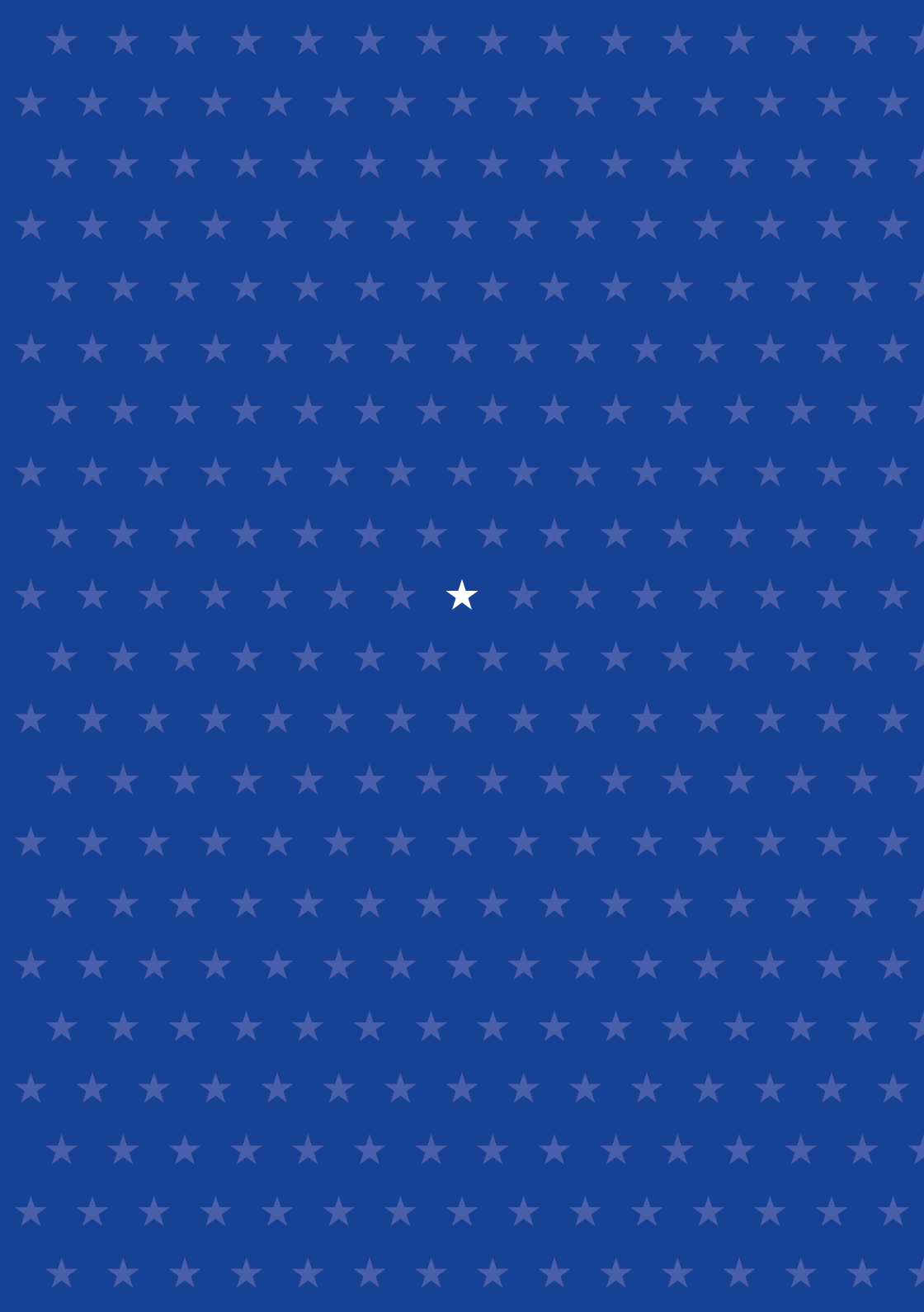


EUROPEAN CITIZENS FOR  
**EUR★PEAN FOREIGN POLICY**





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**SLOVENIAN PANEUROPEAN MOVEMENT**

# CONTENTS

ABBREVIATIONS.....	6
NOTES ON CONTRIBUTORS.....	8
INTRODUCTION: PANEUROPEAN FOREIGN POLICY	
Igor Kovač and Karolina Praček .....	13
EUROPEAN CITIZENS FOR EUROPEAN FOREIGN POLICY	
Erhard Busek .....	21
GEOPOLITICS AND EUROPEAN GRAND STRATEGY	
David Crikemans .....	32
EU FOREIGN AND SECURITY POLICY: FROM MAASTRICHT TO LISBON AND BEYOND	
Adrian Hyde-Price .....	42
REFRAMING EU SECURITY CHALLENGES: TRANSCENDING THE INTERNAL-EXTERNAL DIVIDE	
Alistair J. K. Shepherd .....	60
CHALLENGES TO EUROPEAN SECURITY	
Carlo Jean .....	71
DIVISION AND COMMON SENSE OF THE EU	
Iveta Radičová .....	85

THE OSCE AND ‘EUROPEAN CITIZENS FOR EUROPEAN FOREIGN POLICY’ Lamberto Zannier .....	97
IMPLEMENTATION OF UN SANCTIONS AS AN EXAMPLE OF THE RELATIONSHIP BETWEEN EU LAW AND INTERNATIONAL LAW Ana Polak Petrič .....	106
EU FOREIGN POLICY: COOPERATION WITH NATIONAL DIPLOMACY – A PRACTITIONER’S VIEW ON THE EEAS Leon Marc .....	128
RECONNECTING WITH THE CITIZENS Tadej Rupel .....	133
EU ENLARGEMENT THROUGH EDUCATION WITH AN EMPHASIS ON CSEE Ludvik Toplak .....	137
THE FUNDAMENTAL RIGHTS OF BIH CITIZENS Valentin Inzko .....	146
LATVIA’S EU PRESIDENCY PRIORITIES IN FOREIGN POLICY Imants Viesturs Lieģis .....	150
ATTITUDE OF SLOVENIAN CITIZENS TOWARDS THE EU 2004–2014 Miro Haček and Simona Kukovič .....	158
EUROPEAN CITIZENS FOR EUROPEAN FOREIGN POLICY, A CONCLUSION OF THE PROJECT Laris Gaiser .....	168
CONFERENCE PROGRAMMES .....	181

# ABBREVIATIONS

**AFSJ:** Area of Freedom, Security and Justice  
**AWACS:** Airborne Warning and Control System  
**BiH:** Bosnia and Herzegovina  
**BRICS:** Brazil, Russia, India, China, and South Africa  
**CAI:** Computer-Assisted Instruction  
**CAP:** Common Agricultural Policy  
**CFSP:** Common Foreign and Security Policy  
**CIVCOM:** Committee for Civilian Aspects of Crisis Management  
**CJEF:** Combined Joint Expeditionary Force  
**CJEU:** Court of Justice of the European Union  
**COSI:** Standing Committee on Internal Security  
**CSDP:** Common Security and Defence Policy  
**CSEE:** Central and Southeast Europe  
**DNA:** deoxyribonucleic acid  
**EATC:** European Air Transport Command  
**ECB:** European Central Bank  
**ECR:** European Court Reports  
**EDA:** European Defence Agency  
**ESS:** European Security Strategy  
**EEAS:** European External Action Service  
**ERRC:** European Rapid Reaction Corps  
**ESDP:** European Security and Defence Policy  
**EU:** European Union  
**EUAVSEC:** The European Union Aviation Security Mission  
**EUBAM:** European Union Border Assistance Mission  
**EUCAP:** European Union's capacity building effort in the Horn of Africa and the Western Indian Ocean  
**EUROSUR:** European Border Surveillance System  
**EUTM:** European Union Training Mission



**GDP:** gross domestic product  
**HR/VP:** High Representative of the Union for Foreign Affairs and Security Policy / VicePresident of the European Commission  
**ICT:** information and communications technology  
**ISR:** intelligence, surveillance and reconnaissance  
**ISAF:** International Security Assistance Force  
**ISIS:** Islamic State of Iraq and Al-Sham  
**ISS:** Internal Security Strategy  
**JHA:** Justice and Home Affairs  
**LoI:** Liaison Officer Initiative  
**MINT:** Mexico, Indonesia, Nigeria, and Turkey  
**NATO:** North Atlantic Treaty Organisation  
**NGO:** non-governmental organisation  
**NIS:** Network and Information Security  
**OCAR:** (Organisation Conjointe de Coopération en matière d'Armement) Organisation for Joint Armament Cooperation  
**OSCE:** Organization for Security and Co-operation in Europe  
**PhD:** Doctor of Philosophy  
**PSC:** Political and Security Committee  
**QMV:** qualified majority voting  
**R&D:** research and development  
**R&T:** research and technology  
**SALIS:** Strategic Airlift Interim Solution  
**TFEU:** Treaty on the Functioning of the European Union  
**TOC:** transnational organised crime  
**TTIP:** Transatlantic Trade and Investment Partnership  
**UN:** United Nations  
**UNSC:** United Nations Security Council  
**UK:** United Kingdom of Great Britain and Northern Ireland  
**US:** United States of America  
**WMD:** weapons of mass destruction

# NOTES ON CONTRIBUTORS

## **ERHARD BUSEK**

is the Coordinator of the Southeast European Cooperative Initiative and Chairman of the Institute for the Danube Region and Central Europe. He served as Vice-Chancellor of Austria 1991–1995 and was an important reformer of Austrian universities. From January 2002 to June 2008, he served as Special Coordinator of the Stability Pact for South-Eastern Europe.

## **DAVID CRIEKEMANS**

is an assistant professor of international relations at University College Roosevelt, University of Antwerp, and a lecturer at the Geneva Institute of Geopolitical Studies. He used to hold academic positions at the Royal Military Academy in Brussels, the Catholic University of Brussels and Jacobs University Bremen.

## **LARIS GAISER**

is a research fellow at Globis Institute – University of Georgia, USA, and at the Guglielmo Marconi University in Rome. He is also a visiting lecturer at the Vienna Diplomatic Academy. In 2012 and 2013, he served as acting President and Vice-President of the Euro-Mediterranean University (EMUNI). Since April 2012, he has been a member of the Slovenian Foreign Ministry's Strategic Council and he became the President of the Slovenian Paneuropean Movement in May 2012.

**MIRO HAČEK**

is a professor of political science and Head of Political Science Department at the Faculty of Social Sciences, University of Ljubljana. He also teaches at the University of Trento. He used to be a professor at the Hong Kong Baptist University, South Dakota State University, and Hughes Hall in Cambridge. In October 2012, he was elected Vice-President of the Central European Political Science Association (CEPSA).

**ADRIAN HYDE-PRICE**

is a senior lecturer at the Department of Political Science at the University of Gothenburg, and is a member of the Centre for European Research (CERGU). He was previously professor of international politics at Bath University, Leicester University, University of Birmingham, University of Southampton, University of Manchester, and Lund University. He has also held several think-tank research positions at Chatham House, the Stockholm Institute of International Affairs, Konrad Adenauer Foundation, and the Friedrich-Ebert Foundation.

**VALENTIN INZKO**

is an Austrian diplomat, descendent from the Slovenian national minority in Austria. He currently serves as High Representative for Bosnia and Herzegovina, a role which he assumed on 26 March 2009. Between 2009 and 2011, he also served as EU Special Representative for Bosnia and Herzegovina.

**CARLO JEAN**

is an Italian general and researcher, expert in military strategy and geopolitics. He has written numerous articles and publications

on the topic of geopolitics and geoeconomy, making him well respected in Italy and around the world.

#### **IGOR KOVAČ**

is a Ph.D. student and researcher at the University of Cincinnati, where he focuses on the definition of power and the definition of geopolitics. He is the author of *The Power Structure of the Post-Cold War International System* (2012).

#### **SIMONA KUKOVIČ**

is a PhD candidate, research and teaching assistant at the Faculty of Social Sciences, University of Ljubljana.

#### **IMANTS VIESTURS LIEĢIS**

is Ambassador Extraordinary and Plenipotentiary of the Republic of Latvia to Hungary and non-resident Ambassador to Croatia, Montenegro and Slovenia. During his rich diplomatic career, he has also served as Ambassador to NATO, Benelux countries and Spain. From March 2009 to November 2010, he was Latvian Minister of Defence.

#### **LEON MARC**

is a diplomat and publicist. He studied at the University of London, and joined the Slovenian Ministry of Foreign Affairs in 1993. Apart from his lively diplomatic career, where he has served as the Head of the Sector for South-East Europe, the Head of Minister's Office, and Deputy Secretary-General, he also used to write for Oxford Analytica.

#### **ANA POLAK PETRIČ**

is the High Representative of the Republic of Slovenia for Succession Issues at the Ministry of Foreign Affairs and is also the editor

of the International Law Series. Along with her diplomatic career, she teaches international law at the European Law Faculty.

#### **KAROLINA PRAČEK**

is a graduate student of International Relations at the Faculty of Social Sciences, University of Ljubljana. She was the president of Model United Nations Slovenia Club (MUNSC).

#### **IVETA RADIČOVÁ**

was the first female Prime Minister of Slovakia, in office from 2010 to 2012. Before that, she served as Slovakia's Minister of Defence (2011–2012) and Minister of Labour (2005–2006). She continues her career in the academic sphere, holding positions at the Oxford University and Comenius University.

#### **TADEJ RUPEL**

is a diplomat with an rich career. He currently serves as Slovenia's Ambassador to the United Kingdom of Great Britain and Northern Ireland.

#### **ALISTAIR J. K. SHEPHERD**

holds an academic position at the Aberystwyth University. He is on the editorial board of the Routledge journal European Security. Before taking his PhD, he worked at the Center for Strategic and International Studies (CSIS) in Washington, DC, while he later also focused on global market intelligence and political risk research for oil and gas market studies.

#### **LUDVIK TOPLAK**

is a Slovenian law professor, former politician and ambassador (to the Holy See). He is Vice-President of the Alma Mater Europaea

University and former Chancellor of the University of Maribor. He is a member of the European Academy of Sciences and Arts.

**LAMBERTO ZANNIER**

is an Italian diplomat who currently serves as Secretary General of the Organization for Security and Co-operation in Europe (OSCE). From June 2008 to June 2011, Zannier served as the United Nations Special Representative for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK).

