accessed on 14 August 2014.

⁶³⁶ Council Directive 2006/67/EC of 24 July 2006 imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products (<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:217:0008:0015:EN:PDF>), last accessed on 14 August 2014.

8.3.3.2. Petrol Imports to the EU

In an attempt to diversify its oil and gas supply, when the EU only changes the routes, but not the source – Russia – it is bound to be dependent for energy upon the latter. European countries prefer bilateral relations with Russia while primarily defending national, rather than community, interests. In 2009 Russia exported 7 million barrels of petrol, the majority of which (80%) was for the European markets – mainly Germany and the Netherlands.⁶³⁷

Russia has good internal arrangement and a pipeline network for export. The entire pipeline network is dominated by the state company Transneft, which transports 90% of the petrol Russia produces (according to IHS Global Insight).

8.3.3.3.1. The Druzhba Oil Pipeline

Druzhba is the major Russian pipeline transporting petrol to the European markets using two main routes – to the North through Belarus, Poland, and Germany and to the South – through Belarus, Ukraine, Slovakia, the Czech Republic and Hungary. It is more than 2,300 miles long and its capacity is 1.4 billion barrels a day.⁶³⁸ The strategic role of the vital Druzhba pipeline in the petrol import to the EU raises the question of a future extension of its capacity by a few hundred kilometres by constructing new branches and securing direct access to the Western European sea terminals in Germany and the Netherlands, which are the largest consumers of Russian oil in the EU. Thus, the Union would avoid insecurity and interruption of supplies because of problems and contradictions caused by third-party countries through whose territory the petrol transit is conducted.

8.3.3.3.2. The Baltic Pipeline System

The project was initiated in 1997 and the construction was completed in 2001. The Baltic pipeline system belongs to the Russian corporation Transneft and connects Samara with the Russian petroleum tanker terminal in Primorsk (Gulf of Finland). The pipeline deliveries raw petroleum from

⁶³⁷ Country Analysis Briefs Header, 2010 (<http://www.eia.gov/emeu/cabs/Russia/Full.html>), last accessed on 05 May 2012.

⁶³⁸ Ibidem.

the Russian West Siberian region to the Northern and Western European markets.⁶³⁹ In March 2012, the Russian Prime Minister Vladimir Putin pushed the symbolic button of the beginning of the Baltic pipeline system (BPS-2) second stage. The approximate amount of petrol that BPS-2 exported through the Ust-Lugasea port for the second quarter of 2012 was 3.6 million tons.

8.3.3.3.3. The Baku-Novorossiysk Pipeline

The contract for oil transportation through Russia to the Black Seaport of Novorossiysk was signed between Baku and Moscow on 18 February 1996. The Baku-Novorossiysk pipeline is 1,330 km long, 231 of which are found in Azerbaijan.⁶⁴⁰ In February 2012, the Azerbaijani energy minister Natig Aliyev stated that it was possible to review the agreement with Russia and thus to regulate pipeline oil transportation from third-party countries. The present contract allows only Azerbaijani oil to be transported.

8.3.3.3.4. The Transalpine pipeline

It started functioning in 1967 as the construction expenses were evaluated to come up to 192 million US dollars. The raw petrol that is transported through the pipeline is delivered to cisterns and stored in Trieste before being transported through pipeline systems of oil refineries in Austria, Southern and South Western Germany. Every year about 35 million tonnes of petrol are transported through the pipeline, which is 753 km long. It is one of the most important raw petrol pipelines for Austria and Germany. The Transalpine pipeline system delivers around 75% of raw petrol to Austria, 20% to the Czech Republic, 100% to the German federal state of Bavaria and around 50% to the province of Baden-Württemberg.⁶⁴¹

⁶³⁹ Chosudovski, M., *The Eurasian Corridor: the Geopolitics of Pipelines and the New Cold War*, 10.09.2008 (<http://geopolitica.eu/actualno/759-evraziyskiyat-koridor-geopolitikata-na-traboprovodite-i-novata-studenavoyna?showall=1>), last accessed on 14 August 2014.

⁶⁴⁰ Baku–Novorossiysk Oil Pipeline, 22.06.2011 (<http://www.caspianweekly.org/en/center-forenergy-research/944-baku-novorossiysk-oil-pipeline.html>), last accessed on 23 June 2011.

⁶⁴¹ Stopp, J., Voltz, J. and Lother, W., *Single-source responsibility: KROHNE Flowmetering stations for custody transfer*, 2005 (http://krohne.com/fileadmin/media-lounge/PDF-Download/Oil_and_Gas/Reprint_TAL_e.pdf), last accessed on 14 August 2014.

8.3.3.3.5. The Tengiz-Novorossiysk oil pipeline

Managed by the Caspian Pipeline Consortium (CPC), the abovementioned pipeline has been used since November 2001, transporting raw oil from the Western Kazakhstani oil fields in the area of Tengiz to the Black Sea port of Novorossiysk. At the end of 2008, the CPC shareholders approved of a pipeline extension which would increase its maximum project capacity to 1.34 million barrels. The current capacity of the pipeline is 565,000 barrels.⁶⁴²

8.3.3.3.6. The Burgas-Alexandroupolis Oil Pipeline Project

In 2007 Bulgaria supported a significant project for an oil pipeline that would connect Burgas with Aleksandroupolis in Greece. It is designed to deliver oil from the Russian terminal in Novorossiysk and would have a capacity of 35 million tonnes, with a possible later increase to 50 million tonnes. According to the plan the Russian companies Rosneft, Transneft and Gasprom Neft will acquire 51% of the total share and the Greek and Bulgarian corporations will receive 24.5%. Some analysts state that the Burgas-Alexandroupolis oil pipeline is the first major step in South East Europe that Russia will have taken since the end of the Cold War and the disintegration of the Soviet Union.⁶⁴³ In December 2011, the Bulgarian government decided to withdraw from the tripartite agreement amongst the governments of the Russian Federation, the Republic of Bulgaria and the Republic of Greece for cooperation in the construction of the Burgas-Alexandroupolis oil pipeline.⁶⁴⁴

8.3.3.3.7. The AMBO Oil Pipeline (Albania-Macedonia-Bulgaria Oil)

The AMBO project was designed in 1994; however, it was delayed for years because the conflicts in the region discouraged investors. It started to quickly develop in July 2003, when Albania, Macedonia and Bulgaria signed

⁶⁴² U.S. Energy Information Administration, Country Analysis Briefs Header, 2010 (<http://www.eia.gov/emeu/cabs/Russia/Full.html>), last accessed on 05 January 2011.

⁶⁴³ Preda, G., "Pipeline Politics" will form the future of Southeastern Europe, 23 .07.2007 (<http://www.setimes.com/cocoon/setimes/xhtml/bg/features/setimes/articles/2007/07/23/reportage-01>), last accessed on 14 August 2014.

⁶⁴⁴ Council of Ministers, "Bulgaria pulls out of the Burgas-Alexandroupolis project", 7.12. 2011 (<http://www.government.bg/cgi-bin/ecms/vis/vis.pl?s=001&p=0228&n=3069&g=>), last accessed on 08 December 2012.

an agreement. On 27 December 2004, the Prime Ministers of the three countries signed a political declaration which was later followed by a memorandum of understanding between the governments of the countries and Ted Ferguson (AMBO President). The oil pipeline is planned to be 894 km long, 273 of which will be in Macedonia.⁶⁴⁵ According to the plan, it should have started functioning in 2011; however, until the beginning of 2012 construction work had not begun yet. The route of the pipeline is from Burgas through Macedonia to the Albanian Adriatic port of Vlore.

8.3.3.3.8. The *Pan-European Oil Pipeline* (PEOP)

On 3 April 2007, in Zagreb, the Commissioner for Energy Andris Piebalgs signed a declaration for the upcoming steps toward constructing an oil pipeline which would transport oil from the Black Sea to the Central European markets. Its objective is to connect the port in Constanta (Romania) with the oil terminal in Trieste (Italy).⁶⁴⁶ In 2008, in Bucharest, companies from Romania, Serbia and Croatia signed an agreement for the construction of the oil pipeline. Its length will be 1,500 km.

When it comes to oil supply to the EU, any decisions for diversification will have a short-term effect. The reason lies not only with increased supply prices or problems related to constructing the necessary infrastructure. In the short-term, it lies with the ripple-effect development of military conflicts in a number of Arabic oil-exporting countries, the change of political regimes, inner opposition and the crisis in legitimate institutions. However, the more important reason for this insecurity is the forecast of oil exhaustion within about 20 years, which requires more intensified investments and the establishment of alternative energy sources and infrastructure, as well as expanding cooperation with Russia in its capacity of a major strategic EU partner in the field of oil import. In order to avoid energy dependence upon Russia – a situation which would threaten the security of the Union – clear rules and agreements, within which there would be no room for manipulation, ought to be set for the long-term. One of the instruments is the

⁶⁴⁵ Stoyanovska, M., The deal for the AMBO pipeline overcame yet another obstacle, 14.02.2007 (<http://www.setimes.com/cocoon/setimes/xhtml/bg/features/setimes/features/2007/02/14/feature-03>), last accessed on 14 August 2014.

⁶⁴⁶ Ivanova, T., EU Energy Commissioner approves Pan-European Gas Pipeline, 03.04.2007 (http://money.bg/news/id_2059497220), last accessed on 14 August 2014.

act of making reciprocal investments on the part of EU Member States in the Russian economy, which would secure equality of relations.

8.3.4. Security of the Gas Supply Infrastructure in the EU

Disruptions of gas supply in the winters of 2006 and 2009 are considered as a “wake up call”.⁶⁴⁷ Effective July 2004, small businesses in the entire EU became enabled to change their gas and energy suppliers and as of July 2007, this freedom has been available to all consumers.⁶⁴⁸ In order to truly open the gas market, the Commission adopted a new legislative package in September 2007, with which effective separation of production activities was proposed, as well as harmonisation of national regulators’ authority, better trans-border management and effective transparency.⁶⁴⁹

8.3.4.1. The Improvement of EU Natural Gas Supply Security

In 2009 the European Commission adopted a new regulation that improves natural gas supply security within the domestic market. The document strengthens the existing EU natural gas supply security system by guaranteeing that all member and participant countries in their capacity of playing a role on the gas market will undertake prompt and effective measures to avert and reduce the consequences of potential interruptions in delivering natural gas. The proposed regulation creates a mechanism for cooperation between the Member States and aims at effective management of any potentially major interruption in the process of delivering natural gas.⁶⁵⁰

8.3.4.2. The Capacity of European Gas Power Plants

In the following years, the European market dealing with gas power plants will expand like never before. About 160 gas power plants will be built or

⁶⁴⁷ Communication from the Commission to the European Parliament and the Council, European Energy Security Strategy, 28 May 2014, Op. cit.

⁶⁴⁸ European Commission, Energy, Single market for gas&electricity (http://ec.europa.eu/energy/gas_electricity/index_en.htm), last accessed on 14 August 2014.

⁶⁴⁹ Ibidem.

⁶⁵⁰ EU, Press releases database, The Commission adopts new rules to prevent and deal with gas supply crises, Brussels, 16.07. 2009. (http://europa.eu/rapid/press-release_IP-09-1153_en.htm), last accessed on 14 August 2014.

extended between 2011 and 2015. The capacity of the European gas power plants will be increased by 66 GW – from about 176 GW to 242 GW – which is a 43 billion Euro market volume. The reason for this drastic increase is that ever more power plants that use fossil fuel will have to be replaced. This is especially true of power plants that use coal and, in many cases, not only are they old, but they are also ever more frequently criticized because of high CO₂ emissions. The new power plants will compensate the unstable energy production from renewable energy sources in the best way possible.⁶⁵¹

8.3.4.3. The Transborder Infrastructure for Natural Gas Supply to the EU

Russia, Turkmenistan and Azerbaijan play a key role in gas deliveries to the old continent. The major projects, some of which have already been completed, are: Nord Stream, South Stream, AGRI and East-West. Besides Nord Stream, the Balkan Peninsula's location is strategic in terms of the pipeline routes.⁶⁵²

8.3.4.3.1. The Nord Stream Gas Pipeline

In 2011, Angela Merkel and Dmitry Medvedev inaugurated the Nord Stream, which is the first direct route for gas deliveries from Russia to the Old Continent. The gas pipeline will guarantee 55 billion cubic metres of gas annually to 26 million households. Nord Stream is 1,224 km long and runs along the bottom of the Baltic Sea.⁶⁵³ The European financial crisis has had an impact on the major infrastructural projects, as well. In a statement in 2011, the Russian Deputy Prime- Minister Igor Sechin pointed out that because of interest rate changes in equipment loans, the actual cost of the Nord Stream gas pipeline will come up to 8.8 billion Euros, which exceeds the originally allocated sum by 1.4 billion Euros.

⁶⁵¹ ECOPROG GmbH, The Market for Gas Power Plants in Europe (<http://www.ecoprogram.com/en/publications/energy-industry/gas-power-plants.htm>), last accessed on 14 August 2014.

⁶⁵² Alekov, D. The World's Oil and Gas Pipelines, 23.01.2013 (<http://www.economynews.bg>), last accessed on 24 January 2013.

⁶⁵³ Ibidem.

8.3.4.3.2. The East-West Gas Pipeline

In 2007-2008, Russia and Turkmenistan made an agreement to build a gas pipeline called East-West. In 2009 Turkmenistan invited international tenders for the construction of the pipeline. Seventy companies participated including ones from Russia and China.⁶⁵⁴

Turkmenistan (the fourth richest country in gas reserves in the world) has invested 2 billion US dollars in the construction of the East-West gas pipeline, which is expected to be completely finished by 2015. Its length will be 1,000 km from the Shatlyk gas field near Daulatabad to its final point – the Belek-1 compressor station near the Caspian Sea coast.⁶⁵⁵

According to the President of Turkmenistan, Gurbanguly Berdimuhamedov, the East-West gas pipeline will allow for guaranteeing fuel not only to domestic consumers but also to European ones.

8.3.4.3.3. The AGRI Project for Gas Delivery

The AGRI (Azerbaijan-Georgia-Romania Interconnector) project was signed in 2011 for transporting Azerbaijani gas from the Shah Deniz field through the Baku-Tbilisi pipeline to the Georgian coast, where it will be liquefied to enable transport by LNG carriers to Constanta, Romania. There, it will be turned into gas again and will be transported through pipelines to the West – through Hungary – and South – through Bulgaria. The construction of two terminals for liquefied natural gas on the Black Sea coast with a maximum capacity of 8 billion cubic metres has been planned.⁶⁵⁶

Ukraine is interested in the project, too, and one of the goals of the participating countries is to draw Turkmenistan to the project by creating opportunities for delivering Turkmen gas across the Caspian Sea to Azerbaijan and later transporting it to European Union countries.

⁶⁵⁴ Oil&Gas Eurasia, Turkmengaz to Finance East-West Pipeline Link to Caspian, 24.05.2010 (<http://www.oilandgaseurasia.com/news/p/0/news/7399>), last accessed on 14 August 2014.

⁶⁵⁵ Ibidem.

⁶⁵⁶ Fatty, S. Why Russia and Turkey are afraid of Romania, Romania libera, 22.04.2011 (<http://e-vestnik.bg/11599>), last accessed on 14 August 2014.

8.3.4.3.4. The South Stream Gas Pipeline Project

On 23 June 2007, the Russian company Gazprom and the Italian ENI signed a memorandum of understanding for the construction of a new gas pipeline system to deliver natural gas from Russia to the European market.⁶⁵⁷ At the end of 2011, the Russian Prime Minister Putin ordered the construction of South Stream to commence in October 2012; this pipeline is a direct competitor to Nabucco. The Bulgarian Council of Ministers pronounced South stream an object of national importance. Its total length will be 3,700 km, its price – 15 billion Euros, and it will carry 63 billion cubic metres of gas annually.⁶⁵⁸

The South Stream gas pipeline system has been planned to function according to the requirements of the third European Energy Package, effective as of 3 March 2012 for non-EU countries. The Directive prohibits the owner of the infrastructure (the pipes) from possessing the raw material too. On 1 December 2014 Russia suddenly declared it wanted to drop the project.

8.3.4.3.5. The Nabucco Gas Pipeline Project

As a result of negotiations between OMV Gas & Power GmbH (Austria), BOTAŞ (Turkey), MOL (Hungary), TRANSGAZ (Romania) and Bulgargaz (Bulgaria), in 2002 the partners signed an agreement for pre-project research for the gas pipeline construction. Nabucco was designed as an alternative to the Russian gas deliveries to Europe so it can provide better energy security and independence.⁶⁵⁹ The length of the pipeline was planned with 3,300 km and its full capacity should have reached 31 billion cubic metres of gas annually. The project was developed by Nabucco Gas Pipeline International GmbH Company, established in 2005 in Vienna. The underlying idea was that the raw material would be transported from the

⁶⁵⁷ Ministry of Economics, Energy and Tourism of the Republic of Bulgaria (http://www.mi.government.bg/files/useruploads/files/epsp/golemi_energiini_proekti_belen_e_nabuko_south_stream.pdf), last accessed on 14 August 2014.

⁶⁵⁸ Alekov, D. The World's Oil and Gas Pipelines, 23.01.2013 (<http://www.economynews.bg>), last accessed on 24 January 2013.

⁶⁵⁹ Hulburt, M. European energy: a defective model? The Diplomatic Institute, Ministry of Foreign Affairs, 2011, p. 19.

Caspian Sea, the Middle East and Egypt.⁶⁶⁰ On 10 January 2013, Nabucco International and Azeri Shah Deniz consortium signed a funding agreement, according to which, Shah Deniz partners would take a 50% stake in the project if chosen as an export route Nabucco for the Shah Deniz gas.⁶⁶¹

The Shah Deniz consortium announced on 28 June 2013, that it had chosen the Trans Adriatic Pipeline over Nabucco for its gas exports, prompting the gas company OMV AG to regard the Nabucco project as “over”.⁶⁶²

8.3.4.3.6. The Komotini-Stara Zagora Gas Pipeline

On 16 July 2012, Greece approved of a preliminary report for the construction of a Greek-Bulgarian gas pipeline from Komotini to Stara Zagora. It is to be 180 km long, out of which 30 will be on Greek territory.⁶⁶³ The gas pipeline will have the capacity to carry 3 billion cubic metres of blue fuel as this amount may well reach 5 billion cubic metres in the future.

The new energy connection is part of the project for new European gas infrastructure – Interconnector Turkey-Greece-Italy – which will enable the creation of the so-called *Southern Gas Corridor (SGC)* through connecting the areas where 20% of the world’s gas reserves are located – those of the Caspian Sea and the Middle East with Italy and Europe through Turkey and Greece.⁶⁶⁴

Today, according to the energy security study, which was released on 2 June 2014, 60% of the EU’s gas is imported with some Member States

⁶⁶⁰ Does the Nabuko pipeline have a future? (<http://www.dw.de/dw/article/0,3109484,00.html>), last accessed on 05 February 2012.

⁶⁶¹ Tsolova, Ts. and Gloystein, H., UPDATE 3, Nabucco pipeline boosts prospects with Azeri deal, (<http://uk.reuters.com/article/2013/01/10/energy-gas-nabucco-idUKL5E9CA4RQ20130110>), last accessed on 02 July 2014.

⁶⁶² The Wall Street Journal, Sultanova, A. and Patnaude, A., Shah Deniz Project Selects TAP as European Gas Pipeline, (<http://online.wsj.com/article/BT-CO-20130628-703082.html>), last accessed on 14 August 2014.

⁶⁶³ The beginning of the gas pipeline from Komotini to Stara Zagora, Vesti.bg, 16.07.2012 (<http://www.vesti.bg/index.phtml?tid=40&oid=498325>), last accessed on 04 August 2012.

⁶⁶⁴ Edison Corporate, ITGI: Turkey - Greece - Italy Gas Pipeline, (<http://www.edison.it/en/company/gas-infrastructures/itgi.shtml>), last accessed on 02 July 2014.

being dependant on single supplier for their entire gas imports (the Baltic States, Finland, Slovakia and Bulgaria) and two states (Austria and Czech Republic).⁶⁶⁵

All Southern gas corridors are of special significance to the EU for they deliver gas from the Caspian Sea and the Middle East instead of from Russia. Constructing gas pipelines in Europe is an effective decision for overcoming the temporary difficulties in supplying Member States.

In regard to the major investment projects for building gas pipelines, it is beyond doubt that the EU has to strive for diversified supplies. This would be an additional instrument to reduce dependence from Russia and a motive to negotiate lower gas supply prices with Russia.

8.3.4.3.7. The Trans Adriatic Pipeline (TAP)

The Presidents of Azerbaijan, Turkey, Greece held a summit in Baku on 23-24 September 2014, taking into account the geo-strategic importance of Trans-Anatolian (TANAP) and Trans Adriatic Pipelines, through which will deliver Azerbaijani gas to Europe produced in “Shah Deniz” gas-condensate field. The President of Bulgaria Rosen Plevneliev noted at the forum in Baku at the Groundbreaking Ceremony of Southern Gas Corridor, that these projects are of major significance for all European countries. “The delivery of Azerbaijani gas to Southern Europe and Bulgaria will be discussed at this summit,” he said.⁶⁶⁶

This pipeline is part of the Southern Gas Corridor, and will deliver gas from the Caspian Sea via Greece, Albania and Italy to Western Europe. It will reduce the dependency from Russian gas.⁶⁶⁷

⁶⁶⁵ European Commission, In-depth study of European Energy Security, Op. cit., p. 8.

⁶⁶⁶ Independent Analytical Center For Geopolitical Studies Borysfen Intel (<http://bintel.com.ua/en/publications/552-bolgaria/>) last accessed on 24 September 2014.

⁶⁶⁷ Trans Adriatic Pipeline (www.tap-ag.com/the-pipeline/the-big-picture), last accessed on 31 October 2014.

8.3.5. Security of Energy Supplies from the Main Energy Sources in the European Union and the Black Sea region

Guaranteeing the high level of security of electrical energy supplies is a component of the EU energy security and a precondition to the successful functioning of the domestic market. In this context the Member States are to create normative boundaries that oblige electrical companies to secure the necessary level of supply security. The cooperation between the national operators of transmission systems regarding network security is connected with mechanisms for guaranteeing constant supply and defining a transmission capacity, modelling networks and providing information.

Electrical energy is the major energy raw material for end users in EU Member States. A number of machine and facility producers – such as in the field of automobiles and other vehicles – have been switching to hybrid system production which allows for reducing the rates of harmful emissions that pollute the atmosphere in the process of their usage.

Besides being a transit zone for the Caspian energy resources, the Black Sea region is rich in natural resources. Black Sea countries have access to diverse types of energy, including nuclear and renewable. Furthermore, there is potential for implementing energy effectiveness measures in all places as well as realizing projects for obtaining energy raw materials which, unfortunately, take time to implement and deliver ineffective results due to the lack of a common strategic vision for the development of the energy sector in the region.

8.3.5.1. Guaranteeing EU Energy Supply Security for Establishing a Competitive Market

The 2005/89/EC Directive of the European Parliament and the Council of January 2006 proposed measures for guaranteeing energy supply security and that of infrastructural investments in the EU, pointing out that in order to form a unified competitive electrical energy market in the Community, transparent and non-discriminatory policies are required for the security of electrical energy deliveries that meet the criteria of such a market.

The lack of such policies in each member country or the significant discrepancies in their policies leads to competition twisting.⁶⁶⁸

8.3.5.2. Nuclear Energy

Nuclear energy developments are a frequently discussed matter within the EU. On one hand, the ever further diminishing oil and gas reserves on a global level motivate investments in this industry. On the other hand, the risks of large-scale ecological disasters, such as those in Chernobyl and Fukushima, raise concerns about its future. Germany has projected to forgo nuclear energy sources by 2022.

Meanwhile, other EU Member States, among which Great Britain, France, Poland and the Czech Republic, have been constructing new nuclear facilities or are planning to in the near future. France has even raised the question of declaring nuclear energy to be a low-emission industry and also that it should be given a status similar to that of energy produced by renewable resources. Accepting such a hypothesis would mean that the EU would allocate billions of Euros to subsidize nuclear energy.

After the nuclear failure in Fukushima, the EU promptly reacted and achieved an agreement for voluntary testing of all 147 nuclear reactors in the Union conducted on the basis of a set of common criteria. These tests with failure loads additionally increase EU nuclear safety. The Member States that use nuclear power plants are: Belgium, Bulgaria, Great Britain, Germany, Spain, the Netherlands, Romania, Slovakia, Slovenia, Hungary, Finland, France, the Czech Republic and Sweden. In 2012 Lithuania shut down its last functioning nuclear unit that participated in the failure load testing process in 2011 and 2012. Switzerland and Ukraine, being EU neighbours, also actively participate in the initiative; other countries have confirmed their commitment to join.⁶⁶⁹

⁶⁶⁸ Directive 2005/89/EC of the European Parliament and of the Council of 18 January 2006 concerning measures to safeguard security of electricity supply and infrastructure investment (http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexplus!prod!CELEXnumdoc&lg=EN&numdoc=32005L0089), last accessed on 14 August 2014.

⁶⁶⁹ European Commission, Energy, Nuclear energy, Safety (http://ec.europa.eu/energy/nuclear/safety/stress_tests_en.htm), last accessed on 14 August 2014.

Nuclear energy guarantees the energy independence of European countries. France, whose population is 60 million, obtains over 75% of its energy from nuclear power and it is the biggest exporter of electrical energy in the world.⁶⁷⁰ According to the share of energy produced in nuclear power plants, France is followed by Slovakia (51.8%), Belgium (51.2%) and Ukraine (48.1%).⁶⁷¹ In 2011 Germany discontinued the use of nuclear energy, thereby becoming the first major global power to do so.⁶⁷²

On 19 July 2011, the EU Council adopted a Directive for the establishment of a framework for the responsible and safe management of spent fuel and radioactive waste. The final responsibility for the safety of the management of spent fuel and radioactive waste is a fundamental principle that was reaffirmed in the Common Convention signed in Basel in 1989.⁶⁷³

According to an article in “Süddeutsche Zeitung”, at the end of 2011, the European Commission was looking at different options that might lead to the construction of 40 new nuclear power plants by 2030. Financial aid for the projects has been secured, similar to that provided in the usage of renewable energy resources. This information has been confirmed in the “Energy Roadmap 2050”.⁶⁷⁴

The Black Sea region countries that have nuclear power facilities are: Armenia – one active reactor; Bulgaria – two reactors; Romania – two reactors; Ukraine – fifteen reactors; Russia – thirty-three reactors. Russia is the first country that has developed civil nuclear power and currently it is the

⁶⁷⁰ Start.bg, The Necessity of Nuclear Energy, (http://iadrenafizika.start.bg/article/Neobhodomostta_ot_iadrena_energija/12989), last accessed on 14 August 2014.

⁶⁷¹ European Nuclear Society, Nuclear power plants in Europe (<http://www.euronuclear.org/info/encyclopedia/n/nuclear-power-plant-europe.htm>), last accessed on 14 August 2014.

⁶⁷² Nicola, Stefan, Merkel Takes Germany From Nuclear Energy to Green, 14.11.2013, in BloombergBusinessweek (<http://www.businessweek.com/articles/2013-11-14/2014-outlook-germanys-green-energy-switch>), last accessed on 14 August 2014.

⁶⁷³ Council Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:199:0048:01:EN:HTML>), last accessed on 14 August 2014.

⁶⁷⁴ Europe Prepares to Build 40 New Nuclear Power Plants, 9.12.2011 (<http://www.darikfinance.bg>), last accessed in December 2011.

fourth biggest nuclear energy producer. The whole nuclear energy sector in Russia is managed by “Rosatom State Corporation”.⁶⁷⁵ Turkey is planning to construct twelve nuclear units in the next seven to eight years.⁶⁷⁶ At the beginning of 2012, the EU faced a shortage of 2.5 billion Euros for the final stage of shutting down eight Soviet reactors in Bulgaria, Lithuania and Slovakia. Shutting down old Soviet reactors is one of the conditions for the three countries to join the EU. As the three countries shut down their nuclear power plants, they will receive compensation from EU funds directed mainly toward decommissioning and storing nuclear waste.⁶⁷⁷

Nuclear energy will continue to be a main alternative for the EU in the long-term. Even though the opinion of society and Member States is divided regarding its usage, currently, there is no equilateral alternative due to the deficiency of energy resources in EU Member States. Meanwhile, the Chernobyl power plant disaster turned this debate into a heated one as far back as 1986 and the Fukushima failure indicated that an accident even in the most remote part of the world poses threats. The EU needs to find a balance between energy independence and the risk of a large-scale ecological disaster that a failure in such a power plant could cause. Undoubtedly, the debates concerning the future of nuclear energy in the EU will continue; however, it is clear that nuclear power plant construction standards and requirements will be considerably higher and the construction process strictly monitored.

8.3.5.3. Coal

The 2011 report of the European association for coal and lignite (EURACOAL) indicated that coals preferred over natural gas due to the fact that it

⁶⁷⁵ European Nuclear Society, Functioning nuclear power plants in Europe as of 8 March, 2014 (<http://www.euronuclear.org/info/encyclopedia/n/nuclear-power-plant-europe.htm>), last accessed on 14 August 2014.

⁶⁷⁶ News.bg, Turkey to Build 12 Nuclear Power Plants by 2020, 21.06.2012 (<http://btvnews.bg/svetut/turtsiya-stroi-12-atomni-bloka-do-2020-g.html>), last accessed on 14 August 2014.

⁶⁷⁷ EkipNews.com, EU Money Insufficient for Shutting Down Nuclear Power Plants in Eastern Europe, 9. 2. 2012 (http://www.ekipnews.com/news/ikonomika/energetika/parite_na_es_za_zatvarqneto_na_aec_v_iztochna_evropa_ne_stigali/125951/), last accessed on 14 August 2014.

maintains energy sector prices low and stimulates economic growth.⁶⁷⁸ Although coal is the most important kind of fuel for the production of electricity in the EU and has a 27% share of electricity production in the Union, coal consumption has shrunk by 14% over the last decade. This is mainly attributed to the strict environmental legislation that encourages the production of clean energy.⁶⁷⁹

Investments in Europe for the construction of new coal power plants have been increasing. Between 2012 and 2020 approximately 80 power plants will be built or renovated, which is almost twice as much compared to the preceding 2003-2011 period. The new power plants will be twice as big and the electrical energy production capacity will be about four times as high in comparison with the previous period.

A major disadvantage of coal is that it is a source of energy that pollutes the environment by emitting harmful gases and dust particles when burned. Effective 2013 all plants, power plants and heating plants in the European Union will have to pay for every tonne of carbon dioxide emitted in the atmosphere.

Old European coal power plants will have to be shut down by the end of 2023 unless their owners equip them with modern technology that filters acid pollutants.⁶⁸⁰ On many occasions the Eastern European countries that depend on coal power plants have opposed the attempts to ratify an 80-95% decrease in greenhouse gases in the atmosphere in the European Union by 2050. Poland put a veto on this decision in the European Commission.⁶⁸¹

Coals as an energy resource have regained their significance in the context of ever more expensive and limited amounts of petrol. In any case, this raw

⁶⁷⁸ EURACOAL, Clean Coal to Make Europe More Competitive 17.10.2011 (http://3enews.net/show/13539_euracoal%20chistite%20vyglishta%20shte%20napravat%20evropa%20po-konkurentna_bg/), last accessed on 19.10.2011.

⁶⁷⁹ Ibidem.

⁶⁸⁰ TERS – Toplo Energo Remont Story, (http://www.ters.bg/index.php?page=news&id=68&menu_id=11&sub_menu_id=12&type_id=1), last accessed on 29 June 2012.

⁶⁸¹ Darikfinance.bg, Polish Business Does Not Want to Take Part in the Climatic Deal of Europe”, 27.06.2012 (<http://darikfinance.bg>), last accessed in June 2012.

material could be only one of the alternatives for the European Union to be well provided for in terms of energy and its share will be comparatively small.

8.3.5.4. Hydroelectric Power Stations

Because of a number of economic and environmental reasons, a large number of entrepreneurs focus their investments on this energy sector. Until 2020 the tendency in Western Europe is to modernize the equipment of hydroelectric power stations and increase their capacity. The focus in Eastern Europe is on reorganizing old power plants that were built during Communism. The increase in European Union hydroelectric power stations over the last 30 years has been less than 1% per year. In 2011 hydro energy had a 9.5% share of the total electrical energy production in the Union.⁶⁸² The possibilities of small hydroelectric power stations are significant.⁶⁸³

Water is the most frequently used renewable energy resource in Bulgaria. The advantage hydroelectric power stations have is the long durability period of exploiting their facilities and the low expenses connected with construction and maintenance. Despite the achievements, Bulgaria's water potential is not being used rationally – neither that of the river basins, nor that of the water supply and hydromeliorative system.⁶⁸⁴

The reason for this potential remaining unutilized can partially be found within the lack of legislation regarding the ownership and responsibilities of the exploitation and maintenance of certain water basins. Consequently, not only is an optimum level of water potential usage impossible to reach, but also the population faces a real flood threat as a result of torrential rains.

⁶⁸² Hydropower Has Enjoyed Steady Growth for Four Decades, 19.06.2012, (<http://www.greentech.bg/?p=29696>), last accessed on 14 August 2014.

⁶⁸³ Barnes, M. Hydropower in Europe: Current Status, Future Opportunities, 2009 (<http://www.hydroworld.com/articles/2009/05/hydropower-in-europe.html>), last accessed on 14 August 2014.

⁶⁸⁴ Union of Producers of Ecological Energy - BG, renewable energy in Bulgaria – an overview (<http://www.eco-energy-bg.eu/SPEE/Files/Read1ArticlePBG.php?id=265&language=2&typearticle=2>), last accessed on 14 August 2014.

8.3.5.5. Heating plants

Some analyses indicate that the energy produced in heating plants will be the most profitable in the future due to the minimum emission of harmful gases.⁶⁸⁵ The share of the heating and cooling sector is 50% of the total energy consumption within the EU.⁶⁸⁶

As a result of the exploitation of heating plants in Europe, CO₂ emissions are reduced by 113 million tonnes on an annual basis. On the basis of the community-adopted Directive for renewable energy resources where central heating has a central part, many Member States have committed to targeted construction of regional heating systems that will use waste energy, enabled by combined production.

8.3.5.6. Renewable Energy Potential

The EU is a global leader in the field of producing energy from renewable resources as the sector has already gained economic importance. While renewable energy technologies are in their initial development phase, renewable energy production has been steadily increasing and, at the same time, expenses have been decreasing. Irrespective of the financial crisis European investments in hydroelectric stations increased by 3% in 2011, reaching 100.2 billion U.S. dollars.⁶⁸⁷

Energy production data in Spain shows that 35% of the produced energy in the country in 2010 was from hydroelectric stations. The modified energy profile of the country has led to a 20% decrease in greenhouse gas emission compared to 2009. As a result of the usage of renewable energy resources, electricity in Spain has become cheaper as overall expenses have shrunk by 4.83 billion Euro, which is more than subsidy expenses in the sector. Despite the lower amounts of subsidies, the hydroelectric station sector pro-

⁶⁸⁵ Dnevnik.bg. Energy of the Future Comes from Central Heating, 26.06.2012 (http://www.dnevnik.bg/pr_sfera/2012/06/26/1854001_energiata_na_budeshteto_i_dva_ot_tec/), last accessed in June 2012.

⁶⁸⁶ Renewable energy sources contribute to real change, Luxembourg: Service for EU publications, 2011, 2011 (<http://www.ogra.bg/userfiles/file/books/VEI-EC-EU.pdf>).

⁶⁸⁷ EU, Activities of the European Union, Energy (http://europa.eu/pol/ener/index_en.htm), last accessed on 14 August 2014.

vides 100,000 people with employment.⁶⁸⁸ Following this example and bearing in mind the geographical characteristics and location of the Black Sea region, the latter could immensely contribute to the diversification of the energy supplies to the EU, not only through the completion of trans-border gas and oil supply projects, but also through developing the potential of hydroelectric power stations.

According to foreign investors (Vestas Wind System), Romania has the most significant potential in the field of wind energy production in comparison with the other Eastern European countries for the next five years. Investors are interested in constructing new wind parks in Romania because it is close to the Black Sea coast where the average speed of the wind is 25.2 km/h.⁶⁸⁹

Mountain ridges and peaks with a height of minimum 1000 metres above sea level have the most potential as locations from which wind energy could be acquired. In addition, Black Sea coast capes, such as the Bulgarian Kaliakra and Emine, are locations with considerable such potential.

For the Black Sea region and, more specifically, Bulgaria, there is major potential in the usage of solar energy, which is a significant energy resource. Due to its geographical location, the conditions for using solar energy in Bulgaria are most favourable, especially in the Southern and Eastern regions. The average annual sunshine is around 2,150 hours (about 49% of the possible maximum).⁶⁹⁰

Countries with high consumption of renewable energy resources are about to face a number of challenges, amongst them high investment expenses for their construction compared to their classic energy resource competitors and substantial governmental subsidies for nuclear energy and fossil fuel.

⁶⁸⁸ Record share of Energy from Renewable energy sources in Spain 23.02.2011, (<http://www.eco-energy-bg.eu/SPEE/Files/Read1ArticlePBG.php?id=476&language=2&typearticle=1>), last accessed on 14 August 2014.

⁶⁸⁹ GreenTech-BG, Romania is among the best places for windpower, 03.02.2011 (<http://greentech-bg.net/?p=7286>), last accessed on 14 August 2014.

⁶⁹⁰ Union of Producers of Ecological Energy-BG, renewable energy in Bulgaria – an overview, Op. cit.

Besides the implementation of a policy for an increase in the “green energy” production share, the need of decentralized EU energy production is also on the agenda. In 2050 a big portion of the energy will be produced by decentralized energy sources without the centralized “green energy” sources losing their importance. With the integration of small energy producers into the EU energy system there will be a faster transition to a system that is mainly based on renewable energy sources.

8.4. Future Opportunities for European Energy Security

With the scarcity of fossil fuel and its decrease as a resource, year upon year, the European Union has been developing strategic approaches to secure alternative energy sources. Despite the steps taken by the Union, individual Member States have not yet come up with a common standpoint regarding both the future of nuclear energy and the research and obtaining of shale gas. Efforts to this effect should be focused not only on the production of “green energy” from renewable sources, but also on the implementation of modern and safe technologies for the exploitation of the existent resources in the name of guaranteeing a healthy environment throughout the EU.

8.4.1. Increasing the Share of Renewable Energy Sources

Renewable energy sources – wind, solar (thermal, photovoltaic and concentrated), hydroelectric, tidal, geothermal and biomass – are the main alternatives of ores and minerals. Their usage leads to a decrease in the emissions of greenhouse gases and diversification of energy supplies, minimizing the dependence on unreliable and changeable ore and mineral markets (more specifically those of oil and gas). The growth of renewable energy sources increases the employment rate in Europe, stimulates the creation of new technologies and improves the balance of trade.⁶⁹¹

The 2009 EU Renewable Energy Directive set, for all Member States, the ambitious goal that by 2020 the EU has to reach a 20% share of electric energy produced by renewable sources and a 10% share of renewable en-

⁶⁹¹ European Commission, Energy, Renewable energy (http://ec.europa.eu/energy/renewables/index_en.htm), last accessed on 14 August 2014.

ergy, more specifically in the transport sector.⁶⁹² The energy effectiveness of this sector is quite necessary due to the fact that energy consumption in it will continue to increase and the sustainable achievement of the planned energy share of renewable sources will become ever more problematic.⁶⁹³

The European Union has planned regulations in terms of the green energy production cooperation with third-party countries, which demonstrates the responsibilities of the Union on a global level as the agreed-upon level of green energy production does not change irrespective of the balance of trade of the Union. The EU Directive for encouraging the usage of renewable resource energy makes provision for signing agreements with third-party countries and regulating the establishment of trading with electricity produced from renewable resources. However, regarding the undertaking of mutual projects on the part of EU member-countries, it is strictly explained that those projects should be only for newly-built installations or installations with increased capacity. In such a way, it will be guaranteed that the renewable resource energy share of the total consumption does not shrink due to the import of renewable energy resources into the Community.

8.4.2. Shale Gas – a Possible Alternative Energy Source for the EU and the Black Sea Region

According to analysts, the exploitation of shale gas is more profitable than that of petrol, mainly because the fields (for now) are terrestrial. The price of a shale gas well is about 4 million US dollars, whereas the price of an oil well in the Mexican gulf exceeds 300 million US dollars. On the other hand, the shale gas price is higher than the price of conventional gas and coal. Its exploitation requires a number of drillings. This is more problematic in Europe due to the higher population density compared to America.⁶⁹⁴

⁶⁹² Ibidem.

⁶⁹³ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC Text with EEA relevance (<http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009L0028>), last accessed on 14 August 2014.

⁶⁹⁴ Bosani, M. Shale Gas – tempting temptation to energy dependent countries

According to data provided by the Ernst & Young audit and consultancy company, Europe has 10% of the world's shale gas fields, with the majority of them in France and Poland. The Black Sea countries are divided in their opinion regarding the exploitation of this unconventional energy source – from the unconditional support of Poland to the prohibition of the questionable equipment for obtaining the raw material in Bulgaria. According to the National Geology Institute of Poland, the country has fields containing 1,920 cubic metres of gas, which ranks it third in terms of gas fields in Europe, after Norway and the Netherlands. Warsaw has already given about 100 concessions for research to giants like Chevron, Exxon Mobil and Conoco Phillips. The Czech Republic has also granted research permits to a few companies even though the country is sceptical about the significance of the fields. Along with Chevron, a Canadian and a Hungarian company also exist on the Romanian market. A report prepared by the U.S. Energy Information Agency states that the gas resources in Romania, Bulgaria and Hungary come up to 538 billion cubic metres.⁶⁹⁵ In November 2011, Turkey signed an agreement with the biggest European company in the sector, Shell, for drillings in three Turkish regions – Erzurum, Diyarbakir and Thracia, as within the fields are an estimated 20 trillion cubic metres of natural gas and over 500 million barrels of oil equivalent.⁶⁹⁶

Bulgaria is the third country in Europe, following Northern Ireland and France, to have forbidden the research and obtaining of shale gas using the method of hydraulic fracturing (also known as fracking) as a result of a governmental ban of this technology. Even though the ban passed in early 2012, the Bulgarian government revised its decision of November 2011, to grant the American company Chevron permission to research and obtain shale gas in the Novi Pazar region. There is an ongoing debate about the exploitation of shale gas in EU Member States located in the Black Sea region. Its research and obtaining technologies are not yet modernized enough from the point of view of protecting the environment from harmful pollution. This leads to an active opposition coming from environmen-

(<http://www.climatebg.org>), last accessed in February 2012.

⁶⁹⁵ Actualno.com, Eastern Europe holds off on the extraction of shale gas, 22.03.2012, (http://world.actualno.com/news_381562.html), last accessed on 14 August 2014.

⁶⁹⁶ Nikolov, I. Turkey is impatient to research its shale gas resources, too, 12.06.2012 (<http://www.energyonline.bg/2012/06/>), last accessed in August 2012.

talist organizations and local communities in proven and potential field areas. Even though each member-country should conduct a public debate and make a decision concerning the obtainment of its resources and exploitation of its fields, it is hard to believe that such a decision would be duly justified unless there were enough data showing the existence and the quantity of such fields, as well as the exploitation price and the possible technological alternatives for research and acquisition.

8.4.3. Research Development in the Field of Energy

The EU Framework Programme supports research in the field of energy and the creation and application of technologies needed for the transformation of the present energy system into a more sustainable one which would depend less on the fuel import. The bigger part of the total energy budget of the EU is used to support scientific research, technological development and demonstration projects.

Some of the EU's main instruments for technological support in the field of energy include Intelligent energy – Europe II (IEE II), which is one of the three pillars of the Competitiveness and Innovation Framework Programme, and the new EU “Horizon 2020” programme for subsidizing research and innovation for the 2014-2020 period, which all European economy sectors will benefit from – including energy, particularly renewable energy. Close to 80.2 billion Euro for the whole period will be available to research institutions, universities, private innovation companies and small firms.⁶⁹⁷

The EU is significantly dependent on third-party countries in view of energy supplies, while at the same time, its own energy resources are scarce. The only possible answer to the energy security problem are investments in scientific research and technological developments that aim at innovative decisions regarding securing energy and reduced consumption, not only in terms of maintaining, but also increasing levels of economic development. As the world is running out of fossil fuel reserves, the European Union has to develop strategic methods in order to secure alternative energy re-

⁶⁹⁷ European Commission, Horizon 2020, (<http://ec.europa.eu/programmes/horizon2020/>), last accessed on 14 August 2014.

sources. In this regard the EU Member States have opposing positions concerning both, the future of nuclear energy as well as the research and obtainment of shale gas. This opposition aside, as there are almost no alternative resources except “green energy” production from renewable resources, the efforts regarding nuclear energy development and shale gas exploitation should be focused on introducing modern technologies for the exploitation of the existing resources that guarantee security and a healthy environment. Affecting or destroying the existing European Energy Critical Infrastructure (EECI) might lead to serious transborder consequences for more than one industrial sector. In order to protect the EECI, the latter should be defined as such and marked following a common procedure and relying on the community and bilateral cooperation mechanisms.

8.5. Institutions and Organisations connected with the Energy Security of the EU

The energy security of the European Union is guaranteed by the activity of the European institutions and agencies with special expertise, such as the Directorate-General for Energy of the European Commission, International Energy Agency, Agency for the Cooperation of Energy Regulators, the European Atomic Energy Community, The Committee on Industry Research and Energy of the European Parliament, European Energy Research Alliance, etc.

8.5.1. The Directorate-General for Energy of the European Commission

The Directorate-General for Energy is responsible for the development and application of the European energy policies by supporting the establishment of the European energy market; providing citizens and businesses with energy at an affordable and competitive price; promoting technologically advanced energy services; encouraging the sustainable production of energy, transport and consumption in the EU countries; and improving the energy supply security in the context of solidarity between Member States.⁶⁹⁸

⁶⁹⁸ European Commission, Energy (http://ec.europa.eu/dgs/energy/mission_en.htm), last accessed on 13 August 2014.

8.5.2. *The Committee on Industry, Research and Energy – ITRE*

The Committee on Industry, Research and Energy of the European Parliament has been granted legislative competencies in the field of energy politics and scientific research in order to develop the information infrastructure and the outer space politics of the Union. The tasks of the Committee are to find solutions that create a sustainable and long-term legislative framework. The European Parliament has been cooperating with the civil society structures in this process.

In a report dated 30 March 2011, ITRE recommended that the European Union support the research and development of shale gas fields in Europe. The report indicated that the fields are considerable and the European countries should research the possibilities of obtaining gas, as well as the effect on the environment and the economy.⁶⁹⁹

8.5.3. *The International Energy Agency – IEA*

The IEA is an autonomous organization headquartered in Paris. It was established as a result of the oil crisis of 1973-1974. The IEA works for the securing of reliable, accessible and clean energy for its 29 Member States and others, too.⁷⁰⁰

Through a wide range of over 40 international technological initiatives and executive agreements, the IEA provides its members, international organizations, companies and non-governmental organizations with the opportunity to share research of innovative technologies which may fill in the existing gaps in scientific research. These activities may include all kinds of technologies connected with maintaining energy security, economic growth, protecting the environment and a global commitment to these causes. A new initiative could be commenced at any time as long as at least two Member States agree to work on it together.

⁶⁹⁹ European Parliament Committee recommends the shale gas deposits in Europe be researched, 4 April 2012, (<http://bg.time.mk/read/556877a1a1/8f0ff5986c/index.html>), last accessed in April 2012.

⁷⁰⁰ International Energy Agency, (<http://www.iea.org/aboutus/>), last accessed on 23 March 2014.

8.5.4. *The International Atomic Energy Agency – IAEA*

The IAEA is the global centre for cooperation in the nuclear field. It was established in 1957 as part of the UN. The agency works with its Member States – whose number as of February 2014 was 162⁷⁰¹ – in three major aspects: Safety and Security (control over nuclear material, security in the process of using nuclear energy),⁷⁰² Science and Technology (distribution of nuclear science and technology), and Safeguards and Verification.⁷⁰³

The organization is led by a Director General, Yukiya Amano and it is the depository of the following major international agreements and conventions in the field of the peaceful usage of nuclear energy: Treaty on the Non-Proliferation of Nuclear Weapons (NPT), Additional Protocols to the NPT, Convention on Early Notification of a Nuclear Accident, Convention on Assistance in the case of a Nuclear Accident or Radiological Emergency, Convention on Nuclear Safety, Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, Convention on the Physical Protection of Nuclear Material, Convention on Civil Liability for Nuclear Damage.⁷⁰⁴

8.5.5. *The Agency for the Cooperation of Energy Regulators – ACER*

ACER is a European organ created according to the Third Energy Package, which is a set of directives which came into effect in 2009 in view of the faster establishment of a common energy market in Europe. ACER set up headquarters in Ljubljana, Slovenia, on 3 March 2011.⁷⁰⁵ ACER helps to harmonize the regulations and policies of the energy regulators in the individual EU Member States in order to accomplish a closer integration be-

⁷⁰¹ IAEA, Member States (www.iaea.org/About/Policy/MemberStates/), last accessed on 08 July 2014.

⁷⁰² Bulgarian Nuclear Regulatory Agency (<http://www.bnsa.bas.bg/en/international/iaea>), last accessed on 13 August 2014.

⁷⁰³ IAEA, About IAEA (www.iaea.org/About/about-iaea-html), last accessed on 08 July 2014.

⁷⁰⁴ Nuclear Regulatory Agency, Op. cit.

⁷⁰⁵ Agency for the Cooperation of Energy Regulators (ACER) (http://www.acer.europa.eu/The_agency/Mission_and_Objectives/Pages/default.aspx), last accessed on 13 August 2014.

tween the participant countries regarding the establishment of a common domestic energy market without creating hardships for its liberalisation.

8.5.6. The Euratom Supply Agency – ESA

The European Atomic Energy Community (EAEC), now known as Euratom, was created as a result of the so-called Roman contracts signed by Belgium, Germany, Italy, Luxembourg and the Netherlands (as of 25 March 1957). At the same time the European Economic Community (EEC) contract was signed. The aim was to create an environment for the rapid development of atomic technology and its implementation.

The Euratom contract led to the creation of the Euratom Supply Agency, which commenced its activity on 1 June 1960.⁷⁰⁶ The responsibility of carrying out policies for the normal functioning of the atomic energy sector through securing the supplies of needed resources lies with Euratom and the Supply Agency. The experience of many years, which the organization has accumulated, indicates the significant role and position that are attributed to the atomic energy sector concerning its potential for economic development of the European economies since the creation of the EAEC.

8.5.7. The European Energy Research Alliance – EERA

EERA was established on 28 October 2008, in Paris, as a union of leading scientific research organizations in the field of the energy sector. Its aim is to strengthen, expand and optimise the EU opportunities in this regard by exchanging ideas, knowledge and experience and mutual implementation of Pan European research programmes.⁷⁰⁷

Uniting over 2000 researchers from leading energy sector organizations, the EERA stimulates the strengthening of their cooperation regarding high-tech scientific research, development of innovations and the cooperative implementation of multi-national and Pan European projects. The EERA

⁷⁰⁶ European Commission, Energy, Nuclear Energy, (http://ec.europa.eu/energy/nuclear/euratom/euratom_en.htm), last accessed on 13 August 2014.

⁷⁰⁷ European Energy Research Alliance (EERA) (<http://www.eera-set.eu/index.php?index=12>), last accessed on 13 August 2014.

is trying to set up a network that would make possible the cooperation of the scattered scientific and research capacity in the individual European countries.

The main roles of the institutions that are engaged with the EU energy security could be summed up in the following aspects: implementing a sustainable and long-term legal framework for development in this regard; definition of standards of security and exploitation reliability; implementation of innovative technological solutions; application of diversified methods for energy independence; and establishment of cooperation between the Member States that would encourage the development of a common energy market.

* * *

The EU has been making serious efforts in order to overcome the economic and financial crisis. However, at the same time, analyses indicate that as the recession ends, the energy demand will increase requiring the implementation of measures for averting shortages and sustaining economic growth. Amongst them are encouraging greater energy effectiveness in buildings and the transport sector as analyses show that consumption could be decreased in those aspects. Building and property owners are being encouraged to renovate their homes and to take measures to economize on energy. Another component of the policies for achieving economic stability is the European Commission's recommendation that energy effectiveness be measured as public procurement is granted when goods and services are purchased. It is expected that this procedure will stimulate producers to develop more effective products.

The necessity of investments coming up to about 1 trillion Euro for the establishment of a modern European electric network that connects all countries and enables the division of supply according to needs requires the implementation of flexible policies and methods. In this context, the procedure for reviewing projects for improving and expanding the network has become simpler and quicker. Particular emphasis has been placed on the "green energy" produced by coastline wind and solar stations which will be connected to the network and stimulate investments in renewable

energy. It is expected that there will be an increase in projects encouraging energy effectiveness in urban areas as well as the implementation of optimised technologies for electricity preservation. New kinds of bio fuel have been being developed as well as smart grids that can distribute electricity according to consumption models.

Ever more smart grid pilot projects are being developed in Europe, as not only are individual technologies tested but also there is an overall transition to smart grid solutions. According to 2014 European Commission data, more than 400 smart grid projects for about 4 billion Euro were being developed in the European Union.

The Joint Research Centre (JCR) of the European Commission and the Union of the Electricity Industry, EURELECTRIC, have developed an online portal entitled the Smart Grids Projects Portal. The website provides an interactive map which indicates the projects for smart infrastructure in the EU countries.

In order to achieve effective detection and counteraction against EU energy system risks, it is crucial to establish communication between the owners and operators of EECI and the European countries, as well as between EC countries. The countries should submit to the Commission general information about vulnerable areas, threats and risks in the sectors where ECI have been established, and feedback on room for improvement. Because of the fact that the private sector has a considerable share in the process of overseeing and managing risks as well as recovering work processes after disasters and failures, the community approach should encourage the full participation in the private sector in order to guarantee the security of the European energy sector.

The Black Sea region is of geostrategic importance to the EU energy security and the diversification of energy sources and the delivery routes to the EU, bearing in mind its proximity to the Caspian Sea, the Middle East and Central Asia, as well as the fact that as a result of Romania and Bulgaria joining the EU, the latter should become major participants in the interaction relations in this important region. As the transborder energy projects for an increase in the obtainment of oil and natural gas from Azerbaijan, Turkmenistan and Kazakhstan are being developed, the Black Sea region

countries will have the chance to strengthen their political influence and to solve a significant part of their socio-economic problems.

The challenges European energy security is facing are the same as the ones the overall economic development of the Union is facing. Even though the relations with third-party countries that deliver energy supplies are comparatively stable, the prospects are not too bright. The deficiency of energy resources in the EU, dependence on external supply, power-consuming production and the lack of technological advancement in certain European countries, as well as the ever-decreasing energy resources in the short-term on a global level, require a prompt and clear answer from the EU.

The standards for storing energy reserves for a certain period of time cannot give a long-term solution to the problem. Immediate investments in innovative solutions and alternative energy sources are required. In fact, the EU is not the only organization facing energy supply stability threats. This fact poses danger; however, it also offers a possibility for closer cooperation and uniting the efforts to develop and implement technologies that will assist the creation of a world with more secure, ecological and reliable energy.

Chapter 9:

Bulgaria, Croatia and Romania in the EU and their Contribution to European Security

The EU enlargement from six states in 1951 to 28 states in 2014 took place in several waves. Bulgaria, Croatia and Romania were the last three countries joining the EU. Bulgaria and Romania joined in 2007 as the 6th round of enlargement and Croatia is the youngest member of the Union as it joined on 1 July 2013.

From the other countries in SEE, the former Yugoslav Republic of Macedonia, Serbia and most recent in 2014 Albania have been accepted as EU candidate countries. Bosnia and Herzegovina and Kosovo (under UN Security Resolution 1244) have the status of potential candidates.⁷⁰⁸

Bulgaria and Romania's membership in the European Union came by public consensus on this as a national priority and the consistent policy of the Bulgarian and Romanian governments since the 90's. The inclusion of both countries in the 6th enlargement of the EU is a fair achievement after their forced separation from the family of democratic European countries during the Cold War, and the result of the civilizational choice of Bulgarian and Romanian citizens and their belonging to the European values and millenary European culture.

Even prior to its accession, Bulgaria built its foreign and security and defence policy in accordance with the legal framework of the European Union. The country ratified the Rome Statute establishing the International Criminal Court, endorsed the Action Plan of 21 September 2001 and holds the same positions on combating terrorism, while respecting the sanctions imposed by the UN and the EU. Bulgaria's international respectability also grew in the period 2002-2003, when, as a non-permanent member of the Security Council of the UN, and having the Council Presidency in September 2002, it actively contributed to the international community's acceptance of the Union's views.

⁷⁰⁸ European Commission, Countries preparing to join, (http://ec.europa.eu/enlargement/countries/check-current-status/index_en.htm), last accessed on 4 August 2014.

Bulgaria plays an active role in EU's CFSP with its support of democratic transitions in the Arab countries, the overthrow of authoritarian regimes and the establishment of legal frameworks that guarantee the rule of law and protection of human rights.

Bulgaria has a strategic role for the EU with regard to the stability and development of South East Europe, given the fact that five of the ten Trans-European corridors pass through its territory. With the transformation of the Black Sea region into an important connecting point in terms of energy transfer, Romania and Bulgaria have an increasingly important role in the realization of this energy platform between the Caspian region and Western Europe. Romania and Bulgaria have the capacity to improve cooperation within the framework of the Black Sea Synergy. In the Black Sea zone, there are specific issues which require a joint Romanian-Bulgarian approach to key policies in the field of energy, transport, security and the environment.

After Slovenia, the Republic of Croatia recovered fastest after the breakup of the former Yugoslavia (the Socialist Federal Republic of Yugoslavia, also known as "SFR Yugoslavia" or "SFRY") and successfully became the second former Yugoslav republic member of the EU. On 1 July 2013, Croatia joined the EU after a decade of carrying out all the reforms needed to be fully integrated at the EU legislation and rules.

The European Commission gave Croatia an official candidate status in early 2004; this status was granted to Zagreb by the European Council in mid-2004, a result of the consolidation of the country's institutions, electoral reform, increase in the funding of the Constitutional Court and the Ombudsman of the country, improvements in the rights of minorities and the return and integration of refugees. All this contributed to the successful completion of the Croatian Mission of the Organization for Security and Co-operation in Europe and the closure of its office in Zagreb by the end of 2011 after 15 years of OSCE field presence in Croatia.

Romania was the third of the post-communist European country, after Hungary and Poland, which submitted its official application for member-

ship in the EU in 1995.⁷⁰⁹ Accompanied to the application, Romania submitted the “Snagov Declaration”, signed by all fourteen major political parties expressing their full support for EU membership. Since the Romanian Revolution of 1989, the EU membership has been main priority of the major political party and every Romanian Government, which was crowned with success on 1 January 2007, as a result of the fifth wave of the EU expansion.⁷¹⁰

By joining the European Union, Bulgaria, Croatia and Romania were recognized as a factor of stability in the region and their integration model can be successfully shared with the countries of the Western Balkans and applied in the process of their joining the EU. EU membership has a positive economic impact with opportunities to develop the infrastructure and stimulate growth in support for small and medium businesses through European programmes and projects. Bulgaria, Romania and Croatia, are involved in the development of CSDP and contribute by providing trained staff and expertise to the missions and operations of the EU around the world. Among them are Operation Althea in Bosnia and Herzegovina, Concordia in Macedonia, the EU mission in Kosovo, Georgia, Afghanistan, Iraq, the Palestinian territories, eastern Chad, the EU naval operation Atalanta in the Gulf of Aden and others.

Bulgaria, Croatia and Romania support the European perspective on the Western Balkans, which is examined in a number of strategic documents of the Union such as the Thessaloniki Agenda, the EC Communication on the Western Balkans, the European Commission’s strategy for expansion and the Main Challenges 2006-2007.

With their active positions on the various threats and challenges to European and global security, regardless their occurrence, Bulgaria and Romania have shown the capability to be full participants and reliable partners in the EU’s CFSP. Due to its strategic location at the heart of Europe as a Mediterranean, Central European and Danube region country, Croatia’s

⁷⁰⁹ European Commission, The 5th Enlargement, European Commission - Enlargement - 3 years after, (http://ec.europa.eu/enlargement/5th_enlargement/index_en.htm), last accessed on 25 September 2014.

⁷¹⁰ Ram, M.H., Sub-regional Cooperation and European Integration: Romania’s Delicate Balance.

role for the permanent peace, stability and development in South East Europe is irreplaceable. In the course of its European integration, Croatia proved its credibility as a reliable European partner as well.

9.1. Relations between Bulgaria and the EU

9.1.1. Bulgaria's Road to the EU

Bulgaria established diplomatic relations with the European Community (EC) in 1988. Two years later, the 7th Grand National Assembly made a decision stating the country's desire to become a full member of the Community. Joining was supported by consensus of all Bulgarian governments since 1990. On 14 May 1992 negotiations between Bulgaria and the European Union to conclude the European Association Agreement (EAA)⁷¹¹ began. Negotiations were conducted in seven rounds, ending on 22 December 1992. On 27 October 1993 the European Parliament ratified the Europe Agreement for Bulgaria, which came into force on 1 February 1995.⁷¹²

Bulgaria's application for EU membership, which was supported by a unanimous decision of the National Assembly, was filed on 14 December 1995.

In 1997 the Commission placed Bulgaria, together with Romania, Latvia, Lithuania and Slovakia, into the new wave of EU expansion. On 23 March 1998 the National Strategy for the accession of the Republic of Bulgaria to the EU, its Action Plan and the National Programme for the Adoption of the *acquis* of the EU were adopted. In December 1999, the Helsinki European Council decided that negotiations with Bulgaria would begin in February 2000. Next, at a summit in Copenhagen in December 2002, Bulgaria and Romania received the Accession Roadmap.⁷¹³ The negotiation process

⁷¹¹ Association Agreements (AA) are agreements between the EU and Third Countries to set up a frame-work of bilateral relations, they have to be ratified by all EU Member States. See more at: (<http://eeas.europa.eu/association/>), last acc. on 20 April 2014.

⁷¹² The European Commission's Representation in Bulgaria, History of political relations between, (http://ec.europa.eu/bulgaria/abc/pre_accession/history_relations/eu-political-relations_bg.htm), last accessed in June 2012.

⁷¹³ European Commission, History of political relations between Bulgaria and the EU

was divided into 31 chapters, corresponding to the number of chapters of the Accession Treaty.⁷¹⁴

During the EU summit in Brussels on 12-13 December 2003 the leaders of the 25 Member States decided that Bulgaria was to be accepted on 1 January 2007. The country concluded technical negotiations with the EU on 15 June 2004. On 13 April 2005 the European Parliament voted 522 votes “for”, 70 votes “against” and 69 “abstentions” to support the signing of the Treaty of the Accession of Bulgaria to the EU on 1 January 2007. The treaty was signed on 25 April 2005⁷¹⁵ by Prime Minister Simeon Sakskoburggotski (2001-2005). By its legal nature the accession treaty is an international treaty, not an act of the EU, the two sides being the EU Member States and the acceding country.⁷¹⁶ In the period between the signing of the Treaty of Accession on 25 April 2005 to actual accession on 1 January 2007, Bulgaria acquired active observer status in the process of decision-making in EU institutions.⁷¹⁷

Bulgaria’s EU integration process began with the transition to democracy and market economy. After the collapse of the Socialist bloc and the ensuing severe economic situation, the path to European integration had no alternative. However, despite the national consensus for future membership in the EU, the intensity of the accession process was different for individual governments. Actual steps towards the country’s accession to the European Union, however, did not begin until after 1997 – during the mandates of the centre-right governments. Executive power restructured

(http://ec.europa.eu/bulgaria/abc/pre_accession/history_relations/eu-political-relations_bg.htm), last accessed, last accessed in June 2012.

⁷¹⁴ Council of Ministers of the Republic of Bulgaria, Directorate for Coordination of EU Affairs, Accession negotiations (http://ec.europa.eu/bulgaria/abc/pre_accession/negotiations/index_bg.htm), last accessed in June 2012.

⁷¹⁵ Ibidem, Relations of the Republic of Bulgaria with the European Union before 2007 (<http://www.euaffairs.government.bg/index.php?page=otnosheniya-s-es-predi-2007-g-2>), last accessed in June 2012.

⁷¹⁶ Popova, J. Law of the European Union. Relations between Bulgaria and the EU. Ch 5. Ciela, Sofia, 2009, pp. 578.

⁷¹⁷ Council of Ministers of the Republic of Bulgaria, Directorate for Coordination of EU Affairs, Relations of the Republic of Bulgaria with the European Union before 2007 (<http://www.euaffairs.government.bg/index.php?page=otnosheniya-s-es-predi-2007-g-2>), last accessed in June 2012.

itself to build the necessary institutional capacity to effectively manage the integration process in its negotiation phase. Administrative capacity was mobilized by a view of successful completion of the negotiation process for EU accession.

9.1.2. Benefits of Bulgaria's Membership in the EU

Joining the European Union in 2007 marked the strong advances of Bulgaria's European integration. Bulgaria is now widely recognized as a democratic country, and is actively participating in international cooperation, with a growing role and influence in the region of South East Europe. After accession, Bulgaria gained new responsibilities – turning from a country in negotiations that meets the criteria for membership, into one of the policy-makers shaping the EU's future. This transformation is a challenge to the Bulgarian political elite and the administration to show the full scale of Bulgaria's ability to capitalize in best way possible on the benefits of EU membership.

The *macroeconomic opportunities* may be observed in the following: increasing direct foreign investment due to increased confidence among businesses; a central role in the Balkans and the Black Sea as a bridge for relations between the European Union and Turkey; improving transport infrastructure in the long-term; enhanced competitiveness and strive for innovation; a public system for subsidies under the EU regulations; and easier access to financial institutions and funds within the enlarged European Union.

Business opportunities include increasing EU funds for environmental protection, education and support to small and medium enterprises; taxation and business accounting transparency; elimination of tariff and quantitative restrictions within the EU; simplified business administration procedure when exporting to another member-state.⁷¹⁸

Structural Funds. After joining the EU, Bulgaria became eligible to receive significant financial support from the Structural Funds for its rapid socio-

⁷¹⁸ The European Commission's Representation in Bulgaria, the positive value of Bulgaria's membership in the EU, 24 January 2012 (http://ec.europa.eu/bulgaria/abc/eu_glance/positive_membership/index_bg.htm), last accessed in June 2012.

economic development. Receipt of funds is related to the fulfilment of specific requirements and the application of rules and procedures laid down by the EU. In the negotiations on the accession of Bulgaria to the EU, the issues related to the use of Structural Funds are delineated in Chapter 21 – “Regional Policy and Coordination of Structural Instruments”.⁷¹⁹ These funds perform multiple functions: they allow projects that enliven Bulgarian economy to be carried out and create jobs in their implementation; they also contribute to the achievement of a number of cascading effects, such as economic progress and increased investment interest in economically underdeveloped regions through the creation of infrastructure that meets European standards.

Membership provides opportunities for Bulgarian companies, local authorities, NGOs, universities, research institutes, schools and citizens to participate in European programmes. New generation Community programmes (2007-2013) are characterized by their having been based on a number of the already existing programmes from the period of 2000-2006, but are focused primarily on innovation, enhancing competitiveness and employment.⁷²⁰

Conceptual integration of citizens is much more important than the institutional integration. While institutional integration creates the legal framework and, in a broader sense, the paradigm of membership, integration of Bulgarian citizens and Bulgarian business presents the real dimensions of the EU-membership benefits.

9.1.3. Bulgaria's Contribution to the CFSP and CSDP

Since the beginning of its path towards European integration, Bulgaria shares the priorities of the CFSP and the CSDP, giving a clear indication of its role as a reliable and predictable European partner.

⁷¹⁹ Ministry of Finance of the Republic of Bulgaria, Bulgaria and the EU Structural Funds, European Commission Representation in Bulgaria. European Programmes 2007-2013. Guide (4th revised edition), Information Centre of Bulgaria, Bulgaria and the EU Structural Funds (<http://www.minfin.bg/bg/page/80>), last accessed in September 2012.

⁷²⁰ The European Commission's Representation in Bulgaria, European Programmes 2007-2013. Guide (4th revised edition), Information Centre of the European Union, Sofia, July 2007, Op.cit.

9.1.3.1. Bulgaria's Contribution to the CFSP

Common Foreign and Security Policy was adopted by participating governments as an essential tool for keeping national interests intact in an era of global interdependence. In the pre-accession, Bulgaria set its foreign and security policy and defence in accordance with that of the European Union. Concrete steps taken by the government in this respect include the following:

- Ratifying the Rome Statute establishing the International Criminal Court;⁷²¹
- Endorsing the Action Plan of 21 September 2001, and the four common positions on combating terrorism;
- Adhering to international sanctions and restrictive measures imposed by the UN and the EU;
- In July 2002, the Bulgarian government adopted a law amending the law on international trade of arms, goods and technologies with potential dual use, establishing a list of dual-use goods, identical with that of the EU adopted in 2001;
- Confirming its readiness to contribute to rapid intervention missions of the EU and to the civilian instruments for crisis management;
- Participating in the EU Police Mission (EUPM) in Bosnia and Herzegovina started on 1 January 2003;
- Actively working for the development of the Common Security and Defence Policy, participating in exchanges on this issue in the EU +15 format (European NATO members who are not EU members plus candidates for accession to the EU);
- Making significant efforts to support international peacekeeping missions and to participate in peacekeeping operations under the supervision of the UN and the OSCE;
- Becoming a permanent member of the Security Council of the United Nations for the period 2002-2003, and also its Chair in September 2002;

⁷²¹ EUR-lex, Council Common Position 2003/444/CFSP of 16 June 2003 on the International Criminal Court (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003E0444:EN:HTML>), last accessed on 20 April 2014.

- Actively developing regional cooperation: tripartite with Romania and Greece, Romania and Turkey, Macedonia and Albania; participates in the Stability Pact and plays an active role in regional forums (Process of Defence Ministers of Southeast Europe, Cooperation Process in SEE and the Steering Group for Cooperation in the field of security in Southeast Europe (SEEGROUP));
- Actively participating in the political dialogue with the EU as an area of the most intense interaction between the EU and candidate countries by taking part the joint actions, common positions, declarations, also cooperates in international organisations and forums, as well as with third parties; is involved in meetings of the working groups 'troika' of the EU associated countries;
- Defining a clear stance on the Iraq crisis, adopted by the National Assembly on 7 February 2003, and joins the conclusions (Common Position) of the extraordinary meeting of the EU.⁷²²

Bulgaria contributes to the CFSP in several aspects. On one hand, through its participation in the common policies of the Union and building a native capacity for their implementation, the country increases the cohesion of the CFSP and the EU's role as a global player in the field of security. On the other hand, given the geopolitical reality that it is an external border of the EU, it has its function in the CFSP defined by that fact, as well as the role of a stabilizing factor in the Balkans, exerting continued political and methodological support for the integration of the Western Balkans. For decades, the Western Balkans have been a problem for the EU, an area of wars and conflicts, some of which are not fully resolved even today. Bulgaria has been successful in the transition from post-conflict recovery to stability and European integration of the region.

9.1.3.2. Bulgaria's Contribution to the CSDP

The dynamics of the processes taking place in the global security environment turn the Common Security and Defence Policy into one of the fastest

⁷²² Europe-Gateway, Negotiation Chapters, Chapter 27, Common Foreign and Security Policy (CFSP) (<http://www.europe.bg/htmls/page.php?category=149>), last accessed on 20 April 2014.

developing policies of the Union. The EU seeks to develop the capacity for autonomous action, backed up by its own armed forces, and to have the means and the willingness to use them at any time and in different parts of the world. Bulgaria actively participates in the development of the CSDP.⁷²³

In 2001, six years before joining the EU, the country announced the commitment of its defence capabilities for future missions and operations led by the EU. Formations of the Bulgarian army have been acting in missions and operations of the EU since 2003. The overall Bulgarian contribution to the missions and operations of the EU in 2012 consisted of approximately 201 civilian and military representatives. This is a significant achievement taking into consideration the country's resources compared to the average European level.⁷²⁴

Permanent Structured Cooperation (PSC) and Bulgaria. The Lisbon Treaty establishes a new opportunity for the Common Security and Defence Policy, in addition to enhanced partnership. According to Art. 42 (6), Member States whose military capabilities fulfil higher criteria and which have made more binding commitments in this area with a view to the most demanding missions shall establish permanent structured cooperation within the Union. Unlike increased interaction, the establishment of permanent structured cooperation does not require a minimum number of countries participating in the initiative. PSC sets a precedent in the field of defence and security by building the necessary prerequisites for initiating military operations and missions of individual Member States. Bulgaria supports the development of such cooperation and the full exploitation of the information provided by the Lisbon Treaty opportunities.

Bulgaria's Participation in Civilian Missions and Military Operations of the EU. The legal basis for the participation of armed forces in allied and coalition operations and in Peace Support Operations (PSO) is established in Art. 84

⁷²³ Ministry of Defence of the Republic of Bulgaria, Bulgaria and the EU's CSDP – General Information (http://www.mod.bg/en/cooperation_EC.html), last accessed on 19 April 2014.

⁷²⁴ Material provided by the Ministry of Defence of the European Defence College in connection with the production of the brochure for the module in Sofia - from 5 to 9 March, 2012.

Section 11 of the Constitution of the Republic of Bulgaria, under which the sending of armed forces abroad happens only after the permission of the National Assembly at the proposal of the Council of Ministers. This means that any particular part in a PSO requires an individual decision.⁷²⁵

Bulgaria participated in the following civilian and military EU operations (2003-2010):

- Military Operation Concordia in Macedonia (March-December 2003) – with an officer at the headquarters in Skopje;
- Police Mission in Bosnia and Herzegovina (January 2003 - present) – two representatives from the Ministry of the Interior;
- Military Operation Althea in Bosnia and Herzegovina (December 2004 - present) – with a contingent of 109 soldiers at the headquarters of the operation in the “Communications and Information Systems” department, as well as in an intelligence cell and with a light infantry company since 25 August 2011;
- Mission of the EU Rule of Law in Kosovo (February 2008 - present) – with 49 experts from the Ministry of Interior and Ministry of Justice;
- Mission in support of border control between Ukraine and Moldova (November 2005 - present) – with an assistant to the head of the mission, sent by the Bulgarian Customs Agency;
- Civilian mission in Afghanistan in the field of police work and the rule of law (June 2007 - present) – with a serviceman (representative of the Military Police);
- Integrated EU mission in the field of the rule of law in Iraq (July 2005 - present) – by organizing two training courses within the mission framework;
- EU Police Mission in the Palestinian Territories (January 2006 - present) – with a representative from the Ministry of Interior;
- Bridging military operation in Eastern Chad and North-eastern Central African Republic (January 2008 - present) – with two staff

⁷²⁵ Ministry of Defence of the Republic of Bulgaria, Bulgaria and the EU's CSDP, Missions and Operations (http://www.mod.bg/en/tema_MissionsOperations.html), last accessed on 20 April 2014.

officers sent into the Paris suburb of Mont Valerien and in Abeche (Chad);

- Monitoring mission of the European Union in Georgia (October 2008 - present) – with 11 soldiers, distributed in Tbilisi, Gori and Zugdidi;
- Naval Operation Atalanta in the Gulf of Aden (December 2008 - present) – with a staff officer in Northwood (UK).⁷²⁶

Bulgaria's participation in EU missions is an expression of its important role in the implementation of the CSDP. In addition to operations in neighbouring regions such as the Western Balkans, Bulgarian representatives successfully perform missions in remote areas, such as Iraq, Afghanistan and Palestine.

The role of Bulgaria in the framework of the CSDP has increased significantly. At the same time by participating in the planning and implementation of these missions, the Bulgarian representatives master new capabilities and acquire experience, and hence the effectiveness of Bulgarian expertise becomes an ever more valuable resource for the implementation of the CSDP.

9.1.4. Commitments of Bulgaria on EU Policies in the Field of Justice and Home Affairs

Bulgaria participates in the development of a safer interior space within the Community, fulfilling all the commitments arising from the accession to the Schengen area. In addition to the implementation of community priorities and objectives of the EU in its legislation, the country is an active member of various regional cooperation initiatives in the field of justice and home affairs, such as the Police Cooperation Convention for South East Europe and the EU Strategy for the Danube region.

⁷²⁶ Bulgaria's participation in civilian missions and military operations of the EU (2003-2010) (http://www.mod.bg/bg/cooperation_EC_Participation.html), last accessed on 20 April 2014.

9.1.4.1. Bulgaria's Accession to Schengen

The EU Accession Treaty sets out the rules of the achievements of the Schengen acquis, which are binding and have been applicable in Bulgaria since 1 January 2007. In September 2007, the Bulgarian state deposited with the General Secretariat of the Council of the EU a declaration stating its readiness to start the Schengen evaluation on 1 January 2008. By way of the declaration, the country expressed its willingness to complete preparations for the full implementation of the provisions of the Schengen acquis.⁷²⁷

Due to the decisive stage in Bulgaria's preparation, on 17 March 2010 the Council of Ministers approved a new National Action Plan to fully implement the provisions of the achievements of the Schengen acquis and the elimination of internal border controls, in order to ensure successful accession.⁷²⁸ The measures provided for in the plan were divided into such for the creation of legislative, institutional and administrative capacity. On 22 March 2010, the Ministry of Interior and the Open Society Institute, Sofia, signed a cooperation agreement for the implementation of civil monitoring on Bulgaria's progress towards accession to the Schengen area and the process of absorption of Schengen funds. The initiative was meant to raise awareness of Bulgarian citizens in the process of preparation and to ensure the transparency of the use of funds under Schengen.⁷²⁹

In March 2010, the Government of Bulgaria adopted a Strategy on Integrated Border Management for the period 2010-2013.⁷³⁰ The document

⁷²⁷ Ministry of Interior of the Republic of Bulgaria, Accession of the Republic of Bulgaria to Schengen (<https://www.mvr.bg/en/Shengen/accession.htm>), last accessed on 19 April 2014.

⁷²⁸ Portal for public consultation of the Council of Ministers, the National Action Plan for implementation of the provisions of the Schengen acquis and the abolition of controls at internal borders (<http://www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=612>), last accessed on 19 April 2014.

⁷²⁹ Ministry of Interior of the Republic of Bulgaria, Accession of the Republic of Bulgaria to Schengen (<https://www.mvr.bg/en/Shengen/accession.htm>), last accessed on 19 April 2014.

⁷³⁰ Strategy for Integrated Border Management in the Republic of Bulgaria for the period 2010-2013 (<http://www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=614>), last accessed on 19 April 2014.

provided a common framework for the incorporation of the European and Schengen law and also national legislation on the issue of joint border management. The strategy was designed for all public institutions competent in the management and control of borders and finds practical application in Bulgaria's participation in the common European area of security, guaranteeing the free movement of people and goods, while simultaneously providing firmer internal security. Measures have been identified to ensure the reliability of the external borders after the country's accession to the Schengen area by conducting continuous effective border control.⁷³¹

In September 2011, Bulgarian and Romanian membership to the area without border controls was stopped by the Netherlands and Finland. By virtue of Decision № 956 of the Council of Ministers on 29 December 2011, an Action Plan was adopted for the implementation of emergency measures in 2012 in connection with the accession of Bulgaria to Schengen.⁷³²

The Schengen Agreement is an expression of the integrity of the European Union and its transformation into an effective common space. Through it, freedom of movement, as reflected in treaties, is defined, and the integrity of the EU's borders and the security of European citizens is ensured.

At the same time, by doing away with the legal approach to Bulgaria's implementation of the Schengen criteria and replacing it with domestic and campaign arguments of individual Member States, thereby causing the delay of the country's accession to the Schengen area, creates a very dangerous precedent, allowing common European policies to be subordinate to domestic interests, most of which are speculative. This is a model that could block or delay the further development of the European Union.

⁷³¹ Portal for public consultation of the Council of Ministers; the Government adopted the Strategy on Integrated Border Management for 2010-2013 (<http://www.strategy.bg/News/View.aspx?lang=bg-BG&Id=633>), last accessed in March 2010.