# INTRODUCTION: PANEUROPEAN FOREIGN POLICY

**IGOR KOVAČ AND KAROLINA PRAČEK**

The present book *European Citizens for European Foreign Policy* is the product of a series of conferences dedicated to the EU, its citizens and its foreign policy. The project kicked off in Vienna in 2013 and continued along the former Austro-Hungarian southern railroad towards Trieste through Ljubljana in 2014. Such a course of events had two symbolic meanings. First, geographic: The topics discussed at the conferences gradually changed with respect to the change of location. Namely, in Vienna the 'Eastern question' was on the table; whereas in Trieste the EU's engagement towards the South was in the forefront. Since all three countries – Austria, Slovenia and Italy – are EU members, the political and institutional challenges to European Foreign Policy were a permanent issue. Second, historical: The first conference was held at the Vienna Diplomatic Academy, which celebrated its 260 anniversary in 2014. This second oldest diplomatic academy in the world was founded as the Oriental Academy by Maria Theresa in 1754, where future diplomats would learn the culture and languages of countries east and south of the Habsburg Empire. These diplomats travelled to their posts on the

same route as the course of project's conferences – from Vienna towards Trieste. It is also a symbol of the need for EU foreign policy to be aware of cultural specifics of the areas it is engaged in.

Knowing geography and history is crucial for understanding foreign policy of an entity. However, the EU is a *sui generis* formation, where the aforementioned determinants cannot fully explain its (lack of) foreign policy. Economy, law, culture, political prestige and fear need to be added to the consideration. Regarding the latter, which seems to be the biggest contemporary challenge to effective EU foreign policy, there is vast literature on (un)certainty and peace building in international relations. Yet, fear within the EU foreign policy discourse that we talk about refers to the fear of losing sovereignty, or fear in terms of losing structural autonomy (Harknett and Yalcin 2012). Erhard Busek presents in this volume his vision how to tackle this fear – through education.

The creation of the EU was a structural answer to the state of the international community. Globalisation was a challenge to European countries that could only be tackled through joint activity. Therefore, one would think that the EU's core diligence would be its foreign policy. However, as is commonly known, this is not the case. Diplomacy and warfare are the epithet of sovereignty. Going beyond foreign policy coordination and cooperation – analysed in this volume by Leon Marc –, and creating an EU foreign policy requires much deeper trust and a new nation-autonomy constellation. Moreover, trust among politicians is not sufficient, nor is it sufficient to have created trust among other elites. Trust among the peoples of the EU is essential. Building trust within the EU *demos* requires a considerable amount of time. A paradigmatic shift of understanding 'the other' as the focal value of one's interest, not as a point against which one's interest is fixed, represents the heart of the Paneuropean idea. Such a paradigm will reshape national



interests not to be in conflict with one another, and enable the shaping of a European interest – the basis for a solid EU foreign policy. Nevertheless, in the meantime, while this new mindset is being created, David Crikemans offers in this volume four steps for moving forward in EU foreign policy: little sister strategies instead of heading for a Grand Strategy, increased role of the European Parliament, greater think-tank/NGO/academic activity, and having a powerful persona at the helm of EU foreign policy.

Unfortunately, since the beginnings of the EU, inadequate effort has been made to create this new mentality and build trust among European nations. This has come to haunt the EU today. Petty intra-institutional struggles and frivolous states' quarrelling dim aspirations of the *arché* of the European idea. In this volume, Adrian Hyde-Price stresses that the biggest problem is the internal bureaucratic structure. Observing such a situation, EU citizens consequently grow discontent with the European project, which is described by Miro Haček and Simona Kukovič. It is exactly this point that has generated the motivation for the *European Citizens for European Foreign Policy* project, as it is based on the wish to stop this trend and start building trust among the peoples of the EU.

The goal of the project was to provide holistic discussion about EU foreign policy. Thus, conferences included speakers from a variety of fields related to the issue of discourse: national diplomats, representatives of the EU and other international organisations, politicians, professors, researchers at think-tanks, NGO activists, essayists and writers, entrepreneurs, bank officials, journalists, and lawyers. The programmes of the conferences can be found at the end of the volume. Some of the speakers contributed their thoughts to this volume.

Each contribution tackles a particular aspect of EU foreign policy. This diversity of topics and authors gives the reader an

opportunity to obtain an interdisciplinary analysis on different aspects of EU foreign policy. Still, several essays discuss the same challenges and issues: the eurozone crisis; the lack of a common approach towards external security threats for the EU; issues related to the EU's neighbouring states; the gap between EU institutions and citizens; the Ukrainian crisis; and ISIS. Yet, what is indeed common to all authors is their commitment to present possible improvements for the EU.

The Ukrainian crisis and ISIS made headlines in 2014. Both were extensively debated at the conferences within the project and were in the back of the minds of many contributors. However, what is more important is that these two events once again proved our earlier statement that EU foreign policy should be at the heart of EU policies. Not only were EU members divided on these two important issues, but the EU itself has, due to a lack of its own policy, applied a policy of a different entity – the US. Especially in the Ukrainian crisis, which could be ‘the true hour of Europe’, where the EU could show its diplomatic capabilities and deep cultural understanding of the region, the EU played a role of a child born prematurely. Decisions with global impact are taking place without the EU; global governance is conducted without the EU. If some of the EU member states on their own (e.g. Germany) still have, although very limited, global impact, it is so only due to the EU. To be specific, German economic power derives from the EU free market. The EU does not live up to its potential. Furthermore, this EU foreign affairs passivity contradicts the very fundamentals of the European idea. Our point is that the project of European integration was created so that the nations of Europe could remain global players. We could have reached the free market among European nations also by only following the principles of globalisation. But the EU is much more than just a free market. It is a culture and an

idea of an actor in world politics. The problem is, however, that we as a European society were not able to fully realise our potential. It is time for the baby to mature.

Ripening of the EU has to be swift and intense; there is no more time for a gradual 50-year long maturation. The EU needs a bit of 'political creationism', and the only way to achieve that is with a new generation of strong pro-European statesmen. If they are indeed a scarce commodity these days, Europeans have to put their trust and hope into education. Through education, European values are internalised and strengthened, and they lead to active citizenship. Only then, Carlo Jean argues in this volume, will we be able to create a European strategic culture; and Ludvik Toplak presents an interesting case study of that.

Moreover, strategic and careful planning of the EU's future foreign policy should take into consideration the geopolitical realities and predictions for the coming decades. EU foreign policy should not become entrapped by any idea like 'civil power' or 'normative power'. The ability to adapt to the rapidly changing power relations within the world will be a crucial quality of EU leaders. Perceptions of reality by political leaders, their understanding of opportunities, threats, capabilities and limitations of the international system need to reflect the logic of Max Weber's ethics of responsibility. The EU should seek a foreign policy of an 'ethical end result', not 'ethics of conviction'. To be virtuous you need not be innocent. EU leaders should be bound to assert European interests in the world and pursue a policy beneficial for its citizens. A case in point is once again the Ukrainian crisis, where EU members followed a rather hawkish US policy instead of securing its interest by preceding trilateral talks with Ukraine and Russia.

Thus, the inefficient EU policies become a threat to the EU on their own. A consequence of the internal-external security divide

– an issue tackled by Alistair Shepherd in this volume – leads to states making the EU a scapegoat for their own failed policies. The best example is, of course, the economy, as presented in the contribution by Iveta Radičová. Fiscal imprudence in the past was not of EU-making, but was e.g. German, French, Greek, or Slovene. This is why the EU needs strong leaders in order to combat these libels. In this sense, the Presidency of the Council of the EU is still essential. As Imants Viesturs Lieģis explains in this volume, their importance lies, first, in setting the agenda and identifying the crucial issues to be discussed by the leaders of EU member states, and second, in directing and facilitating the procedures and discussions.

However, one must not overlook the commitment and results of the EEAS in foreign policy and in serving as a bureaucratic tool for policy coordination. Probably the biggest success story with a high profile for the EEAS in the past five years is the breakthrough in the Iranian nuclear programme negotiations. The EU, led by HR/VP Catherine Ashton, played a crucial role in the diplomatic efforts leading to the Joint Plan Agreement reached on 24 November 2013. The agreement still needs a technical supplement, yet, it does not seem that the EEAS's zeal will fade as negotiations continue and a final comprehensive deal seems closer than ever. This case proves that the EU is able to assume a leading role in delicate international situations, and that it can talk and cooperate with the US and Russia at once, regardless of the initial positions of the actors involved. One would hope that this positive example would be followed by others, for instance in Ukraine. Nevertheless, international relations have many shades of grey, and the EEAS has not fully used the possibilities offered by the OSCE and the NATO-Russia council. In this volume, Lamberto Zannier discusses the EU-OSCE cooperation 40 years after the Helsinki Accords. On the other hand, as Ana Polak Petrič argues, the EU does take advantage

of other international organisations and their means of addressing international challenges – namely UNSC sanctions.

Finally, we stress the importance of political concentric circles of EU foreign policy. Its first circle is EU enlargement policy, where legal, economic and political standards are brought into the forefront. These issues are tackled in this volume by Valentin Inzko on the case of BiH. The second circle is the EU neighbourhood policy; and the third circle is EU foreign policy. Although different in their substance, it would be beneficial that all these policies would be conducted through the same institution and bureaucracy.

To conclude, every policy of a state is conducted for the benefit of its citizens. Analogically to the words of Tadej Rupel in this volume – the EU needs to reconnect with its citizens, and EU foreign policy needs to connect with EU citizens. If this book serves the first purpose, there is an apparent need for a different book – the kind that will capture the wishes and expectations of the EU *demos*, and will be targeted at and read by politicians leading the EU and its foreign policy. An epitaph by Roman historian Tacitus has been used for European integration in the past, saying that ‘it seemed capable of being a power, until it tried to be one’. The EU has not tried yet, and we will not know whether we really are a global power until we try to be one.

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# EUROPEAN CITIZENS FOR EUROPEAN FOREIGN POLICY

**ERHARD BUSEK**

The real question is what does foreign policy in the context of New Europe mean? Traditionally, we have foreign ministries, but in reality everything concerning Europe is an internal affair for every country. Surely, there is an outside relation of the EU, but the battle who is deciding within the EU is among the European Council, the European Commission and the European Parliament. Before we look into this foreign policy question, we have to look at some completely changed preconditions. I am mainly referring to education.

Since the Treaty of Rome, the political fields of education and culture have been excluded from the agenda of Europe. This is understandable because the reasons for European unification were developed on another level. Cooperation in the area of iron and steel was created to bring an end to the warfare between Germany and France, which had dominated European history. The development of free market mechanisms was aimed at strengthening the wellbeing of European nations. The framework programmes for research and technology were necessary to avoid 'Eurosclerosis' in light of competition with America and South-East Asia. There is a prevailing Eurosceptic view on this development of European integration as being a success story. The public is under the impression that European integration is only an economic advantage.

The Maastricht Treaty has made it clear that we need more European unity concerning politics and security. Increasing globalisation and mobility of views has made it clear that we also need closer cooperation in education. The Erasmus Programme and other European mobility schemes were just the beginning. Articles 126 and 127 of the Maastricht Treaty created the possibility of European cooperation in the field of education through full observance of the principle of subsidiarity. The White Paper on Education in the EU set a clear roadmap for the future of Europe. It contained practical measures for education to develop the chances for the younger generation in order to avoid increasing unemployment. It also dealt with an important question: What are the prerequisites of European citizenship? Not only legally, but also in the framework of Europe.

## **THE IMPACT OF INFORMATION SOCIETY**

The information society, notwithstanding the new knowledge techniques it heralds, raises the question of whether the educational content it carries will enhance or, on the contrary, diminish the knowledge of an individual. The focus up to now has been on the potential offered by information highways through the revolution-like quasi-instantaneousness possibilities of the internet, which brought companies, researchers and the academia closer together. The fear is based on the risk that the quality of multimedia products, particularly in educational software, could lead to knowledge of the lowest common denominator in which people would lose their historical, geographical and cultural bearings.

Some remarks about CAI: Even though most teacher-developers are highly motivated, their products can often be disappointing. This is due, in part, to a burst of enthusiasm, but a lack of direction at the beginning of the CAI design process. Consequently, some



teacher-made programmes with several good features end up as educationally worthless, while other potentially more significant programmes fail to use many of the best attributes of multimedia. The cognitively based instructional design process can assist teacher-made programmes to rise above multi-mediocrity by fostering worthwhile activities that help students become more proficient in the new basics of the information age.

## **THE IMPACT OF INTERNATIONALISATION**

The internationalisation of the economy is the second factor of upheaval, which has given rise to unprecedented freedom of movement for capital, goods and services.

In its White Paper 'Growth, Competitiveness and Employment', the Commission opted clearly for a Europe open to the rest of the world, but stressed that its future developments should have a distinct European dimension, placing particular emphasis on the preservation of the European social model. Internationalisation thus simply strengthens Europe's position on the world stage. In a changing and uncertain world, Europe is a natural level of organisation. This has been shown through trade policy, technical harmonisation, environmental protection, solidarity between the regions and through real progress in the field of education and training, for example in the Erasmus Programme. Yet, Europe still needs to demonstrate to ordinary people that it is not there just to make regulations, but that it is close to their everyday concerns.

## **BUILDING A LEARNING SOCIETY**

Since the Maastricht Treaty, every white paper can be implemented as an action at the local and national level, or as an action to be

carried out at the European level through cooperation and mutual reinforcement of the EU and its member states.

A tremendous change through education is the importance of the knowledge of different languages. I do not want to say foreign languages, because they should not really be *foreign*. Especially economic development is headed in this direction.

Great explanation is not necessary. This is a big condition if citizens of the EU are to benefit from the occupational and personal opportunities open to them in the border-free single market. This language proficiency must be backed by the ability to adapt to working and living environments characterised by different cultures.

Languages are also the key to knowing other people. They build up the feeling of being European with all its cultural wealth and diversity and of understanding between the citizens of Europe.

It is necessary to add that, by the decision of the Council of the EU for Education, neighbouring Slavic languages will also be understood as Community languages looking at enlargement of the EU.

The nature of capital investment has for a long time been international. This is part of a development concerning mobility, which is the new precondition for foreign policy. Investment of one country is creating an interest for development in another country. So far, investment in training on an equal basis is a precondition for Europe.

Investment in skills is a prime factor in competitiveness and employability. Therefore, investment inputs in human capital are necessary. Accounting and fiscal approaches have to cope with this fact. It is impossible not to consider labour as an asset. Labour is an operating cost and is included as such in the company balance

sheet in form of remuneration and taxes. It is necessary to add investment in education and training in Europe.

The EU's education policy contends that this objective can be attained by building up a learning society of Europe. This move entails radical change. All too often education and training systems map out career paths on a once-and-for-all basis. There is too much inflexibility, too much compartmentalisation of education and training systems and not enough bridges or enough possibilities to let in new patterns of lifelong learning.

Education and training provide the reference points needed to affirm collective identity, while at the same time permit further advances in science and technology. The independence they give, if shared by everyone, strengthens the sense of cohesion and anchors the feeling of belonging. Europe's cultural diversity, its long existence and the mobility between different cultures are invaluable assets for adapting to the new world on the horizon.

Being European is to have the advantage of a cultural background of unparalleled diversity and depth. It should also mean having full access to knowledge and skills. The purpose of European education is to make it possible to exploit these possibilities further; the recommendations it contains cannot claim to provide an exhaustive response to the question. Their aim is much more modest; namely, to help, in conjunction with the education and training policies of the member states, to put Europe on the road to a learning society. They are also intended to pave the way for a broader debate in the years ahead. Lastly, they can help show that the future of Europe and its place in the world depend on its ability to give as much room for personal fulfilment of its citizens, men and women alike, as it has up to now given to economic and monetary issues. It is in this way that Europe will prove that it is not simply a free trade area, but an organised political entity, and a

way of coming successfully to terms with, rather than being subject to, internationalisation.

## **IS EUROPEAN CITIZENSHIP POSSIBLE?**

One of the questions which were raised by the Commission was the relation between education and training and European citizenship. At first glance, everyone thinks this question is easy to answer. I think it is rather difficult and one of the most important questions of the European future. In public discussion we have to answer the following questions: What is meant by citizenship? How to acquire citizenship through education? How to think as a European citizen? What do we mean by solidarity in Europe? What is the motivation behind European citizenship? What is the current meaning of social cohesion in Europe?

We feel European citizenship as an original idea. But, on the other hand, there is no feeling of the Europeans as European citizens. We are in the early days of this idea and have to do a lot for it to work. Why is this so?

European citizenship is an essentially humanistic idea designed to construct a democratic Europe that is respectful of a balance among economic, technological, ecological and cultural considerations. The *European vision* is one in which our nations learn to live together and to settle their disputes without seeking foreign scapegoats. Yesterday's European nightmare was the Holocaust, today's is ethnic cleansing.

So the mission is to muster the people of Europe to take on one of the greatest challenges of all time: to construct a greater Europe within a continent that is characterised by cultural differences, differing economic approaches and varying natural environments, but one which is also united by a feeling of belonging to a common

civilisation. For the first time, European integration will not be the result of political or military hegemony imposed by a dominating power. Rather, it will be the outcome of the steady progress of democratic decision-making processes.

This process of European integration does not require a choice between the 'most typical' institutional systems of different nations. Rather, it is based on a shared political culture of democracy – and it is what Europe, at its best, can offer to the rest of the world. This is the route towards a post-national model of Europe to which Europeans will feel they belong as citizens; not because they subscribe to a common culture (which cannot, in any case, be imposed) or because of their specific origins, but because this sense of citizenship will emerge from the new social relations that Europeans establish between themselves.

Europe can thus rise to the huge challenge of *living together* in a context of individual and collective freedom (of cultural diversity). In such a context, the majority rule, which is the linchpin of democratic institutions, must take due account of the legitimate expression of differences, but should not be placed under permanent pressure from those differences. The most valuable lesson that a democratic regrouping of European nations can offer the world is perhaps the experience of learning in our daily practice that the values each of us holds to be universal may be more particular than we believe. It is through tolerance, which can be learned, that we become capable of distilling non-contradictory and mutually acceptable values. On this basis, can we then cooperate with each other. In this way, Europe, caught up in global competition, can maintain a sufficient level of solidarity, keeping true to the spiritual foundation of its humanist values. At the same time, Europe can thus develop an open and continuous global dialogue with other peoples and cultures.

This is the road we are walking today. It is important for Europeans, particularly young people, to realise what is at stake and take responsible part in the debates and the choices to be made. If education and training fail to provide impulse to this debate, which is well underway among intellectuals, then the new Europe will pursue its reconstruction in complete contradiction to its own democratic principles. The process of integration will enjoy no popular support and will be seen to have been imposed from above. The result will consequently be fragile.

The new European citizenship needs to be considered in the context of:

- the world as decreasingly Eurocentric in orientation;
- the information society and economic globalisation;
- multipolar conflicts: the emergence of tribalism;
- multiculturalism and the implosion of the nation-state;
- the crisis in systems of political representation;
- social exclusion and the degeneration of urban life;
- the disintegration of agencies of socialisation.

Citizenship is not simply a collection of behavioural principles founded on common values and norms. If the aim is to lend citizenship identifiable content, one that people will want put into the practice, then we must go further. Citizenship is a multifaceted idea: it is to be understood as a social practice, as a normative idea and as a relational practice. It also has democratic, egalitarian, intercultural and ecological dimensions.

Citizenship is also closely related to the kind of society and polity we want to live in: citizenship is thus a normative idea. Contemporary democratic citizenship is therefore allied with the concept of civil society and its moral/ideological defence. This aspect of citizenship speaks to the identities and values held by political communities, i.e. cultural/ethnic groups and nations/states. It

emphasises the sense of belonging that develops from shared circumstances and experiences: people become committed to a set of values and norms, they feel a sense of responsibility towards each other and towards the community to which they all contribute (they are all stakeholders).

The main values considered part of Europe's inalienable heritage are values oriented towards the future, not values that are the lines of defence of our civilisation. This is the basis for a progressive version of the knowledge-based society which is now taking shape. In such a society, principles of justice and solidarity can be respected, which will permit shared knowledge, the best remedy against intolerance in our nations. These values are:

- human rights/human dignity,
- fundamental freedoms,
- democratic legitimacy,
- peace and rejection of violence as a means to an end,
- respect for others,
- a spirit of solidarity (within Europe and vis-à-vis the world as whole),
- equitable development,
- equal opportunities,
- the principles of rational thought: the ethics of evidence and proof,
- preservation of the ecosystem,
- individual responsibility.

It would be a better option to:

- encourage the production of European history books based on a common vision;
- study in detail the key facts of discrimination among citizens, particularly those related to the issues of gender and inter-ethnic relations;

- promote university research on these issues;
- present – in the teaching of history, social science or literature – analyses on the main areas of social, political and ethnic conflicts which lead to violence in Europe itself and in Europe's bordering regions. These analyses could be tackled by pupils as group projects and used as a basis for discussing the basis for common identity.

Why is it necessary to concentrate on European education? Because this is a precondition for European citizenship and this is also a precondition for foreign policy on behalf of Europeans. Let us consider that Europeans only make up seven percent of the world's population. Of course, Europe as an idea is important for nurturing economy, science and research and cultural qualities of our continent. But we have to concentrate on the question of which message, which vision of Europe we are sending out to the whole world. The colonial time is gone, and the structure of superpowers since the fall of the Iron Curtain is also gone. We have a multiplicity on foreign policies. So far, the only chance we have is to distribute the message described by the above values.

For sure, we have to settle a lot of problems, but this comes second, yet not less important. It is quite clear that concerning Eastern Neighbourhood we have not been too successful, as we can see today. In the Middle East and Central Asia, there are huge problems coming up, maybe we are amid a war. The Mediterranean Area and the whole Muslim world are in movement, and we are not producing the right answers to these challenges at the moment. Of course, they have to be developed, but in a way that it is unique for Europeans. The European message can only be one thing: the civil society. Moreover, we have to be aware of tendencies in the background: Eurosceptics. They work especially through a new kind of nationalism, which is not really nationalism, it is egoism. In the



global village of today you cannot settle the problems with egoism because then we will have no village community, only isolated identities in an ongoing battle with each other. Still, the real aim of foreign policy is to guarantee peace all over the world. It is not an illusion – it is possible.

# GEOPOLITICS AND EUROPEAN GRAND STRATEGY

**DAVID CRIEKEMANS**

This chapter provides a brief overview of contemporary ‘Geopolitics and European Grand Strategy’. Three topics will be discussed. First, does a Grand Strategy of the EU exist? Second, with the end of the Cold War it seems that the EU lost geopolitical significance. The US is shifting its attention to the Pacific. Moreover, the Eurasian Heartland has become a space of collision for the great powers. What can a geopolitical and geo-economic analysis teach us about the EU’s interests? Third, I address the psychological dimension of this discussion. In conclusion, I analyze the current intra-European diplomatic debate on the Grand Strategy and provide some suggestions how to move forward.

## **A EUROPEAN GRAND STRATEGY?**

The Founding Fathers of European integration did not have an explicit geostrategic vision; cooperation between the six initial countries was envisioned around the core of the economy of the time: coal and steel. The Monnet Method was a technical, a functional instrument. Cooperation was believed to ‘spill over’ into other policy domains.

## **DEFINITION**

How would one to define Grand Strategy? John Gaddis (2009) defines it as the calculated relations of means to large ends. Grand Strategy demands the fixing of a limited number of objectives followed by their focused pursuit. Also, a strategic approach must be able to offer a framework of response for unexpected circumstances. Grand Strategy also requires discourse to shape minds in a certain direction, for a specific period of time.

The crises with which the EU has been confronted since the 1990s provide a rather bleak picture of the EU's ability to respond. In the past, Brussels often lacked a strategy to deal with crises; in Yugoslavia in the 1990s, in Iraq during 2003 when the EU was split down the middle, in Afghanistan, during the Arab Spring, in Libya, in Syria and recently in Ukraine. In each of these cases, one can ask questions regarding the ability of the EU to think in geopolitical terms about its interests and act upon them. However, the EU has, over recent years, developed a set of policy documents to help it in these matters.

## **EUROPEAN GRAND STRATEGY: KEY DOCUMENTS**

Several key documents form the framework of the current European Grand Strategy. In 2003, the first document was developed: 'A Secure Europe in a Better World'. It was written by a team around the then EU High Representative Javier Solana. The document was praised at the time, but it was very much a product of the post-9/11 era. A lot of geopolitical challenges, such as energy, China and the changing geopolitical chessboard or cyber-security are not tackled in it. In 2008, a process to try to develop a new political document did not materialise. Hence, the European governments chose to adopt 'A Report on the Implementation of the European

Security Strategy'. This remained a rather general document that just stressed what had happened in the world with regard to different challenges; WMD, terrorism and organised crime, energy and climate issues, etc. In July 2013, the EU HR/VP Catherine Ashton wrote an Interim Report in preparation for the December 2013 European Council on Security and Defence. Although the document had some technical aspects, there were a few pages on the changing geopolitical landscape in it. It proposes action to strengthen the CSDP, and it talks about new security challenges, such as cyber, space and energy. It stresses the challenges along Europe's borders (and the need for a European maritime strategy); it also talks about crisis management and (post-)conflict management. Last but not least, it discusses problems in the area of capabilities and the place of the European defence industry and R&T.

Is there no debate on European Grand Strategy? Well, actually there is, but it is a very limited one among specialists. Different think tanks in Brussels are working on it (e.g. the Belgian Egmont Institute). But the problem with the debate is that it often remains technical. It should be opened up much wider. The core questions are: Who are we Europeans? What are our values and norms? What are our interests in a rapidly changing world? The answer is economic, political, military, even psychological and societal. One needs a multidisciplinary approach to see all the interconnections. The geopolitical approach is often used in grand strategic questions, because it is holistic in nature, and tries to bring all elements together.

## **A BRIEF ANALYSIS OF THE MAIN GEOPOLITICAL AND GEO-ECONOMIC CHALLENGES WITH WHICH EUROPE IS CONFRONTED**

The world is changing fast. There are clear geo-economic and geopolitical shifts underway, which affect Europe.

First, there is the American Pivot to Asia. Although president Obama is talking about it, the empirical evidence of such a pivot is rather limited. During the past years, Washington once again, reluctantly, needed to occupy itself with the Middle East. Some Europeans feel 'lonely' because of the pivot. Others are realising the US is pivoting away from somewhere – Europe. The strategic burden is too high for the US; they want Europe to do more. This will become more pressing. On the other hand, Europe already spends around 190 billion euros in total on defence. The results the European taxpayer gets for this investment are suboptimal to say the least – both in terms of capabilities and coordination (e.g. logistics, power projection) as in terms of general strategic culture. This overall strategic culture is still in the process of being invented. In this regard, for example, the European Security and Defence College's High Level Course can be mentioned, which takes place under the guidance of the EEAS. But it might take a generation for a European strategic culture to fully materialise.

Second, there is a fundamental shift in energy underway in the world. The US have entered an era of unconventional shale oil and gas and also of deep sea oil. This profoundly changes the situation, and has serious consequences for Europe. The price of energy in the US is dropping. This is having an impact on the economic security of Europe. An environmental and economic externalisation is taking place, to the detriment of the EU. This not only affects our main energy prices, it also affects our petrochemical industry (e.g. the second most important petrochemical cluster in the world, based in Antwerp). These companies will all prefer to invest in competitor port-city Houston if the price gap remains or further widens. At the same time, the US is projected to become energy independent. Washington is attempting to pursue a 'decoupling strategy' vis-à-vis the Middle East. In the 2020s, Europeans will no longer be able

to call 911-US-NAVY if there is a problem in their energy imports from the Middle East. It could be that future American presidents will no longer be really interested in the Middle East because the US would no longer need the region as a source for their domestic energy consumption. In energy terms, Europe risks to be an object, rather than an actor. Brussels needs an energy strategy which also adheres to the wish of many European countries to move towards a more sustainable world. Shale gas and oil are not a bridge to such a world, but an obstacle. Natural gas could be a bridge. In the Eastern Mediterranean, new gas fields have been discovered; off the coast of Israel, Cyprus, perhaps Greece. This region is much more strategic for us as Europeans than we realise. The recent crisis over Ukraine has shown a European willingness to put energy back on the European agenda. The new President of the European Council Donald Tusk has proposed a European energy union in the past. It will take quite some time for that to materialise. Nevertheless, the EU should pursue a smart combination of policies, such as energy efficiency, resource diversification in geographical terms, creating a diverse energy mix in functional terms, and intra-European energy grids and solidarity.

Some countries believe in unconventional fossil fuels, others in a renewable energy future. Taking into account the vast challenges in terms of climate, it would be best for the EU to mainly invest in the renewable energy technology sector. From an external geopolitical perspective, the countries that invest in renewable energy sources and technology now may become the dominant geopolitical players tomorrow. Those territories that today contribute in developing the technologies and the standards that accompany them will, therefore, have a much better starting position from which to create this power base. On the other hand, most technologies in renewable energy and the clean-tech sector are so complex that in-

ternational cooperation is needed to bring them about. This is again an area where the EU could play a major role. Potential geopolitical tensions, solutions or potential for cooperation are linked very specifically to each type of renewable energy (solar, wind, photovoltaic, geothermal, tidal, etc.) and also to the natural resources which are available in each country. The concept of 'geo-technical ensemble' makes this more visible. The new technologies that are developed together with the geographical opportunities and limitations of certain geographical areas will determine the new geopolitical context, within which countries, regions and territories will be able to operate, create welfare and wellbeing, and develop a power base – both literally and figuratively. That is why the energy and climate topic will be one of the key geopolitical and geo-economic challenges for the EU in the coming decades.