⁷³² Portal for public consultation of the Council of Ministers, Action Plan for the implementation of emergency measures for 2012 on the accession of Bulgaria to the Schengen area (<http://www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&Id=716>), last accessed in June 2010.

9.1.4.2. Bulgaria's Participation in the Police Cooperation Convention for South East Europe

The Police Cooperation Convention for South East Europe was signed in Vienna on 5 May 2006 by Albania, Bosnia and Herzegovina, Macedonia, Moldova, Romania, Serbia and Montenegro. The depositary of the convention was Albania. The convention entered into force on 11 July 2008, after the completion of the internal legal procedures in different countries.

The convention's main goal is to strengthen cooperation between the contracting parties in combating threats to public safety and/or order, and the prevention, detection and investigation of crimes. In fact, it is rather similar to the Schengen Convention and implements Schengen standards of cooperation for the improvement of police cooperation in the region in order to gradually achieve conformity with EU norms for police partnership in all countries of the Western Balkans.⁷³³

Bulgaria participated in the negotiations over the text of the convention, but ultimately was not among the countries that signed it on 5 May 2006. In July 2008, the Council of Ministers submitted a proposal for ratification of the Convention, and a law on ratification was passed by the National Assembly on 25 September 2008, and, upon completing the necessary notification procedures, the Convention entered into force for Bulgaria on 1 March 2009.⁷³⁴

The convention aims to translate the Schengen standards to countries which are not in the European Union. Its implementation will enable more effective police cooperation in preventing and combating crime, and a shortened period of integration into the Schengen area after the accession of the countries of South East Europe into the EU.

⁷³³ Ministry of Interior of the Republic of Bulgaria (https://www.mvr.bg/en/PCC_SEE/default.htm), last accessed on 20 April 2014.

⁷³⁴ State Gazette, Police Cooperation Convention for Southeast Europe, ratified by a law passed by the 40th National Assembly on 25 September 2008 - SG. 88 of 2008 with effect from 1 March 2009 (<http://dv.parliament.bg>), last accessed in June 2012.

9.1.4.3. Strategy for Bulgaria, as a Member of the European Union, to Continue the Reform of the Judiciary System, 23 June 2010⁷³⁵

Besides legal and technical challenges, the judicial reform in Bulgaria is becoming a social problem with ever-increasing importance in the public mind. Improving the functioning of the courts, increasing credibility and ensuring the rule of law in the country are the specific steps towards achieving the most important goal of any judiciary – strengthening the rule of law.⁷³⁶

On 23 June 2010, the Council of Ministers approved the strategy for continuing the reform of the judiciary in terms of EU membership. The main objectives of the document are to enhance the quality of justice, good governance and combating corruption in the judiciary. Continuing judicial reform is a key issue in the context of Bulgaria's accession to the EU. Its inefficient judicial system has been the country's Achilles' heel for the past 20 years. Many problems hinder law enforcement efforts and institutions in combating crime and cause public confidence in justice to plummet; they are also a major obstacle to economic development with ineffectual sentences and long drawn-out cases.

In recent years, a number of steps have been taken to address these issues – mainly in the legal framework to simplify the number of court procedures, shortening procedure time. However, mistakes have also been made: many codified laws are frequently changed, even within a single parliamentary session, and this, apart from creating a deficit of legislative capacity, creates instability and volatility of the current legal framework.

9.1.5. *Bulgaria – a Factor in the Global Arena*

Bulgaria's membership in the European Union increased its authority internationally. The country acquired new responsibilities within European and global security.

⁷³⁵ Strategy to continue the judicial reform in the conditions of full European Union membership(http://www.bili-bg.org/cdir/bili-bg.org/files/Strategy_EN_FINAL_25.06.2010.pdf), last accessed on 20 April 2014.

⁷³⁶ Ministry of Justice of the Republic of Bulgaria, (<https://mjs.bg/>), last accessed on 20 April 2014.

9.1.5.1. Role of Bulgaria in the European Integration of the Western Balkans

From 1 January 2007, the Balkans entered a time of new political architecture. With the accession of Bulgaria and Romania, the European Union is linked as an indivisible whole from the northern to the southern part of the Balkan Peninsula. Meanwhile, the Western Balkan Region borders the European Union from the north, south, west and east. Bulgaria further developed diplomatic relations with all its neighbours from South East Europe.

The country supports European and Euro-Atlantic integration of the Western Balkans as a major way to establish long-term stability and security, economic prosperity and good diplomatic relations on the peninsula. Being closer to the EU and NATO requires building stable institutions, the consolidation of democratic processes, the development of market economy, rule of law, protection of human rights and protection of minorities. The principle of assessment on one's own merits is a stimulating factor for the progress of each country towards EU standards.⁷³⁷

The in May 2013 newly elected Bulgarian government also has defined the European outlooks of the Western Balkans as its top priority. According to the official positions expressed by the foreign minister, Bulgaria will be a "genuine and real part of the EU" only when the Western Balkan countries join the European family. The Bulgaria government established some of positive effects of the country's EU membership: the policy planning and long-term implementation that ensures stability and security for the citizens of the Balkan countries.

9.1.5.2. The Role of Bulgaria for the Cessation of Violence in Syria

During the escalation of the conflict in Syria after 2011 Bulgarian institutions repeatedly condemned the violence and called for a peaceful transfer of power. The country supported the EU and U.S. partners imposing a package of sanctions against the regime in Damascus and gave support to the Syrian opposition.

⁷³⁷ Ministry of Interior of the Republic of Bulgaria (<http://www.mfa.bg/bg/pages/view/24>), last accessed in June 2012.

Since the escalation of the Syrian civil war in the end of 2011, Bulgaria has hosted more than 10,000 asylum-seekers and refugees till September 2014. The Syrian Uprising caused numerous hurdles in terms of security and refugees integration for the EU societies, especially for Bulgaria, which acts as a buffer zone for the migration flows trying to enter Europe. Regardless the unstable economic conditions in the country, the Bulgarian authorities are distributing food on a daily basis in all reception centres, moreover – Bulgarian language courses and elementary classes are being organized for those who wish to participate. Committed to the wails for help, groups from different regions and ethnicity from all around the country launched donation campaigns and set collection points for clothes, blankets and essential commodities. The adequate reaction of the Bulgarian Red Cross within the close cooperation of Medecins Sans Frontieres (MSF) provided essential medical care and ensured medicaments.

9.1.5.3. The Role of Bulgaria in the Black Sea Economic Cooperation (BSEC)

According to the official Bulgarian position, the countries from the Black Sea region need a serious commitment within the framework of the regional cooperation formats. This is also a priority for the Black Sea Economic Cooperation (BSEC). Bulgaria takes its commitment seriously and will preside the organisation on a rotational presidency basis during 2014.⁷³⁸

When preparing and planning the priorities of the Bulgarian presidency, the main goal remains the creation of synergies between the BSEC and other regional cooperation formats. For Bulgaria, the establishment of a pragmatic BSEC-EU dialogue, one of the priority areas of the cooperation, will be one of the highlights of its presidency. Bulgaria will continue to work towards a stronger involvement of the EU in the region, supporting the idea that the project-oriented dimension of the BSEC is of key importance.⁷³⁹

⁷³⁸ Ministry of Foreign Affairs of the Republic of Bulgaria, The Bulgarian presidency of BSEC will seek pragmatic dialogue with the EU, 15.11.2013 (<http://www.mfa.bg/en/events/6/1/1155/index.html>), last accessed on 21 April 2014.

⁷³⁹ Ibidem.

9.1.5.4. The Role of Bulgaria in the Eastern Partnership (EaP)

On the eve of the Vilnius Summit in November 2013, Bulgaria reaffirmed its readiness to further support the democratic and market economy-oriented reforms in the EaP region. In this regard, Bulgaria accepts that the EU and EaP partners share commitments to implement international law and fundamental values, including democracy, the rule of law and respect for human rights and fundamental freedoms. In his speech at the opening of the International Conference “Georgia’s European Way: The EU Eastern Partnership EU with a view to the upcoming high-level meeting in Vilnius”, held in Batumi, Georgia, the former Bulgarian Foreign Minister Kristian Vigenin said that Bulgaria is ready to cooperate to the best of its ability and to continue sharing its experiences with the EaP partner countries.⁷⁴⁰

Bulgaria is ready to be even more active in the multilateral dimension and in the implementation of the Flagship initiatives and expects that the strengthening of the economic cooperation with the countries of the region will continue. This will give a good reason to set an even more ambitious agenda for the “post-Vilnius” period – an agenda for further integration of EaP partners with the EU after Georgia and Moldova have signed their Association Agreements.

These efforts are exclusively important after the Ukrainian government’s decision to halt its preparations for the signing of the Association Agreement and the massive protest campaigns that started in Ukraine led by the pro-EU oriented Ukrainian opposition and civil society.

9.2. Relations between Croatia and the EU

Croatia has been an independent country since 1991. On 1 July 2013, Croatia became the 28th EU member state – an important stage in the development of Croatia, the EU and the remaining aspirant countries in the Western Balkans.⁷⁴¹ Over the last decade, after its application to join the EU on

⁷⁴⁰ Ministry of Foreign Affairs of the Republic of Bulgaria, Georgia’s progress is an example to the other countries of the Eastern Partnership (<http://www.mfa.bg/en/events/6/1/911/index.html>).

⁷⁴¹ EEAS, Croatia, welcome aboard the EU! (http://eeas.europa.eu/top_stories/2013/010713_welcome_croatia_en.htm), last accessed on 21 April 2014.

21 February 2003 in Athens, Croatia has accomplished all the reforms needed to bring it in line with EU laws and standards to enable it to join the EU in 2013.⁷⁴² Croatian membership also provides fresh evidence of the transformative power of the European Union: torn by conflict only two decades ago, Croatia is now a stable democracy, capable of taking on the obligations of EU membership and of adhering to EU standards.⁷⁴³

9.2.1. Croatia's Road to the EU

The development of the relations between Croatia and the European Union began with the international recognition of the Republic of Croatia on 15 January 1992.⁷⁴⁴ These relations were intensified towards the end of 1999. In October 2001 the Stabilization and Association Agreement (SAA) was signed, which represented the first formal contractual step in institutionalizing the country's relationship with the Union and entered into force on 1 February 2005. From January 2002 until the entry into force of the SAA, an Interim Agreement on trade and trade-related matters was applied. Croatia applied for membership in the European Union on 21 February 2003 in Athens.⁷⁴⁵

Provided Croatia's full cooperation with the UN International Criminal Tribunal for the Former Yugoslavia in The Hague, the European Council of 16/17 December 2004 decided that accession negotiations would be opened on 17 March 2005. However, in the absence of confirmation of full cooperation, especially because Croatia didn't capture the fugitive Ante Gotovina,⁷⁴⁶ the Council on 16 March 2005 decided to postpone the opening

⁷⁴² EEAS, Croatia, welcome aboard the EU! (http://eeas.europa.eu/top_stories/2013/010713_welcome_croatia_en.htm), last accessed on 21 April 2014.

⁷⁴³ EU, Croatia's accession to the European Union – Q&A, EC - MEMO/13/629 28/06/2013 (http://europa.eu/rapid/press-release_MEMO-13-629_en.htm), last accessed on 21 April 2014.

⁷⁴⁴ Delegation of the European Union to Croatia. (<http://www.delhrv.ec.europa.eu/?lang=en&content=62>), last accessed on 21 April 2014.

⁷⁴⁵ Delegation of the European Union to the Republic of Croatia. 2013. Overview of EU - Croatia Relations. (<http://www.delhrv.ec.europa.eu/?lang=en&content=62>), last accessed on 21 April 2014.

⁷⁴⁶ Rota, Dora: Croatian Accession to the EU: Political Battles and Legal Challenges (<http://jurist.org/dateline/2012/05/dora-rotar-croatia-eu.php#.U1VsJVfCmZQ>), last accessed on 21 April 2014.

of accession negotiations⁷⁴⁷ but adopted a negotiating framework for Croatia so that once the condition was met; the EU would be ready to start negotiations. Following a positive assessment on 3 October 2005 from the ICTY Chief Prosecutor that cooperation was now full; EU-Croatia relations entered a new phase with the confirmation by Council that the outstanding condition for the start of accession negotiations was met. When the Council decided to open accession negotiations with Croatia. But still, less than full cooperation with ICTY at any stage would have affected the overall progress of negotiations and could have been grounds for their suspension.⁷⁴⁸

The negotiations – even though with six years being the longest so far – were successful and the EU Member States on 30 June decided to close the accession negotiations.⁷⁴⁹ The 2013 enlargement of the European Union saw Croatia join the European Union as their 28th Member State on 1 July 2013.⁷⁵⁰

Before accession negotiations with a candidate country, the EU examines whether the country fits in the body of common rights and obligations, the so called *acquis*. Therefore separate *acquis chapters* are defined and the candidate country will be examined upon them.⁷⁵¹ An *acquis chapter* refers to the different parts which constitute European Union Law, including free movement of goods, free movement of capital, education and culture, legal acts, and court decisions.⁷⁵² To become a member of the EU, a country must agree to be completely bound to comply with each of the *acquis*. As

⁷⁴⁷ Delegation of the European Union to the Republic of Croatia, the opening of accession negotiations - 3 October 2005 (<http://www.delhrv.ec.europa.eu/?lang=en&content=2746>), last accessed on 21 April 2014.

⁷⁴⁸ Ibidem.

⁷⁴⁹ Rota, Dora: Croatian Accession to the EU: Political Battles and Legal Challenges (<http://jurist.org/datetime/2012/05/dora-rotar-croatia-eu.php#.U1VsJVfCmZQ>), last accessed on 21 April 2014.

⁷⁵⁰ Delegation of the European Union to the Republic of Croatia, the opening of accession negotiations - 3 October 2005 (<http://www.delhrv.ec.europa.eu/?lang=en&content=62>), last accessed on 21 April 2014.

⁷⁵¹ European Commission, Enlargement Policy, Glossary (http://ec.europa.eu/enlargement/policy/glossary/terms/acquis_en.htm), last accessed on 21 April 2014.

⁷⁵² See more at the European Commission, Enlargement Policy, Glossary (http://ec.europa.eu/enlargement/policy/conditions-membership/chapters-of-the-acquis/index_en.htm), last accessed on 21 April 2014.

well as changing national laws, this often means setting up or changing the necessary administrative or judicial bodies which oversee the legislation. Croatia was screened under 35 different *acquis* chapters. Throughout this process, Croatia needed to make a significant effort to align its legislation with the *acquis* and to implement and enforce it in the interim period. Croatia was also examined under the Copenhagen Criteria.⁷⁵³

As stated above, the Croatian negotiations were the longest so far due to border disputes⁷⁵⁴ with Slovenia (which is an EU member state since the fourth enlargement round in 2004) and the already mentioned issue with the Criminal Tribunal for the Former Yugoslavia (ICTY). The main border issue – the maritime border in the Piran Bay – was set after 10 months with an agreement that the issue should be resolved by international arbitrators – and Slovenia withdrew its objections to Croatia's accession negotiations.⁷⁵⁵

On 30 June 2011 the negotiations were closed and therefore the Accession Treaty was signed on 9 December 2011. A referendum was held on 22 January 2012 and the majority of voters supported Croatia's accession to the European Union. The Croatian Parliament unanimously ratified the Accession Treaty of the Republic of Croatia to the European Union on 9 March 2012. On 1 July 2013 Croatia finally became the 28th EU member state.⁷⁵⁶

⁷⁵³ European Movement Ireland, Just the Facts – Croatian Accession to the EU, (<http://www.europeanmovement.ie/just-the-facts-croatian-accession/>), last accessed on 21 April 2014.

⁷⁵⁴ Croatia poised for EU membership following Slovenian border dispute referendum (<http://www.telegraph.co.uk/news/worldnews/europe/slovenia/7807200/Croatia-poised-for-EU-membership-following-Slovenian-border-dispute-referendum.html>), last accessed on 21 April 2014.

⁷⁵⁵ Ibidem.

⁷⁵⁶ Delegation of the European Union to the Republic of Croatia, EU - Croatia Negotiations (<http://www.delhrv.ec.europa.eu/?lang=en&content=66>), last accessed on 21 April 2014.

9.2.2. Benefits of Croatia's Membership in the EU

There is a multitude of benefits that every Member State of the European Union enjoys. The economic and political union enables the Member States to realise common goals. These include a balanced economic and social development, high levels of employment and protection of rights and interests of the citizens.⁷⁵⁷

Membership to the EU was expected to have a positive impact on the Croatian economy. Consumption per capita in Croatia was estimated to rise by about 2.5% as a result of accession and income levels in Croatia were expected to increase even more.⁷⁵⁸

The right of every EU citizen to work freely in any country within the European Union is one of the fundamental freedoms in the EU Treaty, and constitutes an essential part of the EU's Single Market.⁷⁵⁹ Free movement of workers benefits the economies of both – the host and home country as well as the individuals concerned. Better matching available skills with labour market demands is one of the key actions under the Europe 2020 Strategy and the April 2012 employment package.⁷⁶⁰

Similar to the regime implied to Bulgaria and Romania, the Accession Treaty for Croatia foresees a period of seven years during which Member States may choose to put in place transitional arrangements for access by Croatian workers to their labour markets. Luxembourg, Austria, Belgium, Germany, the Netherlands, Slovenia, Spain and the UK did impose such

⁷⁵⁷ Delegation of the European Union to the Republic of Croatia.2013. Croatia and EU - Prejudices and Realities. (<http://www.delhrv.ec.europa.eu/?lang=en&content=61>), last accessed on 21 April 2014.

⁷⁵⁸ European Movement Ireland, Just the Facts, Croatian Accession to the EU, European Movement Ireland. (<http://www.europeanmovement.ie/just-the-facts-croatian-accession>), last accessed on 21 April 2014.

⁷⁵⁹ EU, Press releases database, European Commission upholds free movement of people (http://europa.eu/rapid/press-release_MEMO-14-9_en.htm), last accessed on 21 April 2014.

⁷⁶⁰ EU, Press releases database, Croatia's accession to the European Union - Q&A, European Commission - MEMO/13/629, 28 June 2013 (http://europa.eu/rapid/press-release_MEMO-13-629_en.htm), last accessed on 21 April 2014.

restrictions, only ten nations announced not to do so.⁷⁶¹ Actually the liberalisation of the Croatian foreign trade policy already had already started in the 1990's.⁷⁶² Croatia is now part of the internal market and could trade freely with all Member States.⁷⁶³ By taking over the EU's common commercial policy, it transferred the responsibility for trade policy to the EU.⁷⁶⁴

9.2.3. Croatian Contribution to the CFSP and CSDP

From the beginning of its path towards European integration Croatia has shared the priorities of the CFSP and the CSDP, giving a clear indication of its role as a reliable and predictable European partner. Croatia continued its commitment to support and participate in the measures and actions implemented by the EU with the goal of conflict prevention. Outside the EU Croatian country contributes to this area by participating in the mechanisms of the UN, OSCE, Council of Europe and other regional organisations, initiatives and processes. As a full member Croatia will continue contribution to the EU's external efforts to prevent conflict and build peace through its own experience in areas such as land-mine clearance, security sector reform and reconciliation.

9.2.3.1. Croatia's Contribution to the CFSP

Croatia regularly consulted with EU Member States on issues regarding the current international agenda, primarily in the Brussels office of the European External Action Service that has been operating since 2010, as well as through other international organisations.⁷⁶⁵ Croatia regularly shared EU positions regarding the resolution of crisis situations in the world and on

⁷⁶¹ CroatiaWeek.com, Luxembourg Becomes Latest Nation to Restrict Croatian Workers (<http://www.croatiaweek.com/tag/labour-market/>), last accessed on 23 March 2014.

⁷⁶² Boromisa, A: Welcome Croatia – What's Next? Possible Economic Impacts of the Croatian EU Membership. in: Croatian Membership in the EU-Implications for the Western Balkans, Vienna 2014, p 38.

⁷⁶³ Members of the European Economic Area are part of the internal market as well.

⁷⁶⁴ EU Enlargement Factsheet, Close-up on Enlargement Countries: Croatia (http://ec.europa.eu/enlargement/pdf/publication/20130514_close_up_croatia_en.pdf), last accessed on 21 April 2014.

⁷⁶⁵ Croatian Ministry of Foreign Affairs and European Integration, Yearbook 2011 (http://www.mvep.hr/_old/custompages/static/hrv/files/godisnjak2011/pdf/MFE_A_Yearbook_2011.pdf), last accessed on 21 April 2014.

the imposition of sanctions, and supported the EU in reaching other important decisions in the UN and other international organisations.

In order to be an important part of the common foreign and security policy, Croatian diplomats continued to intensify political dialogue with the European Union through already established mechanisms of cooperation and at new levels. After signing the Accession Treaty in December 2011, Croatia obtained an opportunity to participate in the work of most working groups of the Council of the EU dealing with foreign, security and defence policy, as well as in meetings of the Political and Security Committee and working bodies associated with the European External Action Service.⁷⁶⁶

Zagreb regularly took part in informal meetings of EU defence ministers, as well as in meetings between the defence ministers of candidate countries and non-EU NATO members, attended also by the High Representative of the Union for Foreign Affairs and Vice-President of the European Commission.

Croatia has also participated in several meetings of the European Union Military Committee (EUMC) and in meetings of the Political and Security Committee that discussed missions and operations with its participation. Zagreb has participated in the CSDP's missions with two Croatian police officers in Afghanistan (EUPOL Afghanistan), and three police officers in Kosovo (EULEX Kosovo).

With the aim of strengthening the operational capacities of the European Union in Kosovo, the Croatian Government decided to sell six armoured personnel carriers needed for the EULEX mission in Kosovo. Croatian naval officers were involved in the fight against piracy with two national officers active in the EUNAVFOR Atalanta operation off the coast of Somalia. Croatia's first participation in European fighting groups was within the Nordic Battle Group which was on stand-by from the beginning of the year until 30 June 2011. Zagreb contributed to the Nordic Battle Group through the engagement of two helicopters with MEDEVAC (medical evacuation) teams.

⁷⁶⁶ Ibidem.

9.2.3.2. Croatia's Contribution to the CSDP

When undergoing EU integration, there is an increase in the demand for versatile and intense monitoring and involvement in different activities in the field of the Common Security and defence policy. Becoming part of the NATO and the EU, Croatia has assumed obligations, such as participation in the joint bodies and staff, as well as contribution to their functioning and development of joint capabilities of the Alliance and the EU.⁷⁶⁷

Zagreb subscribes to the EU's goal to be active, capable and effective in civilian crisis management; it has indicated its willingness to contribute to the EU's military capacity, and has also continued to take part in international peacekeeping efforts and in 2007 participated in several UN peacekeeping missions including Kosovo (UNMIK) under UNSCR 1244.⁷⁶⁸

Croatia has consistently supported the CSDP missions in the Western Balkans, as the country contributes technical and logistical support to the ESDP mission in Bosnia and Herzegovina (EUFOR-Althea). Zagreb's participation and commitments regarding the CSDP initiatives and projects are expected to gradually increase after its recent acceptance to the EU. Croatia is contributing personnel to several UN-led missions. Since 2009 Croatia gradually has increased the number of police officers for peacekeeping missions and the number of military personnel available.

In 2010 the EU took note of Croatia's statement that it would have no difficulties in implementing decisions and positions taken in the framework of CFSP and it noted that since May 2008 Croatia has responded to all invitations it received for alignment. According to the EU, the Croatia is ready to contribute to the European Neighbourhood Policy by sharing its transition-related experience, that Croatia is committed to the preservation of peace and stability in the Mediterranean region and that it is keen on playing a more active role in the political, economic and cultural coopera-

⁷⁶⁷ Commission Staff Working Paper, Croatia 2011 Progress Report, Brussels, 12.10.2011 (http://ec.europa.eu/enlargement/pdf/key_documents/2011/package/hr_rapport_2011_en.pdf), last accessed on 21 April 2014.

⁷⁶⁸ Ibidem.

tion and dialogue among all Mediterranean countries.⁷⁶⁹ In the light of the new level of cooperation, in September 2013, the Chairman of the EU Military Committee, General Patrick de Rousiers, visited Croatia upon invitation by the Chief of the General Staff, Lieutenant General Drago Lovrić. The three-day discussions were in the light of Croatia's accession to the EU and focused on the cooperation and commitments in the EU CSDP activities.⁷⁷⁰

Croatia's declared preparedness to participate in EU Battle Groups between 2001 and 2015 is a positive development. Zagreb will therefore have a relatively limited but not insignificant contribution to make to EU's ESDP capacities.⁷⁷¹ In addition, Croatia supports European Union Member States' orientation towards the build-up of military capabilities through pooling and sharing and towards the establishment of systematic and long-standing European military cooperation.

9.2.3.3. Croatia's Peacekeeping Experience

Participation in peace support operations is among the priorities of Croatia's foreign and security policy. In 2008, the expenses for participation in international crisis response and peace support operations were approximately 4.7% of all defence expenditures. In March 2009, Croatia was providing military and civilian personnel to 14 international peace operations on four continents, of which 12 are led by the UN, one by NATO and one by the EU. Additionally, Croatia is offering training, logistic support, or exchange of information.⁷⁷²

⁷⁶⁹ Accession Document, European Union Common Position, Chapter 31: Foreign, Security and Defence policy, Brussels, 22 December 2010 (<http://www.mvep.hr/custompages/static/hrv/files/pregovori/ZSEUEN/31.pdf>), last accessed on 22 April 2014.

⁷⁷⁰ EEAS, EUMC Chairman visit to Croatia (http://eeas.europa.eu/csdp/structures-instruments-agencies/eumc/news/archives/2013/20130913_en.htm), last accessed on 22 April 2014.

⁷⁷¹ Commission Staff Working Paper, Croatia 2011 Progress Report, Op. cit.

⁷⁷² European Parliament, Croatia, non-classified document, http://www.europarl.europa.eu/meetdocs/2009_2014/documents/dv/sede151110croatia_/sede151110croatia_en.pdf, last accessed on 22 April 2014.

Croatian Contribution to the EU-led operations is as follows:⁷⁷³

- EUFOR Tchad/RCA: Zagreb decided to participate in this operation in July and the Agreement with the EU was signed in October 2008.⁷⁷⁴ Since 2008 a team of 15 members from the Special operations battalion has been deployed, together with Polish soldiers, to the North of Chad along the border with the Sudanese province of Darfur. On 15 March 2009 this operation became UN operation MINURCAT and Croatia continued to support it through the engagement of its second rotation of a SOF team.
- EUPOL Afghanistan: In July 2007, Croatia joined the EU mission in Afghanistan (EUPOL Afghanistan) with two police officers being transferred from the German PRT in Feyzabad. Croatian officers have continued to work on reform and training the Afghan National Police.
- EULEX Kosovo: Croatia joined the EU mission in Kosovo (EULEX) with two police officers.
- ALTHEA/EUFOR Bosnia-Herzegovina: Croatia continues to support logistically the EU operation in Bosnia-Herzegovina (EUFOR-Althea), as it did previously with the NATO operation.
- EU NAVFOR ATALANTA The Horn of Africa: Croatia intends to support EU Operation ATALANTA through engaging up to 5 (five) personnel in the operation. In 2009 the Republic of Croatia signed an agreement to participate in the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast.⁷⁷⁵

⁷⁷³ Ibidem.

⁷⁷⁴ Official Journal of the European Union, Agreement between the European Union and the Republic of Croatia on the participation of the Republic of Croatia in the European Union military operation in the Republic of Chad and in the Central African Republic (Operation EUFOR Tchad/RCA), L 268/33, 09.10.2008.

⁷⁷⁵ Official Journal of the European Union, Agreement between the European Union and the Republic of Croatia on the participation of the Republic of Croatia in the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Operation Atalanta), L 202/84, 04.08.2009.

- EU Battle Groups: The expressed intention to join a EUBG confirms Croatian interest to participate actively in the ESDP. Croatia joined the EUBG with Germany, Austria, Czech Republic, Ireland and FYROM.

9.2.4. Commitments of Croatia on EU Policies in the Field of Justice and Home Affairs

9.2.4.1. SCHENGEN

Already during the accession negotiations Croatia expressed its interest to join the Schengen zone. Inclusion in the free movement area, which will effectively make the country responsible for some of the EU's external borders, still presents a challenge for Croatia (in terms of equipment and manpower). Croatia now aims to apply for Schengen on 1 July 2015.⁷⁷⁶

The evaluation criteria is not a political but a technical question. The surveillance of the state's internal borders is suspended after criteria involving surveillance of the land, sea and air borders, issuing of visas, police cooperation, protection of data and the readiness to be linked into the Schengen information system have been fulfilled. Additional police will have to be recruited. Furthermore, the country will need more thermal cameras, helicopters, and other specific vehicles for use on land and sea to protect Europe's borders.⁷⁷⁷

Slovenia entered the Schengen zone in December 2007, 3.5 years after joining the Union. Bulgaria and Romania's entrance has been delayed until October of this year at the earliest. The two countries joined the Union in 2007, but have not yet managed enough progress in the area of judicial reforms.⁷⁷⁸ Nevertheless, Croatia has declared that it would start procedures

⁷⁷⁶ Croatia to Apply For Schengen Zone in 2015, BalkanInsight 16.05.2014 (<http://www.balkaninsight.com/en/article/croatia-to-apply-for-schengen-in-mid-2015>), last accessed on 25 May 2014.

⁷⁷⁷ Croatia: After accession, next comes Schengen, Presseurope.eu, May 3, 2013 (<http://www.presseurope.eu/en/content/news-brief/3744131-after-accession-next-comes-schengen>).

⁷⁷⁸ Croatia could be in Schengen by 2015, General News, Croatian Times Online News, 07.02.2011 (<http://croatiantimes.com/?id=16990>).

for joining the no-passport zone in two years following its entry to the European Union.

9.2.4.2. Judicial Cooperation with the EU

In about two months since its acceptance to the EU, Croatian police had arrested 31 suspects under the EU's European Arrest Warrant (EAW) system. EAWs are issued by EU nations for suspects who are facing criminal prosecution, and the system requires other nations in the bloc to arrest and extradite the suspects. EAWs also are important when it comes to Croatian judicial cooperation with non-EU countries in the region, especially Bosnia and Herzegovina and Serbia.⁷⁷⁹

However, only three days before its accession to the Union the Croatian government had decided to except crimes committed before 2002. This made it impossible to fulfil a warrant from Germany, which was seeking extradition of Josip Perković, a Communist-era security chief which led to the threatening of sanctions by the EU Commission.⁷⁸⁰ The law was finally adapted and Josip Perković was arrested and is now facing his trial in Munich, Germany.⁷⁸¹

9.3. Relations between Romania and the EU

Romania's course for building democratic governance set European and Euro-Atlantic integration as key national priorities for the country. As a consequence, Romania has openly embraced the goals of integration into the European institutional framework and the Trans-Atlantic community. Romania concluded an Association Agreement with the European Union in 1993, and joined the Council of Europe in 1994. During the same year Romania was the first country to sign the Partnership for Peace with NATO. In 2001, the country was Chairman-in-Office of the Organization

⁷⁷⁹ Croatia begins judicial co-operation within EU, SETimes.com, August 22, 2013 (http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2013/08/22/feature-01).

⁷⁸⁰ Ibidem.

⁷⁸¹ Tageschau.de, Prozess gegen Exagenten in München, 17.10.2004 (<http://www.tagesschau.de/inland/prozess-perkovic-101.html>), last accessed on 22 October 2014.

for Security and Cooperation in Europe, which put pressure on its ability to manage issues at a regional and Euro-Atlantic level. Romania successfully achieved the objectives and completed the tasks of this organization in the service of peace, security and democracy.⁷⁸²

9.3.1. Romania's Road to the EU

On 1 January 2007, Romania joined the EU within the established timetable, completing the integration process initiated in the mid 90's. The accession of Romania and Bulgaria on 1 January 2007 closed the fifth wave of enlargement of the Union.⁷⁸³ Romania signed the Europe Agreement in February 1993 and formally applied for membership in the Union on 22 June 1995 (see Table 9.2). In December 1995 the state administration adopted a detailed strategy for the adoption of the *acquis communautaire* and called for public involvement from social sectors including trade unions, business and professional associations, into discussions regarding the national integration strategy.⁷⁸⁴

To fulfil their commitments and bolster government policy and decision-making in matters related to European integration, the government set up the Department for European Integration, which in January 1997 was raised to the level of a ministry answering directly to the Prime Minister. It was this body's responsibility to prepare the national strategy for the implementation of the Commission's June 1997 White Paper which outlined the serious challenges facing Romania in almost all areas of life relevant for EU accession. At the time, the country met the criteria for less than half of the 899 White Paper measures. In 1999, symbolic of the deep social division, the rampage of the Vale Jiului miners wreaked havoc in Bucharest reminiscent of the 1990 destruction of public buildings and opposition party headquarters, intimidation of citizens of the capital, and physical beat-

⁷⁸² H.E. Ion Iliescu, Wilson Center, European Studies, 247. Romania's Return to its Western Identity: Internal Reforms and International Security Contribution (<http://www.wilsoncenter.org/publication/247-romania's-return-to-its-western-identity-internal-reforms-and-international-security>), last accessed on 24. April 2014.

⁷⁸³ Romania Ministry of Foreign Affairs, European Affairs, Romania's Road to the EU (<http://www.mae.ro/en/node/2184>), last accessed on 24. April 2014.

⁷⁸⁴ Stan, L., Romania's EU Integration - Between Political Will and Political Capacity, Department of Political Science Concordia University, Ottawa, 15 September 2006.

ings of anti-governmental protesters. The Commission made a conditional recommendation to start accession negotiations with the country in October 1999, supported by the European Council two months later. The 1998, 1999 and 2000 reports of the country were not favourable, but the EU's willingness to include Romania among candidate states, while taking into account the country's numerous issues, outweighed the protests of Central European Member States.⁷⁸⁵

Accession negotiations were held from February 2000 to December 2004. Midway through the period, the 2002 Accession Partnership and country report was just as critical as EU documents concerning Romania had been in 1998-2000. The Partnership document noted the political and economic progress the country had made while striving to meet accession criteria, but also that more actions were needed to implement and enforce the acquis, and reform the public administration, judiciary and economy.⁷⁸⁶

The model applied for the integration into the EU of Romania and Bulgaria in the second wave of the fifth expansion set the parameters of a regional approach in the extension. While the two countries repeatedly exchanged their pacing in the negotiation and integration process, the approach allowed for catching-up and promoting the effective implementation of the agreed Roadmap.

9.3.2. Benefits of Romanian's Membership in the EU

In its position as supporter of advanced integration and cooperation, Romania has the opportunity to directly contribute to the formulation and implementation of EU policies in key areas such as energy security, social inclusion and institutional reforms through the implementation of an open and constructive approach and working toward ensuring consensus on major decisions within EU.

In contributing to the security of the region and the world, Romania's part in strengthening the ties between the European Union and its Eastern neighbours is crucial. The country is instrumental in initiatives which impact

⁷⁸⁵ Ibidem.

⁷⁸⁶ Ibidem.

the EU, such as the Black Sea Synergy. Romania supports the deployment of a common policy on the granting of political asylum and immigration.

9.3.2.1. Participation in Community policies

After joining the EU, Romania began demonstrating a sustained intention to make a contribution to the strengthening of European integration and accelerating its pace. Bucharest has firmly voiced its support of reforming the institutional framework of the EU to the current challenges and the belief that unlocking institutional reform is essential. Romania was among the first Member States to ratify the Treaty of Lisbon (4 February 2008).⁷⁸⁷

The Lisbon Treaty greatly increased the scope of possibilities for action at the EU level. The Romanian Ministry of Foreign Affairs (RMFA) acts on these opportunities to improve Romania's EU profile. It actively promotes Romania's accession to the Schengen area so Romanian citizens can enjoy complete freedom of movement. The high-priority RMFA labour issues include full access of Romanian workers in the EU labour market and Romania's entrance into the Eurozone.⁷⁸⁸

This is special because as it was the case with Bulgaria, Romanian citizens had not gained the right to work freely everywhere in the European Union with the accessions as 9 of the 26 other Member States which were only lifted on 1 January 2014.⁷⁸⁹

In order to support the economic growth foreseen in the recently adopted Strategy Europe 2020, Romania would be against decreases in agricultural funding, just as it would be for the reduction of economic disparities among the Member States. With the intent of creating solutions to the latter issue, Romanian authorities involved their most relevant institutions in charge to work on the Cohesion Policy in Romania and to manage the necessary structural tools. The country throws light on how key the Cohesion

⁷⁸⁷ Europe 2001 - Journal of Culture and Social Policy, File: Romania and the EU, page 11, iss. 3 year XV, 2009.

⁷⁸⁸ Romania Ministry of Foreign Affairs, Priorities of Romania in the EU, (<http://www.mae.ro/en/node/2056>), last accessed on 27 April 2014.

⁷⁸⁹ BC News Europe, Romania and Bulgaria EU migration restrictions lifted (<http://www.bbc.com/news/world-europe-25565302>), last accessed on 27 April 2014.

Policy is, as it not only has a positive effect on the development of the Member States, regions and cities, but it also provides some of the most visible benefits for individual citizens of the Union.⁷⁹⁰

The Romanian administrative framework for energy efficiency has, to a great extent, resulted from Romania's EU membership. Most of its strategic documents were adopted during the accession phase and goals for 2015 were made. The national energy strategy spans the timeframe of 13 years, ending in 2020, and includes points on energy efficiency.⁷⁹¹ Romanian authorities are also keen to promote the new European energy strategy 2011-2020, which would further the national interests. A common energy policy would lead to infrastructure development, greater interconnectivity in the EU and the diversification of sources and routes. Green technologies are also a priority for Romania, providing more energy security and economic competitiveness.

The RMFA takes pains in seeking the active involvement of Romanian institutions and stakeholders in the European Platform for the Social Inclusion of the Roma minority in the country.⁷⁹²

Romanian foreign policy staunchly supports the European and Euro-Atlantic path of the Western Balkan nations. Romania's status as an EU and NATO member while being in the vicinity of the Western Balkans requires a special relationship between Bucharest and those states.⁷⁹³

The global financial crisis has largely proved the need for integration into Community policies to ensure energy independence of the Member States of the EU. In this context, the energy crisis in neighbouring Bulgaria in 2013 showed a new dimension to this problem – instead of the typical industrialized countries' energy shortages, a situation of overproduction

⁷⁹⁰ Government of Romania, Response to the PUBLIC consultation of the European Commission on the Future of EU's Cohesion Policy (http://ec.europa.eu/regional_policy/consultation/5cr/pdf/answers/national/romania_2011_01_31_en.pdf).

⁷⁹¹ Energy Efficiency in Europe - Assessment of Energy Efficiency Action Plans and Policies in EU Member States, Country report: Romania, 2013.

⁷⁹² Ibidem.

⁷⁹³ RMFA, Neighbourhood of Interest to Romania as EU Member State, (<http://www.mae.ro/en/node/2185>), last accessed on 27 April 2014.

arose, which established the need to reduce administrative power generation. This crisis affected the producers of so-called “green energy” the most, which created various problems related to sustainable development. There is a real danger of reducing investment in sustainable energy production in the long term. Creation of an integrated energy system by SEE Member States would help to overcome any crisis situations which may arise, either from shortages or the production of surplus energy.

9.3.2.2. Opportunities for European Funding

Accession to the European Union not only allowed Romania to express and maintain its position on the European scene, but also to promote its social and economic development, offering opportunities to benefit from European funding and increasing direct investment and economic growth.⁷⁹⁴ Effective implementation of EU funds (over 30 billion Euro for the period 2007-2013) was essential for Romania in the implementation of many basic integration process projects expected by the Romanian citizens, in areas such as infrastructure, agriculture, services, industry and education.⁷⁹⁵

However, the current international economic downturn has evidently affected Romania, as it ranks last among the countries of Central and Eastern Europe in attracting European funds, with a rate of payments on projects with EU funding of 12%, according to Romanian news site *Ziare*, citing a survey performed by consultancy company KPMG.⁷⁹⁶

In the ten EU Member States in Central and Eastern Europe, the average percentage of payments to projects financed by EU funds is 44%, according to KPMG. The analysis refers to Bulgaria, Romania, Hungary, Slovenia, Slovakia, Czech Republic, Poland, Estonia, Latvia and Lithuania in the period 2007-2012. Romania ranks last in negotiations too, at 70%. The average was 83% for the ten countries. Bulgaria has a 100% negotiations suc-

⁷⁹⁴ Europe 2001 - Journal of Culture and Social Policy, File: Romania and the EU, page 11, iss. 3 year XV, 2009.