Third, Asia is returning to normality. For many centuries before the 1820s, China was the main economic power in the world. This seems to be happening again, although we do not know whether the current Chinese and Indian growth is sustainable. The question is whether the EU can build strategic relations with the countries in this important region. Much of the future growth in purchasing power will be in Asia. Similarly, the region's political clout is expected to increase. Fostering active diplomatic, political and economic ties will be crucial for the EU's future prosperity.

Fourth, Africa is gaining importance (markets, raw materials, energy, natural resources and economic growth). The EU has a lot of experience there (e.g. Belgium in the area of the Great Lakes) and could still play a role. However, the rules of the game have changed now that China has entered the scene. For the first time in many decades, different parts of Africa show substantial economic growth. This could be an opportunity. On the other hand, many challenges remain in terms of security in the region. In recent years, some

European countries, such as France, have become active in counter-terrorism operations in, for example, Mali. That situation is likely to continue. The EU should foster relations with Africa and create a stable partner in the south for the future.

Fifth, the Arab Spring has turned into an Arab Winter. Being at our doorstep, stability in the area is in the EU's core interest for our external and internal security. Yet, at the same time, it has proven very difficult for the EU to achieve its goals. The HR/VP did meet both government and opposition parties in, for example, Tunisia and Egypt. In Egypt, Ashton asked for an inclusive approach. In the end, the Muslim Brotherhood was banned anyway. The approach of the EU was also 'more for more' – the more reforms you introduce, the more money you get. But is external relations not much more than just chequebook diplomacy?

It is sometimes said that the other players in the international community (the US, Russia, China, etc.) play chess, and that the EU plays ping pong. It uses a whole different approach. The EU, based on its legal foundation, also believes in the internal and free market. But the world does not always work this way.

In conclusion, a fundamental geopolitical shift of a structural nature is underway. A Grand Strategy could be a good way of dealing with a multitude of challenges.

## **THE PSYCHOLOGICAL ASPECTS OF THE GRAND STRATEGY DEBATE AND A REALITY CHECK**

Sometimes we as Europeans are much too pessimistic. French geopolitical scholar Dominique Moïsi (2010), for instance, speaks about fear and the idea that 'the best times are behind us' as dominant emotions in the West, whereas Asia is dominated by the emotion of hope. Hope is also possible for Europe. However, this is also related



to how we see ourselves and our relationship to one another. In these days of austerity, the blame game among European countries is affecting the fundamental solidarity and sense of belonging together within the EU. The north versus the south. The paymasters versus the spenders. That image is not correct. Yes, Germany, the Netherlands and other countries profit from a lower euro in their business models (exports). If their national currencies still existed, they would be much stronger, and their exports would not have been able to grow as strong. By the way, their biggest market is also the rest of the eurozone and of the EU. If the later is in trouble, they will have problems later down the road as well.

Why is this relevant? Well, some degree of internal cohesion is also necessary in order to be able to define your joint external interest. Interests may have been a not-so-politically-correct word in the EU in the past, but we will have to think more in these terms. It could be that we discover that a lot of our interests at the end of the day are similar. Ultimately, the fate of all European countries is linked to each other, even France and the UK. But these two countries, of course, have a much bigger tradition of (national) strategic thinking than other countries (e.g. Belgium).

## **THE CURRENT INTRA-EUROPEAN DIPLOMATIC DEBATE ON GRAND STRATEGY AND SOME SUGGESTIONS TO MOVE FORWARD**

Let us now look into the current intra-European diplomatic debate on a Grand Strategy for Europe. What do diplomats working within the EEAS have to say about it? The EU has perhaps not managed to create a new Grand Strategy, but over the last years a number of sub- or little sister strategies have been developed: *Sahel Region*, *Horn of Africa*, *Central Africa*, *cyber-security* and *WMD*. In December 2013, during the European Council on Security and Defence in Brus-

sels, a *Maritime Strategy* was also adopted. So, things are moving but slowly. On the other hand, one could say that a larger strategic vision is necessary. Diplomats within the EEAS identify three obstacles that need to be overcome in order to move forward. They are interlinked. First: process. In 2003, the then strategy was written by a small team around Solana. The wake of the 2001 attacks created a certain momentum in which this was possible. The implementation report in 2008 did not manage to create a new update with respect to new geopolitical and geo-economic challenges, such as energy. Some diplomats are afraid of a heavy and long process. How long will it take? Second: uncertainty about the result. The result after a consultation between 28 capitals could be one that is suboptimal, perhaps even less than what was achieved in 2003. Third: opportunity costs. Diplomats also say that if they invest a lot of money in a new strategy, this takes oxygen out of the system. Then they cannot, for instance, invest in the badly needed capabilities debate. Therein lays a danger. Some diplomats warn that political in-depth Grand Strategy negotiations could be the excuse for some capitals not to advance on the issue of capabilities (e.g. in terms of logistics, satellite capabilities, intelligence, cyber capacity). The EU is still very much dependant on the US in all of these issues. Washington will want more burden sharing, so the capabilities debate is also a pressing one for the EU. This places the situation, of course, in new context. The process does influence and does matter. An even worse situation would be that in the end it would not be possible to reach any political agreement at all on a European Strategy. The political cost of such a situation would potentially be very grave.

What are some ideas how to move forward in terms of a European Grand Strategy? First, some commentators suggest working from the bottom up instead of a top-down approach. One could further develop little sister strategies that at a later date could be

merged into something that could resemble a kind of Grand Strategy. The downside, however, is that the world is changing rapidly in the mean time. Second, perhaps the European Parliament should take the initiative and bring forth a vision? Some EEAS diplomats underline that the EP is increasingly active in the field of external relations. This could further kick-start the debate. Third, other European think tanks and NGOs, the academia, civil society organisations and others can also make a contribution. However, the question then is how to aggregate all these ideas. Fourth, perhaps a really good speech on European Grand Strategy in the European Parliament could already be something like that. Now that Federica Mogherini has been chosen as the new European foreign policy chief, the European Parliament could ask her to come up with a framework for a Grand Strategy, and debate it.

The above ideas are indeed very interesting ones on how to address the different problems in terms of process. However, what will also be needed is content. This is also related to the current lack of real European strategic culture. This may take a full generation, during which the power position of Europe in the world will have changed. Because of the rapidly changing geopolitical and geo-economic challenges in the world, Europe is in urgent need of further defining and operationalising of its Grand Strategy. If this will not materialise, the European continent could end up as a mere spectator of twenty-first century international politics.

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# EU FOREIGN AND SECURITY POLICY: FROM MAASTRICHT TO LISBON AND BEYOND

**ADRIAN HYDE-PRICE**

The EU is yet again faced with another watershed moment: around its borders, it faces growing conflict, turmoil and uncertainty, from Ukraine in the East, through the Balkans and the Caucasus, and across the Middle East and North Africa – most dramatically in Syria/Iraq, where the seemingly unstoppable rise of the Islamic State threatens the stability of the region and the security of Europe. At the same time, the EU is struggling with the problems of austerity and recession in the eurozone and beyond, and rising Euroscepticism in many member states. To deal with these political, economic and strategic challenges, the EU now has a new leadership team, with a new Commission headed by Jean-Claude Juncker. The new Commission includes former Italian foreign minister Federica Mogherini, who takes over from Baroness Catherine Ashton as the EU HR/VP. Hers is the primary responsibility for leading and coordinating the EU's common response to the 'arc of crisis' around its borders.

The question is: how well equipped is the EU to deal with the security threats that assail it from without, and the political and

economic challenges that threaten its cohesion from within? The Lisbon Treaty has enhanced and rationalised the decision-making power and institutional competencies of the EU and its key bodies, and the new leadership team seems well-qualified and competent. However, this article argues that the problem for the EU does not lie in the agents charged with forging and implementing a CFSP, but rather with the structures of power and accountability within which the CSDP is negotiated. Putting it more bluntly: the EU is hamstrung by the continued vitality and dynamism of its member states, who value their sovereignty and autonomy when it comes to dealing with the core issues of statehood – external relations and security. For this reason, the EU's status as an autonomous actor in foreign and security policy is severely compromised, and as Realist international theory suggests, the CSDP is likely to remain firmly intergovernmental despite the stated intentions of the Lisbon Treaty and the best intentions of the new EU leadership team.

### **A NEW MODEL ACTOR?**

For many European liberals, the EU occupies a hallowed position. Widely regarded as a *deus ex machina* that has saved Europe from itself, the EU is seen as the foundation of a post-Cold War – not to say post-national, cosmopolitan and even post-modern – European order (Cooper 2003, 36–7).<sup>1</sup> The European integration process, it is claimed, has involved a process of institutionalised multilateral cooperation that has resulted in the creation of a pluralistic security community and the transcendence of power politics, security competition and the balance of power. Various described as a

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1 For competing perspectives on the nature of the EU, see Caporaso (1996), Risse-Kappen (1996) and Rynning (2005).

‘civilian’ or ‘normative’ power, the EU is regarded as a novel and uniquely benign entity in international politics which serves as the harbinger of a Kantian *foedus pacificum* (Duchêne 1972, 43–4). The EU is credited with having made possible peaceful, institutionalised cooperation between its member states – through a novel peace project manifested in the CAP, structural funds, European Commission directives and QMV. It is also regarded as a source of ‘soft governance’, projecting cooperation and peace in its ‘new neighbourhood’ and beyond.<sup>2</sup> For some more starry eyed liberal-idealists, the EU shapes its external environment, not by what it does, but by virtue of what it is: a normative power embodying what are regarded as the distinctly ‘European’ virtues of harmony, peaceful cooperation, patient negotiation and compromise.<sup>3</sup>

Some, on the other hand, regard the EU not as a harmless soft power, but as an emergent ‘great power’, despite its problematic ‘actorness’ (Buzan 2004, 65–75).<sup>4</sup> Nonetheless, the dominant view of liberal-idealists is that the EU’s apparent weakness as an international actor – namely its paucity of coercive instruments and its consequent reliance on declaratory politics and soft power – in fact constitute the very source of its strength.<sup>5</sup> Such arguments fit comfortably with a view prevalent in European policy-making circles that while Europeans may not come ‘from Venus’, nonetheless, there is a distinctive ‘European’ approach to international politics

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2 ‘Soft governance’, Friis and Murphy (1999, 214) suggest that reflects the fact that EU governance is not limited to formal interaction but to the development of norms and values which condition the actions of its members. These concern a commitment to democracy, respect for the rule of law and negotiation which give the EU the character of a security community and civilian power in the international system. See also Lavenex (2004).

3 Hanns Maull (2005, 778) describes the EU as a post-modern ‘force’, rather than a modern power, which exercises influence and shapes its environment through what it is, rather than what it does.

4 See also Reid (2004).

5 See for example Leonard (2005, 4–7).

that favours diplomacy, persuasion, negotiation and compromise. This is contrasted favourably to the rather more martial (and 'Martial') American approach, which is more disposed to using military coercion and hard power (Kagan 2003). Euro-idealists attach great importance to globalisation, deepening interdependence and the spread of human rights (primarily defined in Western, if not Euro-centric terms), and, consequently, they believe the future belongs to Europe. The EU is, thus, seen not merely as a means of addressing specifically European concerns, but as a model worthy of emulation across the globe – a process that will conclude in the civilianisation of international relations, cooperative global governance and the emergence of a cosmopolitan democratic polity (Elias 1994).

The reality, however, is sadly more prosaic: the EU is far from being a *normative* or *civilian* power, but a long way from being a *great power*. Liberal-idealists tend to overlook the fact that the European integration process was a European solution to specifically European problems, which developed under the very unique circumstances of regional bipolarity, and which was largely driven by its most powerful member states. Liberal-idealists underestimate these structural factors because they favour actor-based ontologies and interpretivist epistemologies. These ontological and epistemological preferences are problematic on three grounds: First, they are reductionist in that they seek to explain international outcomes through elements and combinations of elements located at national or subnational levels (Waltz 1979, 60). Second, they suffer from liberal-idealism's perennial weakness, namely the almost total neglect of power (Carr 1939, cv). As Hedley Bull (1982, 151) noted, the civilian power concept was a contradiction in terms because the power of influence exerted by the European Community and other such civilian actors was conditional upon a strategic environment provided by the military power of states, which they

did not control.<sup>6</sup> Third, they are explicitly normative, in that they regard civilian and normative power as a ‘good thing’. The problem here is that when the object of study is seen as embodying the core values one believes in, it is difficult to achieve any critical distance. As a leading peace researcher has argued, whenever empirical and normative work are closely tied together as critical theorists like to do, there is always the danger that one’s idea of normative goodness (or political interests) will weigh too heavily in one’s thinking about what is empirically true or theoretically adequate (Vasquez 1998, 384).

## **THE EU AND COLLECTIVE MILIEU SHAPING**

The EU’s importance as a collective instrument of external milieu shaping was greatly enhanced by the end of bipolarity. The weakening of Soviet power in Eastern Europe and the subsequent collapse of communist regimes throughout the region confronted EU member states – especially Germany – with the unsettling prospect of political instability and economic crisis on their borders. The new democracies in the post-communist East all sought to ‘return to Europe’ by joining the EU, a prospect not immediately welcome to many member states (Hyde-Price 1996). In this context, the EU acquired a significant new role: projecting stability into Central and Eastern Europe. As we have seen, all states have an interest in the stability of their external milieu. The problem is how the necessary governance tasks can be fulfilled in a self-help system. The ‘hard’ security guarantees sought by the post-communist democracies of East-Central Europe were to be provided by NATO and the US. The EU was to shape the economic,

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6 Bull (1982, 150) noted that the civilian power concept was rooted in the idealist and pro-gressivist interpretations of international relations of the 1920s.



social and political aspects of transformation through utilising a variety of instruments: political partnership or ostracism; economic carrots and sticks; the promise of membership or the threat of exclusion.

As a vehicle for collective milieu shaping, the EU faced its severest test in the Balkans. Catastrophes, Victor Hugo (in Debray 1994, 66) remarked, have a sombre way of sorting things out. Catastrophes often serve to lay bare the stark realities of power relations which can otherwise remain obscure during more placid times, and the tragic wars of Yugoslav succession were no exception. This is the hour of Europe, Jacques Poos announced at the onset of the crisis (Gow 1997, 48–50).<sup>7</sup> But hubris led to tragedy, as ‘civilian power’ Europe proved singularly ill-equipped to exert any significant impact on the warring parties. The violent break-up of Yugoslavia was important for the post-Cold War European security system in four respects: First, it presented EU member states with difficult questions about managing the fall-out from the conflict. Who would take the lead and bear the costs of tackling the common problems of spill-over and regional instability? After the EU’s failure, Britain and France took up the burden, although with little real enthusiasm. Second, it demonstrated the capriciousness and unreliability of the US hyper-power. America, basking in its unipolar moment, chose not to involve itself in Balkan affairs for most of the early nineties – Secretary of State James Baker famously remarking: ‘We don’t have a dog in this fight.’ (Holbrooke 1999, 27)<sup>8</sup> When it did engage, at Dayton and in Kosovo, it did so in ways that unsettled many Europeans. Third, the crisis underlined the limitations of soft power and the need for the EU to have credible military forces to back up its diplomacy if it wished to engage in effective coalitional crisis management (Bildt 2000, 148).

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7 See also Edwards (1992).

8 See also Clément (1998).

Fourth, it exposed the illusory character of many of the claims made for the EU as an international actor. The CFSP was effectively sidelined as Europe's great powers worked through the Contact Group, in a classic example of Concert diplomacy (Jopp 1994; Gow 1997, 260–1; Holbrooke 1998, 114–7). Finally, the Balkans provided the setting where a number of European states re-learned their old great power roles.<sup>9</sup> The prime example is Germany, which shed its *Zivilmacht* reservations about an 'out-of-area' role for the Bundeswehr and assumed the responsibilities that great power status entailed. By the end of the decade, the German government was actively articulating and pursuing its national interests, and had taken part in offensive military operations against a sovereign state without an explicit UN Security Council mandate (Hyde-Price 2000, 164–8).

Events in the Balkans also played a catalytic role in the launch of the ESDP, a development with potentially far-reaching implications for the EU's role as an instrument of collective milieu shaping.<sup>10</sup> The St Malo summit created the political preconditions for the ESDP, which was formally launched at the Cologne EU Summit in June 1999. In December 1999, the Helsinki European Council set the 'Headline Goal' of establishing a 60,000 strong ERRC, capable of being deployed within sixty days and sustainable in theatre for a year. Its purpose was to give EU member states an autonomous capacity to take decisions where NATO as a whole is not engaged, in order to conduct EU-led military operations. These decisions were followed by long and tortuous negotiations with NATO to allow the EU to draw on alliance assets (using the so-called Berlin plus arrangements) where necessary. In 2000, the EU committed itself

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9 The old and the new great powers will have to re-learn old roles, or learn new ones, and figure out how to enact them on a shifting stage. New roles are hard to learn, and actors may trip when playing on unfamiliar sets (Waltz 1993, 72).

10 For details see Duke (2002) and Howorth (2000).

to developing a civilian crisis management capability, and in 2001 at the Gothenburg Summit, a third pillar – crisis prevention – was added to the CFSP. In February 2004, the EU 3 (Britain, France and Germany) proposed the creation of EU ‘battle groups’, designed to give the ESDP smaller, self-contained rapid deployment forces.<sup>11</sup> This decision was adopted by the EU in June 2004 which also agreed with the Headline Goal 2010, and at a subsequent conference in November 2004, it was agreed that thirteen battle groups would be created.<sup>12</sup> Since then, the EU has deployed peace support operations within the framework of the ESDP in the Balkans, Caucasus, Africa and the Middle East.<sup>13</sup> It has also agreed a document grandly titled *A Secure Europe in a Better World*.<sup>14</sup> Although described as the ‘European Security Strategy’, it is more an outline of the EU’s view of world politics and a survey of major security issues, and offers little in the way of practical strategic advice beyond platitudes (e.g. ‘effective multilateralism’) and noble aspirations.<sup>15</sup>

Clearly, a number of domestic and international factors contributed to the emergence of the ESDP. In terms of the structural distribution of power, however, two developments were crucial to the ESDP initiative: the preponderance of US power globally (unipolarity), which meant that the USA could afford to pay less attention to the concerns of its European allies and devote less time to alliance management, leading to European perceptions that it was a capri-

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11 See Biscop (2004).

12 Of the thirteen battle groups, four are to be exclusively national (fielded by France, the UK, Italy and Spain), while the rest are to be multinational.

13 See Giegerich and Wallace (2004) and Merlingen and Ostrauskaitė (2005).

14 European Commission. 2003. *A Secure Europe in a Better World; European Security Strategy*. Brussels, 12 December.

15 For a broadly sympathetic analysis, see Biscop (2005). For a more critical analysis from a classical realist perspective of the EU’s pretensions to be strategic actor, see Rynning (2003).

cious and unreliable partner;<sup>16</sup> and balanced multipolarity in Europe, which created the permissive conditions for regional cooperation to address shared concerns. The ESDP is thus the product of the conflux of two systemic pressures: global unipolarity and regional multipolarity (Posen 2004a; 2004b; Treacher 2004).<sup>17</sup>

The ESDP can therefore be seen as the response of EU member states to the uncertainties of US security policy in the context of global unipolarity. As realism would predict, the process has been driven by the 'big three', and remains firmly inter-governmental (Missiroli 2001). The ESDP is not about collective European territorial defence, and the ERRC is not a European army. The ESDP is a collective instrument for coalitional coercive diplomacy and military crisis management by EU member states, as defined by the Petersberg Tasks and the European Security Strategy.<sup>18</sup> It establishes an institutional and procedural framework for limited security cooperation in order to collectively shape the Union's external milieu, using limited military coercion to back up its diplomacy where necessary (Cornish and Edwards 2001; 2005).<sup>19</sup>

As an international actor, the EU also serves as the institutional repository of the second-order normative and ethical concerns of its member states, including opposition to the death penalty, propagating humanitarian values, and 'saving strangers' from genocide or gross violations of human rights (Gegout 2005). As we have seen, all

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16 America's Cold War allies have started to act less like dependents of the United States and more like sovereign states because they fear that the offshore balancer that has protected them for so long might prove to be unreliable in a future crisis (Mearsheimer 2001, 391). See also Thomson (2003–2004), Clarke and Cornish (2002).

17 It was the transformation of the international system with the end of the Cold War, notes Treacher (2004, 50), that proved the key determinant [in the emergence of the ESDP].

18 The Petersberg Tasks are threefold: humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peace-making (Nice Treaty 1997, Article 17.2), quoted in Ortega (2001, 105). See also Heisbourg (2000), Hagman (2002).

19 See also Hill (2001), Duke (2001) and Eilstrup Sangiovanni (2003–2004).

states have a range of normative political concerns that they pursue if doing so does not adversely affect their vital national interests. On the basis of her analysis of the foreign policy role conceptions of the 'big three' in the 1990s, Lisbeth Aggestam (2004) has argued that towards the end of the decade, Britain, France and Germany converged around a shared role conception of the EU as an 'ethical power'. All three regarded the EU as a 'force for good' in the world, committed to furthering shared European values of democracy, human rights, multilateralism and peaceful settlement of disputes. These values remain loosely defined so that they do not conflict with the more specific foreign and security policy objectives of the major powers, who continue to pursue their first-order concerns outside the EU/ESDP institutional context (either independently, with key allies, or through NATO). In this limited sense therefore, the EU is perceived by its member states to be an *ethical power*, even if it is no longer a *civilian power* or a post-modern *normative power* (Smith 2000). The ESDP is thus a means to give EU member states the ability to collectively shape their external milieu and pursue second-order normative concerns. It represents the response of EU member states to the failures of civilian power Europe in the Balkans, and is a development made possible by the twin structural dynamics of a unipolar world and a multipolar Europe.

## **CONCLUSION: THE FUTURE OF THE ESDP**

What of the future of the ESDP? Three broad trends can be identified. First and foremost, it seems likely that Europe's great powers will continue to jealously guard their sovereign rights to pursue their own foreign and security policy priorities (Menon 2004, 632). Consequently, the CFSP/ESDP is destined to remain firmly inter-governmental. Cooperation in the second pillar will remain limited

to a set of second-order concerns agreed on the basis of the lowest common denominator. Multipolarity will also set limits to the scope and ambition of EU foreign and security policy. Although security competition is muted in Europe at present, realists would expect it to grow as power relationships change, as they inevitably will. This would increase concerns with relative gains, and weaken the commitment to cooperative milieu shaping.

Second, if the EU is to have an international role beyond milieu shaping in its 'new neighbourhood' (Aliboni 2005; Smith 2005) and acting as the institutional repository of the shared second-order ethical concerns of its member states, the responsibility for giving direction and substance to 'EU' foreign and security policy will have to be vested in the hands of the Union's largest powers. In this respect, the role of the EU3 (France, Germany and Britain) in negotiating with Iran on its uranium enrichment programme may be a harbinger of things to come (Allen and Smith 2004, 97).<sup>20</sup> It builds on the experience of great power cooperation in the Contact Group, and offers an opportunity for Europeans to demonstrate a less confrontational and belligerent approach to foreign policy than that emanating from Washington. 'European' diplomacy towards Iran has been conducted by the EU3 operating largely outside of the institutions and mechanisms of the second pillar, which are completely unsuited to such complex and sensitive negotiations.

Third, transatlantic relations, as we have previously noted, are likely to experience further 'continental drift' as the US loses interest in Europe and reduces its military commitment to Europe, and as EU member states seek to provide themselves with options for autonomous military crisis management. Deteriorating transatlantic relations might act as a catalyst for a more cohesive EU

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20 See also Everts (2004), Bowen and Kidd (2004), Denza (2005) and The Economist (2006).

with a sharper and more effective international role. However, if great power security competition increases in a multipolar Europe, EU member states are likely to pursue a variety of strategies towards America, from balancing to bandwagoning. The divisions between old and new Europe that emerged during the Iraq crisis of 2002–2003 are suggestive of the patterns of relations that could emerge, with some states allying with the US and others pursuing a *Kleineuropa* ('small Europe') option of integration between a select group of 'core' states (Stahl and others 2004). European international politics in the early twenty-first century is thus likely to be characterised by shifting coalitions of great and middle powers.

The EU thus faces an uncertain and difficult time, as it confronts a raft of complex domestic and international problems. The dream of an 'ever closer union' now seems impossible to realise, and the most likely future is one of an uneven process of integration and cooperation, with some states opting out of key aspects of the integration process, and others forging ahead with schemes for pooling sovereignty in core areas of national sovereignty. Whatever combination of variable geometry, differentiated integration and flexibility eventually emerges, it is clear that the need for stronger European cooperation and cohesion in addressing shared security problems is greater than ever. This is the paradox that Europeans face in the early twenty-first century: the crying need for a common European foreign and security policy, but the structural impediments that make its realisation extraordinarily difficult to achieve.

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# REFRAMING EU SECURITY CHALLENGES: TRANSCENDING THE INTERNAL-EXTERNAL DIVIDE

**ALISTAIR J. K. SHEPHERD**

## **INTRODUCTION**

The security challenges the EU is facing in the twenty-first century raise significant questions about the traditional divide between internal and external security and EU security governance. While there is growing literature on the relationship between internal and external security in Europe, it is largely focused on the externalisation of internal security or civil protection. The literature on EU foreign policy has, barring a couple of exceptions,<sup>21</sup> largely failed to engage with policy-makers' claims about growing connections between internal and external security challenges. The article's central proposition is that the internal-external security divide is being undermined, yet it acknowledges that the divide has never been clear-cut and that the blurring of internal and external security varies across issues. First, the article examines the way EU discourse has increasingly promoted the merging of the internal and external dimensions of security. Second, the article focuses on

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21 For example Duke and Ojanen (2006).

the key security threats identified in the EU in the 2003 ESS and the 2010 ISS, analysing the extent to which they challenge the internal-external divide. Finally, the article turns to the implications of a blurring of the internal-external security divide for EU security governance. The central argument is that as the EU seeks to address ever more interconnected security threats the turf wars between internal and external security institutions significantly hinder its ambition to become a comprehensive security actor.

## **REFRAMING EU SECURITY: THE INTERNAL-EXTERNAL DISCOURSE**

Numerous EU security strategies claim that the conventional divide between internal and external security is being eroded. In particular the ESS and ISS, as well as more specific strategies, make explicit the increasing connections between internal and external security. The ESS claims we live in world of increasingly open borders in which the internal and external aspects of security are indissolubly linked and where none of the new threats is purely military; nor can they be tackled by purely military means (Council of the EU 2003a). Correspondingly, the ISS argues that the concept of internal security cannot exist without an external dimension, since internal security increasingly depends to a large extent on external security and calls for the participation of law enforcement agencies and justice, freedom and security bodies at all stages of civil crisis management (Council of the EU 2010a). Hence, the transcending of the internal-external security divide is a dual blurring of both the geographic (domestic-foreign) and the bureaucratic (civilian-military) dimensions of security.

As well as both claiming an inextricable link between internal and external security, the ESS and ISS also identify very similar security challenges, such as terrorism, cyber security, weapons pro-

liferation, illegal migration, energy security, organised crime, state failure and environmental change. As the number and complexity of security threats Europe faces rise, so do references to internal-external linkages. In 2009, the Stockholm Programme went as far as to argue that internal and external security are inseparable (Council of the EU 2009), while EU HR/VP Catherine Ashton said in 2010 that we know that internal and external challenges are interconnected. Take illegal immigration or terrorism. Neither is purely an internal or external issue (Council of the EU 2010b). This increasingly interconnected internal-external security relationship in the policy discourse is gradually being translated into the practice of security, in particular through efforts to improve links between the key actors in the CSDP and the AFSJ, which will be the focus of the third part of the article. Before exploring the implications for EU security governance, the article turns to the specific threats identified in the ESS and ISS and analyses the extent to which they blur internal and external security.

## **THREATS & CHALLENGES: TRANSCENDING INTERNAL AND EXTERNAL SECURITY?**

While the ESS is orientated towards addressing threats from outside of the EU and the ISS focuses on challenges to citizens' security originating from within the EU's borders, there is commonality in the threats identified. Despite some challenges being unique to a particular strategy, for example regional conflict in the ESS and natural or man-made disasters in the ISS, the level of convergence in the security threats identified is considerable.

Perhaps the most obvious security challenge transcending the internal-external security divide is terrorism. While EU interior ministers have taken the lead in combating terrorism, there has



been a growing external dimension since the attacks on the US in 2001, Madrid in 2004 and London in 2005, including roles for the military. The EU's 2005 Counter Terrorism Strategy made the link explicit, arguing that the EU is an area of increasing openness, in which the internal and external aspects of security are intimately linked (Council of the EU 2005a). Similarly, the Strategy for the External Dimension of JHA claimed it is no longer useful to distinguish between the security of citizens inside the European Union and these outside (Council of the EU 2005b). Hence, terrorism is being tackled at home and overseas, blurring the geographic divide, and while it has primarily drawn on civilian capabilities, it has also utilised military capabilities, blurring the bureaucratic divide.