⁷⁹⁵ Ibidem.

⁷⁹⁶ Romania comes out last in the absorption of EU funds, 18.05.2013. (http://www.projectmedia.bg/news/index.pcgi?material_id=58065), last accessed on 27 April 2014.

cess rate, but a payment rate of only 34%, *Ziare* notes, adding that, nevertheless, the performance of Bulgaria is much better than that of Romania.

According to KPMG Romania and Bulgaria have the lowest rate of payment from European funds and the biggest difference between the percentage of successful negotiations and payment. Among the ten countries included in the analysis, Romania ranks second-lowest in GDP per capita at 6,169 Euro. For the sake of comparison, Slovenia's has nearly tripled – at 17,254 Euro, while the average for the countries analysed is less than 11,000. During 2007-2013, Romania was granted EU funds worth 23.53 billion Euro, representing 17.9% of GDP. At the payment rate of 12%, that amounts to 2.78 billion Euros coming from European Funds.⁷⁹⁷ Besides the economic aspect, the accession to the EU has a number of other direct consequences for Romanian citizens, such as freedom of movement, representation of their interests by Romanian MEPs and clear, transparent and enforceable rules in public life. Support provided by the European Union to the Romanian judicial reform has brought about important changes and developments in the field of justice.

Six years after Romania's accession to the EU, a few conclusions can be drawn regarding the effectiveness of the use of EU funds. Firstly, there is a low degree of project readiness for European funding and insufficient administrative capacity in project management. Freezing over 10 billion Euro by the European Commission presented a problem in terms of adapting national infrastructure to modern requirements – a direct prerequisite for effective economic integration and bringing Romania closer to the economies of other Member States as well as the expression of positive arguments and negotiation of funding for the country during the planning of the next financial framework of the EU – 2014-2020.

9.3.3. Romania's Contribution to the Security of the EU

9.3.3.1. The Contribution of Romania to the CFSP

The efforts directed towards creation of European unity, with the clear advantages it would bring, naturally progressed to planning and developing the Common Foreign and Security Policy (CFSP). CFSP is formed by all

⁷⁹⁷ Ibidem.

the decisions that Member States, including Romania, reach concerning their relations with one another, through the EU and with the other actors of the international system.⁷⁹⁸

Romania has, on numerous occasions, actively participated in the political dialogue framed by the Association Agreement and has played a constructive role within the CFSP as a steadfast participant in common positions and declarations of the EU's CFSP. The country has followed all the international sanctions and restrictive measures imposed by the EU, UN and OSCE. A special relevance for consistency of policy dialogue EU – Romania had a presence at meetings of political directors, correspondents, European Troika, and EU candidate countries.

Following meaningful and plentiful dialogue the coordination of the external agenda of the country to the European Union has improved. In its foreign policy Romania seeks affirmation and promotion of its national interests, which are independent of the current ruling party, as well as the need to continue adapting to changes in the system of international relations, the gradual transformation of Romania's profile, its international situation and its consequence-specific geographic state, being at present the eastern border of the EU and NATO.⁷⁹⁹

Romania has a manifest interest in the EU neighbourhood policy as well; and especially in fostering a common area of stability, security and progress, in even more stable relations between the EU and its Eastern and Southern neighbours, all of it in the name of common interests and values.⁸⁰⁰

The Black Sea region received special attention when, in 2007, the Black Sea Synergy was launched. Through this initiative, cooperation in the re-

⁷⁹⁸ Ibidem.

⁷⁹⁹ Duduiala-Popescu, L., Policy and Security Policy and the European Security and Defence of the EU in terms of the sustainable development, University of Constantin Brancusi Targu Jiu, Romania, January 2009 (http://mpira.ub.uni-muenchen.de/12727/1/MPRA_paper_12727.pdf).

⁸⁰⁰ Romania to send over 2,000 soldiers to foreign missions this year, Romania-Insider.com, 06.02.2013 (<http://www.romania-insider.com/romania-to-send-over-2000-soldiers-to-foreign-missions-this-year/74686/>).

gion ought to be strengthened by the establishment of partnerships in these main sectors: respect of human rights, migration management, security improvement, frozen conflicts, environment, regional development and energy.

In late May 2013 an international seminar organized by the Conference of Peripheral Maritime Regions of Europe in the context of the Black Sea Synergy made certain conclusions about the effective implementation of convergence strategies. Romanian Deputy Prime Minister Liviu Dragnea noted that, as Member States of the EU, Romania and Bulgaria will play an important role in the realization of the common energy area between the Caspian region and Western Europe.⁸⁰¹ In his opinion, the Black Sea Synergy should be a similar approach to the EU Strategy for the Danube Region. He expects regional operational programs and cross-border cooperation to include targets for the development of energy and transport infrastructure, and environmental protection. Thus, border security will be tightened and the fight against organized crime in the Black Sea will be supported, as the region contributes to the achievement of the Black Sea Synergy, and Romania and Bulgaria respectively increase the absorption of EU funds.

9.3.3.2. The Contribution of Romania to the CSDP

Romania, even before it became a full EU member on 1 January 2007, has been actively involved in what was known until 2009 as ESDP (European Defence and Security Policy), which has given a core of objectives to CDSP. Romania is an active contributor to the CDSP, both politically, oriented towards support for the interests that Member States see as common in the field of security and defence, and with regard to the operational dimension.⁸⁰² From the latter viewpoint, Romania has established itself as a steady presence in the crisis management operations led by the Union, especially in the Balkans. It has contributed to both military and civil capabili-

⁸⁰¹ Conference of Peripheral Maritime Regions of Europe (CPMR), Regional initiatives are needed in the Black (http://news.cpmr.org/cpmr-news/cohesion-cpmr/regional-initiatives-are-needed-in-the-black-sea-area/#sthash.GT9wHlFc.dpuf).

⁸⁰² Romania to send over 2,000 soldiers to foreign missions this year, Romania-Insider.com, 06.02.2013 (http://www.romania-insider.com/romania-to-send-over-2000-soldiers-to-foreign-missions-this-year/74686/), last accessed on 21 April 2014.

ties. Romania participates in the Operation EUFOR Althea, in EUBAM Rafah – the EU border assistance mission at the Rafah crossing point, in the Palestinian territories, between the Gaza Strip and Egypt.

Another front where Romania is active is observed through the efforts of the EU to consolidate its African crisis management capabilities. Romania took part in the Peacekeeping School in Koulikoro/Mali, where its expert personnel have trained military observers from African states that would later participate in the African Union Mission AMIS II in Darfur/Sudan. In 2012 Romania sent a frigate and 207 troops as part of the enforcement of an arms embargo on Libya, spending around 4.5 million Euros keeping the frigate running for three months in the Mediterranean.⁸⁰³ Romania is a member of several key structures within CSDP, such as the Satellite Centre of the EU (EUSC), the Security Studies Institute of the EU (ISS), and the European Defence Agency (EDA).⁸⁰⁴

9.3.3.3. Romania's Contribution to EU Missions and Operations:

Romania has taken part in several CSDP missions, recognizing the importance and the magnitude that they hold within the EU approaches to promote the rule of law, human rights, rights and good governance. The commitment of the Romanian country to these civilian missions is confirmed by the significant presence of Romanian experts, seconded or employed, in the missions of the EU, but also by the added value brought to the CSDP decision-making process.⁸⁰⁵ Over time, Romania has contributed to many CSDP missions, conducted in Europe, Africa and the Middle East: EUPM in Bosnia and Herzegovina, EUFOR Althea, EUJUST LEX Iraq, EULEX Kosovo, EUPOL Afghanistan, EUMM Georgia, EUNAVFOR ATALANTA in the Gulf of Aden, EUBAM Rafah and EUPOL COPPS, in the Palestinian territories.⁸⁰⁶

⁸⁰³ Romania to Join EU Force in War-Torn Mali, *Balkan Insight*, 06.0.2013 (<http://www.balkaninsight.com/en/article/romania-to-join-eu-presence-in-mali>), last accessed on 24 April 2014.

⁸⁰⁴ RMFA, Romania and the EU Common Defence and Security Policy (sic!), (<http://www.mae.ro/en/node/21222>), last accessed on 21 April 2014.

⁸⁰⁵ RMFA, Romania's participation in EU missions, (<http://www.mae.ro/en/node/21222>), last accessed on 21 April 2014.

⁸⁰⁶ Ibidem.

In February 2011 Romania was the first among the Member States in terms of total mission staff (227 experts) and second in terms of total contribution, including contracted staff (258 experts). This performance was achieved thanks to the efforts of the MFA, as national coordinator of participation in CSDP missions, and to the contributions of the Ministries of Interior, National Defence and Justice, which have provided qualified candidates to fill in vacancies.⁸⁰⁷

Romania participated in two EU Battle groups (EUBG), the HELBROC BG, formed by Greece, Romania, Bulgaria and Cyprus and in a second Battle group, ITROT, with Italy and Turkey.⁸⁰⁸ Romania is sending just over 2,000 military personnel abroad in 2013, less than in 2012 by 300 people. Around a quarter of them are to take part in missions coordinated by NATO, the EU, OSCE and the UN. Romania has allotted over 140 more people to these operations, according to the Presidency, with most of them assigned to the ISAF in Afghanistan, while some will also be sent to the Western Balkans military missions – in Kosovo and Bosnia-Herzegovina.⁸⁰⁹

On the civilian side, Romania is among the main contributors (with both personnel and equipment) to the EU civilian crisis management operations.⁸¹⁰ In July 2013, Romania was represented by seconded staff as follows: EUMM Georgia (33 experts), EUPOL Afghanistan (20 experts), EUPOL R.D. Congo (2 experts) and EUAVSEC South Sudan (1 expert), as well as by 55 Romanian experts working in CSDP missions as contracted personnel.⁸¹¹

In February 2013 the Romanian Government sent ten officers to join the European Union anti-extremist operation in strife-ridden Mali to help train local forces. Initially, the mission's mandate is 15 months. More than 200 instructors have been deployed, as well as support staff and a protection force, making a total of around 550 persons. The joint costs of the opera-

⁸⁰⁷ Ibidem.

⁸⁰⁸ RMFA, Romania and the EU CDSP, Op. cit.

⁸⁰⁹ Romania to send over 2,000 soldiers to foreign missions this year, Romania-Insider.com, 06.02.2013 (<http://www.romania-insider.com/romania-to-send-over-2000-soldiers-to-foreign-missions-this-year/74686/>), last accessed on 21 April 2014.

⁸¹⁰ RMFA, Romania and the EU CDSP, Op.cit.

⁸¹¹ RMFA, Romania's participation in EU missions, Op. cit.

tion are € 23 million for the mandate of 15 months. The EU is the largest contributor to Mali's development. At the donors' conference in Brussels on 15 May 2013 for Mali, the international community made commitments worth € 3.2 billion (including € 523 million from the European Commission).⁸¹² As stated by the Romania's Supreme Defence Council country's involvement in this operation is in accordance with its EU membership and the EU's efforts to stop terrorist activities and organized crime.⁸¹³

* * *

By joining the European Union Bulgaria, Romania, and Croatia fulfilled one of their biggest national priorities – joining the family of democratic European countries, taking their rightful place among the oldest European countries. For the first time in decades, the countries have the opportunity to shape not only their own policies, but also to participate in defining the priorities and guidelines in the CFSP of the European Union.

With the accession to the EU, the citizens of Bulgaria, Croatia and Romania became part of a zone of peace, stability, security and prosperity, which provides high standards of policies on environment, health, food safety, and social policy.

As part of the Community, citizens can vote in European Parliament elections and may also run for them. They can also use their own language in matters relating to the EU. Every citizen is entitled to protection by the diplomatic or consular authorities of any other member-state on the territory of countries that are not members of the EU and where his or her own country is not represented.

One of the challenges for Bulgaria, Croatia and Romania, as integral parts of the Community, is to contribute to ensuring the security environment,

⁸¹² EEAS, CSDP, EU Training Mission in Mali, Updated: September 2013 (http://www.eas.europa.eu/csdp/missions-and-operations/eutm-mali/pdf/factsheet_eutm_mali_en.pdf), last accessed on 21 April 2014.

⁸¹³ Chiriac, M., Romania to Join EU Force in War-Torn Mali, Balkan Insight, Feb 06 2013, Bucharest (<http://www.balkaninsight.com/en/article/romania-to-join-eu-presence-in-mali>), last accessed on 21 April 2014

the protection of their borders and effective response to global challenges. Threats to the security of the EU are not formed only within its borders, but anywhere around the world. This requires capacity building for effective response even in most outermost regions through various measures – diplomatic, economic and military. Bulgarian and Romanian officials engage increasingly more in EU missions and operations far from national borders.

This process reflects an extremely important immediate relationship with the institutions of the civil society, because the formation of public support for the policies and measures taken is the basis for their legitimacy and sustainability. A decade before it entered NATO (2009) and the EU (2013), Croatia had been sharing and supporting the values and goals upon which these two organizations were founded. Now, EU and NATO membership offers Croatia a unique historical opportunity to preserve and strengthen democracy, protect its independence, as well as unlimited opportunities to become an important part of the European security architecture.

Besides traditional threats, such as terrorism, organized crime, human trafficking and weapons trade, future security challenges for the EU will increasingly come not only from external threats, but from the imperfections of the institutional mechanism of the Union and by the process of making political decisions. There are dangers of applying “double standards” – European disintegration and implementation of the model for “Multi-speed Europe”, which will further hinder the cohesion between the members of the EU. Political and economic instabilities in the Eurozone also pose a serious challenge to the Union and the survival and stability of the European currency. These processes reflect seriously on the newly-accessed Member States which put their economy in accordance with the criteria of the Eurozone. At this critical period in the EU, these countries should make their contribution to the European Union’s efforts to remain a community of freedom, security and prosperity.

Chapter 10:

Albania, Bulgaria, Croatia and Romania in NATO and their Contribution to Euro-Atlantic Security

The successive accession of Bulgaria and Romania (on 29 March 2004) and Albania and Croatia (on 1 April 2009) to NATO is one of the greatest successes in the foreign policy of these countries at the beginning of the 21st century. These four countries mutually share the view that the European and Euro-Atlantic perspective is the most comprehensive guarantee for establishing lasting security and prosperity not only in Europe, but worldwide.



*The leaders of seven new NATO member countries, in the accession ceremonies in the Cash Room of the US treasury building in Washington on 29 March 2004 (2nd L-R) – Slovenian Prime Minister Anton Rop, The Slovak Republic's Prime Minister Mikuláš Dzurinda, Romania's Prime Minister Adrian Nastase, Lithuania's Prime Minister Algirdas Brazauskas, Latvia's Prime Minister Indulis Emsis, Estonian Prime Minister Juhan Parts and Bulgaria's Prime Minister Simeon Saxe-Coburg Gotha (photo: NATO)*⁸¹⁴

In the period prior to their membership, political speculation and individual

⁸¹⁴ NATO, Multimedia, Accession Ceremony for Seven New NATO Members in Washington D.C. (USA) (<http://www.nato.int/pictures/2004/040329/b040329aa.jpg>), last accessed on 19 August 2014.

party interests took precedence over pragmatism and objective facts, which slowed down the intensity of the Euro-Atlantic integration of the countries of South East Europe, including Albania, Bulgaria, Croatia and Romania. However, public support – determined by the choice of the citizens of these countries to be part of the most reliable security organization in the world – responded to the changing positions of the most vocal opponents of NATO membership, which subsequently declared their support in favour of accession.

Albania holds a special place in NATO's relations with the countries of the former Eastern Bloc. This is due to the fact that it was the first of the former Communist states to have declared its will to join the organisation – in December 1992. Since the signing of the first framework agreements to date, the country has systematically applied a flexible and comprehensive approach to NATO membership.

Bulgaria's membership in the Alliance destroyed the walls of confrontation and tensions with neighbours and current partners – Greece and Turkey, which had artificially been maintained for decades. By participating in international missions and operations under NATO, Bulgaria is perceived as a reliable and predictable partner in building regional trust and collective security. Notable missions and operations with Bulgarian participation are NATO ISAF (International Security Assistance Force) in Afghanistan, KFOR in Kosovo, the training of Iraqi security forces (NTM-I), Operation Active Endeavour in the Mediterranean and Operation Unified Protector for maintaining the arms embargo against Libya.

Another country sharing in the common vision of NATO for security, cooperation and solidarity is Croatia. Croatia participates quite actively in cooperation with NATO, especially on defence and security sector reform, as well as support for wider democratic and institutional reform. NATO-led operations are a key area of cooperation, with Croatia having contributed to the NATO-led Kosovo Force (KFOR), both directly and indirectly. The country has also been involved in the International Security Assistance Force (ISAF) in Afghanistan since 2003.

Romania's road to NATO has been paved by evolutionary steps influencing the foreign and domestic policy of the country in the name of guaran-

teeing security and stability. Romania has participated in the operations and missions of the Alliance and contributed to its initiatives and promotion of NATO values and goals.

With the accession of Albania, Bulgaria, Croatia and Romania, NATO's development of a successful model is defined not only by expansion of the geography of the Alliance, but also by confirmation of a sustainable trend in the Euro-Atlantic Partnership, that of involving other countries of South East Europe based on their choice of principles unifying Member States. By joining in 2009, Albania and Croatia have largely overcome the traumas of the conflict raging in the Western Balkans.

The expansion of political tools that NATO has used deserves to be noted. Increasingly prevalent is the function of diplomacy and setting clear and fair rules and principles regarding the establishment of the security environment, rather than the implementation of more intensive approaches, such as the military operations of the late 90's.

This measure has a multiplier effect. Initially, the accession of new Member States strengthens the security environment, going on to catalyze processes in the region which stimulate the integration of the remaining countries. Thus, a new security environment in South East Europe is created, increasing the prospects for furthering Euro-Atlantic integration of the region.

10.1. Relations between Albania and NATO

Albania's accession to NATO at the end of the first decade of the 21st century is an expression of the understanding of NATO that the stabilization of South East Europe can be achieved through the active integration of all countries into Euro-Atlantic structures. In this sense, the membership of Albania, a country of distinct minorities in neighbouring countries, is a key component of security in the region.

Albania holds a special place in NATO's relations with the countries of the former Eastern Bloc. This is due to the fact that it was the first of the former communist states to have declared its will to join the EU – as far back as in December 1992. Four months later, NATO Secretary General Man-

fred Wörner made an official visit to Tirana, which opened a new chapter in the relationship between the country and the Alliance.

In early 1994, Albania approved the Partnership for Peace programme and since then, the country has systematically been applying a flexible and comprehensive approach to NATO membership.⁸¹⁵

In the time immediately preceding its accession, NATO was bringing Albania into its activities as much as it could while continuing to provide support and aid, including through the Membership Action Plan, Albania's invitation to commence accession talks to become a member of the Alliance was extended in April 2008. The protocols for accession were signed on 9 July 2008.⁸¹⁶ On 1 April 2009, Albania and Croatia officially became NATO members, declaring their readiness to share the responsibility of missions and operations with other members of the Alliance in support of international peace and security.⁸¹⁷

Both the government and the general public in Albania considered the Albanian Atlantic integration as vital to the country and its future. Both for public opinion and the political parties in Albania, NATO membership is important for the development of a stable democratic system and a functioning market economy. Moreover, the desire to join is an expression of active foreign policy and contributes to the restructuring of the Albanian army to enable it to more effectively protect the freedom and sovereignty of the country.⁸¹⁸

Like other members of the Alliance having joined it after the fall of the communist and totalitarian regimes, the general public in these countries

⁸¹⁵ A. Moisiu, Development of NATO's Partner Initiatives, The Albanian Dream, NATO Review, Spring Edition, 2004 (<http://www.nato.int/docu/review/2004/issue1/bulgarian/special.html>), last accessed on 2 June 2014.

⁸¹⁶ NATO, NATO A-Z, NATO's relations with Albania, (http://www.nato.int/cps/en/natolive/topics_48891.htm), last accessed on 2 June 2014.

⁸¹⁷ Albania and Croatia Officially Became NATO Members, 01.04.2009, (<http://www.mediapool.bg/>), last accessed on 16 April 2010.

⁸¹⁸ A. Moisiu, Development of NATO's Partner Initiatives, The Albanian Dream, NATO Review, Spring Edition, 2004 (<http://www.nato.int/docu/review/2004/issue1/bulgarian/special.html>), last accessed on 2 June 2014.

continues to perceive Euro-Atlantic integration not only as a guarantee of greater security and defence, but also as a tool for economic prosperity and development.

10.1.1. Evolution of Relations

The nearly 20-year-long process of Albania's accession to NATO (1992 to 2009) can be considered from two perspectives. First, this is the traditional path of development of democratic institutions and the formation of adequate and combat-capable armed forces and military infrastructure able to cooperate with the armies of other Member States. Second, the ability to react in a crisis situation, such as the Kosovo conflict, to support the efforts of the Alliance for to overcome the aforementioned crisis and to prove that a political solution to the conflict will not be based on certain national interests, but rather on respect for human rights and democratic principles and the overall security of the region. In this respect, it can be said that Albania's role in the Kosovo crisis greatly accelerated its resolution and the contribution of the country to the common efforts of NATO is beyond doubt.

Relations between NATO and Albania can be said to have begun in 1992 (Key milestones – Table 10.1) when Albania joined the North Atlantic Cooperation Council (later renamed the Euro-Atlantic Partnership Council in 1997).⁸¹⁹ In December 1992, the President of Albania, Sali Berisha, made an official visit to NATO headquarters and met with the Alliance's Secretary General, Manfred Wörner. The relations warmed and then flourished when Albania first became a member of the North Atlantic Assembly in May 1993 and then of the Partnership for Peace in 1994. Albania's support for NATO efforts to end the humanitarian tragedy in Kosovo and secure the peace after the air campaign there was key. The first Individual Partnership Programme (IPP) between Albania and NATO was approved on 25 January 1995. In June the same year, Albania took part in the Planning and Review Process of the Partnership for Peace (PARP). PARP is a process which creates the necessary conditions for acquisition and application of

⁸¹⁹ NATO, NATO A-Z, NATO's relations with Albania, Evolution of relations, Op. cit.

NATO's experience in the field of defence planning.⁸²⁰ Through its participation in the PARP cycles, Albania began exchanging information with NATO and gleaning detailed expertise on issues of a wider spectrum, including defence policy, development of democratic control on the Armed Forces and the forces that Albania put at the disposal of NATO/PfP, as well as the respective financial plans.

With an eye turned toward the possibility of enlargement based on its own five principles for the same, NATO started a study process to explore the options in 1996. On 7 July and 11 October of that year, two sessions of NATO-Albanian dialogue were held at the headquarters of the former. In May 1997, Sintra, Portugal, became the first location in which the Euro-Atlantic Partnership Council (EAPC), successor of the NACC, held a meeting. It was a historic one for Albania, not only for attending, but also for expressing its willingness for NATO to contribute to the delicate process of reconstructing the Albanian army according to modern standards.

In March 1998, NATO became the focus and coordination hub of the political and military efforts of the international community working toward resolution of the Kosovo crisis, particularly where the option of the use of force was concerned. It was then that Albania shared with NATO countries its opinions and concerns following the deterioration of the situation in Kosovo. Consequently, in June 1998, NATO Defence Ministers responded to the gravity of the situation in Kosovo by adopting a series of measures, among which were the joint air exercise of NATO over Albania and Macedonia, as well as the opening of the NATO/PfP office in Tirana. A milestone in the NATO-Albania relations was NATO's air campaign against Serbia to halt the ethnic cleansing undertaken by Milošević regime. In 1999, during the Kosovo crisis, Albania offered its airport facilities to help NATO's operation in Kosovo, offering the same support that a NATO member-state would have.⁸²¹

⁸²⁰ NATO, NATO A-Z, Partnership for Peace Planning and Review Process (www.nato.int/eos/en/natolive/topics_68277.htm), last accessed on 2 June 2014.

⁸²¹ Ministry of Defence of Republic of Albania, History of NATO-Albania relations (<http://www.mod.gov.al/eng/index.php/security-policies/relations-with/nato/88-history-of-nato-albania-relations>), last accessed on 2 June 2014.

Bilateral cooperation has developed steadily, with the country aspiring to membership and participating in the Membership Action Plan since April 1999. Accession to NATO has always enjoyed a very high level of political and public support (by a few percentage points short of the entire population being in favour). The period from 2004 to 2008 saw Albania persevering in the process of consultation with NATO during the annual meetings that are held with regard to the Membership Action Plan (MAP), PARP and the Ministerial of NATO/EAPC, etc. Albania committed to 43 objectives of the partnership, and was invited to start NATO accession talks in April 2008. The protocols on Albania's accession to the North Atlantic Treaty Organisation were signed on 9 July 2008 and following their ratification, Albania became a full-fledged member of the Alliance on 1 April 2009.⁸²²

The full-fledged membership of Albania in NATO contributes to the further stabilization and development of the region. With a nearly 20% Albanian minority in neighbouring Macedonia, the Albanian experience and support for accelerating their accession to NATO is essential. At the same time, the geographic expansion of the Euro-Atlantic alliance in the Balkans reduces to a minimum the possibility of local conflicts that have characterized the preceding two decades.

10.1.2. Framework of Cooperation

From the beginning of the accession process, Albania was determined to work toward meeting all the criteria for membership in NATO, especially in the sphere of reforming the armed forces. Prior to its Alliance membership, Albania's cooperation with NATO took place within the framework of the Membership Action Plan, formulating its reform plans and timelines in its Annual National Programme (ANP). Key areas of the ANP included reforms in the political, military and sector sectors. Of notable importance, the following goals should be mentioned: efforts to meet accepted democratic standards; support for reducing corruption and fighting organized crime; judicial reform; improving public administration; and promoting neighbourly relations. Feedback on the outlined reforms and assessment of

⁸²² NATO, NATO A-Z, NATO's relations with Albania, Evolution of relations, Op. cit.

their implementation was provided by NATO Allies.⁸²³ The visits of NATO teams tasked with drafting progress reports on the ANP's implementation and making recommendations for further action continued until the Bucharest Summit on 2-4 April 2008, at which Albania was invited to join NATO. A summit at the end of the cycle provided an opportunity for the North Atlantic Council and representatives from Albania to discuss specific and technical defence sector reforms within the PARP, in addition to Albania's Partnership Goals.⁸²⁴ Following the invitation issued at the Bucharest Summit, work with Albania in the defence reform/defence planning fields has gradually shifted to the modalities applicable to Allies.⁸²⁵ Albania also cooperates with NATO and Partner countries in a wide range of other areas through the Partnership for Peace (PfP) programme and the Euro-Atlantic Partnership Council (EAPC).⁸²⁶

Albania approved the concept of Partnership for Peace (PfP) programme in early 1994 with the signing of the framework document on 23 February of that year, ranking among the first countries to have joined the initiative. The legal framework of the Partnership for Peace program is determined by the Framework document specifying the obligations of each partner country. This document requires Allies to consult the remaining partners if they believe there to be a threat to their territorial integrity, political independence or security. Albania, along with the Former Yugoslav Republic of Macedonia, applied this mechanism during the Kosovo crisis.⁸²⁷

One of the major challenges facing Albania in terms of the strategic documents of the Alliance is their implementation. Having overcome the crisis in Kosovo with the active participation of Albania, the modernization of the defence industry and the creation of capacities which that match with the objectives and tasks of the Alliance have become areas of great importance.

⁸²³ Ibidem.

⁸²⁴ NATO, NATO A-Z, Partnership for Peace Planning and Review Process (http://www.nato.int/cps/en/natolive/topics_68277.htm), last accessed on 2 June 2014.

⁸²⁵ NATO, NATO A-Z, NATO's relations with Albania, Framework of cooperation (www.nato.int/cps/en/natolive/topics_48891.htm), last accessed on 2 June 2014.

⁸²⁶ NATO, NATO A-Z, NATO's relations with Albania, Op. Cit.

⁸²⁷ Ibidem.

10.2. Relations between Bulgaria and NATO

Bulgaria actively supports the transformation of the Alliance, which is an important prerequisite for its successful adaptation to the changing security environment and the ability to meet emerging operational tasks.

NATO membership significantly stabilizes the Balkan region and provides a strong impetus in the whole Euro-Atlantic integration of the countries of South East Europe. The region can look to Bulgaria as an effective model for the mechanism of accession.

10.2.1. Evolution of Relations

In 1990, in the midst of furthering relations between Bulgaria and NATO at a meeting in London, the North Atlantic Assembly decided to accord associate delegate status upon the parliamentarians from Bulgaria and other countries of Central and Eastern Europe (Key milestones – Table 10.2). Subsequently, on 13 July 1990, by a declaration of the Ministry of Foreign Affairs, Bulgaria established diplomatic ties with NATO. On 20 December 1991, the country participated as a founding member in the first meeting of the North Atlantic Cooperation Council (NACC). It was then that the Declaration of Dialogue, Partnership and Cooperation was adopted. The first visit to Bulgaria of the Political Committee of NATO occurred in October 1993. On 21 December 1993, the Bulgarian National Assembly unanimously adopted a statement that expresses the country's aspirations to join NATO and the WEU.

On 14 February 1994, Bulgaria signed a Framework Document and joined the NATO Partnership for Peace programme. Active participation in this programme contributes significantly to the readiness of the Bulgarian armed forces and related structures for membership in the Alliance. Patterns of interaction are developed and the intensification of dialogue is supported. In the ten years of fruitful cooperation with NATO within the Partnership for Peace (PfP), Bulgaria has been included in the following mechanisms: the Enhanced and More Operational Partnership (EMOP); the Political Military Framework (PMF) for operations under the PfP; Operational Capabilities Concept (OCC) for operations under the PfP; Train-

ing and Education Enhancement Programme (TEEP); Individual Partnership Programme (IPP); Planning and Review Process (PARP) under the PfP.⁸²⁸

Bulgaria signed an agreement on security issues with NATO at the end of 1994. On 10 April 1996, the country presented its Discussion Paper within NATO's Intensified Dialogue on membership issues. From May 1996 to October 1998, Bulgaria participated in several rounds of individual meetings with NATO in the framework of intensified dialogue.

On 29 January 1997, President Petar Stoyanov visited NATO for a meeting with Secretary-General Javier Solana and the permanent representatives of NATO countries, expressing Bulgaria's strong wish for NATO membership. On 17 February the same year the government of Stefan Sofiyanski officially announced the candidacy for NATO membership.⁸²⁹ In March 1997, the Council of Ministers adopted a National Programme in Preparation for Bulgaria's accession to NATO and the EU Council of Ministers Decree, which established a government mechanism for coordinating efforts to prepare and join NATO – the Interministerial Committee for NATO integration. On 8 May 1997, the National Assembly adopted a Declaration on national consensus that accession of Bulgaria to NATO was a top priority.

On 8 July 1997, at a summit in Madrid, NATO state and government leaders agreed to invite the Czech Republic, Hungary and Poland to begin accession talks with the Alliance. They reaffirmed that the organisation remained open to new members and agreed to review the process at their next meeting in 1999. On 11 July 1997, a declaration was adopted in which the government of Bulgaria welcomed the Madrid summit decisions as a historic opening of the Alliance for the new European democracies and congratulated three new members. On 20 July 1997, Bulgaria signed an agreement to participate in the NATO-led Stabilisation Force (SFOR) in Bosnia and Herzegovina. On 3 October 1997, the country hosted the first

⁸²⁸ Ministry of Defence of the Republic of Bulgaria, Cooperation with NATO (http://www.mod.bg/bg/cooperation_NATO.html), last accessed on 2 June 2014.

⁸²⁹ Ministry of Foreign Affairs of the Republic of Bulgaria, (<http://www.mfa.bg/bg/pages/view/5259>), last accessed on 3 October 2012.

meeting of defence ministers from NATO and from the Partnership for Peace in South East Europe under South-Eastern Europe Defence Ministerial Process (SEDM).⁸³⁰

Real change in the preparation of Bulgaria to join NATO happened with request of President Stoyanov to President Clinton to provide tailored support for defence reform. A joint Bulgarian-US study on defence reform was conducted in 1999 that together with the approval by the Bulgarian Parliament on 8 April 1999 of the first Military Doctrine as a national political document paved the road to develop and implement the Defence Reform Plan 2004 and MAP 2004. In addition to the practical support to NATO during the Kosovo crisis (including air corridors and participation in KFOR) these two plans brought Bulgaria in NATO exactly as it was stated – invitation in 2002 and accession in 2004.

On 13 September 2001, the government expressed Bulgaria's readiness to implement its obligations under Article 5 of the Treaty and to provide the necessary assistance, even though the country had not yet become a side to the North Atlantic Treaty Organization. At a summit in Prague on 21 November 2002, state and government leaders of the NATO member-countries formally invited Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia to begin accession talks. Bulgaria's participation in NATO-led operations (Bosnia and Herzegovina, Kosovo) played an important role for the invitation to have been extended, which took place on 22 November 2002., but real success story was designed by Bulgarian political leaders and implemented by military and administration strategic transformation of defence systems, going far beyond simple downsizing from 110,000 to 45,000 of the force strength in the period of 5 years – 2000-2004. Following the Military Doctrine of 2009 and the Plan 2004 Bulgaria implemented the most ambitious defence reform in Eastern Europe and it was crucial, because Bulgaria was the last that applied for NATO membership in 1997 and was the one most dependent on Soviet Union doctrine, training and equipment..

On 29 March 2004, Bulgaria and six other countries (Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia) became full members of NATO. On 2 April 2004 at the Brussels headquarters of the Alliance, there was a ceremony at

⁸³⁰ Ibidem.

which the national flags of the new Member States were raised. The Bulgarian delegation was welcomed by the foreign ministers of NATO Member States and its Secretary General, Jaap de Hoop Scheffer.⁸³¹

In the pre-accession period the necessary institutional capacity in preparation for the future membership was created. The structural creation in terms of raising the level of military expertise up to the standards for full membership and building the capabilities for joint initiatives and operations was strengthened.

10.2.2. Framework of Cooperation

Alliance membership is based on and reflects the shared Euro-Atlantic community values of freedom, democracy, human rights, rule of law and good neighbourly relations. Joining NATO happened after significant reforms showing the will and ability of Bulgaria to assume the responsibilities and obligations of membership and marking the return of the country to its natural civilizational environment.⁸³²

Bulgaria is an important NATO ally, an anchor of security in South Eastern Europe.⁸³³ Bulgaria supports initiatives to respond to security challenges and the transformation of the Alliance. The contribution of the country was announced at the NATO summits that were held from 2002 to 2010 – respectively in Prague, Istanbul, Lisbon and Riga.

New asymmetric threats to global security require new NATO approach enhanced capabilities, enhanced expertise and proactive decisions. In the process of the development of NATO, Bulgaria relies on the principles of balance and pragmatism, allowing application of flexible strategies in the approach to geographic and thematic tasks. Particular emphasis on

⁸³¹ NATO, Newsroom, 12 May 2004, NATO Secretary General to visit Romania and Bulgaria, 13-14 May 2004 (http://www.nato.int/cps/en/natolive/news_20838.htm?selectedLocale=en), last accessed on 2 June 2014.

⁸³² Bulgarian Ministry of Foreign Affairs (<http://www.mfa.bg/bg/pages/view/5259>), last accessed in October 2012.

⁸³³ NATO, Newsroom, 26.01.2012, NATO's Secretary General praises Bulgaria's contribution to the Alliance, (http://www.nato.int/cps/en/natolive/news_83692.htm), last accessed on 2 June 2014.

NATO's transformation for the country is ensuring security through dialogue and building partnerships based on prevention and the possibility of flexible and proactive strategies. Participation in the summits allows the country to make an effective contribution to collective security and greater legitimacy in the process of decision-making.

Bulgaria highly appreciates NATO's role as a major international forum for dialogue and consultation and is an active participant in a number of initiatives:

- *NATO – Russia Council*.⁸³⁴ Bulgaria supports the development of co-operation between Russia and NATO as essential for security in the Euro-Atlantic area.⁸³⁵
- *Committee of NATO – Ukraine*.⁸³⁶ Within the organisation, as well as bilaterally, Bulgaria supports the field of defence reform and public diplomacy of Ukraine.⁸³⁷
- *NATO – Georgia Council*. It was established after the conflict between Georgia and Russia in August 2008 and aims to coordinate the further development of the relations of the country with the Alliance.⁸³⁸ Bulgaria, whose embassy was used as a base for NATO contact in the period 2004-2008, actively contributes to the deepening of the political dialogue with Georgia and promotion of Euro-Atlantic orientation of the country. Bulgaria, along with other NATO allies, participates in the work of the Clearing House Mechanism for consultation and technical assistance in defence reforms in the countries of the South Caucasus.⁸³⁹

⁸³⁴ NATO-Russia Council (<http://www.nato-russia-council.info/en/home>), last accessed on 13 April 2014.

⁸³⁵ Ministry of Defence of the Republic of Bulgaria, Bulgaria in NATO (http://www.mod.bg/bg/cooperation_NATO.html), last accessed in May 2012.

⁸³⁶ NATO, NATO A-Z, NATO-Ukraine Commission (http://www.nato.int/cps/en/natolive/topics_50319.htm), last accessed on 2 June 2014.

⁸³⁷ Ministry of Defence of the Republic of Bulgaria, Cooperations, Nato (http://www.mod.bg/bg/cooperation_NATO.html), last accessed on 05 May 2012.

⁸³⁸ NATO, NATO A-Z, NATO-Georgia Commission, (http://www.nato.int/cps/en/natolive/topics_52131.htm), last accessed on 2 June 2014.

⁸³⁹ Ministry of Defence of the Republic of Bulgaria (http://www.mod.bg/bg/cooperation_NATO.html), last accessed on 13 April 2014.

- *NATO's Mediterranean Dialogue*. Alliance partners in the Dialogue are seven countries in the region: Algeria, Egypt, Israel, Jordan, Mauritania, Morocco and Tunisia. The objectives of this cooperation include strengthening political dialogue, achieving interoperability progress in defence reform in partner countries and contributing to the fight against terrorism.⁸⁴⁰ Bulgaria supports the initiatives of the Mediterranean Dialogue and participates in them fully.⁸⁴¹
- *Istanbul Cooperation Initiative (ICI)*. It was created at the NATO summit in Istanbul in June 2004, and its aim is to strengthen security and stability in the region of the Greater Middle East by building mutually beneficial bilateral partnerships between NATO and individual countries of the region. So far the initiative has been joined by Bahrain, Qatar, Kuwait and the United Arab Emirates.⁸⁴²

Bulgaria supports the development of dialogue and the strengthening of bilateral partnerships as a tool for building a sustainable security environment. Particular emphasis could be placed on the dialogue within the NATO-Russia, NATO-Georgia and NATO-Ukraine Councils. Bulgaria's traditional good relations with these countries could be used to establish trust pooling around the Euro-Atlantic values and principles in initiatives of mutual interest.

In addition, the experience gained over the years enables Bulgaria to provide its partners in the Alliance with its expertise in the establishment of a flexible approach to each of these countries. This contribution of the country is extremely important. Examples of it in practice include the Russian-Georgian conflict and contradictory behaviour of Ukraine towards NATO.

⁸⁴⁰ NATO, NATO A-Z, NATO Mediterranean Dialogue, (http://www.nato.int/cps/en/natolive/topics_60021.htm), last accessed on 2 June 2014.

⁸⁴¹ Bulgarian Ministry of Defence (http://www.mod.bg/bg/cooperation_NATO.html), last accessed on 13 April 2014.

⁸⁴² NATO, NATO A-Z, Istanbul Cooperation Initiative (http://www.nato.int/cps/en/natolive/topics_58787.htm?selectedLocale=en), last accessed on 2 June 2014.