The second key threat identified by the ESS is the proliferation of WMD. As this occurs primarily outside of the EU, efforts to tackle it have been orchestrated through the CFSP. Yet already in 2003, the EU Strategy Against the Proliferation of WMD highlighted the need for strengthening identification, control and interception of illegal trafficking (Council of the EU 2003b), making a clear link to the issue of TOC and other aspects of what is traditionally seen as internal security. Organised crime is itself identified in the ESS as another of the five key threats Europe is faced with and one which transcends the internal-external divide. The ESS stresses that the internal threat to our security has an important external dimension: cross-border trafficking in drugs, women, illegal immigrants and weapons (Council of the EU 2003a), illustrating the ever more transnational nature of organised crime. Meanwhile, the JHA Council has called for the COSI to ensure crime priorities are taken into account in the EU's external action and Europol adopted an external strategy in 2004. From an EU foreign policy perspective, TOC is becoming a greater priority with the CSDP increasingly used to counter the phenomenon in the Balkans, Niger, Mali and Somalia, where Operation Atalanta's

primary role is to fight piracy and armed robbery, i.e. to combat TOC. Finally, TOC is intimately related to border security, as demonstrated by EUROSUR's primary objective being to contribute to internal security and the fight against crime and the EU Commission's belief that the EU can treat migration management and the fight against crime as twin objectives (European Commission 2010).

Even the other two key threats highlighted in the ESS, regional conflict and state failure, problematise the traditional internal-external divide in terms of bureaucratic blurring. To tackle these challenges, in addition to diplomats and the military, there is a need for expertise in the rule of law, civil protection, public administration, aid, trade and development. The ISS stresses that special attention will have to be paid to 'weak and failed states' so that they do not become hubs of organised crime or terrorism (Council of the EU 2010a), making a security challenge associated with countries outside the borders of the EU a concern for EU internal security. It also highlights how the security threats facing the EU are often intertwined and can rarely be tackled in isolation. These interconnections between security issues, and their ability to undermine the conventional internal-external security labels, can also be seen in some of the ESS's global challenges. Poverty and disease are often closely related problems that blur bureaucratic boundaries through their causes and consequences, and the different departments assigned to tackle them. In a different realm, energy security, i.e. ensuring the secure and affordable supply of energy to the EU, also requires multi-department and cross-border action as the EU tries to diversify resources while also minimising disruptions to energy imports.

Finally, cybersecurity is seen as an archetypical security challenge that blurs the internal-external divide. The ESS Implementation Report of 2008 claimed that attacks on private and government information technology systems are becoming a potential new economic,

political and military weapon (Council of the EU 2008) requiring comprehensive approach. In 2013, the EU's Cybersecurity Strategy made explicit reference to the dual blurring of internal and external security: the global reach of the internet means that law enforcement must adopt a coordinated and collaborative cross-border approach (geographic blurring) and synergies between civilian and military approaches in protecting cyber assets should be enhanced (bureaucratic blurring) (European Commission and HR 2013). It goes on to argue that to address cybersecurity in a comprehensive fashion, activities should span three key pillars – NIS, law enforcement and defence, again highlighting the need for improved links between multiple security actors at the EU and member state level. Beyond the ESS and ISS, civil protection and the Solidarity Clause also challenge the simple internal-external divide as they call for the EU to be able to respond to natural and man-made disasters within *and* outside the EU, utilising civilian *and* military capabilities where appropriate.

The argument here is not that all security challenges blur the internal-external divide, some remain quite distinct and the extent to which other undermine the divide varies, but many threats do destabilise this divide and the EU may now be facing a range of threats that are more accurately described as being situated on a security continuum. The possible emergence of such a security continuum suggests a need to overcome the traditional stove-piping of internal and external security institutions, which has implications for EU security governance.

## **AN EU SECURITY CONTINUUM? IMPLICATIONS FOR SECURITY GOVERNANCE**

The institutions dealing with security at the EU level are divided broadly along internal and external lines. This division is rooted

in the pillar structure set up by the Maastricht Treaty, where CFSP was managed under Pillar Two and JHA under Pillar Three. This division was inevitable for two reasons. First, member states demanded intergovernmental decision-making in the sensitive area of security policy. Second, the separation mirrored the Westphalian state model, where there are distinct institutions responsible for domestic security (police, judiciary and customs) and foreign security (diplomats and military), both with very different legal bases and approaches to the use of force. While the Amsterdam Treaty moved some aspects of JHA (immigration) into Pillar One and the Lisbon Treaty formally abolished the pillar structure, the divisions remain as decision-making in the areas of CFSP/CSDP and Police and Judicial Cooperation in Criminal matters continue to be intergovernmental. One of the central aims of the Lisbon Treaty was to enhance consistency and coherence in EU foreign and security policy. It aimed to do so by making the High Representative of CFSP a Vice-President of the Commission as well, and through the creation of a new institution, the EEAS, which aimed to improve coordination between the various aspects of EU foreign policy.

However, institutional obstacles persist for two main reasons. First, the high-profile Comprehensive Approach in EU foreign policy is not uniformly understood across the EEAS or between the EEAS and the Commission. Different actors engage in turf wars over who has responsibility over a particular policy area, and, therefore, leadership, budgets and resources. The Joint Communication from the EEAS and the Commission on the Comprehensive Approach is only of partial relevance as it focuses on conflict management outside the EU, neglecting the internal security dimensions. Second, there are different understandings of security across EU institutions. The debate on ‘securitising’ issues is linked to the turf wars over which institution is responsible for which issue. This is

important as it determines how an issue is framed and there are many EU officials who do not think adding the 'security' label to an issue is appropriate or beneficial to how the EU engages with a policy area. Yet, the post-Cold War era has shown that securitising an issue can increase its political priority and, therefore, the resources allocated to it. These different understandings of security within the EU exacerbate turf wars and lead to more competition and less coherence. For example, the call in Ashton's review of the EEAS to 'reinforce its capacity' in energy security, environmental protection & climate change, migration, and counter terrorism has added to institutional tensions as these policy areas are primarily the responsibility of the EU Commission, which often has a different understanding of security.

Despite these problems, there is scope for the EEAS to develop an important role in coordinating internal and external security. The Commission's ISS Communication invited the EEAS to exploit synergies between internal and external policies and argued that COSI and the PSC should work together and meet regularly (European Commission 2010). Building on this, the 2011 Hungarian Presidency called for the tightening of links between external and internal aspects of EU security, including sharing intelligence, involving internal security actors in planning CSDP missions, integrating threat assessments, training, implementing the Solidarity Clause and in communicating with third parties (Council of the EU 2011a). This resulted in the June 2011 launch of a working method for closer cooperation and coordination in the field of EU security, which proposed quarterly meetings between relevant directorates of the EEAS, Council and Commission, and joint meetings of preparatory bodies such as CIVCOM and the COSI support group (Council of the EU 2011b). Separately, the establishment of the Crisis Platform brings relevant departments together to share

information during times of crisis (internal or external to the EU). These developments show potential for a genuinely comprehensive approach. There is evidence of improved inter-institutional cooperation and coordination in the making of strategy and policy on specific security issues. For example, the Cybersecurity Strategy involved multiple departments from across the EEAS and the Commission combining internal and external aspects of the policy. While it was not easy to do, making it work demonstrated a growing understanding of the multifaceted and intertwined nature of cybersecurity.

## **CONCLUSION**

The EU's numerous security strategies have explicitly argued that the realms of internal and external security, traditionally addressed and managed separately, are becoming increasingly intertwined. Indeed, for some in the EU they have become inseparable. An overview of the security challenges and threats facing the EU does suggest that there is a dual (geographic and bureaucratic) blurring of internal and external security underway, but it is not omnipresent and it is too early to herald indivisibility of security. Nevertheless, the traditional dichotomy between internal and external threats has been undermined, as has the simple distinction between the use of the military for external security and civilian law enforcement for internal security. As the EU seeks a role in tackling an increasing number of security issues, the linkages between them, the emerging security continuum, highlights the need for a genuinely comprehensive approach (i.e. not just focused on external crisis management). To date, the problem the EU has faced in addressing the twenty-first century security agenda is less about capabilities (although there are significant problems) and more

about the political machinations within the Brussels bureaucracy and between its member states. To conclude, the transcending of the internal-external divide impacts the EU in two contradictory ways. First, it provides the EU with an opportunity to add value to what its member states can do alone while also enhancing its distinctiveness through a genuinely comprehensive approach to the emerging security continuum. Second, this security continuum, while appearing to necessitate coordination, creates problems by exacerbating tensions between EU institutions competing for influence in different policy sectors. Until these turf wars within the EU recede, its ambition to become a comprehensive security actor will remain unfulfilled.

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# CHALLENGES TO EUROPEAN SECURITY

**CARLO JEAN**

## **INTRODUCTION**

In October 2012, the EU was awarded the Nobel Peace Prize. The decision provoked many puzzlements and ironic remarks, similar to those addressed to US President Barack Obama three years before. In reality, the EU is the biggest peacemaking institution in the world, promoting peace, democracy and human rights. The growing importance of security and defence matters was stressed in December 2013 during the European Council Summit, when these issues were put on the agenda to be discussed by the heads of state and government (Missiroli 2013).

The EU has established a growing number of civilian, military and both civilian and military interventions, especially in Africa (e.g. EUCAP Nestor, EUCAP Sahel-Niger, EUAVSEC in South Sudan, EUTM in Mali, EUBAM in Libya, now it is organising a mission in Central African Republic) (International Institute for Strategic Studies 2013b). The forces of its member states have reached a good degree of interoperability (and also combat interoperability in the ISAF mission in Afghanistan). It is an asset not to be lost in the post-Afghanistan. The EU armaments industry is technologically modern, although the decrease in R&D and procurement funds in the member

states' defence budgets has obliged the major groups to expand their activities on the US market and especially on the Asian markets. But in major interventions, the EU needs the logistic and operational support of the US. Moreover, the level of European integration is unsatisfactory, often requiring American/NATO leadership.

Cuts in military budgets are decreasing the EU's international influence and increasing its dependency on the US. But they are neither the main reason for the unsatisfactory status of the security and defence integration in Europe nor the main hindrance, at least so far, to Europe becoming a global player in the new multipolar order, dominated by a certain number of state-contingents following the brief unipolar moment hegemonised by the US (Weiss 2013). Presently, European nations retain extensive military capabilities but are resisting merging them, fearing the loss of sovereignty and freedom of action more than a worldwide marginalisation. Their national interests and security perceptions are different, especially following EU and NATO enlargement and the turmoil in the Mediterranean basin. Therefore, the identification and especially the priorities given to the challenges, risks or threats are different.

Militarily, the EU is not dead. Three of its member states' defence budgets are ranked among the highest eight in the world. The EU dedicates 17.6% of the global military spending to its armed forces (the US 42%) and it has been surpassed by Australasia (19.9%). However, its sustainable power projection capabilities reach only a miserable 15% of those of the US. The EU has considerable capabilities in high-tech systems. It has a total of 2,300 high-speed jets, well ahead of the 1,800 of China and of 1,200 of Russia. The EU member states' naval forces have 151 cruisers, destroyers and frigates, compared to the 109 of the US, the 77 of China and the 42 of Russia. But that relevant amount of hardware does not produce a substantial employable hard power, due to the lack of

political will and also because of duplications, gaps and deficiencies in term of modern capabilities and sustainability (ISR, drones, air refuelling, air transports, etc.).<sup>22</sup> The pooling and sharing to avoid duplications and poor use of resources is not a magic wand. Anyway, huge progress could be achieved with changes from the top-down, global model of cooperation, to a bottom-up one, articulated either for geopolitical regions or for functional sectors.

The eurozone crisis, before destroying the EU, risks neutralising the CFSP and the CSDP. The *specialisation by default*, due to the decreased resources, could overcome a more rational *specialisation by design*, due to the reluctance of member states to deliberately give up some parts of their sovereignty and also to give priority to their own fragmented defence industrial base (International Institute for Strategic Studies 2013b).

The share of cooperative programmes is very low. The impact of the EDA has been marginal, as well as that of the EEAS. From the Arab Awakening to Syria and from Ukraine to the Caucasus, the EU's impact has been negligible. The EU's ambitions to be a global player, a pillar of the new multipolar world order, are supported neither by the political will nor by the ability of governments to devote sufficient resources to maintain an adequate power projection capability.

There is a crucial limit to the public attitude towards a defence spending that underestimates its utility, especially for the EU, because the existential security needs are guaranteed by NATO and US presence on the continent. Many European states prefer the American rather than European leadership. This lack of trust among Europeans was evident in the interventions in BiH and Kosovo, but especially in Libya in 2011 (Gowan 2013b).

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22 Data taken from International Institute for Strategic Studies. 2013a. *Military Balance*. London: Routledge.

## **SECURITY AND DEFENCE IN THE POST-UNIPOLAR MOMENT: CHANGES IN THE EUROPEAN POLITICAL GEOGRAPHY**

Security and defence policies are not elaborated in empty space. Their definition and implementation depend on objective and subjective factors. Among the former, political geography and geopolitical representation hold particular importance as they are part of the DNA of each person due to the weight of their history. Geography and history are the most relevant elements influencing the evolving vision of their own destiny and the choice and priority of interests, and, therefore, the challenges to their implementation. This is particularly true in our period of unprecedented democratisation of politics, provoked by globalisation, the ICT revolution, the weaknesses of representative democracies, and the growing dependence of governments on the support of their public opinions. And secondly, the strategic culture, the resources devoted to the various – civilian and military – instruments of security, the internal credibility of the political class and, on the international arena, the internal credibility of a state or a supranational institution have major relevance among subjective factors.

Our era is characterised by increased importance of soft power. But to be effective it must always be combined with hard power – economic power, military power, etc. Many countries in the EU tend to overestimate the impact and reach of its soft power. The Merkel Doctrine sees the EU's mission as that of being an enabler, a generator of capabilities, filling the military function of 'train and equip' (International Institute for Strategic Studies. 2013c). To this effect, Germany has proposed the insertion of a 'rapid training component' in one of the EU's two Battle Groups on rotation. On the other hand, France is a strong advocate of hard power. Sweden and Poland are proposing a European Global Strategy (International

Institute for Strategic Studies. 2013c). The highest priority for the UK is to avoid competition between the CSDP and NATO, opposing the creation of a military and civilian planning and command structure (International Institute for Strategic Studies. 2013c). For Italy, the CSDP's priority should be given to the turmoil in the South. For Poland and Sweden, priority should be given to the turmoil in the East and to the Eastern Partnership (International Institute for Strategic Studies. 2013c).

The CSDP has a difficult life at the intersection of 28 different defence policies, strategies and strategic cultures of its member states. The general perception, at least before the euro crisis, was that the EU had very effective soft power that constitutes a model for a whole new world order, while the US should continue to do the dirty work necessary for any effective security. Without the existence of sufficient hard power and the credibility that it will be used when necessary, diplomacy is only social, civilised, but useless gossiping. Clearly, the awakening from that fantasy is very hard, especially for the biggest European states.

Debating the CFSP and the CSDP has to take into account that they are not defined and managed by a strong supranational institution. Things like the United States of Europe or a European Army do not exist and will not exist any time soon. Hence, the hard reality to be accepted is that the EU will not become a global player in the security field. Its external policies are intergovernmental, not communitarian. From this perspective, the EU is not a union. The member states remain Westphalian and jealously defend their formal, sometimes only rhetoric, sovereignty. The 'effective multilateralism' mentioned by the ESS (Solana Document) is not so effective. To be realistic, it does not exist at all, at least on an institutional and permanent base. It is created on a case-by-case basis. The 'reinforced cooperation' or the idea of a European avant-garde does

not overcome the lack of sufficient trust among all the EU member states, which is necessary for a permanent agreement. Therefore, it is impossible to formulate a comprehensive common definition of threats (or ‘challenges’ and ‘risks’, as it is politically correct to call them). What is possible in the EU – in the foreign and security policy domains – is only *ad hoc* multilateralism, based on compromises created through often difficult and always long negotiations.

The EU is neither a global nor a permanent actor. It is a mission actor, activated on an *ad hoc* basis, when the interests (also of internal policy) converge for a certain number of member states that are capable to intervene with their civilian or military means. But a compromise requires a lot of time and, after its conclusion, is quite inflexible, unable to adapt in terms of objectives, policies and strategies to unforeseen circumstances and changes of the environment.

Moreover, the EU – so eager to legitimise its interventions with UN Resolutions – lacks coherent representation at the international level, especially in the UNSC, where two of its nations are permanent members and the EU can intervene only if invited. Hence, in the identification of challenges and in decisions to cope with them, the EU is more a follower than an actor. Its essential security continues to be guaranteed by the US, although Washington is less and less prepared to allow Europe to be only a consumer instead of also a provider of security. The American interest in Europe has decreased, while the interest of many European states towards American presence is higher than in the past.

## **FROM MILITARY TO COMPREHENSIVE SECURITY**

Identifying the challenges to European security is further complicated by the expansion of the concept of security from the military

field to an array of other areas, which is called the comprehensive security concept. The Atlantic Alliance is involved more and more in civilian aspects of security policy. With its ambition to take the lead, NATO is often seen as a competitor of the EU, which also wants to be a player, but this is impossible without Washington's consent. A division of labour between NATO (military) and the EU (civilian) has become impossible. The tensions between the two institutions are growing. In any case, the EU lacks the unifying leadership and the powerful escalation capability possessed by the US and NATO.

The German-French axis is growing weaker. Also, the military cooperation established between the UK and France at Saint-Malo and at Lancaster House has not reached the importance expected by Blair and Chirac, and their successors. The creation of a worldwide armaments group with the merging of EADS and BAE Systems has failed due to the German fear of seeing its present level of control decrease. The negative impact of the gap between Paris and Berlin cannot be overcome by major involvement of Germany, which would necessarily require it to take political leadership of the European project. This would be unacceptable to other members. Moreover, it is contrary to the will of most Germans – although some different signs have recently been sent – not to be involved in external military operations and especially in the chaos of the Southern periphery of the EU. Moreover, Berlin has so far not gotten involved in the East – which is more vital to its interests (for instance in the EU Eastern Partnership initiatives) – in order to avoid the risk of tensions with Moscow.

In the post-unipolar moment – with the attention and resources of the US more and more oriented to the Asia-Pacific region, with the diffusion of the world power due to the growth of BRICS and MINT, with the European economic, financial and also military

crisis –, the need for an autonomous security capability of the EU is increasingly necessary and difficult. In December 2013, during the European Council Summit, the HR/VP was tasked with studying the impact of the changes in the global environment on the assumptions from 2003 underlying the Solana Document (Gowan 2013a).

The decline of the EU's global influence, including in its neighbourhood, does not depend on monetary issues. Generally, we are accustomed to attribute the European decline in the global arena to cuts in its security budgets, both for armed forces and other components of external policy and security instruments. This is incorrect. The European weakness results from division and the growing fragmentation of the geostrategic and geopolitical Europe. The policies, interests and perceptions of EU member states are not only different, but often divergent and sometimes opposing. It is sufficient to consider the differences between Poland and Italy as far as priorities in security challenges in the South and in the East are concerned, or the different strategic cultures and power projection capabilities of the UK and France compared to those of other EU member states.

This makes identifying and prioritising security challenges as well as defining the CFSP and the CSDP extremely difficult if not impossible, although a lot of efforts have been made to stress the costs of non-Europe. The EU is, at the same time, too weak and too large. It is too weak mainly because EU institutions put the definitions of external policies on the intergovernmental level, with very little power given to the communitarian ones – to the European Commission (HR/VP) and to the European Parliament. This forbids the EU not only to have common security and defence strategies, but also to have common, coherent policies for crisis management. These weaknesses have been increased by the enlargements towards the East. They increased the differences and the geopolitical



fragmentation of the EU. As far as security is concerned, the glue of the EU is provided essentially by the US. For this reason, TTIP is so relevant also for the effectiveness of the CFSP and the CSDP.

## **FROM A COMMON GLOBAL POLICY AND STRATEGY TO SUB-REGIONAL AND FUNCTIONAL APPROACHES**

The ESS, the Review of its implementation in 2008 and the debates (it is hard to call them decisions) during the December 2013 European Council Summit (which was dedicated to enhancing the visibility of the CFSP and the CSDP, their civilian and military capabilities and the armament industry's effectiveness in the austerity era) report a series of challenges to be faced by the EU, without establishing a priority among them. On no occasion has the EU been able to define a strategy.

The last European Council Summit has limited itself to endorsing the joint collaborative programmes supported by the EDA, the OCCAR and the LoI (just below 15% of the defence investment of member states is not built on a national basis). It has requested, but without details (although the devil is in the details!), what has been obviously needed for years: the definition of a European Grand Strategy – if not global, at least articulated either by geographic areas (e.g. Sahel, Horn of Africa) or by functional sectors (maritime security, cyber security, etc.).

The European Council was aware that a common global and comprehensive security strategy is impracticable at the EU level any time soon. More realistic than using a top-down global approach, based on a vision of the future of Europe, would be to adopt various dedicated bottom-up approaches, articulated by geopolitical areas (e.g. Horn of Africa) or by functional sector (e.g. energy security). Reaching some concrete results is only possible when taking

into account the different interests, priorities and perceptions of different member states. Geographic and functional approaches simplify the problems and could generate some results, facilitating the unavoidable ad hoc negotiations for any real intervention. The idea that legally binding agreements could constitute the foundations of the CSDP is theoretically good, but it ignores the political realities.

The political geography of the EU has become more complex and fragmented, especially with the expansion of the EU and NATO area of prosperity, peace and security towards the East, to include the Baltic-Black Sea *Intermarium*. Any further expansion is difficult due to, firstly, Russia's return into the global and European power game and, secondly, because of the differences between EU member states in their relationships with the US and Russia, and their different positions towards the turmoil in Northern Africa and in the Middle East. Other difficulties are linked to Turkey's accession to the EU. It would deeply change the geopolitics of Europe, which would border on the most turbulent area of the world.

The lack of a European Strategy was taken into account by the heads of state and government at the European Council Summit in December 2013; its conclusions could be considered greatly disappointing by Euro-fundamentalists. But, at least further disputes regarding the future of the EU, its role in the new world, burden sharing and overcoming the so-called Athena Mechanism (each state funds its intervention forces) for financing security have been avoided. In other words, the European Council took into account the following difficulties and obstacles to be overcome for a decisive leap forward: re-nationalisation growing in many countries; the fragmentation of the European security perceptions between the north and the south and between the west and the east; the austerity imposed by the euro crisis; significant unilateral cuts to

defence budgets; the resurgence of Russia; the instabilities in the southern and eastern neighbourhood; the fatigue of public opinion for military interventions (BiH, Iraq, Afghanistan, Libya, etc.) and their failures. Request for a White Paper on European security and defence and the re-writing of the Solana Document were been postponed. Nevertheless, on a positive side, more rapid results in less sensible areas, like maritime and cyber security, were agreed.

## **IDENTIFICATION AND PRIORITISING OF THREATS, RISKS AND CHALLENGES TO THE CSDP**

Many people remember the tragic gap between Europe's ambitions and its real capabilities – above all in terms of political common will – expressed in the summer of 1991 by Jacques Poos (then Luxembourg's foreign minister and president of the Council of the European Union) relating to the crisis in the Balkans with the phrase 'The hour of Europe has arrived!' Others remember the words of the Solana Document, whose real merit was to overcome the divergences in Europe and between Europe and the US, created by the attack on Iraq. In its introduction, the Solana Document states that Europe had never been so prosperous, so secure nor so free. But it has not specified that all of the so-s depended on the American engagement and leadership in NATO. Later, the ESS recognises the necessity to expand the concept of security not only geographically, but also functionally. In this regard, the document lists five challenges to the security of Europe from the traditional military field of an overall aggression, which dominated in Europe with the so-called military order from Westphalia to the end of the Cold War. These challenges are: terrorism, proliferation of WMD, organised transnational criminality, failure of neighbouring states (which can become bases for terrorists and criminals) and regional conflicts.

The 2008 ESS implementation report adds four other challenges: cyber-terrorism, energy security, piracy and climate change. Very strong debates – in which the Italian and the German views were opposed – were centred on whether clandestine immigration should be considered a threat to security or a phenomenon to be dealt on humanitarian grounds. But the EU has not been able to formulate a common policy on immigration and concession of political asylum. The issue is also extremely delicate due to its impacts on the Arab Spring and the possibility of return to their countries for the 1,500–2,500 Europeans now fighting in Syria within the most radical units of ISIS and al-Nusra against the Bashar al-Assad regime.

Those threats are complex and interconnected. They should be dealt with in a variety of civilian, military, economical, political and judicial means, as clearly shown by the experience from the interventions in civil wars and post-conflict reconstructions in the Balkans and in the Greater Middle-East. History shows that major European interventions were civilian, while the military ones were minor interventions and the European armed forces were employed mainly either within the UN or NATO framework. The goals for a European Rapid Reaction Force, presented at the Helsinki European Council Summit in 1999, have been forgotten. No EU battle group – constituted since 2007 – has ever been deployed.

Nevertheless, many proposals have been made for the creation of an EU military operational headquarters to free the EU from its dependence on NATO assets, provided by the Berlin Plus agreement. In my opinion, this proposal is unrealistic. Fortunately, the UK opposed it very strongly. It would only duplicate the existing capabilities, taking also into account that no major European military intervention is practicable without US leadership and logistic and operational support. This is what happened in Libya and also in Mali. The difficulty to be overcome – to build autonomous Eu-

ropean intervention capabilities – does not depend mainly on the volume of defence budgets. It is political. No member state is willing to give up its sovereignty in the fields of foreign, security and defence policies. Only Berlin could exercise strategic leadership. But Germany, at least for now, does not want to take that responsibility, while other EU members are perplexed (if not opposed) to the extension of the weight of Germany from the economic to the political and security fields.

## **CONCLUSIONS: SOME LIGHT AT THE END OF THE TUNNEL**

The trend of structurally splitting the ESS along geographical and functional lines could help overcome the current inconsistency of the European security and defence policy, reshaping it in an array of more targeted strategies. Clearly, sub-regional grouping poses a risk of a further fractioning of the EU. However, cooperation to build balanced interoperable capabilities could take advantage from such an approach. Some experiences seem encouraging: first, the cooperation between Italy and Slovenia for air control and their joint brigade; and second, the effectiveness of the Nordic Cooperation of the Scandinavian Countries. It constitutes a case study of geographical integration. The EATC and SALIS are successful cases of functional cooperation. Maybe in 2016 the CJEF decided by the UK and France in the Lancaster House Agreement of 2010 and confirmed at the Cameron-Hollande meeting on 31 January 2014 will be another successful case. Clearly, all these collaborations have limits. Each EU member state retains its veto power, utilised, for example, by Germany with its AWACS crews during the Libyan operations. This constitutes the real limit to specialisation as well as sharing and pooling. The EU will have neither the formal nor the informal power to oblige a nation to implement a common decision that it

has previously agreed upon. A European Federation or integrated army are not on the agenda. Hence, the only practicable way is that of cooperation. It should be made more effective, with a very cautious step-by-step approach. No leap forward would be realistic.

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# DIVISION AND COMMON SENSE OF THE EU

**IVETA RADIČOVÁ**

The heterogeneity of national institutions plays a crucial role in the European integration process. Moreover, differences among countries are the effect of correlation between different environments, their institutions and interactions between environments and institutions. The consequence is the division of EU countries around three main axes: economic and social institutions (north vs. south), political and civic institutions (east and west) and governmental and financial institutions (small vs. big governmental countries) (Radičová 2013).

So, what can be done for keeping the EU together and for it to continue in common policies? What can be done about the apparent tendency of markets to produce increasingly unequal outcomes or to produce persistent high unemployment if this tendency toward inequality is repressed? The possible answers are the following. First, investment in human capital – both in basic education and in retraining for older workers – can reverse the tendency toward greater inequality. Second, the improvements in the welfare system would reduce its incentive cost. And third, active manpower policy (Swedish model in the past) – subsidised employment for those who would otherwise be unemployed – should be the way to cut through

the otherwise agonising trade-offs between mass unemployment and mass poverty (Radičová 2013, 59).

A sense of current crises has been created by two factors: a sharp rise in European unemployment rates, and an emergence of large budget deficits in countries with extensive welfare systems and lower productivity. The 2009 crisis is therefore the product of the interaction among several underlying forces: mispriced risk, macroeconomic policy misbehaviour over many years, weak prudential policies and frameworks, and missing structural reforms. Therefore, the consequences were drastic. We lost about EUR 2tn between 2007 and 2010 due to the crisis, which corresponds to the GDP of France, or to 11% of Europe's cumulative debt. The EU's GDP growth has slowed down substantially since the crisis and 25.7 million people are now unemployed in the EU (11.6% of the working age population in September 2012), 18.5 million in the euro area. Unemployment is twice as high for young people. It has increased sharply due to the crisis and has exceeded 20%. Furthermore, public aid and guarantees to the financial sector amounted to EUR 4.6tn over this period, i.e. 37% of the EU's GDP. The crisis has resulted in a shortage of loans for non-financial firms and households, limited overall economic demand, increased household debts, accumulating debts of non-financial corporations, etc. What is more, the debt-to-GDP ratio has increased from 60% to 80% as a result of the crisis and borrowing costs have risen substantially for a number of countries (Eurostat 2014; International Monetary Fund 2014; World Bank 2014).