10.3. Relations between Croatia and NATO

Although Slovenia joined NATO in 2004 and was the first republic of the former Yugoslavia to become a member of the Alliance, the accession of Croatia in 2009 was a landmark for NATO. This is due to the fact that this was actually the first country of the former Yugoslavia – on the territory of which some of the most dramatic conflicts and ethnic conflicts in Europe took place in the late 20th century – to have become a member of NATO. This act became the symbol of NATO's policy to create a sustainable environment for the security and development of the region and prospects for accession of the other countries of the former Yugoslavia who share the democratic values and objectives of the Euro-Atlantic Partnership.

The cooperation between NATO and Croatia is wide-ranging, but with particular emphasis on defence and security sector reform, as well as support for furthering democratic and institutional reform. The country was invited to start accession talks to become a member of the Alliance in April 2008. The accession protocols were signed on 9 July 2008 and Croatia officially became a NATO member on 1 April 2009.⁸⁴³

NATO membership is indispensable to stabilize the region and democratize South East Europe. A ripple effect of positive changes was observed when democratic developments in Croatia in January 2000 had impact the situation in Bosnia and Herzegovina, and even in Serbia. Political changes in Croatia itself, coupled with an upturn of its economy and higher civilian control of the military, allowed for Croatia's entrance into two fundamental Euro-Atlantic institutions – NATO and the EU. These steps taken by the country, in addition to its contribution to Partnership for Peace and rising international cooperation in other areas, were the backbone of Croatia's becoming a full-fledged NATO member and an essential element in increasing the security of the region.⁸⁴⁴

⁸⁴³ NATO, NATO A-Z, NATO's relations with Croatia (http://www.nato.int/cps/en/natolive/topics_31803.htm), last accessed on 13 April 2014.

⁸⁴⁴ Cepanec, Ž., *Croatia and NATO: The Stony Road to Membership*, Republic of Croatia, Ministry of Defence, Department for Public Relations and Information, 2003.

Croatia's accession to the EU in July 2013 demonstrated the feasibility of the model for European and Euro-Atlantic integration of the countries of the former Yugoslavia and sets a clear prospect for the other countries in the region.

10.3.1. Evolution of Relations

NATO-Croatia relations started in 1994 with the statement of Croatian diplomats regarding the country's interest in joining the PfP (Key milestones – see Table 10.4). Several years later, events quickly developed when a team of NATO experts was sent to Croatia in March 2000, followed by the visit of NATO's Secretary General the same month. Two months later, on 25 May 2000 in Florence, Italy, the Croatian Minister of Foreign Affairs signed the Framework Document and Croatia officially became a PfP country. It was thus that Croatia embarked upon its participatory journey in Euro-Atlantic security integration.

Expectations for full membership in NATO had been raised and actions taken to that end followed. June 2000 turned out to be an eventful month for the country, witnessing its Minister of Defence's participation in the EAPC session, the signing of the Security Agreement between Croatia and NATO, the completion of the Survey of Overall PfP Interoperability, and on the basis of the offered Partnership Goals (PG), the submission of the Croatian Individual Partnership Programme (IPP) for 2001, along with the Presentation Document. Even at the earliest stages of its membership in PfP, Croatian officials expressed their desire and willingness to enter MAP and to put the country on an accelerated path to NATO through intensive PfP activities.

In order to achieve that strategic goal, Croatia bettered its Ministries of Defence and Foreign Affairs through organizational changes and established "The Interagency Working Group for Cooperation Between Croatia and NATO" (Interagency Group). The group included representatives from ten ministries and the office of the president and was formed with the main task of producing the Annual National Program (ANP) as a basis for MAP. Also, after the Croatian Discussion Paper was created and submitted, the process of intensified dialogue between

Croatia and NATO began in July 2001.⁸⁴⁵ Bilateral cooperation has developed progressively, for which its participation in the Membership Action Plan since 2002 has had the greatest significance. In April 2008, Croatia and Albania were invited to start accession talks with the Alliance.⁸⁴⁶ NATO had hoped to admit prospective candidate states at its 60th anniversary summit, which was held on the border between France and Germany on April 4-5, 2009. By several days ahead of the summit, all 26 Member States had ratified the accession protocols.

One issue that could have foiled Croatia's accession was a maritime border dispute the country had with Slovenia. Despite the Slovenian Parliament's ratification of the protocols, there had been a movement within it to hold a national referendum on Croatia's accession not only to NATO but also to the EU. The case was resolved just before the NATO summit.⁸⁴⁷

On 1 April 2009, in a ceremony held at the U.S. Department of State, the Ambassadors of Albania and Croatia deposited the ratified documents with the United States and officially became the 27th and 28th members of the Alliance, respectively. In a ceremony at the NATO summit in Strasbourg three days later, the two newest members assumed their places at the NATO table.⁸⁴⁸

Croatia's determination to intensify NATO membership is underlined by its institutional and administrative capacity, accelerating the necessary reforms through the work of the interdepartmental Working Group for Cooperation with NATO. Moreover, the alliance became a tool for Croatia to overcome certain issues with neighbouring countries, such as long-standing questions about the controversial maritime borders with neighbouring Slovenia.

⁸⁴⁵ Čepanec, Ž., *Croatia and NATO: The Stony Road to Membership*, Republic of Croatia, Ministry of Defence, Department for Public Relations and Information, 2003.

⁸⁴⁶ NATO, *NATO A-Z*, NATO's relations with Croatia, Op. cit.

⁸⁴⁷ Morelli, V., Ek, C., Belkin, P., Woehrel, S., Nichol, J., *NATO Enlargement: Albania, Croatia, and Possible Future Candidates*, Congressional Research Service, April 14, 2009.

⁸⁴⁸ *Ibidem*.

10.3.2. Framework for Cooperation

In the pre-accession period, NATO provided opportunities for Croatia to become as involved in Alliance activities as possible while providing the country with support and assistance, including through the Membership Action Plan. Croatia's support for NATO-led operations became clear through its participation – both direct and indirect – in the NATO-led Kosovo Force (KFOR). It has also been an active contributor to the International Security Assistance Force (ISAF) in Afghanistan since 2003.⁸⁴⁹

As with Albania, until Croatia received its invitation to join NATO, the Alliance had sent out teams to work with the country on drafting a progress report on ANP implementation and making recommendations for further action. The latter were agreed by the Allies and discussed by the North Atlantic Council with Croatian representatives at a summit. Priorities having emerged from the discussions can be outlined as more specific and technical reforms in the defence and Partnership Goals under the PARP.⁸⁵⁰

Through the PfP programme and the Euro-Atlantic Partnership Council (EAPC), Croatia cooperates with NATO and partner countries in a wide range of areas. Its PfP participation goals are established on an annual basis through the Individual Partnership Programme, in which the country chooses activities relevant to and in support of its ANP. The stabilization of South East Europe is one of NATO's highest priorities in Europe, one that could be common ground for further cooperation and the formation of stable long-term relations with Croatia. Teamwork and mutual support among countries that share the same democratic values are the tools to use in the battle against transnational security threats – such as terrorism, international crime and the proliferation of weapons of mass destruction – that have arisen in recent times and altered the security field. Even small countries with limited capabilities can make a contribution to the worldwide antiterrorist coalition, as Croatia has illus-

⁸⁴⁹ Ibidem.

⁸⁵⁰ Čepanec, Ž., *Croatia and NATO: The Stony Road to Membership*, Republic of Croatia, Ministry of Defence, Department for Public Relations and Information, 2003.

trated.⁸⁵¹ Croatia continues to participate actively in the organs and structures of NATO and the discussions regarding the implementation of the future goals of the Alliance. The Croatian Defence Minister Ante Kotromanovic actively participated in a two-day official meeting of defence ministers at NATO headquarters in Brussels on 4 and 5 June 2013. The EU High Representative for Foreign Affairs and Security Policy Catherine Ashton, Defence Minister of Afghanistan Bismillah Khan Mohammadi, and Special Envoy for Afghanistan of the UN Secretary General, Jan Kubiš were also present. Besides discussions regarding the NATO mission in Afghanistan after 2014, where supportive non-ISAF countries are expected to take an active role, an important item on the agenda was cyber defence and NATO's role in carrying it out.

Croatia is the only Eastern European Nation that decided to lead large scale Smart Defence project for Balkan Regional Approach to Air Defence (BRAAD) bringing together NATO and partner Nations for modernization of air security system in Western Balkans.

10.4. Relations between Romania and NATO

Romania was the only country of the former unitary Socialist bloc which went from being a totalitarian to a democratic system by way of internal opposition and the revolution in 1989, taking more than 1,000 lives. The painful transition to an even greater extent motivates public support for accession to Euro-Atlantic structures and paves the way for NATO becoming a main national priority.

The positive developments that have occurred there since the country's emergence with one of the most stable political systems and dynamic market economies in Central and Eastern Europe (CEE). Although Romania is becoming ever more active in European and Euro-Atlantic affairs, it is negatively impacted by policy priorities which change frequently, high levels of corruption and poor infrastructure – legacies of the country's pre-1989 Communist experience.⁸⁵²

⁸⁵¹ Ibidem.

⁸⁵² Popa, D., Door Half Open: Opportunities and Challenges for Potential Investors in Romania, Instructor, Carleton University, June, 2012.

December 1989 was a turning point for Romania, with the violent end of Ceausescu's authoritarian regime and subsequent collapse of the Warsaw Pact. The door leading to NATO integration had been opened and Romania stepped through it completely with the granting of its full-fledged NATO membership fourteen years later. Currently, Romania contributes to the field of security and has an emerging democracy. Furthermore, the USA and Romania enjoy a beneficial strategic partnership while the country's European integration is being furthered.⁸⁵³

Romania plays significant role in ISAF, hosts CoE in Human Intelligence, elements of NATO BMD and is one of the lead nations in the multinational efforts in the area of cyber defence.

10.4.1. Evolution of Relations

Romania adopted a new constitution in 1992 followed by the first free elections, won by President Iliescu. He was invited by the NATO Council to address the forum in 1993. It was then that Romania officially declared its commitment to become a member of the alliance. Romania recognized NATO as the only security structure which could ensure its security and stability and promote democratic values in SEE. Although President Iliescu was challenged domestically by political opponents, the Romanian political forum unequivocally supported his administration's effort to achieve NATO integration in the Snagov Declaration of November 1993. Consensus within Romania was reached and the military became the main component for pursuing integration, from which circumstance there arose the need for strong military reform measures.⁸⁵⁴

In February 1994, Romania joined the Partnership for Peace and became actively involved in the activities of NATO partners. Romania was the first country to sign the PfP, which was considered a reliable and necessary platform by which to reach membership. Romania's first participation in a PfP exercise was in September 1994, in Poland. Subsequent Romanian contri-

⁸⁵³ Berdila, I., Romania's NATO membership, School of Advanced Military Studies United States Army Command and General Staff College Fort Leavenworth, Kansas, 2005.

⁸⁵⁴ Ibidem.

butions made under the PfP led NATO to a better appreciation of the Romanian candidacy.⁸⁵⁵

Romania was left rather confused by NATO's 1997 decision to invite only the Czech Republic, Hungary and Poland to join the Alliance at that time.⁸⁵⁶ It inspired the implementation of reform programmes within Romania. U.S. President Bill Clinton reassured Romanians, during his visit in July 1997, that their country remained a strong candidate for admission to NATO and that the bilateral strategic partnership would be furthered. Romania decided to close its airspace when Russia sought to project its forces into the Kosovo enclave to prove how committed to NATO integration it remained.

In 1997, Romania joined PARP through the adoption of performance targets in partnership restructuring and training of the armed forces to Allied standards. For the period from 1994 to 2001, the Romanian divisions and staff participated in 169 PfP exercises in the spirit of partnership.

The Party of Social Democracy of Romania returned to governance through the December 2000 elections. President Iliescu refocused efforts on the goal of NATO and EU integration and the Romanian administration understood how beneficial full-fledged membership would be to internal economic development, which in turn would produce a more reliable security environment. The defence budget allocations increased from 2.57% of GDP in 2001 to 2.6% of GDP in 2002. The newly elected government declared its strong commitment to maintain defence spending at 2.4% of the GDP during the 2003-2008 defence programme and Romania's invitation to join the North Atlantic Alliance was extended at the NATO Summit in Prague in 2002.⁸⁵⁷ That same year, the Allies invited seven other countries to join – Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia. On 29 March 2004, Romania officially joined NATO and submitted the instruments of ratification to the U.S. Depart-

⁸⁵⁵ Ibidem.

⁸⁵⁶ CNN, World News: NATO invites Poland, Hungary, Czech Republic to join, July 8, 1997 (<http://edition.cnn.com/WORLD/9707/08/nato.update/>), last accessed on 12 August 2014.

⁸⁵⁷ Berdila, I., Romania's NATO membership, Op. cit.

ment of State. In 2005, a law was passed making the first Sunday in April NATO Day in Romania. In 2009, Romania celebrated its fifth anniversary of membership in the North Atlantic Alliance. The NATO Summit in Bucharest was hosted during 2-4 April 2008. This groundbreaking major foreign policy event organized by Romania was the largest summit in NATO's history.⁸⁵⁸

The path of Romania to full NATO membership is characterized by the country's carrying out the necessary institutional reforms, development of democratic institutions and making an active commitment to the modernisation of the Armed Forces and the achievement of operative interoperability with NATO forces. Like Bulgaria, a key milestone in its NATO integration was a political decision to deny the Russian Air Force an air corridor during the Kosovo crisis, thus preventing the deepening of the conflict and accelerating its resolution.

10.4.2. Framework of Cooperation

Romania's candidacy for the second round of the enlargement was supported by most of the Allies as a result of the country's integration efforts, great contribution to countering terrorism and participation in crisis management.⁸⁵⁹ Romania became the first post-communist country to join the PfP on 26 January 1994, having its individual programme signed in May 1995. Assessed as "good" by NATO evaluators, it was evident that the PfP programme had been effective at bringing Romania's armed forces closer to the Alliance's standards and had given the country the chance to cooperate with NATO members and partner states. The PfP programme stimulated the challenging reforms that engaged Romanian Armed Forces and NATO integration partners alike, proving that the Euro-Atlantic initiative was beneficial to re-configuring military institutions. It turned out to be a starting point for better cooperation among the new Central and East-

⁸⁵⁸ Ministry of Foreign Affairs of Romania, Romania-NATO (<http://www.mae.ro/en/node/2066?page=2>), last accessed on 2 June 2014.

⁸⁵⁹ Coscodaru, Col. I., Ph.D, NATO, Warrant of Stability and Security, Romania – NATO: 1990 – 2002, The Academy for Advanced Military Studies Publishing House Bucharest, 2002.

European democracies.⁸⁶⁰ Between 1994 and 2001 the country participated in 2,675 PfP activities and 169 PfP exercises, showing how much of a priority the PfP programme was to Romania.⁸⁶¹

Romania's goals as a NATO member include:⁸⁶²

- Forming a strong and relevant alliance based on a solid transatlantic partnership capable of responding effectively to new security threats. Such a partnership is a crucial factor in addressing new security risks facing the transatlantic community;
- Fulfilling NATO membership commitments as regards participation in NATO operations and missions;
- Supporting NATO's role in providing stability as a promoter of reforms and regional cooperation in the immediate vicinity of Romania (the Balkans and Black Sea area);
- Development of NATO-EU and NATO-UN partnerships;
- Supporting NATO's transformation process.

Romania actively supports the NATO open-door policy as well as the efforts of the candidate countries through bilateral channels and NATO mechanisms.⁸⁶³ NATO's transformation of itself moulded the reform processes in the aspirant countries.

The PfP launch in 1994 and the MAP introduced in 1999 at the Washington Summit shaped the decisions candidate countries made and the measures they took in reforming their respective military forces. NATO's PARP became one of the main PfP tools created to better the interoperability of force contributors in combined operations. PARP included Interoperability Objectives or Partnership Goals (PG) designed to provide measurable criteria for units participating in NATO/ PfP operations. However, the Part-

⁸⁶⁰ Romania – NATO: 1990 – 2002, The Academy for Advanced Military Studies Publishing House Bucharest, 2002.

⁸⁶¹ Ibidem.

⁸⁶² Ministry of Foreign Affairs of Romania, Romania-NATO, Op. Cit.

⁸⁶³ Romania's Permanent Delegation to NATO, Romania-NATO, NATO Enlargement (<http://nato.mae.ro/en/node/379>), last accessed on 2 June 2014.

nership Assess and Review Process lacked the specificities needed to assess the integration-related political, economic and social capabilities of each aspirant. The MAP became an instrument of real assessment following the first round of enlargement. The Czech Republic, Hungary and Poland received membership mostly on account of political considerations as their military capabilities and the relations amongst the political, socio-economic and defence sectors could not be assessed properly. Both NATO and the EU shared the position that efficient decisions for the defence sector depended on successful political, economic and social measures.⁸⁶⁴

Despite its commitment to the defence budget, Romania had to be flexible on plans for rearmament after joining the Alliance. So when, in 2010, the planned acquisition of 24 used F-16C/D block 25 from the U.S. and worth 1.3 billion U.S. dollars failed due to the inability of the country to pay 700 million U.S. dollars as a down payment in 2012, the decision to purchase 12 used multirole F-16 fighters from Portugal worth about 700 million U.S. dollars was made.

10.5. Contribution and Responsibilities of South Eastern European Countries to NATO activities

After the democratic changes in Central and Eastern Europe in the early 90's, the future NATO Member States began reforms in the area of defence and their respective armed forces. However, the actual acceleration of these reforms occurred after they had joined the PfP. After 1994, efforts were focused on expanding multilateral partnerships and cooperation, restructuring defence planning and military forces and participating in exercises, operations and missions led by NATO, as a component of effective preparation for membership.

Since 1999, a significant step for effective military transformation has been the Alliance's membership preparation programme (MAP – Membership Action Plan).

⁸⁶⁴ Berdila, I., Romania's NATO membership, School of Advanced Military Studies United States Army Command and General Staff College Fort Leavenworth, Kansas, 2005.

From a conceptual point of view, all the countries had developed and implemented concepts and plans for reform and modernization of the armed forces by 2002, identifying them later as transformation. They were aimed at subsequent full integration into the military structures of NATO. Therefore, one of the main reasons for the transformation of their defence agencies, including their armed forces, is the requirement of membership in addition to their expected contribution to collective defence and participation in allied operations for crisis management.⁸⁶⁵

If NATO's purpose could once have been defined as a mission of collective defence in the Cold War era, the allies now undertake missions against terrorism and proliferation of weapons of mass destruction. However, defence still remains a main function for which a global military reach is required. It was the former Bush Administration⁸⁶⁶ which had pressed the Allies to develop more mobile forces, able to be deployed over long distances and sustain themselves.

Although Member States which are relatively small might participate in NATO collective security missions, they are, for the most part, expected to develop "niche" capabilities, such as special forces or troops able to contain a chemical weapons attack such as Albania and Croatia, for example, were engaged in the stabilisation and peacekeeping operation in Kosovo, although both countries have contributed troops to the NATO mission in Afghanistan. With regard to expansion, several allied governments are of the opinion that certain complex issues – such as the calming of nationalist emotions in Serbia, an overall improvement in NATO-Russian relations, and overcoming the wide-ranging problems in energy security – must first be resolved before new countries should be considered for membership.⁸⁶⁷

⁸⁶⁵ Sabev, S., *The Military Transformation of the New NATO Member-Countries*, Military Academy G.S. Rakovski, Sofia, 2011.

⁸⁶⁶ The presidency of George W. Bush began on 20 January 2001, when he was inaugurated as the 43rd President of the United States of America. Bush was re-elected in 2004. His second term ended on 20 January 2009.

⁸⁶⁷ Morelli, V., Ek, C., Belkin, P., Woehrel, S., Nichol, J., *Op. cit.*

The changed nature of threats to collective security of the Member States of NATO and the asymmetric nature of the risks leads to the development of defence capability philosophy. The cluster approach and bilateral partnerships in building specialised capabilities are being increasingly advocated. A number of threats in the world today are made not through the actions of individual countries or groups of countries, but rather by separate organisations or groups that engage in transborder crime.

Often security threats are carried out through the activation of “sleeping cells” of these groups formed by citizens of the given Alliance member-state. The creation of adequate capabilities for prevention and immediate reaction in the event of such an attack or threat is a component of the cluster approach of NATO defence capabilities.

10.5.1. Contribution and Responsibility of Albania to NATO Activities

Despite Albania’s having made notable progress with its military reforms, the country’s small size and weakened economy rend it unlikely to contribute very much to the Alliance’s military capabilities. In an attempt at developing a niche capability, it is being assisted by the U.S. and other NATO Member States to achieve a force that, although small, is efficient, well-trained and could cooperate with NATO effectively.⁸⁶⁸

Albanian armed forces are actively involved in NATO peacekeeping operations, as well as UN missions and the US-led International Coalition Against Terrorism. Albania joined the aforementioned Coalition at its very beginning – on political, diplomatic, financial and military terms.⁸⁶⁹

While Albania’s resources are certainly not vast, it is devoting a sizeable share of them to defence spending. The country’s 2007 defence budget was 208 million U.S. dollars, or approximately 1.8% of the country’s Gross Domestic Product (GDP). In 2008, that percentage increased to 2% of the GDP being allotted to defence.

⁸⁶⁸ Ibidem.

⁸⁶⁹ A. Moisiu, Development of NATO’s Partner Initiatives, *The Albanian Dream*, Op. cit.

It should be noted that NATO's recommendation for its Member States for defence spending was 2%, a commitment achieved then by only seven of the allies. Having been affected by the worldwide financial crisis, in 2011 and 2012 Albania's shares went down to 1,5% of its GDP.⁸⁷⁰

The allotment of small defence budgets (less than 2% GDP) by Member States affected by the economic crisis seriously threatens not only the achievements, but also the goals and objectives of the Alliance. Lack of funding is a condition for slipping into technological backwardness and loss of market position in the defence sector, significantly affecting overall economic development. Therefore investments in defence remain a priority for NATO, although currently most of Member States contributions are below the required minimum.

10.5.1.1. Defence and Security Sector Reform⁸⁷¹

Albania has undertaken comprehensive and ongoing democratic and institutional reform, as outlined in its Annual National Programme, and of which NATO is supportive. When it comes to defence and security sector reform, NATO as an organization and the individual Allies within it have great expertise from which Albania could benefit. NATO's regional headquarters in Tirana is a hub for bilateral consultations and recommendations on the implementation of Albania's security and defence reforms.

A major target for Albania is the maintenance of democratic control over its armed forces. Albania's subscription to the objectives of the Partnership Action Plan on Defence Institution Building supports these efforts by promoting functioning judicial oversight, offering appropriate command arrangements and comprehensive consultations. Consultations on the modernisation of military civilian communications systems, surveillance systems, maritime units, logistics and other areas are always underway. In 2005, Albania joined the Operational Capabilities Concept (OCC). The OCC is a mechanism through which units available for PfP operations can be assessed and integrated into NATO forces more optimally in order to

⁸⁷⁰ SIPRI Military Expenditure Database 2012, (<http://milexdata.sipri.org>), last accessed on 12 June 2014.

⁸⁷¹ NATO, NATO A-Z. NATO's relations with Albania (http://www.nato.int/cps/en/natolive/topics_48891.htm), last accessed on 8 June 2014.

attain higher operational effectiveness. One of the most important priorities for the reform of the defence and security sector is the creation of administrative capacity that would ensure the rule of law, combat corruption and improve transparency.

10.5.1.2. Civil Emergency Planning⁸⁷²

In cooperation with NATO, Albania is improving its national civil emergency and disaster-management capabilities. It is also participating in activities arranged by the Euro-Atlantic Disaster Response Coordination Centre (EADRCC), as well as in the work of the Senior Civil Emergency Planning Committee.

The experience gathered from completed NATO rescue operations shows that the UN – in particular the UN Office for the Coordination of Humanitarian Affairs (OCHA) – in collaboration with the authorities of the country concerned, ought to be involved in each key role. For this reason, a Liaison Officer from OCHA works with EADRCC, organising communication and coordination between the two bodies.

10.5.1.3. Science and Environment⁸⁷³

Over 20 projects for scientific and environmental collaboration in Albania have been awarded grants under the Science for Peace and Security (SPS) Programme. In an aim to support the country's reform and interoperability efforts, many projects include collaborative studies on the following areas: strengthening and promoting religious coexistence and tolerance; studies on overcoming the difficulties of secure networking; and the creation of computer emergency response teams. Albania's projects in the area of science and the environment are mainly related to the consolidation of democratic institutions and building up a strong civil society.

10.5.1.4. Public Diplomacy⁸⁷⁴

Public diplomacy work that was done during the MAP process centred on the following goals: increasing public awareness of NATO's functions and

⁸⁷² Ibidem.

⁸⁷³ Ibidem.

⁸⁷⁴ Ibidem.

processes; promoting comprehension of the rights and obligations which are an intrinsic part of membership; and encouraging realistic perceptions of the Alliance's jurisdiction. Public diplomacy activities are also targeted at the development and maintenance of links with civil society. These activities are meant to facilitate security-related projects and programmes in Albania. A key role in this area is played by NATO's Public Diplomacy Division as well as by individual Member States and partner countries.

To keep the channels of communication open, regular invitations to NATO Headquarters and the Supreme Headquarters of Allied Powers in Europe (SHAPE) are extended to groups of opinion leaders from the country. Amongst the seminars and conferences which Albania has hosted, one of the most notable was 2007's NATO Week, entailing roundtable university discussions and conferences.

NATO operations in recent years have shown that public awareness of and civil society's support for the objectives of the missions are no less important to their success than established military expertise. Furthermore, public support is the key to legitimising the adopted decision to implement the missions and operations of the Alliance, a fact which throws light upon the concentration of efforts to achieve such awareness in Albanian society.

10.5.1.5. Participation in Missions and Operations

Albania's participation in support of Allied efforts to end the humanitarian tragedy in Kosovo and secure the peace after the air campaign in 1999 was key. The country permitted the Alliance to establish a logistics support command centre in Tirana to aid in sustaining peacekeeping operations in Kosovo. In 2002, NATO established its regional military headquarters in Tirana (NATO HQ Tirana), later incorporated into the structures of the NATO-led Kosovo Force (KFOR). In addition, Albania contributed to the Allied stabilisation operations in FYROM from 2001 to 2003.⁸⁷⁵

Albania has joined Allied forces operating in Afghanistan. The country is represented by 135 military personnel serving in the International Security Assistance Force (ISAF). Additionally, four Albanian medical personnel joined a multi-national medical team from all three MAP countries in Au-

⁸⁷⁵ NATO, NATO A-Z. NATO's relations with Albania, Op. cit.

gust 2005. Albania has sent troops to serve in Iraq as part of the U.S.-led coalition there, in addition to the NATO peacekeeping operations in Bosnia and Herzegovina. Since 1996, an Albanian contingent has contributed to the EU's Operation Althea, which replaced the NATO-led SFOR force in November 2007. Preparations are ongoing to enable Albania to join Operation Active Endeavour, NATO's maritime counter-terrorist operation in the Mediterranean.⁸⁷⁶

Albania has designated forces available for NATO operations, training and exercises under PfP. Amongst them there is an infantry company that remains on high alert, a commando company – including Special Forces elements – and medical support, engineer and military-police platoons. The country has also been host to and participant in a series of PfP exercises and activities.

Albania has been a member, along with Croatia and Macedonia, of the U.S.-sponsored Adriatic Charter since 2003. The Charter promotes cooperation amongst the three countries in defence reforms and other areas with the aim of raising their likelihood for NATO membership. The South-Eastern Europe Defence Ministerial Process (SEDM) and the South-Eastern Europe Brigade (SEEBRIG) are also structures in which Albania participates.⁸⁷⁷

Before it will be ready to take part in international missions, Albania will continue to need bilateral assistance for some time. It has depended on international donations to procure the majority of its hardware. The country lacks sufficient logistical capabilities and requires the support of Allies when Albania's forces are called upon to serve abroad.⁸⁷⁸

In recent years, the Adriatic Charter has been an important tool for the accession of new countries to the Alliance. In this regard, NATO considers its new members – Albania and Croatia, the founders of the Adriatic Charter – as key regional partners who are able to support Kosovo in its pursuit of NATO membership.

⁸⁷⁶ Ibidem.

⁸⁷⁷ Morelli, V., Ek, C., Belkin, P., Woehrel, S., Nichol, J., Op. cit.

⁸⁷⁸ Ibidem.

After Kosovo failed to join the PfP due to the opposition of Greece, Romania, Spain and Slovakia, all of which did not recognize the newly-formed state at the end of 2012, the US-Adriatic Charter Partnership Commission adopted a declaration during its meeting of foreign ministers in Zagreb in support of full membership for Kosovo. In this respect, the linguistic and cultural proximity of Albania and Kosovo contribute to better operational synergy between the armies of the two countries.

10.5.2. The Contribution and Responsibility of Bulgaria to NATO Activities

Bulgaria is an active and predictable member and aims to contribute its utmost to succeed in various fields. The country's contribution to the activities of NATO is multi-faceted. Bulgaria is actively working toward the support of political dialogue, consultation and coordination within the Alliance, and to contribute to crisis-response and military capability development operations and missions.

After the official acceptance of Bulgaria in NATO in 2004, national defence planning has been synchronized with Alliance planning in the implementation of national commitments to collective defence. After conducting a Strategic Defence Review in the same year, the country adopted a long-term plan for the development and modernisation of its armed forces by 2015, which includes the completion of the restructuring of the forces and their gradual upgrade to greater interoperability with NATO partner countries.

10.5.2.1. Bulgaria's Participation in the Smart Defence Initiative

Bulgaria declared strong support for NATO's Smart Defence Initiative. The country expressed its interest in participating in six multinational projects from the Highest Priority Project Group as follows:⁸⁷⁹ Female Leaders in Security and Defence (a project in which Bulgaria is the leading nation); Immersive Training Environments; Centres of Excellence as Hubs of Education and Training; Individual Training and Education Programmes; Pool-

⁸⁷⁹ Radev, V. Participation of Bulgaria in Multinational Defence Projects, International High-Level Conference on "Smart Defence – Pooling and Sharing: East-European View on Multinational and Innovative Approaches to Capabilities Development" Sofia, 2–3 April 2012 (http://www.mod.bg/bg/doc/ministry/DeputyMinister2/2012_0402_Sheraton_SmartDefence_V2.pdf), last accessed on 12 August 2014.

ing of Deployable Air Activation Modules (DAAM); and Multinational Joint Headquarters Ulm. Another Bulgarian project of national and regional significance is the Centre of Excellence in Crisis Management and Disaster Response.⁸⁸⁰

On 26 January 2012, in Brussels, a meeting was held between the President of Bulgaria Rosen Plevneliev and Anders Fogh Rasmussen, the Secretary General of NATO, who expressed a very high opinion of Bulgaria as a NATO ally and described the country as “a stable factor for stability in the Balkans”. The Bulgarian President stated, “The country wants to play a leading role at the regional level in Southeast Europe in various NATO initiatives.”

Under the circumstances of the economic and financial crisis, the opportunities Bulgarian companies have to participate in joint activities and research, and to implement the cluster approach to their own technological adaptation, are a powerful impetus not only for the security sector, but also for the overall development of the country. The implementation of this approach will allow for overcoming technological backwardness, transferring leading technologies and know-how, and the sustainable and promising positioning of research units and companies from the Bulgarian defence industry into global markets for military and specialised production.

10.5.2.2. Bulgaria's Participation in Multinational NATO and EU Projects

The experience the country has gained in multinational projects at a regional level in the field of defence is as follows:

- An agreement with Romania for joint action in carrying out defence of the airspace – Air Policing. Negotiations with Turkey for the signing of such an agreement are currently underway;
- An agreement with Greece on Air Policing, signed in 2010. There could be possible future decisions for collaborative crew training, exercises and training, optimisation of logistic support for joint par-

⁸⁸⁰ Lecture of the Minister of Defence of the Republic of Bulgaria Anyu Angelov at the opening of the international conference on “Increasing Naval security in the Black Sea Region – Cooperation and Capabilities”, 12 April 2011 (www.mod.bg/bg/doc/minister/speeches/20110412_Varna.pdf), last accessed on 12 August 2014.

ticipation in operations and others. The Bulgarian Air Force has some of the best examples in this regard;

- Participation in the operative group for naval cooperation, the Black Sea Naval Force (BLACKSEAFOR);
- Participation in the Turkish operation Black Sea Harmony;
- Establishment of an agreement for cooperation between the Border/Coast Guard, whose Border Coordination and Information Centre is in Burgas;
- Participation in the Organisation for Black Sea Economic Cooperation;
- Participation in the multinational brigade peace force called South-Eastern Europe Brigade (SEEBRIG). It should become operational and be used in real missions. A practical step in this direction would be ceasing the rotation of brigade headquarters in various countries and establishing its main camp in one country. Bulgaria proposes that the city of Plovdiv be made the main camp location, which has been supported by most of the countries participating in the initiative;⁸⁸¹
- Participation in the initiative for strategic air transport – through the jointly acquired (with 11 other countries, including the non-NATO countries Finland and Sweden), transport aircraft C-17, based in Hungary. Bulgaria has been allotted the right to 65 hours flight time, which is used for the rotation of the Bulgarian troops in Afghanistan;
- Negotiations with Romania and Croatia to seek joint solutions to enhance the capabilities of the armed forces of each country are currently underway. Cost reduction would result from shared resources – such as a new jet fighter bought by all three countries to share – as well as through increased cooperation amongst the three countries' naval forces.⁸⁸²

Bulgaria's participation in multinational projects within NATO and the EU is focused on the balance between the Communal approach and regional partnerships. These principles form the basis of discussions about the transformation of the Alliance. Participation in joint initiatives

⁸⁸¹ Ibidem.

⁸⁸² Ibidem.

with Romania, Greece and Turkey allows for achieving goals related to improving NATO capabilities by limiting the necessary resources and focusing efforts on the basis of accounting for specific needs. At the same time, these initiatives increase the capacity of the SEE countries which are members of the Alliance with regard to the possibilities for regional cooperation and partnership with third countries on whose territory potential threats to collective security are formed.

10.5.2.3. Participation in NATO Missions and Operations

The geographical position and altered geopolitical situation of Bulgaria in the Balkans and new asymmetric threats require and spur changes in the traditional roles and tasks of the armed forces. Bulgaria has experience in more than 20 international missions and operations under NATO, the EU and UN. An example of the active and full participation in peacekeeping operations and training of NATO missions and operations is as follows:

10.5.2.4. NATO's ISAF Mission

The International Security Assistance Forces for Afghanistan, initiated in December 2001. On 21 January 2002, the National Assembly of the Republic of Bulgaria adopted the decision for the country's participation in ISAF. In February, the Council of Ministers sent a division of troops consisting of 32 Bulgarian Army personnel to Afghanistan. They are located in the area of the British contingent, 10 kilometres from Kabul.

10.5.2.5. The KFOR Mission in Kosovo

Initiated in implementation of Resolution 1244 of the Security Council of the United Nations from June 1999. Since 8 February 2000, a Bulgarian civil engineering squad numbering 40 people was included in the Dutch contingent, and then in the German contingent on 24 May 2000. The squad participates in the construction, maintenance and repair of civil engineering structures and in the restoration of buildings for the needs of the local population. Since 15 January 2000, Bulgarian military observers have participated in the UN peacekeeping mission in Kosovo (UNMIK).

10.5.2.6. The NATO Training Mission-Iraq (NTM-I),

This mission is aimed for the training of Iraqi security forces. Bulgaria sometimes contributes the participation of military instructors, depending on specific needs. In 2006 it sent four military personnel (an advisor on leadership and ethics to the Iraqi commander of the Centre for Doctrine and Training of Iraq in Baghdad, an advisor for administrative affairs in human resources, a logistical issues advisor at the Joint Staff College in Baghdad and a translator). Since the beginning of 2009, Bulgaria has resumed making its contribution to NTM-I, sending two military personnel to the headquarters of the mission.

10.5.2.7. Operation Active Endeavour in the Mediterranean Sea

It was started following the terrorist attacks of 11 September 2001 in the U.S. From 2005 to 2009 a practical expression of Bulgaria's support became its annual, month-long participation on a frigate operation with a crew of 110 people and a special marine unit to check the ships. The mission of the frigate was to monitor the shipping in the area of responsibility (international waters of the Mediterranean) and, if allowed by the counterparty, to verify ships and cargo in accordance with the tasks assigned by the commander of the operation. The crew was on constant alert in order to protect certain ships. The frigate was involved in conducting operations escorting civilian ships of NATO member-countries through the Straits of Gibraltar.

10.5.2.8. Operation Unified Protector

This operation was conducted by NATO from March until October 2011 for the enforcement of the weapons embargo against Libya. The organization carried out an operation to ensure the no-fly zone. It involved 21 naval vessels, including a leader (belonging to Italy), 10 frigates (from Spain, UK, Greece, Italy, USA, Turkey, Canada, and Bulgaria), three submarines (Spain, Turkey and Italy), and two auxiliary ships (Italy and Turkey). The marine part of the mission diverted vessels considered as suspicious to nearby ports for additional inspection. The Bulgarian Council of Ministers sent the frigate *Drazki* with a staff of 160 to participate in the operation.⁸⁸³

⁸⁸³ Ministry of Defence of the Republic of Bulgaria, Bulgaria in NATO (http://www.mod.bg/bg/cooperation_NATO.html), last accessed on 12 August 2014.

Bulgaria's membership in NATO requires shared responsibility and involvement in the planning and conduct of its operations. Changes in the security environment and new threats require, in most cases, the intervention of NATO forces far beyond the borders of the Member States. In the period after 2004, Bulgaria proved to be a reliable and predictable partner which jointly bore its share of collective security. Despite the differences in opinion with respect to certain operations that take place far from its borders – such missions in Iraq and Afghanistan – the country participates in them alongside the best forces of the Alliance, giving Bulgarian military personnel the chance to build new capabilities in terms of fighting capacity and improving strategic and tactical training.

Through the active participation of Bulgaria in both missions and operations, and in other NATO initiatives, the country has become a factor in the region, generating stability and adding to the collective security of the Alliance. The Bulgarian armed forces have acquired new capabilities, expertise and skills for the prevention and management of crises and participation in joint missions and operations. Bulgarian military personnel have the opportunity to share experience and participate in joint operations with the best forces in the world, gaining significant experience that enables them to not only be fully effective when deployed on missions, but also to support post-conflict reconstruction anywhere the world, the establishment of democratic institutions and the rule of law.

10.5.3. The Contribution and Responsibility of Croatia to NATO Activities

Croatia's progress on defence reforms has been noted by observers. The country is making a shift from the relatively large, territorially-based conscript army it had when warring against Serbian forces within the 1990s to a force of lesser size but greater professionalism and deployability. Since 2008, there has been no conscription (also known as the draft) in Serbia. That same year, its expenditure on defence amounted to 1.81% of GDP. In 2010, the country spent only 1.7% of its GDP on defence in 2010, rather than the 2% recommended by NATO.⁸⁸⁴ In 2012 and 2013, the Croatian defence budget remained unchanged at 1.7%, the

⁸⁸⁴ Morelli, V., Ek, C., Belkin, P., Woehrel, S., Nichol, J., Op. cit.

same it had been in 2010 and 2011.⁸⁸⁵ Croatia does not differ from most NATO Member States in that it allocates less than the recommended 2% of its GDP to defence. The country's specialisation in building up capacity and implementing bilateral and multilateral partnerships in the field of defence and defence industry is a possible alternative contribution.

10.5.3.1. Defence and Security Sector Reform

There is currently a comprehensive, ongoing institutional and judicial reform process underway in Croatia, of which NATO is quite supportive. The process includes attempts at reduction of its case backlog, improvement in training and supervision of judges and court administration,⁸⁸⁶ as per the country's Annual National Programme.⁸⁸⁷ The PfP Planning and Review Process (PARP), which is a key part of Croatia's Membership Action Plan, has been supporting the development of its forces' collaboration with NATO since 2000.⁸⁸⁸

Following guidance from the Alliance, Croatia adopted a Long-Term Development Plan based on the results of the Strategic Defence Review for the modernisation of its armed forces. The Plan's targets revolve around creating capabilities to meet both the goals and objectives of NATO and the EU. It aims for the creation of professional, mobile, deployable and financially viable forces that are interoperable with those of the Allies. There is also NATO-Croatia cooperation for the improvement of the Croatian coastguard and other naval assets, border

⁸⁸⁵ SIPRI Military Expenditure Database 2012 (<http://milexdata.sipri.org>), last accessed on 12 June 2014 and The World Bank, Military expenditure (% of GDP) (<http://data.worldbank.org/indicator/MS.MIL.XPND.GD.ZS>), last accessed on 28 November 2014.

⁸⁸⁶ Croatia Presents its Annual National Plan at NATO, 2008 (<https://dazzlepod.com/cable/08USNATO397/>), last accessed in January 2009.

⁸⁸⁷ On October 16, a senior-level Croatian delegation presented Zagreb's 2008-2009 Annual National Program to NATO Allies. The presentation drew praise from Allies in a warm and friendly meeting. Allies looked forward to Croatia becoming a full member of the Alliance (<https://dazzlepod.com/cable/08USNATO397/>), last accessed in January 2009.

⁸⁸⁸ NATO, NATO A-Z, NATO's relations with Croatia, (http://www.nato.int/cps/en/SID-09DE199F-3265998A/natolive/topics_31803.htm), last accessed on 12 08 2014.

policing activities, military training, military education and English language training. The country joined the OCC in 2005.⁸⁸⁹

10.5.3.2. Civil Emergency Planning

Croatia is increasing its national civil emergency and disaster-management capabilities in cooperation with NATO and by taking part in activities organized by the EADRCC, as well as those of the Senior Civil Emergency Planning Committee. In April 2006, Croatia was one of first countries to respond to a request from the EADRCC on behalf of Slovakia, which was in need of disaster relief in the form material and financial assistance in the aftermath of flooding. Croatia hosted the consequence-management field exercise IDASSA, which was conducted as an EADRCC activity, in May 2007. The UN OCHA was also involved. The exercise aimed at improving coordination in the context of disaster relief and international cooperation in emergencies.⁸⁹⁰

The importance of regional military cooperation is growing within the Alliance. Much like Bulgaria, Greece and Romania, which are able to jointly build and deploy expeditionary light infantry brigades on high alert for operations, as well as special operations forces and the ISTAR battalion, Croatia, Slovenia and Albania could also use this model to build a united military formations as one of the key capabilities for modern operations.

10.5.3.3. Science and Environment

The Science for Peace and Security (SPS) Programme has given Croatia awards in the form of grants for over 50 collaborative projects, such as high-level research workshops on information security, research on harbour pollution assessment and management, counter-terrorism and crisis management. The fight against terrorism has been a common component of research studies of NATO Member States in the past years.⁸⁹¹

10.5.3.4. Public Diplomacy

Public diplomacy work that was done during the MAP process centred on

⁸⁸⁹ Ibidem.

⁸⁹⁰ Ibidem.

⁸⁹¹ Ibidem.

the following goals: increasing public awareness of NATO's functions and processes; promoting comprehension of the rights and obligations which are an intrinsic part of membership; and encouraging realistic perceptions of the Alliance's jurisdiction. Public diplomacy activities are also targeted at the development and maintenance of links with civil society. These activities are meant to facilitate security-related projects and programmes in Albania. A key role in this area is played by NATO's Public Diplomacy Division as well as by individual Member States and partner countries.

NATO Headquarters extend invitations to groups of Croatian opinion leaders and the SHAPE project (Shaping an Holistic Approach to Protect the Adriatic Environment between coast and sea) on a regular basis so that the channels of communication may be kept open. Communication is bilateral, with ambassadors from NATO member countries and NATO officials visiting Croatia as speakers at public events, such as seminars and conferences.

Within the political science faculty at the University of Zagreb, NATO has opened a depository library, making relevant documentation and information more readily accessible. This could be described as a significant step in terms of increasing the visibility of the Alliance's diplomatic engagement to academic institutions and universities in Croatia in the process of raising awareness and public support.

10.5.3.5. Participation in NATO Missions and Operations

Croatia, as a smaller candidate state, is following the NATO recommendation of developing niche capabilities, more specifically as follows: a special operations platoon; a demining platoon; a motorized infantry company; a nuclear, chemical and biological weapons defence platoon; an engineering platoon; and the planned purchase of two helicopters for NATO-led operations. These reforms may be too ambitious, however, as it is questionable whether Croatia has allocated the financial resources necessary to realize them. Being a part of the NATO-led ISAF, the country has deployed approximately 270 troops in Mazar-e-Sharif and Faizabadan in northern Afghanistan. Croatia heads an Operational Mentoring and Liaison Team (OMLT) whose function is training Afghan army units and has a part, alongside Albania and Macedonia, in a mili-

tary medical team. As Croatia was not a supporter of the U.S. invasion of Iraq in 2003, it subsequently has not sent any troops to participate in the coalition on Iraqi territory. Akin to the other smaller candidate countries, Croatia lacks sufficient logistical capabilities and requires the support of Allies when its forces are called upon to serve abroad.⁸⁹²

Croatia is still providing logistical support to the NATO-led operations in Kosovo. At NATO's disposal are ports, airports, military facilities, overflight rights and the use of the national air traffic control service. The country is planning to donate weapons and military equipment to the Iraqi Armed Forces through NATO's Training Mission in Iraq. Croatia has also offered its services in the provision of training for Iraqi security forces.⁸⁹³

The country is still a host of and participant in a series of PfP exercises and activities, in addition to having identified a number of units for co-operation with NATO for operations, training and exercises under PfP. Croatia is in the process of establishing its International Military Operations Centre as an official regional PfP training centre.⁸⁹⁴

Croatia has been a member, along with Albania and Macedonia, of the U.S.-sponsored Adriatic Charter since 2003. The South Eastern Europe Defence Ministerial Process (SEDM) and the South Eastern Europe Brigade (SEEBRIG) are also structures in which Croatia participates.⁸⁹⁵

At the end of May 2013, U.S. President Barack Obama stated 2014 would be the last year in which NATO would hold a meeting about the war in Afghanistan and the establishment of a new training mission after the withdrawal of combat troops by the end of 2014. Croatia, which is currently working with Macedonia, is expected to be part of the regional Balkan team that runs the School of Military Police and to continue to play an active role in the stabilization of the country and the creation of democratic institutions. Croatia also participates in NATO's Smart Defence initiative.

⁸⁹² Morelli, V., Ek, C., Belkin, P., Woehrel, S., Nichol, J., Op. cit.

⁸⁹³ NATO, NATO A-Z, NATO's relations with Croatia, Op. cit.

⁸⁹⁴ Ibidem.

⁸⁹⁵ Morelli, V., Ek, C., Belkin, P., Woehrel, S., Nichol, J., Op. cit.

10.5.4. Contribution and Responsibility of Romania to NATO Activities

Romania's policies and activities in recent years have shown the international community that it can be relied upon as a trusted partner. Whether in South Eastern Europe or elsewhere in the world, Romania's involvement in terms of peace and security re-establishment and maintenance has been consistent with its political commitment to contribute to the Alliance's efforts.⁸⁹⁶

As a result of its full-fledged membership in NATO, the Strategy for the transformation of the Romanian Armed Forces was adopted in 2007. The document projects the modernisation and interoperability of the armed forces to NATO standards, to take place in three stages. The structural reforms of the armed forces, as well as commitments arising from full membership in the European Union, are areas of focus.⁸⁹⁷

Romania developed a plan entitled "The Concept of Restructuring and Modernisation of the Romanian Armed Forces 2005-2010". It mainly outlines the process of transforming the armed forces, securing national defence capabilities and interoperability with NATO standards. The economic crisis has not bypassed Romania and in 2012, its defence budget fell to 1.2% of its GDP. However, the country is continuing to develop its armed forces, as well as following through on its NATO membership commitments.

Romania's contributions to NATO's Response Force (NRF) are clearly described within the Priorities 2010 programme. Ongoing projects related to the contribution to NATO missions, as well as regarding the protection of national sovereignty and support for the government, local authorities and the population in times of crisis, are included in its Strategy for the transformation of the Romanian Armed Forces. The strategy aims to make Romania's armed forces entirely compatible with NATO standards, modular, flexible, mobile and capable of rapid deployment, as stated in the targets set out in the country's strategic defence documents, by 2015.

⁸⁹⁶ Coșcodaru, Col. I., Ph.D, *Romania's Participation in Partnership for Peace Program*, The Academy for Advanced Military Studies Publishing House, Bucharest, 2002.

⁸⁹⁷ Bulgarian Army newspaper, *The Romanian Army in a Global World*, 25.10.2012, Sofia.

10.5.4.1. Security Sector Reform

Security sector reform in Romania was necessitated by its accession to Transatlantic and European institutions. The Study on NATO Enlargement, adopted in 1995, was an essential source for candidate countries to which they could refer for clearly defined admission criteria. Aspiring members were expected to comply with the basic principles described within the Washington Treaty: democracy, individual liberty and the rule of law; the acceptance of NATO as a community of like-minded nations joined together for collective defence and the preservation of peace and security, with each nation contributing to the security and defence from which all member nations benefit; and resolute commitment to the principles, objectives and activities specified in the PfP.

Romania's initial PfP engagement was sizeable, including troops and hardware from the three services within the whole spectrum of PfP operations; the next Romanian contribution to PfP increased to two brigades and one engineer battalion. Upon acquiring C-130 military transport aircraft, the operational and rapid deployment capability of the PfP-assigned units expanded greatly. Romania hosted field, river and naval exercises and participated in the following peace support operations under PfP: Desert Storm (1991), Alba (1997), IFOR (1996), SFOR and KFOR (2000) and ISAF (2002).⁸⁹⁸ Currently in service with the Romanian Air Force are four C-130 fighters – three of which are B version and one version H, purchased in 1996 and 2007, respectively. In 2011, the Romanian Ministry of Defence signed a contract with the Israeli company Elbit Systems for an upgrade of its military transport aircraft, the Hercules C-130B/H. The deal was worth 18.6 million U.S. dollars and Romanian companies will participate in the modernisation programme.

10.5.4.2. Cyber Defence

Since the turn of the 21st century, NATO has been on high alert for cyber threats, as their gravity increases the importance of protecting critical information infrastructure networks. The Alliance recognized the need for national and international cooperation to minimize vulnerability to this

⁸⁹⁸ Romania – A Self Assessment Study, Defence and Security Sector Governance and Reform in South East Europe: Insights and Perspectives.

crime. Accordingly, at the 2002 summit in Prague, cyber defence appeared on NATO's agenda for the first time and was confirmed as a priority four years later at the summit in Riga. The first formal common policy on cyber defence was endorsed at the April 2008 Bucharest Summit. Domestically, Romania has defined the cyber security deadlines that will reduce the likelihood of its communication and information systems being breached and the security of the Alliance being compromised.⁸⁹⁹

A new cyber defence policy and its correlating Action Plan were adopted by NATO in June 2011. The Plan illustrates how the Alliance intends to strengthen its cyber defence, while the policy confirms that any decision regarding a common defence response lies with the North Atlantic Council, NATO's principal political decision-making body. The revised cyber defence policy also outlines NATO's principles on cooperation in this area with partner countries, international organisations, the private sector and academia.

10.5.4.3. Participation in NATO Missions and Operations

Romania's involvement in NATO-led peacekeeping operations, missions and operations can be traced back over more than twenty years. In that time, the country has also actively been contributing to the establishment of regional structures and the development of bilateral, good-neighbourly relations. Despite the Romanian government's refusal to recognize the independence of Kosovo, Romania has supported the Alliance's KFOR, SASE and FOM peace-keeping efforts as conferred by the UNSCR Mandate 1244, albeit not through participation in new tasks.⁹⁰⁰

In 2002, Romania took up the cause of stabilizing the Afghan state through its joining the U.S.-led coalition devoted to restoring freedom and a terrorism-free Afghanistan. When ISAF was placed under the aegis of NATO a year later, a gradual increase of the scope of Romania's contribution to Operation Enduring Freedom began. As Euro-Atlantic and international security is inextricably tied to stability in Central and South-Asia, for which

⁸⁹⁹ Romania's Permanent Delegation to NATO, Cyber defence, (<http://nato.mae.ro/en/node/436>), last accessed on 12 August 2014.

⁹⁰⁰ Romania's Permanent Delegation to NATO, NATO Operations, (<http://nato.mae.ro/en/node/393>), last accessed on 12 August 2014.

Afghanistan is key, the Operation's activities are aimed at eradicating the drug traffickers, Taliban or terrorists who could threaten security within and beyond Afghan borders.⁹⁰¹

At the request of the African Union, NATO began supporting the AU Mission in Darfur through the provision of airlift for troop rotations and training. Romania fully supports this endeavour.⁹⁰²

Following the establishment NATO's Training Mission in Iraq in 2004, Romania began its participation in it through the activity of military personnel (instructors) and is currently represented at NTM-I by three military staff members. In addition, Romanian authorities have made in-country training facilities available for Iraqi military personnel. Romania's equipment donation (consisting of light weapons and munitions) was implemented as per Governmental Decision No. 53/13.01.2005, while its financial aid donated to the NTM-I Trust Fund, in the amount of 60,000 Euro, was based on Governmental Decision No. 536/15.06.2005.⁹⁰³ The Romanian frigate King Ferdinand sailed under NATO's Operation Unified Protector with a crew of 205 naval personnel. In addition, two Romanian Liaison Officers were appointed to the general staff of the NATO naval group in the Mediterranean Sea.⁹⁰⁴ On 26 April 2011, the ROS King Ferdinand had reached the operational area in the Mediterranean Sea where missions enforcing the arms embargo against Libya were being executed.

The participation of Romania in NATO operations is characterized not only by its vast geography, but also by its policies and the nature of the missions – from the support of institution building and development of democratic institutions to countering terrorism and aiding the efforts of local authorities, to training and delegation of responsibilities to local communities. However, in the short-term, the most important remain the missions countering terrorism, of which the mission in Afghanistan is crucial. Approximately 1,600 Romanian military personnel contribute to achieving the objectives of NATO in Afghanistan, in support of the Af-

⁹⁰¹ Ibidem, (<http://nato.mae.ro/en/node/371>).

⁹⁰² Ibidem, (<http://nato.mae.ro/en/node/370>).

⁹⁰³ Ibidem, (<http://nato.mae.ro/en/node/369>).

⁹⁰⁴ Ibidem, (<http://nato.mae.ro/en/node/464>).

ghan government to expand and assert their right to rule in the country in the name of ensuring security. The transition process, whose goal is for Afghan authorities to become fully responsible for the nation's security, has a completion deadline in late 2014, when the ISAF mission expires in accordance with the decisions taken at the NATO Summit in Chicago. Romania's long-term commitment in Afghanistan is expected to continue even after completion of the transition through the support of the Afghan national security forces.

* * *

South East European countries, users of security, are facing the complex impact of political realities dictated by their degree of integration into European and Euro-Atlantic values and realities. The presence of four types of users of security: NATO members – non-members, non-members of NATO, EU members, non-members of NATO and the EU as well as NATO and EU members – is not only a challenge but also an opportunity for common implementation not only of national, but also common objectives of ensuring the security of the region.

From this point of view, at the appearance of new challenges, risks and threats, there is no effective option but the combined efforts of all countries for the creation of common working diplomatic and military instruments in SEE. In this regard, special attention should be paid to the development of dialogue between defence ministers in South East Europe as a key initiative to achieving a common understanding of future developments related to security in the region. The parties' attention could be focused on projects, proven to be effective.⁹⁰⁵

The accession of Albania, Bulgaria, Croatia and Romania to NATO changed not only the structure of the armed forces, but also the geopolitical aspect of the whole of South East Europe. These four countries earnestly support Euro-Atlantic integration of the NATO candidate countries in the region, providing them with the necessary methodologi-

⁹⁰⁵ Conclusions from the conference on "Smart Defence – Joining and Sharing: A Southeastern European Perspective on Multinational and Innovative Approaches to Capabilities Development", 2–3 April 2012, Sofia.

cal support and expertise. NATO faces the task of building an Anti-Ballistic Missile (ABM) to protect the territory of the member-countries of NATO in Europe. The Alliance also stated its intention to deploy a highly intelligent system for ground surveillance to allow its forces more effective and safer participation in missions and operations. As outlined in the goal entitled 'NATO Forces 2020', the year 2020 was set as the deadline for the development of modern, well-equipped and trained military forces to be able to operate with external partners in any environment.

NATO's Smart Defence initiative is the foundation of a new approach to improve operational efficiency and enhance relations between the partners. The creation and development of defence capabilities is primarily a national responsibility. However, in the time of a financial crisis, expensive equipment and reduced defence budgets in regional and thematic cooperation on specific international defence projects among NATO Member States ensure better protection and preparation of the forces of the Alliance.

While membership in NATO requires full participation in decision-making with regard to the transformation and development of the Alliance. An effective response to this challenge depends not only the procurement of national and collective security, but also on the opportunities for leadership in innovative developments in the field of defence, not to mention the successful positioning of companies in South East Europe in global markets and the use of growing needs in the field of security on a global scale as a tool for economic development and the creation of new jobs. We need to invest in education and prepare young people to fully participate in the organs and structures of NATO, finding a promising career and contributing to building a successful and dynamic Alliance capable of meeting the security challenges of its citizens in today's dynamic world.

<i>Year</i>	<i>Event</i>
1992	Albania joins the newly created North Atlantic Cooperation Council, renamed the Euro-Atlantic Partnership Council in 1997
1994	Albania joins the Partnership for Peace (PfP)
1996	Albanian forces join the NATO-led SFOR peacekeeping force in BiH
1999	NATO establishes a logistical base in Tirana to support allied operations in Kosovo.
2000	Albania hosts the PfP exercise “Adventure Express” in April and “Cooperative Dragon” in June.
2001	Albania hosts the initial phase of the PfP exercise “Adventure Express 01” in April and May.
2002	NATO HQ Tirana is established to assist Albania in the implementation of its defence capability reforms as well as to contribute to the command and control of KFOR.
2003	Albanian forces deploy in support of the NATO-led International Security Assistance Force (ISAF) in Afghanistan.
2005	Albania joins the Operational Capabilities Concept. A combined medical team of the three MAP countries joins NATO-led forces in Afghanistan in August. Albania hosts the PfP exercise “Cooperative Engagement 05” in September.
2007	Albania hosts a meeting of the Euro-Atlantic Policy Advisory Group of the EAPC in May. Albania hosts the PfP exercises “Cooperative Longbow 07” and “Cooperative Lancer 07”.
2008	In April 2008, Albania is invited to start accession talks with the Alliance. NATO Allies sign protocols on Albania’s accession to the North Atlantic Treaty on 9 July 2008.
2009	1 April 2009, Albania becomes a full member of the Alliance.

Table 10.1. NATO – Albania Relations (1992–2009)⁹⁰⁶

⁹⁰⁶ NATO A-Z, NATO’s relations with Albania (http://www.nato.int/cps/en/natolive/topics_48891.htm#evolution), last accessed on 14 November 2014.

<i>Year</i>	<i>Event</i>
1990	<ul style="list-style-type: none"> • Bulgaria accepts the invitation extended by the Alliance to establish regular diplomatic relations with a Declaration issued by the Ministry of Foreign Affairs. • The North Atlantic Assembly meeting in London accords associate delegate status to parliamentarians from Bulgaria and other countries from Central and Eastern Europe.
1991	<ul style="list-style-type: none"> • Dr. Manfred Woerner pays the first official visit of NATO Secretary General to Bulgaria. • NATO Heads of State and Government issue the Rome Declaration on Peace and Cooperation in which they propose to the Soviet Union and the other countries from Central and Eastern Europe more institutionalized relations and cooperation on political and security issues, including the establishment of a North Atlantic Cooperation Council. • Bulgaria participates as a co-founding state in the inaugural meeting of the North Atlantic Cooperation Council (NACC).
1993	The National Assembly adopts a consensus Declaration stating Bulgaria's aspiration to accede to the North Atlantic Alliance and the WEU.
1994	<ul style="list-style-type: none"> • At the Brussels Summit, NATO Heads of State and Government issue an invitation to all NACC Partner countries and Commission on Security and Cooperation in Europe (CSCE) states able and willing to participate to join the PfP. • The President of Bulgaria, Zhelyu Zhelev, signs the PfP Framework Document at NATO Headquarters. • Bulgaria submits its PfP Presentation Document to NATO. • Bulgaria participates in Cooperative Bridge, its first joint exercise under Partnership for Peace, in Posnan, Poland. • Bulgaria signs a Security Agreement with NATO.
1995	Bulgaria accedes to the Status of Forces Agreement between the NATO Member States and the PfP countries (ratified by the National Assembly on 5 April 1996).
1996	<ul style="list-style-type: none"> • The Bulgarian Government takes a decision on the formal establishment of a Bulgarian Liaison Office at NATO Headquarters. • Bulgaria presents to NATO a discussion paper within the Intensified Dialogue on membership issues. Between May 1996 - October 1998 Bulgaria participates in a number of individual meetings with NATO within the Intensified Dialogue.

<i>Year</i>	<i>Event</i>
	<ul style="list-style-type: none"> • Bulgaria concludes with NATO an agreement regarding participation in the NATO-led Implementation Force (IFOR) in Bosnia and Herzegovina.
1997	<ul style="list-style-type: none"> • The government of Prime Minister Stefan Sofianski formally announces Bulgaria's application for NATO membership. • The government adopts a National Programme for Preparation and Accession to NATO. An Inter-Ministerial Committee on NATO Integration (currently Inter-Ministerial Council on NATO Integration) is established to coordinate the efforts for preparation and accession to the Alliance. • A National Consensus Declaration defining the Bulgaria's membership in NATO as a fundamental national priority is adopted by the Parliament. • Foreign Minister Nadezhda Mihailova attends the concluding meeting of the North Atlantic Cooperation Council (NACC) and inaugural meeting of the Euro-Atlantic Partnership Council (EAPC) in Sintra, Portugal. NATO and Cooperation Partner Foreign Ministers approve the EAPC Basic Document. • Bulgaria concludes with NATO an agreement regarding participation in the NATO-led Stabilization Force (SFOR) BiH. • The Bulgarian Government decides to establish a Permanent Diplomatic Mission to NATO and WEU in Brussels.
1999	<ul style="list-style-type: none"> • At the Washington Summit, NATO leaders commemorate the 50th anniversary of the Alliance and launch a series of initiatives, including the Membership Action Plan (MAP) to assist Bulgaria and other countries aspiring to NATO membership, and the South East Europe Initiative (SEEI) to enhance regional security and promote regional cooperation in SEE. • Bulgaria and NATO conclude an Agreement on Transit through the Airspace of Bulgaria of NATO Aircraft within Operation Allied Force. • Bulgaria and NATO conclude an agreement regarding the transit of NATO personnel and equipment within the framework of Operation Joint Guardian.
2000	The EAPC Ambassadors note the establishment of the Southeastern Europe Security Cooperation Steering Group (SEEGROUP) – a major project within NATO's South East Europe Initiative (SEEI), launched with Bulgaria's lead role.
2001	The Bulgarian Government expresses the readiness of Bulgaria to apply the commitments stemming from Article 5 of the Treaty, and to provide the assistance that may be required in accordance with the Statement of the North Atlantic Council dated 12 September 2001.
2002	<ul style="list-style-type: none"> • Bulgaria joins the Memorandum of Understanding, signed in London, concerning the formation of the International Security Assistance Force (ISAF)

<i>Year</i>	<i>Event</i>
	in Afghanistan. In February 2002 a Bulgarian contingent is deployed in the Kabul area.
	<ul style="list-style-type: none"> • At the Prague Summit meeting, NATO heads of state and government formally invite Bulgaria along with Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia to begin accession talks with NATO.
2003	At an extraordinary meeting of the North Atlantic Council, the Permanent Representatives of the 19 Member States sign the protocols to the North Atlantic Treaty on the accession of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia.
2004	<ul style="list-style-type: none"> • The National Assembly ratifies the ratification of the North Atlantic Treaty Act by a prevalent majority. • Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia formally became members of NATO by depositing their instruments of accession with the United States Government. Bulgaria's ratification documents were deposited by Prime Minister Simeon Simeon Saksoburggotski. This fifth and largest round of enlargement in NATO's history brought NATO to 26 member-countries and was marked by an Accession Ceremony speech by US President George W. Bush. President Bush congratulated the prime ministers of the new member-countries, as well as those of aspiring members Albania, Croatia and Macedonia. • The National Assembly adopts a declaration on the occasion of the Republic of Bulgaria's accession to NATO by an overwhelming majority. The declaration confirms Bulgaria's unwavering policy to combat terrorism since the events of 11 September 2001 and its preparedness to be a reliable and worthy ally, sharing the responsibilities, obligations and rights arising from full-fledged membership. • Participation of the Foreign Minister in an official ceremony at NATO Headquarters in Brussels for marking the accession of the new members with the participation of the 26 foreign ministers. The ceremony features raising the national flags of the seven states and a solemn meeting of the North Atlantic Council.

*Table 10.2. NATO – Bulgaria relations (1990–2004)*⁹⁰⁷

⁹⁰⁷ Bulgarian embassy London, (http://www.bulgarianembassy-london.org/index.php?option=com_content&task=view&id=38&Itemid=106), last accessed on 14 November 2014.

<i>Year</i>	<i>Event</i>
1994	Croatia expresses interest in joining the Partnership for Peace.
1999	Croatia allows the use of its airspace for operation Allied Force and provides logistical support to KFOR.
2000	<ul style="list-style-type: none"> • Croatia joins the Euro-Atlantic Partnership Council (EAPC) and the Partnership for Peace (PfP). • Croatia joins the PfP Planning and Review Process (PARP).
2001	Croatia develops its first Individual Partnership Plan (IPP).
2002	<ul style="list-style-type: none"> • Croatia accepts an invitation to join the Membership Action Plan (MAP). • Croatia hands in its first Annual National Programme in the framework of the MAP. • Croatia hosts a PfP civil emergency planning and relief exercise.
2003	<ul style="list-style-type: none"> • Croatian forces contribute to the International Security Assistance Force (ISAF) in Afghanistan. • Croatia hosts the PfP exercise “Cooperative Engagement 2003”.
2005	<ul style="list-style-type: none"> • Croatia participates in its first PfP crisis-management exercise. • A combined medical team of the three MAP countries joins NATO-led forces in Afghanistan in August.
2006	Croatia hosts a meeting of the Euro-Atlantic Policy Advisory Group of the EAPC in May.
2007	<ul style="list-style-type: none"> • The Croatian parliament endorses a proposal to increase the country’s contribution to ISAF. • Croatia hosts the disaster-response exercise “IDASSA 2007” in May. • Croatia hosts the PfP maritime exercise “Noble Midas 2007” from end September to mid October.
2008	<p>In April 2008, Croatia is invited to start accession talks with the Alliance.</p> <p>NATO Allies sign protocols on Croatia’s accession to the North Atlantic Treaty on 9 July 2008.</p>
2009	1 April 2009, Croatia adheres to the Alliance.

*Table 10.3. NATO – Croatia Relations (1994–2009)*⁹⁰⁸

⁹⁰⁸ NATO, (http://www.nato.int/cps/en/natohq/topics_31803.htm#evolution), last accessed on 14 November 2014.

<i>Year</i>	<i>Event</i>
1990	The Romanian Ambassador to Belgium is authorised to initiate diplomatic relations with NATO.
1991	Romanian President Ion Iliescu sends a message to NATO Secretary General stating Romania's willingness to engage in a close cooperation with NATO, as the latter is the sole organization capable, from the political and military point of view, to ensure the stability and security of the emerging European democracies.
1992	NATO Secretary General Manfred Wörner visits Romania. The Euro-Atlantic centre is inaugurated.
1993	President Ion Iliescu visits NATO Headquarters. Romania's desire to integrate into the Euro-Atlantic structures is reaffirmed.
1994	Romania joins the Partnership for Peace programme (January 26, 1994); its individual programme is signed in May 1995.
1995	Romania signs the "Status of Forces Agreement" between the NATO members and the participants to PFP.
1999	Representatives of the Romanian Government and of NATO sign an agreement on the conditions under which Allied aircraft may use the Romanian air space.
1999	The Romanian Parliament approves by a majority of votes the request made by President Emil Constantinescu that Polish and Czech contingents within international peacekeeping units for Kosovo (KFOR) be allowed to transit Romanian territory on their way to Yugoslavia.
2001	<ul style="list-style-type: none"> • The North Atlantic Council – Romania meeting aimed at assessing progress made in fulfilling the objectives of the Annual National Plan of Preparation for NATO Membership, second cycle. • The Parliament decides that Romania will participate, as a de facto NATO ally, in the war against international terrorism, through all means, including military ones. In the event of a NATO request to such effect, Romania will grant access to its airspace, airports, land and sea facilities.
2002	<ul style="list-style-type: none"> • The "Spring of New Allies" Summit of the NATO candidate countries takes place in Bucharest. • The North Atlantic Council – Romania meeting. The latest progress made by Romania in fulfilling the objectives of the Annual National Plan of Prepa-

<i>Year</i>	<i>Event</i>
	<p>ration for NATO Membership, third cycle, was reviewed.</p> <ul style="list-style-type: none"> ● Prague NATO Summit – Romania is invited to start accession talks. ● First round of Romania's accession talks with NATO takes place in Brussels.
2003	<ul style="list-style-type: none"> ● The Romanian Minister of Foreign Affairs writes to NATO Secretary General, confirming Romania's willingness and capacity to meet the obligations and commitments required for NATO membership. Romania's calendar for finalizing the reforms is attached to this formal letter. ● The Romanian Minister of Foreign Affairs attends the Signing Ceremony of the Accession Protocols, in Brussels. ● NAC+7 meeting in Brussels. ● Ministers of Foreign Affairs of the seven NATO invitees attend US Senate vote on the resolution of ratification of the Accession Protocol. ● NAC+7 ministerial meeting of Foreign Ministers, Brussels.
2004	<ul style="list-style-type: none"> ● The Parliament of Romania unanimously passes the law on the accession to the North Atlantic Treaty. ● The law on accession to the North Atlantic Treaty is promulgated by President Ion Iliescu. ● President Ion Iliescu signs Romania's accession instrument to the North Atlantic Treaty. ● The Prime Minister of Romania, Mr. Adrian Năstase, submits Romania's accession instrument to the North Atlantic Treaty, Washington, USA. ● Ceremony of hoisting the National Flags at NATO Headquarters in Brussels of Romania and the other six new Member States and informal meeting of NATO Foreign Ministers on 2 April 2004.

*Table 10.4. NATO – Romania Relations (1990–2004)*⁹⁰⁹

⁹⁰⁹ Ministry of Foreign Affairs of Romania (<http://www.mae.ro/en/node/2131?page=4>), last accessed on 14 November 2014.

Chapter 11:

The European Defence Technological and Industrial Base and the Defence Industries in South East Europe

NATO's expansion in South East Europe through the accession of Bulgaria and Romania in 2004 and Albania and Croatia in 2009 allows the development of more intensive cooperation in the armaments field between the Member States of NATO and more involvement in joint research and development projects, as well as technological know-how transfer.

The EU's Common Security and Defence Policy (CSDP) can be successful only through a strong European Defence Technological Industrial Base (EDTIB) and a common European defence market. Bilateral partnerships and regional defence initiatives within the Union increase the defence industry's capacity and competitiveness. In this process an important role is assigned also to the EDA with its activity and the adoption of a number of strategic documents such as the European strategy for defence research and technology,⁹¹⁰ the Strategy for the European Defence Technological and Industrial Base,⁹¹¹ the European Armaments Co-operation Strategy, and the Plan for Capability Development until 2015. Another key piece of EU documentation is the Directive 2009/43/EC⁹¹² as it simplifies terms and conditions of transfers of defence-related products within the Community, which creates a stable framework for the long-term development of the defence industry.

Amidst aggressive competition with the U.S. and the BRICS countries in the field of arms production, the European economy needs a proactive

⁹¹⁰ EDA, Research and Technology Strategy (<http://www.eda.europa.eu/Aboutus/Whatwedo/strategies/researchandtechnology>), last accessed on 04 May 2014.

⁹¹¹ EDA, Strategy for the European Defence Technological and Industrial Base (<https://www.eda.europa.eu/aboutus/whatwedo/strategies/Technologicalandindustrialbase>), last accessed on 19 August 2014.

⁹¹² Directive 2009/43/ES of the European Parliament and of the Council (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:146:0001:0036:en:PDF>), last accessed on 04 May 2014.

approach based on innovation and technology development. In this context, EDA, through the acceptance of the European Strategy for Defence Studies, aims to achieve three very important goals: to provide a minimum of financial resources for development activities in the amount of 2% of the total defence budget of each member-state; to improve and simplify the supply chain of defence products and to achieve sustainable economic growth through the integration of SMEs in the supply chain, and in a wider context, to strengthen their role as a component of CSDP.

This chapter also reviews Turkish and Greek defence industries capabilities, as NATO members from South East Europe.

11.1. Development of the European Defence Technological and Industrial Base and Policy

11.1.1. Agencies and Associations in the European Defence Industry

Since the beginning of the democratic transitions in the former Soviet bloc countries, the functions to build an institutional framework and to strengthen cooperation in the field of the Member States' defence industries had to have been rethought and developed. During the 90's a number of associations were created – the European Defence Industries Group (EDIG, 1990), the European Association of Aerospace and Defence Industry (2004), the Western European Armaments Organisation (1996) and the Organisation for Cooperation in the Field of Arms (1996). The structures and functions of earlier groups, such as the Western European Armaments Group, were transformed. In order to pursue better coordination and effective cooperation within the EU, most of the functions of various associations and agencies were transferred to the European Defence Agency which was founded in 2004.

11.1.1.1. Independent European Programmes Group/ Western European Armaments Group

In 1976, the defence ministers of the European NATO countries (with the exception of Iceland) organized a forum for armament cooperation called the Independent European Programme Group (IEPG). The declaration, endorsed by the Ministers of WEU in Maastricht on 10 December 1991,

called for further use of the opportunities for enhanced cooperation in the field of armaments, with the aim of creating an European Armaments Agency. At a meeting in Bonn in December 1992, the defence ministers of the 13 countries from IEPG decided to transfer the functions of the IEPG to the WEU.⁹¹³

After a meeting of the Council of Ministers of the WEU in Rome in May 1993, the WEU's forum for cooperation in the field of armaments was named the Western European Armaments Group (WEAG). At a meeting in Marseilles in November 2000, the Ministers of defence agreed that six new countries would join the WEAG with full rights: Austria, Czech Republic, Finland, Hungary, Poland and Sweden.⁹¹⁴ The Western European Armaments Group ceased operations on 23 May 2005.

11.1.1.2. European Defence Industries Group

The European Defence Industries Group was founded in Brussels in 1990 as an international association in accordance with Belgian law. The members of the EDIG included all national defence industries from the countries of the WEUG.⁹¹⁵ After the Cold War, the European arms policy rethought the conceptual approach to the defence industry. The EDIG placed a higher priority on consistent solutions to meet the needs of all Member States.

11.1.1.3. Aerospace and Defence Industries Association of Europe

The predecessor of the Aerospace and Defence Industries Association of Europe was the International Association of Aerospace Equipment Manufacturers (AICMA), which was founded in 1950 as a forum for social and informal contacts. In 1961 the organisation of the emerging space industry EUROSPACE was founded, aiming to promote the development of space activities in Europe. In 1973 AICMA becomes AECMA in the context of

⁹¹³ Western European Armaments Group, 30.03.2005 (<http://www.weu.int/weag/weag.htm>), last accessed on 17 April 2014.

⁹¹⁴ Ibidem.

⁹¹⁵ Study into the Role of European Industry in the Development and Application of Standards, re.EDA ref. 08-ARM-003, July 2009, p. 48 (http://www.eda.europa.eu/docs/documents/Study_into_the_Role_of_European_Industry_in_the_development_and_Application_of_Standards.pdf), last accessed on 17 April 2014.

increasing European awareness and strengthening international cooperation. In 1991 AECMA receives representation in Brussels.⁹¹⁶

In 2004, participants in AECMA, EDIG and EUROSPACE unite and form a the AeroSpace and Defence Industries Association of Europe (ASD). It has 28 members in 20 European countries. In 2010, over 2,000 companies from these countries, employing over 700,000 people, created a turnover of almost 163 billion Euro.⁹¹⁷

11.1.1.4. Western European Armaments Organisation

Western European Armaments Organisation (WEAO) was conceived as an armaments agency, but its activities are limited to research. It was founded in 1996 and operated until August 2006. It provided services in the field of defence research and technology. Since August 2006, all its functions have been assumed by the European Defence Agency. Other member institutions are the Institute for Security Studies and the EU Satellite Centre.⁹¹⁸

The ten years of independent WEAO activity show that the problems of the European defence industry should be examined from multiple angles. At the same time, institutional experience confirms that an effective solution to the challenges facing the European defence industry can be found only by providing an effective mechanism for management and coordination of all structures involved in European defence policy.

11.1.1.5 Organisation for Cooperation in the Field of Armaments (OCCAR)

The Organisation Conjointe de Coopération en matière d'Armement – short OCCAR, was founded on 12 November 1996 by the Defence Ministers of France, Germany, Italy and the UK. They signed a treaty – the OCCAR convention, which was then ratified and came into force on 28 January 2001. In 2003 and 2005 Belgium and Spain also joined OCCAR.⁹¹⁹

⁹¹⁶ The AeroSpace and defence Industries Association of Europe (<http://www.asd-europe.org/site/index.php?id=5>), last accessed on 17 April 2014.

⁹¹⁷ Ibidem.

⁹¹⁸ WEAO (www.weao.weu.int), last accessed on 17 April 2014.

⁹¹⁹ OCCAR (<http://www.occar-ea.org/188>), last accessed on 17 April 2014.

OCCAR is an institutional support tool in the management of joint programmes in the founding members' armament policy field. This arrangement can be seen as a classic example of a proactive approach to regional cooperation, without a de facto transition to activities involving all EU Member States.

11.1.2. Strategic Documents for the Development of the Defence and Technology and Industrial Policy of the European Union

The European Union is taking measures to create a strong and competitive European defence and technology industrial base. In the period 2006-2009, the EDA developed a number of documents in support of the European Security and Defence Policy, the main of which are: the Plan for Capability Development, Strategy for the European Defence Technological and Industrial Base; European Defence Research and Technology Strategy; and the European Armaments Cooperation (EAC) strategy.

In December 2007, the Commission also presented a set of documents related to defence policy of the Union – a strategy for a stronger and more competitive European defence industry, a proposal for a directive on the procurement of defence equipment and a proposal for a directive on transfers of defence equipment in the Community.

In May 2009 the European Parliament and the Council of the European Union adopted the proposed 2007 Directive 2009/43/EC of the European Parliament and the Council on simplifying terms and conditions of defence-related product transfers within the Community.

An action plan to support the competitiveness of the EU Security Industry was adopted by the European Commission on 30 July 2012.⁹²⁰

A factor which should be taken into consideration is that the defence market in the EU continues to be fragmented and divided along national or

⁹²⁰ European Commission, Security industry: Commission proposes Action Plan to enable growth – further details, Brussels, 30 July 2012. (<http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO//12/605&format=HTML&aged=0&language=EN&guiLanguage=en>), last accessed on 04 May 2014.

even regional boundaries and the main consumers of its products are public bodies, which significantly narrows its scope. At the same time, the establishment of more unified standards and certification procedures for certain security technologies will significantly reduce costs for development and marketing and this will increase the competitiveness of the EU security industry.

11.1.2.1. The Capability Development Plan (8 July 2008)

The Capability Development Plan (CDP)⁹²¹ provides Member States with a clearer picture and assessment possibilities for the trends and requirements in the capabilities development in the short, medium and long-term. The CDP was developed by EDA, representatives of Member States, the Defence Committee of the EU and the General Secretariat of the Council of the EU.⁹²²

The CDP plays a coordinating and catalytic role in the development of national plans. A development model is set which would overcome the gap and the dispersion between countries and the institutional toolset is supplemented to allow for greater coordination and enhanced cooperation within the Community.

11.1.2.2. The Strategy for European Defence Technological and Industrial Basis (Brussels, May 14, 2007)

The strategy to create stronger EDTIB is focused on achieving true operational requirements for the armed forces of the future through the most promising technologies available, most competitive in Europe and in the world. The strategy pays particular attention to the importance of small and medium enterprises with their characteristic flexibility and ability to innovate.⁹²³ There are several problems that need to be addressed: The defence industry is increasingly reducing budget expenditures, which requires trans-

⁹²¹ EDA (<http://www.eda.europa.eu/Aboutus/Whatwedo/capability-development-plan>), last accessed on 04 May 2014.

⁹²² Analysis of the Security Sector (The European Union's Experience and Bulgaria), Bulgarian Defence Industry. Sofia, 2008, pp. 16-17.

⁹²³ European Defence Agency, Strategy for the European Defence Technological and Industrial Base (<http://eda.eu.int/Strategies/Technologicalandindustrialbase>), last accessed on 05 July 2014.

formation of forms and approaches to development in order to achieve sustainability and competitiveness. However, modern military missions and operations are increasingly relying on innovative solutions, not decisive blows. The efficiency and success of the operation depends to a greater extent on preparation rather than phases of action. This requires overcoming the technological lagging and to acquire weapons and equipment from the world arms market that surpass both an enemy's and competitive industries' technology.

11.1.2.3. The European Defence Research and Technology Strategy (November 2008)

The development of the European Defence Research and Technology Strategy⁹²⁴ is consistent with the CDP and the European Defence Technology and Industrial Base Strategy (adopted on 14 May 2007 by the EDA). The synergy between these three documents, together with the European Armaments Cooperation Strategy, allows the achievement of the main goal of improving European Defence capabilities.⁹²⁵

Any failure on the part of individual EU Member States to secure the required budget for research and development (up to 2%) within the total defence budget poses many risks. A threat arises to the tasks of ensuring European security and the opportunity for the EU to influence third countries with advanced and high-tech defence industries.

At the same time, military achievements not only engage the best and most capable scientists, but also afford the basis for their use in products and technologies in the civilian sector. Thus, the EU's lagging behind in development poses the risk of loss and fragmentation of scientific potential and reduces the competitiveness of the European economy.

⁹²⁴ European Defence Research & Technology Strategy, Brussels, 10 November 2008 (http://www.eu2008.fr/webdav/site/PFUE/shared/import/1110_cagre_defence/a_european_defence_research_and_technology_strategy_EDA_en.pdf), last accessed on 05 July 2014.

⁹²⁵ Conceptual characteristics of the National strategy for defence research and counter-terrorism technologies. Institute of Metal Science, Equipment and Technologies Acad. A.Balevski with Hydroaerodynamics Centre - Bulgarian Academy of Sciences. Sofia, 2010, pp. 6-7 (www.homeland-security-center.bg), last accessed on 05 July 2014.

11.1.2.4. The European Armaments Cooperation (EAC) Strategy

The strategy was approved by the European Defence Agency's Steering Board in October 2008. The implementation of the EAC has a wide-ranging effect on the defence supply in Europe and the implementation of more effective military capabilities for the CSDP.⁹²⁶

It is a mechanism to improve coordination between the Member States. Reflecting the dynamics of the problems facing the security sector and defence, it sets the legal framework for cooperation in the preparation and implementation of joint programmes and projects in the field of the defence industry.

11.1.2.5. The Report on the Impact of the Financial Crisis on the Defence Sector in Member states (30 November 2011)

The document reflects two disturbing trends in the field of defence capabilities development, which should be solved: First, the fragmentation – implementation of activities at the national level predominantly, and second the lack of financial resources for research and development (R&D).⁹²⁷

The solution to these threats can be found in enhancing cooperation within the Community – through greater specialization of individual Member States within the framework of the overall objectives – and through providing a competitive product. Enhancing transatlantic cooperation in defence is also a real opportunity for exchanging scientific research and technological development, coupled with significant resource savings.

11.1.2.6. Directive 2009/43/EC of the European Parliament and the Council on Simplifying Terms and Conditions of Transfers of Defence-Related Products within the Community

The creation of a new licensing system for transfers of defence-related

⁹²⁶ EDA, Strategies, The European Armaments Cooperation strategy (<https://www.eda.europa.eu/aboutus/whatwedo/strategies/Armaments>), last accessed on 05 July 2014.

⁹²⁷ Report on the effect of the financial crisis on the defence sector in EU Member States, 30 November 2011, Committee on Foreign Affairs (<http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A7-2011-0428&language=EN>), last accessed on 05 July 2014.

products between Member States by the effect of Directive 2009/43/EC can be seen more as an economic tool than as component of a defence policy. The goal is to provide mechanisms for transparency and overseeing the procedures to intensify market access of the Community's economic operators through three types of licenses: general, global and individual.⁹²⁸

Companies in the defence sector verify whether their trading partners in other EU members are certified and have the right to receive defensive positions under a general license. National armed forces and police, as well as international organisations in the defence sector, like EDA and NATO, can obtain related products on a general license without being certified.

11.1.2.7. Directive 2009/81/EC of the European Parliament and of the Council on the Coordination of Procedures for the Awarding of Certain Contracts, Supply Contracts and Service Contracts by Contracting Authorities or Entities in the Fields of Defence and Security

The Directive 2009/81/EO17⁹²⁹ applies to public defence and security contracts to supply military equipment, sensitive equipment, and work and services for specifically military and sensitive purposes. It relates to contracts which have a value added tax not lower than the following thresholds: 387,000 Euro for contracts to supply goods and services, 4,845,000 Euro for building contracts.⁹³⁰ The Directive aims to establish regulation of the legal framework relating to the procedures for public procurement in the field of security. There are two important components that need to be

⁹²⁸ Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:146:0001:0036:EN:PDF>), last accessed on 12 August 2014.

⁹²⁹ Directive 2009/81/EC Of The European Parliament And Of The Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:216:0076:0136:en:PDF>), last accessed on 12 August 2014.

⁹³⁰ EU, Summaries of EU legislation, Public procurement in the fields of defence and security, 14 January 2010 (http://europa.eu/legislation_summaries/internal_market/businesses/public_procurement/mi0031_en.htm), last accessed on 05 July 2014.

tailored for transposition into national law: a higher level of security and effective institutional control over suppliers, while creating sufficient incentives for the promotion of competition in this area.

11.1.2.8. The Action Plan to Support the Competitiveness of the EU Security Industry (30 July 2012)

The Action Plan was designed with the aim of supporting the competitiveness of the EU Security Industry.⁹³¹ The Commission's intention to create a true internal market for the security industry is outlined in the points of the document, among which are: harmonisation of standards and procedures for the certification of technology in the security field; improved interaction between the sector of civil security and research in the field of defence; innovative financing schemes, and checks on the social impact of new technologies in the field of security research and development.⁹³²

The document recognizes that in ten years, the world market for defence industry has grown ten-fold – from 10 billion to 100 billion in 2011 and with an annual turnover of 30 billion Euro annually in the EU. Meanwhile, market tendencies predict a negative trend in the proportion of European companies on the global market if they lag behind in competitiveness.

A number of measures that can be implemented are related to the harmonisation of the legal framework and the development of an internal market. Unlike the highly fragmented internal market for defence products in the EU, similar measures in the U.S. have allowed American companies in the security industry to be leaders both on the market and in technology. Within the European Union, security continues to be one of the areas where Member States are reluctant to give up their national prerogatives.

⁹³¹ EU, Press release database, Security industry: Commission proposes Action Plan to enable growth – further details, Brussels, 30 July 2012 (<http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO//12/605&format=HTML&aged=0&language=EN&guiLanguage=en>), last accessed on 05 July 2014.

⁹³² Ibidem.

11.2. Development of the Defence Industry Market in the European Union

The creation of competitive defence products with a wide export potential is beyond the capabilities of the national defence budgets of individual Member States. At the same time, defence programmes are fragmented, lacking coordination at the level of the Community, which leads to the duplication of effort, waste of financial resources and limitation of opportunities for partnership in various projects amongst the companies in this field. These shortcomings are observed in research as well, where the national approach still dominates over cooperation within the Community.

Acquisition of defence products for the Member States also takes place mainly via national suppliers at the expense of European cooperation. Implemented in various forms, mostly indirectly, this type of policy of protectionism by EU countries is likely to lead to difficulties with and mistrust in the supply of defence products to other EU countries and obstacles to the development of a common competitive market for defence goods within the Union.

SMEs are mainly involved in national supply chains. Current compensation practices, which are often part of public contracts, may lead to distortions in the internal market. Given that supply chains are mainly at the national level, standardisation of defence equipment at the European level is not sufficiently developed. The creation of a European Defence equipment market would also lead to market distortions if EU legislation on competition were not effectively implemented in this sector.⁹³³

National defence budgets are the main determining factor of the prospects of the defence industry. They reflect national policies and priorities, yet in the 20 years after the Cold War have decreased doubly (from 3.5% of GDP in the 80's of last century to a current average of 1.75%). According to the EDA, it is likely for total defence spending in Europe to increase. At the same time, costs for military equipment have risen and armed forces have

⁹³³ EU, Summaries of EU legislation, Public procurement in the fields of defence and security, 14 January 2010, (http://europa.eu/legislation_summaries/internal_market/businesses/public_procurement/mi0031_en.htm), last accessed on 05 July 2014.

been restructured, making it even more important to improve competitiveness and cost efficiency.⁹³⁴

The challenge for the development of the defence industry market is associated with specialisation and overcoming national supply chains and implementing more intense, competitive and aggressive cooperation within the common European defence market.

11.2.1. Current Characteristics of the European Defence Industry

The European defence equipment market is vast, state-of-the-art, and a leader in R&D in fields such as electronics, Information and Communications Technology (ICT), transport, biotechnology and nano-technology. The top-ranking Member States with the highest volume of production (almost 90%) within the EU defence industry are France, Germany, Italy, Spain, Sweden and the UK, although companies producing ancillary systems and equipment can be found in most European countries. Although it is supported by different European agencies and bodies, the national governments of Member States demonstrate a clear preference for their own defence industries. Their inclination to do so is rooted in protectionism and for security reasons; not only are jobs protected and investment boosted, but also the security of supply and information is ensured.⁹³⁵

11.2.1.1. Airforce Sector

European aerospace is a most strategic industry. Costs in the airforce sector are constantly decreasing due to the intense pace of R&D, which leads to rapid advancements in technology. It is an integral part of the defence sector on both sides of the Atlantic and it has greatly enhanced the development of European collaborative defence programmes. Employment figures for 2011 in the European Aerospace and Defence Industry register approximately 7,337,000 personnel, about three-quarters of whom are employed in the aeronautics and space sectors. France and the UK, as the

⁹³⁴ Ibidem.

⁹³⁵ Smart defense – Smart TADIC, Trans-Atlantic Defense Technological and Industrial Cooperation (TADIC) – Conference of Armaments Directors (CNAD), 14 October 2011, (http://www.nato.int/nato_static/assets/pdf/pdf_topics/20120214_111014-smart_tadic_background.pdf), last accessed on 27 May 2014.

most strongly represented countries in terms of activity, have the greatest say in any allocation of R&D funds which go toward the achievement of appropriate regional balance of technologies.⁹³⁶ The sector has considerable experience of international collaborative projects. Partner nations often share the total R&D costs and pool production orders. Some joint projects lead to the formation of European companies, such as Airbus, MBDA, Eurocopter and ESA. Cooperation could be bilateral, as is the case with the Anglo-French Jaguar and helicopter programmes, or involve several countries, as the production of modern military aircraft – like the fighter jets Tornado and Taifun – does.

Companies in this sector maintain excellent relations with academia, with the intent of developing new technologies (such as UAVs) and new engines that could be implemented in other sectors, as well (for example, race cars like Formula 1). On the civil aviation market, Airbus sets an excellent example of successful international collaboration.⁹³⁷ The U.S. have three distinct major military aircraft companies compared to the six European companies on the same market.⁹³⁸ The leading European companies for 2012 in the defence industry's aircraft sector are given in Table 11.1, below.

Company	Country	Arms Sales (\$ mln.)	Arms Sales as part of the overall sales (%)
BAE Systems	UK	26,850	95
EADS	Western Europe	15,400	21
Finmeccanica	Italy	12,530	57
Thales	France	8,880	49
Rolls-Royce	UK	5,010	26
SAFRAN	France	3,500	30
MBDA (BAE; EADS)	Western Europe	3,860	100

⁹³⁶ Beckers and al. Development of a European defense Technological and Industrial Base, European Communities, 2009, pp. 12–18 (http://ec.europa.eu/enterprise/sectors/defence/files/edem_final_report_en.pdf), last accessed on 27 May 2014.

⁹³⁷ Ibidem.

⁹³⁸ Beckers and al. Op. cit., pp. 12–18.

Company	Country	Arms Sales (\$ mln.)	Arms Sales as part of the overall sales (%)
Eurocopter (EADS)	France	3,700	46
CASA (EADS)	Spain	3,640	88
AgustaWestland	Italy	2,940	54
Saab	Sweden	2,910	82
EADS Astrium	France	2540	68
Alenia Aeronautica	Italy	2,100	55
Cobham	UK	1,890	68
Dassault Aviation	France	1,470	29
Kongsberg Gruppen	Norway	1,294	48
Diehl	Germany	1,197	33
Meggitt	UK	990	39
Thales Systèmes Aéroportés	France	930	100
RUAG	Switzerland	930	50
GKN	UK	900	9
Patria	Finland	890	91
MTU Aero-Engines ⁹³⁹	Germany	740	20
Avio ⁹⁴⁰	Italy	670	28

Table 11.1. Leading European Companies – Aircraft Sector (2012)⁹⁴¹

⁹³⁹ Data from Hartley, Creating a European defense Industrial Base (<http://www.securitychallenges.org.au/ArticlePDFs/vol7no3Hartley.pdf>), last accessed on 12 August 2014.

⁹⁴⁰ Data from Hartley, Op. cit.

⁹⁴¹ Attribution to Aircraft Sector as Hartley, K., Creating a European defense Industrial Base (<http://www.securitychallenges.org.au/ArticlePDFs/vol7no3Hartley.pdf>), last accessed on 12 August 2014; Updated with data from the SIPRI Top 100 arms-producing and military services companies in the world excluding China, 2012 (<http://www.sipri.org/research/armaments/production/Top100>), last accessed on 12 August 2014.

The aircraft sector will increasingly expand its potential. Modern strategies for the conduct of operations require the use of equipment that provides exceptional speed, flexibility and mobility in intelligence gathering, transporting military personnel and the conducting of missions. Operations in crisis areas demand the development and application of high-tech, unmanned, remote-controlled aerosystems to minimize the need for manpower. Another crucial component for the development of the sector is the opportunity for rapid return on investment through the application of advanced technology in civil aviation.

11.2.1.2. Land Forces Sector

The land sector in the EU is in stark contrast to the aircraft sector. It is smaller, not as advanced, not as institutionalised through European collaborative programmes. Productivity in the combined European land and naval sectors was lower than in the European aeronautics sector by some 87%.⁹⁴² In 2009 the turnover of the EU land sector was 26.8 billion Euro, employing 113,000 people. Unlike the aircraft sector, here there are no successful European collaboration programmes.⁹⁴³

The EU land sector equipment is able to deliver and sustain key military capabilities in such areas as battle tanks and armoured fighting vehicles, as well as upgrade platforms. Its involvement in the development of modern main battle tanks (UK French Leclerc; German Leopard 2; UK Challenger 2) proves that it is capable of providing complex systems solutions.

Also, compared with the land sector in the US, the EU has reportedly ‘too many’ producers of main battle tanks (four in the EU compared to one in the US) and AFVs (16 in the EU and 3 in the US). The main American supplier is General Dynamics⁹⁴⁴ with its M1 Abrams tanks and Stryker wheeled machines.⁹⁴⁵ The leading European defence industry companies in the land sector for 2012 are given in Table 11.2.

⁹⁴² Beckers and al. Development of a European Defense Technological and Industrial Base, European Communities, 2009, pp. 18-22, Op. cit.

⁹⁴³ Ibidem.

⁹⁴⁴ General Dynamics (www.generaldynamics.com), last accessed on 12 August 2014.

⁹⁴⁵ Beckers and al., Op. cit.

Company	Country	Arms Sales (\$ mln.)	Arms sales as part of overall sales (%)
Finmeccanica	Italy	12,530	57
Thales	France	8,880	49
Rheinmetall	Germany	3,000	50
Kongsberg Gruppen	Norway	1,294	48
Diehl	Germany	1,197	33
Chemring Group	UK	1,126	96
Krauss-Maffei Wegmann	Germany	980	95
RUAG	Switzerland	930	50
Nexter	France	910	95
Patria	Finland	890	91
IVECO	Italy	800	7

Table 11.2. Leading European Defence Industry Companies – Land Sector (2012)⁹⁴⁶

EDTIB's land sector requires serious analysis and transformation in order to maintain and improve its competitiveness. Present conditions for conducting engagements and the participation in operations of various types minimize its share, and unfortunately, the negative trend is sustainable. However, there are also opportunities for innovative technological developments and changing production priorities as possible tools for maintaining market positions. Investments in remote systems for reconnaissance and neutralisation of objects have solid potential.

11.2.1.3. Naval Sector

EDTIB's naval sector is characterized by many relatively small companies, excess capacity and a lack of European cooperation programmes. The costs of research and development are about 10% of turnover (1.6 billion Euro), which is more than the intense research in the land sector. Europe has 12 major warship companies based mainly in France, Germany, Spain, Italy, the Netherlands and the UK.

⁹⁴⁶ Attribution to Land Sector as Hartley, K., Op. cit.; Updated with data from the SIPRI Top 100 arms-producing and military services companies in the world excluding China, 2012 Op. cit.

In the U.S. there are two major shipbuilding companies and two companies for basic subsystems. There are ample opportunities for the repair of ships both in Europe and the U.S. The continent's largest shipyards are DCNS (France),⁹⁴⁷ TKMS⁹⁴⁸ (Germany), Fincantieri (Italy), Navantia (Spain) and also BAE and VT Group (the UK).⁹⁴⁹

In 2009, sales in the European naval sector amounted to 18.8 billion Euro, and 82,900 people were directly employed in it. This sector is more intensive in research compared to the land sector. Europe's leading defence industry companies for 2012 in the naval sector of the defence industry are given in Table 11.3.

Company	Country	Arms Sales (\$ mln.)	Arms sales as part of overall sales (%)
BAE Systems	UK	26,850	95
Thales	France	8,880	49
DCNS	France	3,580	95
Babcock International Group	UK	3,190	62
Thyssen Krupp	Germany	1,526	3
Navantia	Spain	1,130	90

Table 11.3. Leading European Defence Industry Companies – Naval Sector (2012)⁹⁵⁰

The naval sector is comparable to the Air Force on the scale of investment, but not comparable in return capability and integration of technological advances in civil navigation. Furthermore, the naval sector has very limited experience of European cooperation. A possible solution for its development lies with the cluster approach to promote cooperation between Member States by deepening their expertise in areas where they have the most experience. To overcome the EU's technological backwardness in the defence industry, however, such cooperation has to transcend European borders and further rely on transatlantic cooperation within NATO.

⁹⁴⁷ DCNS (<http://en.dcnsgroup.com/>).

⁹⁴⁸ TKMS (www.thyssenkrupp-marinesystems.com).

⁹⁴⁹ Beckers and al. Op. cit., pp. 22–26.

⁹⁵⁰ Attribution to Naval Sector as Hartley, K., Op. cit.; Updated with data from SIPRI Top 100 arms-producing and military services companies in the world excluding China, 2012 Op. cit.

Innovative solutions and new technologies in the field of defence require huge financial resources that are increasingly difficult to procure from the Member States through traditional existing procedures. Analysing the nature of the development of the defence industry in the respective fields – air, land and naval – unambiguously identifies some trends.

The aircraft sector plays an increasingly larger role as a result of the development dynamics, new fields of application and the progress and implementation of space research and technology. This requires reforms in the other two sectors, rethinking and analysis of the necessities, the cluster approach and specialisation of production.

It is clear that the global environment is changing, as well as threats and risks to security, which requires rethinking and transformation of capabilities in the field of land and naval forces. However the most important conclusion is that long-term investment in research and technological development only in the military industry will not be possible if there is no projection of these developments in the civil sector.

Cooperation and development in the air force sector that has led to the creation of the European multinational consortium Airbus set the pattern for future development – investment in defence by investing in results in the civil sector.

11.3. Defence Industries Capabilities of NATO SEE Member States

The capabilities of the defence industry in South East Europe are due to historical developments diverse and divided.

The following pages give an impression on the defence industries' main companies of the South East European NATO members.

11.3.1. The Albanian Defence Industry

Albania cannot be said to have its own defence industry as most of its legacy material was manufactured in either the PRC or former USSR. Whatever replacement equipment the Albanian armed forces are in possession of has been donated.⁹⁵¹ However, these are the sector's main companies in Albania:⁹⁵²

- *MEICO* (Military Export Import Company) is a national company that depends on the Ministry of Defence. This company was created in 1991 to meet the needs of the Albanian Armed Forces (AAF). MEICO deals with export of new and old military equipment and military industry production.⁹⁵³
- *K.M. Poliçan*: The state enterprise *Kombinati of Poliçan* was established in 1962 with the purpose of fulfilling the arms requirements of the AAF. The company currently produces the ammunition type Makarov pistol and the 19mm bore Parabellum. K.M. Poliçan has favourable conditions for supplying the civilian sector.⁹⁵⁴
- *UM GRAMSH* provides manufacturing services for the defence industry such as precise machinery repairs and treatments in hot as well as milled surfaces. The company's quality system is GOST-certified.⁹⁵⁵
- *ULP MEDECINE/explosive*: The company currently produces only the dynamite and ammunition needed to meet the needs of Albanian mining exports. ULP MEDECINE is open to cooperation with foreign companies in collaborative production and marketing of its

⁹⁵¹ UK Trade&Investment, UKTI DSO Priority Market Briefs, Defence & Security Opportunities: Albania.

⁹⁵² Globalsecurity.org, Albani-Defense Industry (<http://www.globalsecurity.org/military/world/europe/al-industry.htm>), last accessed on 10 August 2014.

⁹⁵³ Military Export Import Company, (<http://www.meico.gov.al/index-eng.htm>), last accessed on 10 August 2014.

⁹⁵⁴ Globalsecurity.org, Albani-Defense, Industry Op. cit.

⁹⁵⁵ Ibidem.

product range, which, besides the main product dynamite, includes ammunition, safety fuses and propellants.⁹⁵⁶

- EMP Mjekës/ *explosives*: The Explosive Materials Plant (EMP) produces explosives and propellants since 1962. The company received “BOFORS” license in 1982 and currently is focused mainly on the production of dynamite and ammunition intended for the needs of the Albanian mining. EMP is orientated also on project towards demilitarization of anti-personnel mines and disposal of light ammunition.⁹⁵⁷

The potential of the Albanian defence industry will be developing within NATO membership and new opportunities for partnership and participation in joint initiatives and development with other Member States of the Alliance. The application of a model for regional cooperation with the Member States of NATO in the Balkan region would allow for synergies and would achieve greater competitiveness between products of national defence companies in the global market.

11.3.2. The Bulgarian Defence Industry

When Bulgaria gained admission into NATO in 2004 and subsequently in the EU, the task facing the Bulgarian defence industry gained a new dimension. The country entered into competition with the defence industries of the Member States, which have an annual turnover of 55 billion Euros, according to the EU Commission.⁹⁵⁸

11.3.2.1. Strategic Documents

As far as military industry capabilities for regional development and in the context of pooling and sharing are concerned, the interdepartmental coun-

⁹⁵⁶ Ibidem.

⁹⁵⁷ Albanian Ministry of Defense, Military Industry (http://www.mod.gov.al/arkiv/eng/index.php?option=com_content&view=article&id=484:industria-ushtarake&catid=228:industria-ushtarake&Itemid=610), last accessed on 27 September 2014.

⁹⁵⁸ Spassov, S., Strategy for the development of the Bulgarian defense technological-industrial base in the context of the country's membership in the EU and NATO, Collection from the international scientific conference “Strategies and policies for security”, NBU, 2010, pp. 68-87, 1.13.

cil on the issues of the industrial-military complex and the mobilization readiness of the country at the Council of Ministers accepted in May 2011 a draft strategy for the development of the Bulgarian defence technological-industrial base (BDTIB) in cooperation with the Bulgarian Defence industry Association.⁹⁵⁹ The strategy's goals are to establish administration and industrial capacity that correspond adequately to the present necessities and to facilitate the fulfilment of the assignments and the commitments undertaken by Bulgaria as a member of the EU and NATO.⁹⁶⁰ As per this strategy, Bulgaria is also expected to adopt a strategy for the scientific research and technologies in the sphere of defence and security, which would be in accordance with the Strategy of the EDA.

11.3.2.2. Competitive Power of the Bulgarian Defence Industry

The analysis of the current state of the BDTIB is part the project "Soldier of the future". The project has considerable potential in the wake of NATO Member States re-armament, creating conditions for compatibility with allied armour troops (especially those from the U.S.) and a sizeable market niche for Bulgarian companies.

Amongst the spheres in which the Bulgarian defence industry can successfully compete, the following should be noted: "Mine Counter-Measures in littoral sea areas" (BDI possesses advanced technologies for underwater protection of seashore territorial waters); "Comprehensive Approach – military implications" (various leading technological solutions including ammunition, optics, communication and etc.); "Counter-Improvised Explosive Device" (distant detonation of improvised explosives through radio-channels); and "Increased availability of helicopters" (protection of helicopters from RPG launchers).⁹⁶¹

⁹⁵⁹ Spassov, S., Opportunities for regional co-operation in the context of smart defence, Scientific conference on the topic, Management in a dynamically changing security environment, NBU "V. Levski", 30.11.2011 – 01.12.2011, 1.10.

⁹⁶⁰ Strategy for the development of the Bulgarian defense technological-industrial base, Sofia 2012 (http://www.micmrc.government.bg/files/start_botib.pdf), last accessed on 10 August 2014.

⁹⁶¹ Ibidem.

11.3.2.3. Offset Programmes

Bulgaria's experience in the field of offset programmes could be described as contradictory. Four projects (out of the projected 11) for the Bulgarian army's modernisation are currently in progress. Namely, the following have been supported through offset agreements: "Re-armament of the Bulgarian Army with automobile technology" – the German DaimlerChrysler; "Acquisition of new helicopters for the needs of the Air-force and naval forces" – the French Eurocopter; "Acquisition of new transport aircraft" – the Italian Alenia; and "Delivery of army cart-type armoured machines" – Textron Marine and Land Systems.⁹⁶²

11.3.2.4. Organisation Bulgarian Defensive Industry Association (BDIA)

The Bulgarian Defensive Industry Association (BDIA) is a non-profit legal entity, established in 2004 with the participation of twelve leading companies in the sector. The BDIA's main purpose is to serve as a forum in which state bodies and the defence industry can exchange ideas between in order to come up solutions for issues within the field and, just as importantly, to continue its steady development.⁹⁶³ The necessary steps of BDTIB's development include integration into the common European market for defence products and an increase its contribution to the defence system of NATO countries, as well as a significantly higher level of involvement in the market for defence products and supplies intended for the countries of the Euro-Atlantic Community; also, conducting sustainable industrial integration in the mid-term. Achieving this objective is related to the involvement of BDTIB structures in order to increase the Bulgarian contribution in the identification of long-term defence priorities such as conducting research and creating technology, combined with industrial feasibility studies on the applicability of new capabilities (certification, standardisation and achieving operative compatibility of arms), the acquisition of capabilities, transfer of experience from the leading countries in the Alliance and adaptation of these mechanisms at the national level.

⁹⁶² Spassov, S., Possibilities for public-private partnership in the sphere of the defence industry; Fifth international scientific conference "Partnership, research and defence technologies" Hemus 2010, 27.05.2010, p. 31.

⁹⁶³ Bulgarian Defence Industry Association (<http://www.bdia-bg.com/en/about/history>), last accessed on 27 May 2014.

BDIA Companies	Products/ Activities
Arsenal	Produces: small arms and artillery systems and ammunition and its components
Arcus	Produces: Ammunition for medium calibre automatic guns, Mortar Bombs, Grenade Launcher, Small Firearms, Impact Fuzes, Proximity Fuzes
AVIONAMS	Among Europe's leading aircraft repair plants
Dunarit	Aerial, Artillery and Engineer ammunitions
Electron Consortium	Production of : Hail suppression system, Meteorological radars, TCP/IP communication networks, Specialized radio communication equipment, - Photovoltaic systems and LED lighting Systems, - Non-standard technological equipment.
Institute of Metal Science Equipment	Research and development of high-tech security and defence systems. Products: Land and sea mines, grenades, hydro-acoustic management systems, equipment for explosive devices detection (underwater and land), etc.
KINTEX	State owned trading company (no production) Specialist in export of Bulgarian defence and machine-building industry
MAXAM	Manufacturer of industrial explosives, charging of ammunitions, utilization of ammunitions
Opticoelektron Group	anti-aircraft and ground artillery sights for firing in daytime and in nighttime; day and night optical sights; laser range finders; laser target designators; optical systems for armoured vehicles; video observation and surveillance systems.
Optix	<i>Day sights:</i> ODS-4M; collimator sight – “red dot type” MK-6; <i>Night sights:</i> ONS-3; ONS-4M; ONS-4V; <i>Night attachments:</i> NVA-8; NVA-75; <i>Night vision goggles:</i> single and twin tube DIANA; <i>Binoculars for night vision:</i> DIANA 3X/4X/5X/6X/10X; <i>Monoculars for night vision:</i> DIANA M40/M50; <i>Thermal vision devices:</i> sights IdentifieR-50/100; monocular Diana IR; cameras – eXviZion; Minion; Goliath.
Samel-90 Stock Company	Production of- mobile, portable and stationary radio jammers for protection against improvised explosive devises; HF/VHF jammers for radio counteraction delivered into the area by means of artillery bearer – Starshel, Chadar; wire communication facilities – analogue field telephone sets; VHF radios; mobile communication shelters and Command and Staff vehicles; integration of systems for surveillance and guarding of the borders area and objects from national importance; ground-based radars; information protection equipment.

BDIA Companies	Products/ Activities
TEREM SHC	Military-repair factory of the Bulgarian MoD. Repairs are also available for other countries.
Tcherno More Co.	Radar systems
VMZ Joint Stock Company	Grenades for use on: RPG-7 and SPG-9 grenade launchers Disposable rocket grenades Artillery rounds of various calibres: FRAG/HE, HEAT and illuminating. Mortar rounds with a thermobaric effect: 81 mm, 82 mm and 120 mm. 122 mm rockets: for use on BM-21 GRAD multiple launch rocket system Air-to-surface unguided aircraft Rockets Fuzing and igniting devices for various types of ammunition: mechanical and electromechanical. Manufacture of cartridge cases for artillery ammunition: 100 mm, 105 mm, 122 mm, 152 mm. Propelling charges: for artillery ammunition. Commercial explosives.

Table 11.4. BDLA's main companies⁹⁶⁴

It is necessary to identify key scientific and manufacturing capabilities on the basis of the EU's Capability Development Plan and the European Defence Research and Technology Strategy, as well as achieving synchronization between the activities of the administration and business. Essential for enhancing competitiveness is the integration of SMEs and their inclusion in the chain as suppliers or subcontractors. Two specific aspects of the development prospects of the Bulgarian defence industry are, firstly, the application of a cluster approach, where forms with proven effectiveness can be applied by pooling resources, and secondly, the regulation of relations in the export of competing defence products. Increasing export performance can be achieved through consolidation of the interests and capabilities of enterprises in the production and sale of weapons and ammunition and the development of innovation in the IT sector – equipment and systems for reconnaissance, observation, communication and management.

⁹⁶⁴ BDIA, Participants, Membership (<http://www.bdia-bg.com/en/participants/participants>), last accessed on 12 November 2014.

In terms of bilateral military and technical, as well as industrial, cooperation and market access of defence products to third parties, substantial prospects exist in partnership with individual Member States of NATO and the EU, stimulating local industry through co-production of defence equipment and weapons.

11.3.3. The Croatian Defence Industry

Although Croatia's defence industry has been reduced since the Balkan conflicts, like that of other countries in the region, it still retains capability in the naval and land sectors, with many SME-sized companies.⁹⁶⁵

11.3.3.1. Key Opportunities

Croatia's defence exports since the country's independence have included HS-2000 pistols (around half-a-million were exported to the USA); RT-20 Antimateriel Sniper Rifles (France and Spain); rocket launchers (Colombia); and artillery sights (Turkey). Growth has been registered in the areas of production and sales of demining vehicles. The vehicles are manufactured by DOK-ING Ltd. and have been exported to 27 countries, including the U.S., which puts the MV-4 machines to use in Afghanistan.⁹⁶⁶

The Croatian government is seeking to boost its defence industry and increase its exports. In April 2010, the Ministry of Defence presented the vision and strategic framework of the Croatian Industrial Cluster (HVIK). The purpose of HVIK is to achieve greater integration between the government, companies and research institutes in the field of the defence industry. HVIK seeks to improve the position of Croatian companies on the global market for military and special products, mainly through the development of international partnerships. Companies like DDSV and DOK-ING seek partnership with defence companies abroad.

In April 2011, Croatia, Serbia and Slovenia agreed to pool their resources and efforts, rather than to compete in so-called "third" markets in order to

⁹⁶⁵ Dempsey, A., Serbian and Croatian defence cooperation: another reason to be friends, (<http://www.defenceviewpoints.co.uk/articles-and-analysis/serbian-and-croatian-defence-cooperation-another-reason-to-be-friends>), last accessed on 21 October 2014.

⁹⁶⁶ Defense and Security Opportunities of Croatia, www.ukti.gov.uk/dso.

win supply contracts jointly. Opportunities for export considered as key to defence industry development were identified in the Middle East, North Africa and the Russian Federation.

11.3.3.2. Procurement Organisation

The Procurement and Acquisitions Department, which is part of the Material Resources Directorate, is responsible for procurement.⁹⁶⁷ Through the centralised government agency which coordinates defence exports, the Agencija Alan, exports have gone up in recent years and are reported to exceed 300 million U.S. dollars.⁹⁶⁸

Company	Products
Agencija Alan	Guns and Rifles; Mortars; Mortar bombs; Multiple Rocket Launchers; Optical Sights; Remote Laser Mine Activators; Helmets. Ballistic Vests and Boots; Artillery Fire Control Systems; Battle Tanks; Firefighting Demining Machines – Fully Remote Controlled; Armoured Personnel Carrier – Joint Venture Project. <i>Naval Equipment:</i> Fast Missile Corvette Class Petar Kresimir IV; Patrol Vessel PV30-LS; Patrol Boat “SOLTA Class”; Coastal Mine Hunter; GRP Coast Guard Patrol Boat; Tow Target and Scoring System; Etc.
Duro Dakovic Atlantica Inc. ⁹⁶⁹	<ul style="list-style-type: none"> •Hand Grenade M 92 •Hand Grenade M 96 •Rocket 128 mm M 91 •Rocket Fuse RUTI M 94 •Armoured Modular Vehicle Patria AMV 8x8 •Main Battle Tank M-84D •Light Multiple Launch Rocket System HERON B •Demining machines

⁹⁶⁷ Ibidem.

⁹⁶⁸ Dempsey, A., Op. cit.

⁹⁶⁹ Ibidem.

Company	Products
ADRIA-MAR Shipbuilding Ltd. ⁹⁷⁰	<p>The company is established in 2003, specializing in design, construction and repair of naval vessels, navigation and communication systems, special equipment and weaponry.</p> <ul style="list-style-type: none"> • PV30-LS vessel – patrol and protection of national borders and waters, prevention of smuggling and trafficking, control of ships and navigation and coast guard duties • BAKAR – Coast Guard Patrol Vessel – patrol and protection of territorial waters and EEZ (Exclusive Economic Zone), rescue missions, light combat missions, transportation of troops <ul style="list-style-type: none"> ○ Armament <ul style="list-style-type: none"> - 1 x Kongsberg Sea Protector 12.7 mm with fire control - 2 x machine gun 12.7 mm • OPB39 – Coast Guard Patrol Vessel –patrol and protection of national waters, pollution control, coast guard duties, rescue missions <ul style="list-style-type: none"> ○ Armament <ul style="list-style-type: none"> - 1 x bow gun up to 30 mm with fire control - 2 x machine gun 12.7 mm • OPV60 – Offshore Patrol Vessel - patrol and protection of EEZ (Exclusive Economic Zone), control of ships and navigation, search and rescue missions, pollution control <ul style="list-style-type: none"> ○ Armament <ul style="list-style-type: none"> - 1 x bow gun up to 30 mm with fire control - 2 x machine gun 12.7 mm - heli-deck
ATIR – Agency for Technical and Technological research and Development ⁹⁷¹	<p>Devoted to development and production of military equipment, armament and military material:</p> <ul style="list-style-type: none"> • 70 mm Rocket RAK 70 TF M95 for 40-rounded launchers (artillery) • 107 mm Rocket RIZC 107 M97- flying target • 40 mm x 46 grenades (High explosive fragmentation, High explosive dual purpose, Smoke, Practice, Incendiary, Tear Gas CS)

⁹⁷⁰ Ministry of Defense of the Republic of Croatia – Croatian Defence Industry Catalogue 2013 (http://www.nato.hr/Media/Default/images/katalog_o_i_2013.pdf), last accessed 26 September 2014.

⁹⁷¹ Ibidem.

Company	Products
Berta project d.o.o. ⁹⁷²	The company is producing firearms since 1990. Currently specializing in sniper rifle production of .308 calibre Winchester and .300 calibre Winchester Magnum. Dedicated to the latest trends Berta project produces sniper rifle of .338 calibre Lapua Magnum, with effective range up to 1500m and .300 Winchester Magnum, with effective range up to 1200m
HS Produkt d.o.o. ⁹⁷³	<ul style="list-style-type: none"> •Pistols HS 2000 •VHS assault rifle
Borovo Gumi-trade Ltd. ⁹⁷⁴	<ul style="list-style-type: none"> •Protective vest against fragments B1 •Protective vest against bullet B2 •Isolation protective suit OZI M-2 •Protective vest against bullet B7
Brodarski Institute d.o.o. ⁹⁷⁵	<p>Company owned by the Republic of Croatia and represented through the Ministry of Science, Education and Sports, the Ministry of Economy, Labour and Entrepreneurship, and the Ministry of Defence. Main activities are related to the following:</p> <ul style="list-style-type: none"> •marine technologies •surveillance •environmental technologies •renewable energy sources and safety
Brodosplit – Naval & Special Vessel Shipyard ⁹⁷⁶	<p>Naval Production Program</p> <ul style="list-style-type: none"> •<i>Underwater vessels:</i> <ul style="list-style-type: none"> - Conventional torpedo submarines - Midget submarines - Diver's submersible - Hyperbaric chambers •<i>Surface vessels:</i> <ul style="list-style-type: none"> - Frigates up to 2,500 t displacement - Patrol boats and ships of various sizes (police patrol, pollution control, rescue and salvage and similar) - Logistic support vessels - Landing ship – minelayers – 1,000 t

Table 11.5. Main organisations and productions in Croatia⁹⁷⁷

⁹⁷² Ibidem.

⁹⁷³ Ibidem.

⁹⁷⁴ Ibidem.

⁹⁷⁵ Ibidem.

⁹⁷⁶ Ibidem.

⁹⁷⁷ Alan Agency, Product Catalogue, (<http://www.aalan.hr/Product-Catalogue.aspx>).

11.3.3.3. Competitors and Partner Nations

The countries whose defence industries are considered to be main competitors of that of Croatia are Finland, Sweden, Germany, Italy, Russia and Bosnia-Herzegovina. Germany maintains good relations with Croatia, and, having withdrawn the F-4 from operations in 2011, has offered to donate 14 F-4F Phantoms to Croatia to cover the period between the withdrawal of its own MiG-21s until such a time as new aircraft can be acquired.

The U.S. and Croatia have a solid bilateral relationship, with the latter providing military assistance in the form of training, equipment, equipment loans, and education in U.S. military schools for Croatian military personnel. Over the past decade, Russia has sold combat and transport helicopters for use by the Croatian armed forces and remains an active competitor. Israeli companies, such as Elbit, have also identified opportunities in the Croatian market.⁹⁷⁸

11.3.4. *The Greek Defence Industry*

Greece spends a substantial part of its GDP on defence. Greece's defence burden is among the highest among EU and NATO member.⁹⁷⁹ In 2013 2.5% of the GDP went on military expenditure.⁹⁸⁰

The financial crisis in Greece and the country's heavy debts strongly and understandably affect its defence industry as well, in terms of resources allocated for supplies. By 2016, the country is expected to reduce defence spending from 2.5% of GDP, as in 2011, down to 1.9% in 2016, with total defence spending over the forecast period expected to be no more than 31.7 billion U.S. dollars.

⁹⁷⁸ UK Trade&Investment, UKTI DSO Priority Market Briefs, Defence & Security Opportunities: Croatia, (www.ukti.gov.uk/dso), last accessed on 28 August 2014.

⁹⁷⁹ Globalsecurity.org, Military, The Greek Defence Industry (<http://www.globalsecurity.org/military/world/europe/gr-industry.htm>), last accessed on 27 August 2014.

⁹⁸⁰ The World Bank, Data, Military expenditure (%of GDP), (http://data.worldbank.org/indicator/MS.MIL.XPND.GD.ZS?order=wbapi_data_value_2013+wbapi_data_value+wbapi_data_value-last&sort=desc), last accessed on 27 August 2014.

In line with its commitment to protect civilians and critical infrastructure, Greece is expected to allocate an average of U.S. \$564.40 per capita in defence costs. Over the forecast period arms procurement is expected to be worth 8.8 billion U.S. dollars, which will correlated to 28% of the total defence expenditure for the same period.

The Hellenic Aerospace and Defence Industries Group (HASDIG) is a non-profit organisation which represents the Greek defence industry by the advocacy of its members' interests to all governmental and international authorities. It is a member of the AeroSpace & Defence Industries Association of Europe (ASD). It has endorsed the ASD Common Industry Standards (CIS), to so support its members to compete in the international market. Most of its 28 members are SME sized.⁹⁸¹

Companies	Products/ Activities
DASYC	Plastics and composites production
ELFON	Wiring Harnesses and Electromechanical Assemblies
SIELMAN S.A.	Design, manufacturing of military spare parts and maintenance of military equipment
BOSA S.A.	Specialized in Aerospace sector
HDVS S.A.	Manufacturing mechanical components and components groups
Ω-Vision 2000	Software
Mikron Co	Precision Machining
Inasco Hellas Co	Aerospace sector: DiAMon plus cure monitoring; Prototype Development; Dielectric Sensors
Temma S.A.	Aerospace sector –manufacture of structural aircraft components
Axon Engineering S.A.	Precision CNC; Machining; Mass Production; Small Batch Production; Assembling; Prototype and Development Work; Production and support tooling; Tooling for aircraft engines maintenance; Special purpose Mechanisms; Non Destructive Tests by Magnetic flow; Penetrant liquid test; Coating Thickness verification; Hardness tests; Surface Roughness tests; Load tests; Alodine 1200; Passivation; Black oxide
Ssmart S.A.	Focused in specialised Defence hardware production and services, primarily for naval applications and software production

⁹⁸¹ Hellenic Aerospace & Defense Industries Group - HASDIG (<http://www.hasdig.com.gr/>), last accessed on 21 October 2014.

Companies	Products/ Activities
Theon Sensors S.A.	Supplier of Night Vision Equipment to the Greek Army
APELLA S.A.	Aircraft Structural Repairs, Painting, NDT, Component Maintenance
Miltech Hellas S.A.	High technology electronic systems
Hellas Sat	Satellite operator
Thales Electronic Systems S.A.	Mission-critical information systems
Sonak Systems & SW	Defence software and electronic systems development, design and integration
Nik Kioleides S.A.	Manufacturing vehicle super-structures, trailers and truck bodies
Intrakat	Intracom Constructions S.A. Technical And Steel Constructions: complex, high technology construction projects;
INTRACOM Defence Electronics (IDE)	Defence electronic systems provider, develops electronics, communications systems and advanced military software applications
Hellenic Vehicle Industry S.A (HVI)	Manufacturing armoured tank (LEOPARD 2 HEL)
Elefsis Shipbuilding & Industrial Enterprises S.A. (ESIE)	Naval Sector
Hellenic Shipyards S.A. (HSY)	Naval Surface Ships: frigates, fast attack crafts; fast patrol boats, etc.
Bros N. Axakalis & Co Ltd	Mechanological components after order, such as metal grids, mechanical couplers and small-medium high precision mechanical parts
Hellenic Defence Systems S.A. (HDS)	Manufacturing infantry weapons, weapon systems, ammunition, artillery, mortrars, fuzes, aircraft bombs, aircraft ext playloads, etc.
Hellenic Aerospace Industry S.A. (HAI)	Delivers: Aircraft – Fighter, Transport, Trainer, Helicopters Manufacture: Engines – Turbofan, Turbojet, Turboshift, Reciprocating, APU, GPU; Engine Modules; Avionics, ground systems and missile weapon systems

Table 11.6. HASDIG Members⁹⁸²

⁹⁸² Hellenic Aerospace & Defense Industries Group (HASDIG), The Companies, (<http://www.hasdig.gr/en/companies.html>), last accessed on 21 October 2014.

11.3.5. The Romanian Defence Industry

During the Socialist period, Romania's defence industry was an important economic sector, serving 85% of the needs of the Romanian Armed Forces with export contribution amounting to the equivalent of about 1 billion U.S. dollars annually. Export was aimed both at Member States of the Warsaw Pact and the Council for Mutual Economic Assistance (Comecon), and the African and Arab countries that had specific political and economic ties with Romania. More than 200,000 employees worked in this sector. Since 1990, world market demand has reduced dramatically, as well as local procurement, which, along with the low level of automation technology and labour productivity, creates a crisis in the sector.

The process of defence industry privatisation is conducted through three basic models: (1) privatisation/liquidation under the loan from the World Bank granted for the adaptation of the sector ("Psal"), (2) direct sales of state enterprises by the Authority for Privatization and Management of State Ownership (APAPS), and (3) privatization of national companies and companies from the energy sector and the defence industry by the Office for the Participation of the State in the Industry (OPSI). Local production, however, does not always translate into sales. At the end of 1999, nine out of ten Romanian arms manufacturers had orders of only 5-15% of their capacity.

After more than a decade of decline since 2000, new steps are being taken to find a fundamental solution for the Romanian defence industry. These include reorganisation and resizing of the sector to the actual needs of the Romanian Armed Forces, in addition to an analysis of Romania's potential on the international market, the establishment of industrial parks, forming a strategic partnership with leading foreign companies and others.

In the face of numerous financial difficulties, 2010 demonstrated a tiny upturn for the Romanian defence industry,⁹⁸³ which was subsequently further restructured and privatised in 2011. Foreign firms have shown a con-

⁹⁸³ New Market Report Now Available: Romania Defence & Security Report Q1 2011, (<http://www.prlog.org/11212910-new-market-report-now-available-romania-defense-security-report-q1-2011.html>), last accessed on 21 October 2014.

siderable amount of interest in making investments in the industry, as a result.⁹⁸⁴ The second aspect in which Romania stands out is that, through the activities of Cassidian subsidiaries Premium AEROTEC and Eurocopter, it is virtually the only country in the region to have a significant aerospace industry that is fully integrated with Western European multinationals and supply chains. In July 2011, Premium Aerotec opened a new factory in Brasov that will produce and assemble metal components for all Airbus programmes (A320, A330 and A380).⁹⁸⁵

For the construction of production facilities in Brasov, on an area of 60,000 sq.m, over 40 million Euro have been invested and the initial number of Romanian experts employed is over 500. Recently, the Romanian Air Traffic Services Authority, ROMATSA, has engaged Raytheon as a supplier of Mode S Monopulse Secondary Surveillance Radar (MSSR) systems at three of Romania's main commercial airports.⁹⁸⁶

11.3.5.1. PATROMIL

The Romanian Employers Association of the Military Technique Manufacturers is a non-profit employers association founded by the free consent of the founding members during an assembly on 27 April 2001.⁹⁸⁷ Representing over 200 companies, it is autonomous and unaffiliated with any governmental or political power, having been constituted on the basis of its specific activity, i.e. defence industry, and based on the free consent of the founding members. It aims on representing the manufacturers in domestic as well as international relationships and supports its members in meeting the NATO requirements. It also organizes the biannual international exhibition EXPOMIL in Bucharest.⁹⁸⁸

⁹⁸⁴ Ibidem.

⁹⁸⁵ Ibidem.

⁹⁸⁶ Business Monitor International, Romania Defence & Security Report Q3 2012, May 24, 2012 (http://www.fastmr.com/prod/283552_romania_defense_security_report_q1_2012.aspx), last accessed in September 2012.

⁹⁸⁷ Romania Defense Industry 2011, Presentation of the PATROMIL association.

⁹⁸⁸ Asociatia Patronala Romana a Producatorilor de Tehnica Militara, (<http://www.patromil.ro/home.html>), last accessed on 21 October 2014.

11.3.5.2. Main Firms

The following firms are members of the Romanian defence industry: At-mex; Automecanica Moreni; Carfil; ROMARM – one of the largest suppliers for the Romanian Ministry of Defence; Cugir Arme; Electromagnetica; Electromecanica Ploiesti; Icepronav; Intrarom; IOR; Metrom; ProOptica; Romaero; Romradiatoare – heat exchangers for vehicles; Stimpex; Syscom 18; Uzina Mecanica Cugir; Uzina Mecanica Mija – a subsidiary of CN ROMARM SA; Uzina Mecanica Ploeni – a subsidiary of CN ROMARM SA; Uzina Mecanica Sadu – a subsidiary of CN ROMARM SA; Uzina Mecanica Tohan – a subsidiary of CN ROMARM SA; UPS Dragomiresti; and UTI Systems Inc.

11.3.6. *The Turkish Defence Industry*

Turkey has the second-largest army of all NATO Member States (after the United States), with over 500,000 troops in service. This fact, along with its vast territory bordering a number of conflict and post-conflict countries like Iraq and Syria, suggests a high level of demand for the supply of its defence equipment. At the same time, the traditionally good relationships and cooperation with countries in the Asian region greatly expands export prospects for the defence products of Turkish companies.

The Turkish defence and security market has been growing in direct proportion to the rising strength of the Turkish economy. As one of the world's largest defence and security equipment markets, Turkey is developing a defence industry that is ever advancing. The country's budget for defence and security in 2013 (allocated on military, police, gendarmerie, intelligence organisations, etc.) was approximately 25.5 billion U.S. dollars.⁹⁸⁹

11.3.6.1. Key Opportunities

Both Turkey's geographical position and terrorist threats within the country pose sizeable challenges to its security. To deal with the issues and threats which arise, the country maintains a vast National Police Force and Gen-

⁹⁸⁹ UK Trade & Investment, UKTI DSO Priority Market Briefs: Turkey, (https://www.gov.uk/government/uploads/attachment_data/file/283308/UKTI_DSO_Market_Brief_Turkey.pdf), last accessed on 21 October 2014.

darmerie, as well as having the second-largest armed forces in NATO. Turkey is constantly seeking comprehensive solutions in defence and security programmes, some of which are in their final stages of development.⁹⁹⁰

As far as the land sector is concerned, Turkey is almost completely self-sufficient through its production of a wide range of tracked and wheeled vehicles, some of which are exported.⁹⁹¹

11.3.6.2. Enhancing Strategic Partnerships

Through its diplomatic network and serious investment, Turkey is trying to heighten its export volume. One of the candidates to become Turkey's main strategic Asian partners is Indonesia. It is a pre-eminently Muslim nation with a population of 246 million. Three premier Turkish defence companies – FNSS, ASELSAN and Roketsan – have signed a deal with Indonesia to deliver armoured vehicles, wireless devices and rockets worth around 400 million U.S. dollars, with the possibility of a second agreement with TAI for the joint production of naval vessels and the modernisation of Indonesia's F-16s.⁹⁹²

Turkey has also recently formed a strategic relationship with Malaysia, the world's sixth-largest arms importer as of 2009-2010. In February 2011, the two countries signed a defence deal worth 600 million U.S. dollars, the most lucrative contract ever to be signed by a Turkish defence firm. It stipulates that FNSS will manufacture 257 armoured vehicles in partnership with Malaysian DefTech.⁹⁹³

Azerbaijan, a Turkish ally, has been the country's partner in defence procurement for quite some time. Armoured personnel carriers are to be supplied to Azerbaijan by the Turkish firm Otokar and Turkey's Roketsan has started test production on a range of different rockets in cooperation with an Azeri company.⁹⁹⁴

⁹⁹⁰ Ibidem.

⁹⁹¹ Ibidem.

⁹⁹² Defense, Turkish Defense Industry becomes regional powerhouse, 24 February 2011, (<http://www.turkey-now.org/db/Docs/Sector%20Reports/Sector%20Reports%202008/DEFENSE.pdf>), last accessed in September 2012.

⁹⁹³ Ibidem.

⁹⁹⁴ Ibidem.

Another strategic partner which maintains excellent relations with Turkey is Pakistan, the world's third-largest defence importer.⁹⁹⁵ TAI is modernizing The Pakistani air force's F-16 is being modernized by TAI while wireless equipment is being provided to the Pakistani army by ASELSAN. Pakistan is one of the potential buyers of Turkey's new UAV.⁹⁹⁶

11.3.6.3. Main Association in the Republic of Turkey – SaSaD

SaSaD is the Defence Industry Manufacturers Association for Turkish producers of defence systems and equipment for domestic and international markets. It was founded by 12 companies in 1990 with the support of the Ministry of National Defence and is a member of ASD. Today it has over 60 members and around 20 associate members.⁹⁹⁷

Type of Competence	Companies
Aeronautics & Space	GAGE, ALTOY, HUKD, HMS MAKİNA, TAI, TEI, GLOBAL TEKNİK, ALP HAVACILIK
Land Platforms	NUROL MAKİNA, OTOKAR, MERCEDES-BENZ TÜRK, KOLUMAN OTOMOTİV, FNSS, KOLUMAN MOTORLU
Naval Platforms	SELAH MAKİNA A.Ş., İZMİR KLİMA SANAYİ, ARES TERSANECİLİK, YONCA – ONUK, RMK MARINE, İSTANBUL DENİZCİLİK GEMİ, DESAN, DEARSAN GEMİ, A.D.İ.K – ANADOLU TERSANESİ
Information Technologies	BİZNET BİLİŞİM, İPA, GÜRSAŞ ELEKTRONİK, VENDEKA SAVUNMA, ŞİMSOFT BİLGİSAYAR, BİTES SAVUNMA, BİLGİ SİSTEMLERİ, MİLISOFT, KOÇ BİLGİ ve SAVUNMA, HAVELSAN, ETC TÜRKİYE, ALTAY KOLLEKTİF

⁹⁹⁵ Pakistan Defense, Pakistan Third Largest Arms importer, (<http://www.defense.pk/forums/pakistan-defense-industry/166694-pakistan-third-largest-arms-importer.html>), last accessed in September 2012.

⁹⁹⁶ Defense, Turkish Defense Industry becomes regional powerhouse Op. cit.

⁹⁹⁷ SaSad, About SaSad, (http://www.sasad.org.tr/sasad_hakkinda.html), last accessed on 12 August 2014; UKTI DSO Market Brief: Turkey, Op.Cit.

Type of Competence	Companies
Electric & Electronic	ZİRVE, SÜREÇ SAVUNMA SANAYİ, KRL, PEGASUS SAVUNMA, EKİN TEKNOLOJİ A.Ş., SAVRONİK, TRANSVARO, ONUR A.Ş., FOTONİKS, TTAF SAVUNMA, AYYAZILIM, SDT, SELEX ES, VESTEL SAVUNMA, YALTES, KAREL A.Ş., DELTA ELEKTRONİK, NETAŞ, MİKES, HAVELSAN TEKNOLOJİ RADAR, GÖKTÜRK MÜHENDİSLİK, GATE ELEKTRONİK, ETA ELEKTRONİK, ESDAŞ A.Ş., AYESAŞ, A-TEL, ASELSAN, İŞBİR ELEKTRİK
Weapon-Ammunition-Rocket-Missile	TURAÇ DIŞ TİCARET, SAMSUN YURT SAVUNMA, SARSILMAZ, TİSAŞ, TÜBİTAK – SAGE, YÜKSEL SAVUNMA, ROKETSAN, Makina ve Kimya Endüstrisi Kurumu, GİRSAN

Table 11.7. SaSaD member companies⁹⁹⁸

On 7 October 2012 a set of rules governing the mechanism of public procurement in the Turkish defence sector came into effect, expanding the jurisdiction and powers of the Public Procurement Agency in the field. The process of launching, evaluating and finalising projects is expected to become faster, more streamlined and more flexible in their as a result of the lessened involvement of the military in the procurement process.

Programmes in Turkey used to be able to start officially only after the tiresome procedures and extended negotiations between the Undersecretariat for Defence Industries (SSM) and the military had been finalised, followed by further discussion in the Defence Industry Executive Committee. The updated procedures allow the matter to be moved to the desk of the Minister of Defence for final confirmation after the consumers define their requirements and SSM approve them. The SSM will also have the jurisdiction to perform the purchase directly whenever deemed necessary for the “national interest, confidentiality, monopoly of technological capabilities and meeting {of} immediate needs.” Intergovernmental defence transactions are also to be exempted from VAT.

⁹⁹⁸ Ibidem.

11.4. Developmental Possibilities for Regional Cooperation in the Defence Industry within the Framework of the EU

According to the analysis of Beckers et al., EDTIB has three development scenarios. The first outlines the attenuation of the defence industry due to lack of coordination between Member States in the field of defence policies and the prevalence of ad hoc cooperation between companies, research organisations and governments. Such a situation would result in the restriction of specific weapons programmes, instability and relatively small public investment in research and development in the defence industry, which in turn would lead to the inability to create a strong and competitive industry on the European Defence Equipment Market (EDEM). The results stemming from the aforementioned scenario would be a fragmented structure and inefficient use of resources.⁹⁹⁹

The second scenario considers the dominance of market forces in the open and competitive global market, with particular emphasis on the relationship between the EU and the U.S. Procurement of defence equipment should be coordinated at the EU level, in close cooperation with the U.S. The result would be a lively competition with a strong innovative character, although the emphasis on radical innovation would be limited. Unprofitable areas ought to be closed down, new mergers made – even between European and American companies. The structure of the defence industry under this scenario must be multinational, with strong cooperative networks to improve the efficiency of research and manufacturing.¹⁰⁰⁰

The third scenario, called “Multi-speed Europe”, examines cooperation within the European Union of different groups of Member States in the field of defence using different coordination speeds. “Multi-speed Europe” is based on several key principles – for example, that lagging countries should not slow down their faster counterparts, and that those who do not contribute should not be allowed to delay the overall activity. Coordination should be carried out at pioneer group level. European Member States

⁹⁹⁹ Beckers and al., p. 98.

¹⁰⁰⁰ Ibidem, pp. 101-102.

would have chosen to deal with the fragmented and inefficient way of organising defence activities by allowing different pioneer groups to operate at different speeds. This would lead to greater efficiency in supply and research, stimulating the defence industry to create powerful networks of connection.¹⁰⁰¹

The EU should develop a wide array of flexible tools that promote further cooperation between Member States in the field of innovation and technology development. The implementation of the first and third scenario present the most risk for European security: the first due to the attenuation of the European defence industry, which would mean loss of potential in other areas of research, and the third due to the introduction of a “Multi-speed Europe” in this area, which can be used as a precedent for its application in the other, thus posing a serious threat to European integration.

* * *

Scenarios for the development of EDTIB reflect the unstable dynamics of the overall EU institutional development. In times of financial crisis, in which the stability of the common currency – the Euro, – is threatened, national economies of Member States are practically bankrupt, the fate of the European defence industry is difficult to predict. CSDP is an indispensable component of the overall development of the Union and the resources devoted to the defence industry, in particular for research and innovation, must be secured at least at certain minimal thresholds. Allowing the implementation of a “Multi-speed Europe” in the defence industry is liable to cause this model to be replicated in other policies, which would be tied to additional disintegration of the EU; from such a position it would be impossible for the Union to become a strategic factor. Another important factor is the external competitive pressure on the European defence industry.

Given the enhanced transatlantic cooperation, a very real prospect would be the dominant role of U.S. companies where the levels of investment exceed six times those in the EU, and which offer better products and

¹⁰⁰¹ Ibidem, p. 106.

technologies at a reasonable price. Despite the financial “temptation”, neglecting cooperation in the development of the European defence industry hides exceptional risks to the economy and the security of the EU in the long-term. Investment in military technology ensures its implementation in the civil sector, and in this aspect, if third parties dominate the EU defence industry, they will invariably dominate in other areas of the economy. This is a threat to the future competitiveness of the EU and the levels of employment of its citizens, which is no less dangerous than such direct risks to the security of the Union as terrorism, proliferation of weapons of mass destruction and human trafficking.

What is actually missing in the region of South East Europe, in spite of various defence initiatives, is the official establishment of an organ to serve the purpose of a coordinating body, which ought to support the cooperation amongst NATO Member States and their partners from South East Europe in the sphere of defence and security.

Conclusion

The European architecture of security has maintained its dynamics in the second decade of the 21st century. Despite the complicated political and institutional development of the Common Foreign and Defence Policy, it has become a key factor in the achieving of economic growth and prosperity amongst the citizens of the European Union. The European economy still remains at the world's forefront, which ties it closely with global security. Until the end of the present decade, the main challenges in front of the EU remain terrorist threats, regional conflicts, the lack of statehood, organised crime and its forms of funding, arms and drugs trafficking, natural disasters, environmental damage and pollution, emigrant waves leaving conflict areas that border the EU and the energy deficit.

Apart from these external risks to European security, analysts accentuate the importance of internal threats. The EU enlargement process requires a reform in terms of the mechanism of decision-making and agreement on common positions regarding CFSP and CSDF issues.

Considering the decline in several EU member state's economies, a certain matter becomes more and more pressing: the debate regarding the increase in federalist policies in the EU as a response to the institutional 'paresis' and the boom of populist political parties during the last decade. In the EU, there is a distinct lack of a clear and sustainable political leadership (comparable to the one of the "founding fathers" of the European community, such as Robert Schuman, Konrad Adenauer, Jean Monnet, Altiero Spinelli), which can resolve the ongoing crises and can turn it into an even stronger factor in global diplomacy.

The institutional development of the CFSP had to undergo the disappointment of the failure of the European Constitution, as well as the needs of reforming the institutional model through the Lisbon Treaty. The establishment of the offices of the High Representative of the European Union for Foreign Affairs and Security Policy and the President of the European Council displayed the Member States' understanding that the best way of guaranteeing their national interests is achieved through the institutionalisation of the common interest.

Events such as 9/11, the interventions in Iraq and Afghanistan, the terrorist attacks on the EU in the United Kingdom, Spain and Norway demonstrate the need of a strategic approach and vast coordination and cooperation between the EU Member States and between them and partner organisations such as the UN, NATO and the OSCE.

Within the EU, policy makers affirmed the need of an institutionalised approach towards defence and security, which ultimately led to the ratification of the European Security Strategy.

However, European politicians and analysts have progressively criticised the complicated and administratively cumbersome ways of achieving the CFSP. The EU itself is a complex mechanism that balances common policies and Member States policies in regard to internal interaction, but also in regard to the carrying out of the CFSP. In order to have a working model, it is essential that the architecture and infrastructure of European security policy must undergo constant developments and actualisations. Despite the detailed institutional mechanism and the clear hierarchical relations and coordination issues between the EU's security structures engaged with the CFSP, certain needs become more and more accepted – the need for a greater independent platform involvement and the need for the civil sector and mass media to elucidate the problems and challenges that European security faces.

Given the conditions of a financial crisis, in which the stability of the Euro is threatened and some member state economies become de facto bankrupt, the prospects in front of the European defence industry are difficult to forecast. It is certain that the CSDF is a vital component of the overall development of the Union and the resources allocated to the defence industries (in particular, resources allocated to research and innovation) should be secured by introducing minimal thresholds. The future of the European defence industry is related to the implementation of innovative solutions and models, investment in technology and know-how, an increase in cooperation and eliminating duplication of effort and resources. In the modern development of the EU, security and defence issues are irreversibly integrated into the general pattern of economic development. Investment in military technology ensures its implementation in the civil sector. In this aspect, the admission of third-party dominance over the EU defence and

security industry begets a risk of this happening in other parts of the economy, which is a threat to the future competitiveness of the EU and the employment rates of its citizens. That is by any means no less dangerous than the direct safety risks that the Union faces.

Despite the EU and NATO significantly differing in terms of their functions and the way they enforce their policies, the two organisations have continuously cooperated in shared initiatives, missions and operations. The transatlantic cooperation model is the biggest global factor that ensures peace, security, maintaining legal order and supremacy of the law. Moreover, new global security challenges require not only stronger cooperation between the two organisations, but also a strengthening of their links with the UN and the OSCE.

The EU applies a universal approach to its foreign policy that is based on shared democratic values, obeying international jurisdiction, standing up for human rights, encouraging economic and trading cooperation. Often in the times of global financial crises, fiscal policies require a proactive and flexible approach, and sometimes the respective policies of different Member States and EU partners contradict one another, or even clash directly. In order to maintain its leading role as a global financial actor, the EU must develop diversified strategies in regard to its global prospects and strategic partnerships.

Sustainable development is a key factor in this respect; this can be achieved through storing scarce natural resources, promptly reacting to climate change, looking for alternative energy sources and increasing the share of green energy. The EU, however, may not guarantee global sustainable development on its own. Intensive and extensive cooperation is required. The EU's efforts of reducing poverty will, to a great extent, fasten the applying of its core principals – freedom, human rights, supremacy of the law and stability of the democratic institutions. These relations will keep developing not merely along the lines of “aiding” and “aided” entities, but will transform into an equal and engaged partnership.

The problems regarding EU energy security pose a challenge to the general development of the Union's economy. This places energy security as a major component of the CFSP. The deficit of energy resources in the EU, the

reliance on external supply, the vast amount of energy used and the technological backwardness in some European economies, as well as running out of certain energy sources in the near future require a quick and categorical response by the EU. The standards of securing energy reserves for certain time periods cannot solve the problem in the long-term. Immediate investments in innovative solutions and alternative sources of energy are required.

Cooperation in the field of justice and internal affairs requires increasingly greater coordination and even centralisation in its implementation in order to ensure the supremacy of the law, effective law enforcement and the overall respect for the entire set of rights that European citizens possess. The main challenges will regard exactly finding the balance between efficient control and not interfering with the private space and lives of European citizens. The intersection point of “freedom” and “security” is not merely a static point, but the creation of mechanisms for combating crime in the EU at the expense of restricting the rights and freedoms of European citizens would risk distorting the overall model that was set upon the time of the European Union’s creation, a model of a common territory of freedom and shared values.

When considering South East Europe and the EU’s three newest members, Bulgaria, Romania and Croatia, it should be noted that these countries fulfilled some of their main national priorities by joining the Union. They transformed from observers to active participants on the European scene, and for the first time in decades, these countries did not reflect someone else’s interests, but actively expressed their own to make Europe a stronger and more secure place. Together with Albania, Greece and Turkey who are a part of NATO, the mentioned countries of South East Europe strengthened their defence industries and also developed new expertise and capacities in regard to crisis prevention and management.

List of Tables and Figures

Tables

Table 1.1. Membership Organisation at the time of the WEU's existence	28
Table 2.1. EC – Distribution of votes	59
Table 8.1. Gas import dependency in Central and South East Europe (2012)	289
Table 10.1. NATO - Albania Relations (1992–2009)	409
Table 10.2. NATO - Bulgaria relations (1990–2004)	412
Table 10.3. NATO - Croatia Relations (1994–2009)	413
Table 10.4. NATO - Romania Relations (1990–2004)	414
Table 11.1. Leading European Companies – Aircraft Sector (2012)	429
Table 11.2. Leading European Defence Industry Companies – Land Sector (2012)	432
Table 11.3. Leading European Defence Industry Companies – Naval Sector (2012)	433
Table 11.4. BDIA's Main Companies	439
Table 11.5. Main Organisations and Productions in Croatia	442
Table 11.6. HASDIG Members	446
Table 11.7. SaSaD Member Companies	452

Figures

Figure 1.1. Timeline of the Treaties of the European Union	25
Figure 1.2. EU structure after the Maastricht Treaty (1993–2009)	41
Figure 3.1. Ongoing Missions and Operations	115
Figure 3.2. Completed Missions and Operations	116
Figure 8.1. Dependency on Natural Gas Supplies from Russia	288

Pictures

Altiero Spinelli	26
Winston Churchill	30
Jean Monnet and Robert Schumann	30
Treaty of Paris on 18 April 1951	31
Treaty of Rome on 25 March 1957	33
Conference on the establishment of the Warsaw Pact on 11 May 1955	34
Bulgarian federalists in Nice in December 2000 during the demonstration for the European Constitution	45
The 2014–2019 Commission	63
OSCE Permanent Council, Vienna, January 2014	207
The leaders of 7 new NATO member countries in the accession ceremonies 2004	363

List of Abbreviations

ACD	Asian Cooperation Dialogue
ACER	Agency for the Cooperation of Energy Regulators
ACT	Allied Command Transformation
ACTA	Anti-Counterfeiting Trade Agreement
AECMA	Aerospace and Defence Industries Association of Europe
AFET	Committee on Foreign Affairs (EP)
AG	Australia Group
AICMA	International Association of Aerospace Equipment Manufacturers
AMBO	Albania-Macedonia-Bulgaria Oil
AMIS	African Union Mission in Sudan
AMISOM	AU's Peacekeeping Mission in Somalia
AML	Anti-Money Laundering
AMM	Aceh Monitoring Mission
ANP	Annual National Programme (NATO)
APAPS	Authority for Privatization and Management of State Ownership
APCs	Asian Partner for Co-operation (OSCE)
ARF	ASEAN Regional Forum
ASD	AeroSpace and Defence Industries Association of Europe
ASEAN	Association of Southeast Asian Nations
AU	African Union
BDIA	Bulgarian Defensive Industry Association
BDTIB	Bulgarian Defence Technological Industrial Base
BG	Battlegroups
BiH	Bosnia and Herzegovina
BMD	Ballistic Missile Defence
BMDS	Ballistic Missile Defence System
BRAAD	Balkan Regional Approach for Air Defence
BRICS	Brazil, Russia, India, China, and South Africa
BSEC	Black Sea Economic Cooperation
CEAS	Common European Asylum System
CEE	Central and Eastern Europe
CEPMA	Central European Pipeline Management Agency

CEPOL	European Police College
CFE	Treaty on Conventional Armed Forces in Europe
CFSP	Common Foreign and Security Policy
CICA	Conference for Interaction and Confidence-Building Measures
CIS	Common Industry Standards
CIS	Customs Informational System
CIVCOM	Committee for the Civilian Aspects of Crisis Management
CJEU	Court of Justice of the European Union
CJPS	Combined Joint Planning Staff
CMP	Crisis Management Process
CMPD	Crisis Management and Planning Directorate
CNAD	Conference of National Armaments Directors
COREPER	Permanent Representatives Committee (European Council, Abbreviation from : Comité des représentants permanents)
COSI	Standing Committee on Operational Cooperation on Internal Security
CPC	Caspian Pipeline Consortium
CPC	Conflict Prevention Centre (OSCE)
CPCC	Civilian Planning and Conduct Capability
CSBMs	Confidence and Security Building Measures
CSCE	Conference on Security and Co-operation in Europe
CSDP	Common Security and Defence Policy
CUSRPG	Canada United States Regional Planning Group
DPRK	Democratic People's Republic of Korea
DRC	Democratic Republic of Congo
DSACEUR	Deputy Supreme Commander of the Allied Forces in Europe
EADRCC	Euro-Atlantic Disaster Response Coordination Centre
EAEC	European Atomic Energy Community (Euratom)
EaP	Eastern Partnership
EASO	European Asylum Support Office
EAW	European Arrest Warrant
EC	European Council
EC3	European Cybercrime Centre
ECEI	European Critical Energy Infrastructure
ECHR	European Court of Human Rights

ECO	Economic Cooperation Organisation
ECSC	European Coal and Steel Community
EDA	European Defence Agency
EDC	European Defence Community
EDEM	European Defence Equipment Market
EDIG	European Defence Industries Group
EDIG	European Defence Industries Group
EDTIB	European Defence Technological Industrial Base
EEA	European Economic Area
EEAS	European External Action Service
EEC	European Economic Community
EECI	European Energy Critical Infrastructure
EEPR	European Energy Programme for Recovery
EERA	European Energy Research Alliance
EFE	European Firearm Expert group
EFTA	European Free Trade Association
EGF	European Gendarmerie Force
EMCDDA	European Monitoring Centre for Drugs and Drug Addiction
EMOP	Enhanced and More Operational Partnership
ENCP	European Network for Crime Prevention
ENP	European Neighbourhood Policy
ENVI	Committee on the Environment, Public Health and Food Safety (EP)
EP	European Parliament
EPAF	European Air Force Participation
EPC	European Political Cooperation
EPCIP	European Programme for Critical Infrastructure Protection
ERF	European Refugee Fund
ESA	Euratom Supply Agency
ESCD	Emerging Security Challenges Division (NATO)
ESDC	European Security and Defence College
ESDI	European Security and Defence Identity
ESDP	European Security and Defence Policy
ESF	European Security Foundation

ESRT	The European Security Round Table
ESS	European Security Strategy
EU	European Union
EUBAM	EU Border Assistance Mission
EUCAP	EU Capacity Building Mission
EUFOR	European Union Force
EU INTCEN	European Union Intelligence Analysis Centre
EUISS	European Union Institute for Security Studies
EULEX	EU Mission for the Rule of Law in Kosovo
EULEX	EU Rule of Law Mission
EUMC	EU Military Committee
EUMC	European Monitoring Centre on Racism and Xenophobia
EUMM	EU Monitoring Mission
EUMS	EU Military Staff
EUNCP	European Network for Crime Prevention
EUPAT	EU Police Advisory Team in FYROM
EUPM	EU Police Mission in BiH
EUPOL	EU Police Mission
EUPOL COPPS	EU Police Mission in the Palestinian Territories
Euratom	European Atomic Energy Community
EURODAC	European Dactyloscopy: database of fingerprints of applicants for asylum and illegal immigrants found within the EU
EUROGENDFOR	European Gendarmerie Force
EUROMED	Euro-Mediterranean Partnership
Europol	European Police office
EUROSUR	European border surveillance system
EUSC	European Union Satellite Centre (also known as SatCen)
EUTM	EU Training Mission
FRA	European Union Agency for Fundamental Rights
FAC	Foreign Affairs Council
FATF	Financial Action Task Forces
FIUs	Financial Intelligence Units
FRG	Federal Republic of Germany
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU

FSC	OSCE Forum for Security Cooperation
FYROM	Former Yugoslav Republic of Macedonia
GAC	General Affairs Council
GAERC	General Affairs and External Relations Council
GAM	Government of Indonesia and the Free Aceh movement
GDP	Gross Domestic Product
GNP	Gross National Product
GRECO	Group of States Against Corruption
GW	Gigawatt
HCNM	High Commissioner on National Minorities
HR	High Representative
IBM	Intercontinental Ballistic Missiles
ICT	Information and Communications Technology
IEA	International Energy Agency
IEPG	Independent European Programme Group
IGC	Intergovernmental Conference
IMS	International Military Staff
IPP	Individual Partnership Programme
ISAF	International Security Assistance Force
ISS	Internal Security Strategy
ITRE	The Committee on Industry, Research and Energy
JCR	Joint Research Centre
JISR	Joint intelligence, surveillance and military intelligence
KFOR	Kosovo Forces: international forces in Kosovo
LIBE	Committee on Civil Liberties, Justice and Home Affairs (EP)
MAP	Membership Action Plan
MCD	Mechanism for Capabilities Development
Mercosur	South American Regional Organization for Economic Cooperation
MoD	Ministry of Defence
MoU	Memorandum of Understanding
MONUC	UN mission in the Democratic Republic of the Congo
MSU	Multinational Specialized Units
MTCR	Missile Technology Control Regime
NAC	North Atlantic Council

NAEW & C	NATO Airborne Early Warning and Control
NAEW & CFC	NATO Air Early Warning and Control Force Command
NAGSMA	NATO Alliance Ground Surveillance Management Agency
NAHEMA	NATO Helicopter Management Agency
NAMA	NATO Airlift Management Agency
NAMEADSM	NATO Medium Extended Air Defence Systems Management Agency
NAMSA	NATO Maintenance and Supply Agency
NAPMA	NATO Airborne Early Warning and Control Programme Management Agency
NATO	North Atlantic Treaty Organization
NAVFOR	Naval Forces
NCIA	NATO Communication and Information Agency
NCRS	NATO Crisis Response System
ND	Northern Dimension
NDPP	NATO Defence Planning Process
NETMA	NATO Eurofighter and Tornado Management Agency
NGO	Non-Governmental Organisation
NORDAC	Scandinavian defence cooperation
NPLT	NATO permanent liaison team
NRC	NATO – Russia Council
NRF	NATO's Response Force
NSG	Nuclear Suppliers Group
OCC	Operational Capabilities Concept
OCCAR	Organisation Conjointe de Coopération en matière d'Armement
OCHA	UN Office for the Coordination of Humanitarian Affairs
ODIHR	Office for Democratic Institutions and Human Rights (OSCE)
OHQ	Operation Headquarters
OLAF	European Anti-Fraud Office
OPCW	Organisation for the Prohibition of Chemical Weapons
OPSI	Office for the Participation of State in the Industry (Romania)
OSCE	Organisation for Security and Co-operation in Europe
OSCEPA	Parliamentary Assembly of the OSCE
PARP	Partnership for Peace Planning and Review Process
PCC	Political Consultative Committee

PEOP	Pan-European Oil Pipeline
PG	Partnership Goals
PJCC	Police and Judicial Co-operation in Criminal Matters
PM	Prime Minister
PMF	Political Military Framework
PRC	People's Republic of China
PSC	Political and Security Committee
PSC	Permanent Structured Cooperation
PSO	Peace Support Operations
RMFA	Romanian Ministry of Foreign Affairs
SALW	Small Arms and Light Weapons
SatCen	European Union Satellite Centre (also known as EUSC)
SCO	Shanghai Cooperation Organisation
SEA	Single European Act
SEA	Strategic Environmental Assessment
SEDE	Subcommittee on Security and Defence (EP)
SEDM	Southeastern Europe Defence Ministerial Process
SEE	South East Europe
SEEGROUP	Steering Group for Cooperation in the Field of Security in Southeast Europe
SFOR	Stabilisation Force
SFRY	Socialist Federal Republic of Yugoslavia
SGC	Southern Gas Corridor
SHAPE	Supreme Headquarters of the Allied Powers in Europe
SIS	Schengen Information System
SIS II	Second Generation Schengen Information System
SME	Small and Medium-Sized Enterprises
SSM	Undersecretariat for Defence Industries (Turkey)
SSR	Security Sector Reform
TAP	Trans Adriatic Pipeline
TEC	Treaty Establishing the European Community
TEEP	Training and Education Enhancement Programme
TEU	Treaty on European Union
TFTP	EU-US Terrorist Finance Tracking Programme

TNPNW	Treaty on the Non-Proliferation of Nuclear Weapons
UfM	Union for the Mediterranean
UN	United Nations
UNAMA	UN Assistance Mission for Afghanistan
UNAMI	UN Assistance Mission for Iraq
UNMIBH	UN Mission in Bosnia and Herzegovina
UNMIK	UN Interim Administration Mission in Kosovo
USSR	Union of Soviet Socialist Republics
VIS	Visa Information System
WA	Wassenaar Arrangement
WEAG	Western European Armaments Group
WEAO	Western European Armaments Organisation
WEU	Western European Union
WMD	Weapons of Mass Destruction
WTO	Warsaw Treaty Organization
WTO	World Trade Organisation

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This book presents various issues that are pertinent to the dynamics and development of European security. It is primarily intended for any student or professional who wishes to explore issues regarding the security environment of the European Union and the institutional mechanisms and instruments in the field of European defence. It focuses on the principles and the mechanisms of the EU's CFSP. The contemporary dimensions of the European architecture of security are presented against the backdrop of the political and institutional development of the European community and the European democracies' process of integration since World War Two, while paying significant attention to South East Europe.

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