Policy concern with European unemployment tends to come in waves. 'Eurosclerosis' was the major issue in the mid-1980s, but was nearly forgotten in the wave of 'Europhoria' during the rapid growth of 1987-90. Now the consensus is that this growth was no more than a business cycle recovery, with little bearing



on structural problems. Markets became increasingly integrated, with enormous cross-border bank lending, but supervision and regulation remained on the national level. The ECB was explicitly not allowed to be a lender of last resort, yet markets operated under the assumption that the authorities (governments and central banks) would be ready with a safety net if things went wrong. The perception that economies or banking systems were too big or too complex to fail underlay the idea that their liabilities had implicit guarantees. Consequently to these circumstances, market forces did not function properly, sovereign and credit risks were underestimated and mispriced, resulting in large divergences in fiscal and external current account balances among countries. Therefore, the euro area has had to develop a new mechanism of support to heavily indebted members while implementing severe fiscal restraints. Several concerns were present: first, about bailing out investors and burdening public debts (the euro area entertained debt restructuring for Greece and private sector involvement), and, second, in markets – which other sovereigns could consider debt restructuring as a partial alternative to strong fiscal restraint and support from euro area peers. The process was followed by European Banking Authority's stress tests; the euro area had neither a clear roadmap nor visibly available resources to recapitalise banks found to be in need of more capital (Radičová 2013, 59; European Commission 2014; European Council 2014).

The 2009 shock is the most severe and synchronised global recession in the post-war period (declines were much deeper in 2009; there was an unprecedented degree of macroeconomic policy expansion which has helped drive the current recovery; it caused much higher unemployment, and an expensive social security system). The euro area crisis is the product of the interaction among several underlying forces, such as weak confidence in general, fis-

cal consolidation, tight financial conditions, and slow (if any) implementation of reforms. In the euro area, sovereigns and banks face significant refinancing requirements from 2012, estimated at 23% of GDP. Moreover, fiscal withdrawal is projected to amount to about 1.5% of GDP (US 1.25% GDP), and gross-debt-to-GDP ratios will rise further: in G7, to about 130% in 2017, 256% in Japan, 124% in Italy, 113% in the US and 91% in the euro area (Eurostat 2014; International Monetary Fund 2014).

The EU and the euro area agreed on several solutions (between 2009 and 2012, the heads of state met 27 times at summits or informal meetings) and policy efforts to fix the problems: the creation of the European Stability Mechanism and the European Financial Stability Facility and their combination, three-year long-term refinancing operations by the ECB, bank recapitalisation plans by the European Banking Authority, the implementation of the European Stability Mechanism treaty in mid-2012, the improvement of fiscal governance and policy coordination, national measures to strengthen fiscal balances and the introduction of structural reforms (Radičová 2013, 60).

Despite policy steps to contain the debt and banking crises, financial stability was still at risk. Empirical studies present evidence that labour share is typically countercyclical – rising during recessions and falling during recoveries (Freeman and Nickell 1988; Krugman 1994; Blanchard 2006; Leaker 2009). In most economies, labour compensation actually increased, except in Greece, Ireland, Spain and the US. During the recovery, although all components of the GDP increased, profits rebounded quite strongly in most economies, leading to a decline in the labour share. Labour compensation increased in all countries, with the exception of Portugal and Spain. We are facing an overall downward trend in the labour share, because of college premiums (the premium on wages of

those with bachelor's degrees), a superstar effect (disproportionate compensation of the top 1% of the income distribution) and hollowing out of the middle class as a result of skill-biased technological change or the offshoring of medium-skill jobs, and low wages and unemployment (Radičová 2013, 60).

There are combined effects of several global recessions (1975, 1982, 1991 and 2009) that involved declines in world real GDP per capita. The common features of these recessions are the following: real GDP, trade, credit, and house and equity prices have not displayed an unusual pattern during the current recovery. In fact, GDP, consumption and investment have rebounded more strongly than after most past global recessions. The years 1991–2009 were preceded by recessions associated with a bustle in credit and housing market in key advanced economies. The 1991 recession was associated with disruptions in credit and asset markets in the US and Japan. The 2009 recession was associated with similar problems in credit and housing markets in the US and a number of other advanced economies, including Ireland, Spain and the UK. Both recoveries were slowed down in part by challenges in Europe. The earlier recovery episode was shaped by downturns in many European economies during the European Exchange Rate Mechanism crisis of 1992–3. Interest rates had to be raised during that period to defend the exchange rate arrangement and several advanced European economies were forced to reduce their large fiscal deficits. This suppressed economic activity and further depressed credit and housing markets in the region. Currently, high sovereign risk premiums are inflicting a similar or even worse damage on fiscal balances and growth. By 2015, 90% of future economic growth will be generated outside of Europe, which will downsize consumer and investor confidence. Recovery remains anaemic with large output gaps. In both cases of recession, the common features of recov-

ery are: bustle in credit and housing markets, lack of timely, credible and coordinated policy strategy, resulting in financial turmoil, meagre growth as a result of disappointing growth in domestic consumption and investment driven by the legacy of the financial crisis (balance sheet repair, weak credit expansion and problems in housing markets resulted in a high unemployment rate in Europe and high inequalities in the US).

Leaving aside the hopeful effects of education and training, there are two main alternatives: Europe can become more like the US, or it can try to become more like Sweden used to be. That is, the welfare state can be scaled down, increasing incentives for firms to offer and for workers to accept low-wage employment; or governments can try to subsidise employment at acceptable wage levels. The political problems with either alternative are obvious. Attempts to scale down the protections that have discouraged employment in Europe will and already have led to massive protests. On the other hand, if employment is to be subsidised, the money must be found somewhere, which is a difficult task when the budgets of many nations with high unemployment rates seem already to be dangerously out of control. There is no painless solution, but the challenges call for more policy action:

- implementing medium-term fiscal consolidation plans;
- maintaining a very accommodative monetary policy stance;
- providing ample liquidity to help repair household and financial sector balance sheets;
- resolve the crisis without delay;
- structural reforms in the following fields: pensions, health-care systems, labour and product markets, the housing sector, the financial sector and education (Radičová 2013).

Debt restructuring, which is a political vote, is a bit better solution for politicians than increasing taxation. These problems are

likely to continue sapping the strength of the recovery, unless policy makers adopt stronger policies to address them.

Econometric analyses of advanced countries find that a higher tax-to-GDP ratio has a statistically significant negative effect on growth. For example, an 10 percentage point increase in tax-to-GDP ratio is found to lower annual per capita GDP growth by 1.2 percentage points. A similar statistically significant negative effect on growth is found with a higher spending-to-GDP ratio. For the last 10 years, advanced small government countries have, on average, seen significantly higher growth rates than advanced big government countries. Between 2003 and 2012, real GDP growth was 3.1% per year for small government countries (where both government expenses and revenues were on average below 40% of the 1999–2009 GDP), compared to 2.0% for big government countries (Eurostat 2014; Infostat 2014; International Monetary Fund 2014).

An effective government is required to defend the nation, to enforce property rights, to provide public goods and to intervene in markets which exhibit large externality effects. Cutting tax rates may well increase the level of output in a very short turn. A decrease in tax, for example, on individuals is likely to increase consumption. An increase in demand leads to more output in the short term. Furthermore, marginal income tax rates have a direct effect on the supply of labour – the higher they are, less additional labour is rewarded. Lower marginal tax rates, increasing the after-tax rate on return from work and investment, increase the incentive for potential entrepreneurs to take risks, while higher marginal rates reduce them. Greater risk-taking, accompanied by a more efficient economy, enables faster productivity growth. Rich countries with smaller governments tend to grow more quickly than big governments. There is evidence to suggest that low marginal tax rates are associated with higher economic growth. The level of top rates

of personal and corporate income tax, and marginal tax rates is another axis dividing countries into two clusters – with small and big governments (Bourne and Oechsle 2012; United Nations Development Programme 2014).

The goal of public policy is not just to maximise economic growth; attention must be paid to the effect of reducing the size of government on social outcomes like health and education. The evidence whether small governments deliver better social outcomes than big governments is mixed, but it does not imply that small governments result in systematically undesirable outcomes. For example: life expectancy at birth is higher in small government countries; infant mortality is lower in big government countries; comparing the results of the Programme for International Student Assessment, the mean score in small government countries is significantly better; small and big government countries saw almost identical average annual employment growth (because of, as mentioned, no significant correlation between economic growth and increase in employment); and household consumption growth is faster in small government countries. Statistical analysis supports the claims of supply-side economists that the growth performance of countries with smaller governments will be better than of those with bigger governments. Furthermore, small governments do not appear to deliver worse social outcomes. Significantly higher growth meant more resources to devote to public service provision, even if they dedicate less as share of GDP (Organization for Economic Cooperation and Development 2014).

There are several policy implications of the statistical findings. First, politicians should recognise the potential of tax rate cuts for stimulating economic growth. Second, financed tax cuts – i.e. tax cuts paid for by cutting government expenditure – might be a way to cut the size of the state while generating economic growth

by improving the efficiency of the economy and encouraging entrepreneurial behaviour. And third, policymakers should focus on outcomes rather than on inputs when discussing public services. The success of policies should be judged against objective and desirable aims, not the proportion of GDP that is spent.

The coexistence of national and supranational identity lies in ways how to bring closer and hold together diversity. And in Europe, there is one more axis among EU countries: countries with the communist history in the process of transition vs. old member states. The road to reaching the goal of such coexistence is full of trials and tribulations (Court of Justice of the European Union 2014). The decision to take this road means a resolve to overcome one's own individual and individualised, often egocentric notions of fulfilling life's necessities and interests. Taking the road of seeking and pursuing common welfare, instead of warfare, has its own socioeconomic, political and civic dimensions.

Even though in people's minds the 1989 revolution in Europe, which brought the fall of communism, has become one of the most positive events in modern history, we still cannot say that the majority has enthusiastically embraced the new way of life, formed under the influence of a complicated social and economic transformation. The democratisation of totalitarian regimes itself was not linear, simple or without serious perils. Tendencies towards authoritarianism and the undermining of democratic institutions, problems with consolidation of democracy and the establishment of democratic institutions accompanied the transition towards a new regime (Radičová 2013, 61).

What lies behind people's insistence on the strong role of the state is especially their critical reaction to social inequalities, which have grown significantly under the new economic conditions and in recent crises. The public was not ready for the deepening social

differentiation – the communist era instilled in their minds an ideal of equality, which refused differences in compensation of workers based on their varying productivity or added value for society. After 1989, ‘eastern’ societies started to disappear, and under the influence of the new social differentiation, an important part of the population has come to believe that the new economic differences among the people are less just than under socialism. Along with the terrible consequences of the debt and financial crisis, people are also dissatisfied with the level of corruption, injustices, a weak rule of law and poor transparency. Weak confidence in government and democratic institutions, and doubts about the legitimacy of the EU decision-making process are prevailing (Radičová 2013).

Positive expectations focus mostly on the potential of reforms to increase opportunities for the talented and capable individuals to bring adequate goods and services, and for improving the environment. Negative expectations anticipate social inequalities to deepen and wealth to concentrate in the hands of individuals at the expense of the majority of the population, higher unemployment, worse interpersonal relations, sale of national assets to foreign capital, but also seeing the most talented individuals leave to work abroad (Radičová 2013).

In the short term, most people will probably evaluate the orientation of their country and the achievements of its political leaders, above all, in the light of their own wallet. To meet the challenges posed by the present day and the necessary modernisation, however, it will be crucial to what extent the decisions of political representatives will focus on long-term investments in education and the environment, as well as support for really equal opportunities, respect for human rights and non-discrimination (Radičová 2013, 62).

Democratisation is protection of diversity. The story of contemporary Europe is unique in the complementary and parallel



strengthening of national identities together with respect for the spirit and values of Europe. Several profound changes took place in one historical moment: the transition from totalitarian regimes, the emergence of new independent states, and the enlargement and strengthening of a supranational union. The evaluation of a regime is significantly related not only to expectations but also to the reflection of one's own benefits and losses, brought by the regime change. From this perspective, two opposing streams will always emerge: the first, open to transformation, characterised by the will for significant socio-economic change (supporters of the post-November regime); and the second, closed to transformation and rejecting it (opponents). This diversity is the natural result of diverse political values and economic orientations, differing social and cultural capital, political affiliations concentrated around basic political subcultures and the socio-demographic differentiation of society (Radičová 2013, 62).

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# THE OSCE AND ‘EUROPEAN CITIZENS FOR EUROPEAN FOREIGN POLICY’

**LAMBERTO ZANNIER**

The central mission and overall objectives of the Paneuropean Movement and the OSCE are strikingly similar. The Paneuropean Movement developed the idea of European unity at a very early stage in history and has supported European integration ever since it was founded in the early 1920s. The OSCE is all about building and maintaining bridges within our continent, as well as with neighbouring regions, and jointly addressing common challenges on the basis of a positive agenda. With 57 participating states, the OSCE is the largest regional security organisation, and its approach to security is comprehensive: including economic, environmental and human dimensions in addition to the traditional political and military dimensions.

At the 2010 OSCE summit in Kazakhstan’s capital, Astana, the participating states recommitted themselves to the vision of a free, democratic, common and indivisible Euro-Atlantic and Eurasian security community stretching from Vancouver to Vladivostok – one that is rooted in agreed principles, shared commitments and common goals. Work towards the realisation of this strategic objective

remains very much in the focus of our deliberations as we approach 2015, a year which marks the 40<sup>th</sup> anniversary of the signing of the Helsinki Final Act. Today, the OSCE is reaffirming the commitment to comprehensive security, and redefining the security agenda in the light of contemporary challenges in the region through what we call the Helsinki +40 process.

The main goal of the Helsinki +40 process is to take stock of and strengthen the OSCE's contribution to wider efforts towards realising its security vision. The process will help to rebuild trust and confidence among participating states by identifying areas of increased cohesion and convergence of views and security perceptions. I am convinced that this goal can be achieved, provided that the EU and other key actors show interest in dialogue and constructive engagement.

Although a long list of divisive issues and a resurgent political-military rivalry stemming from old animosities currently affect the atmosphere in the OSCE region, and are fuelling growing mistrust and suspicion, relations between the key players are not bad on all accounts. As an organisation owned by its participating states, the OSCE today may seem to have little space for action, but it is this author's belief that dialogue and relations can be put back on track by, first, identifying areas for potential cooperation across these divides and, second, striving for a common purpose. All sides seem to be keen to seek ways to pursue mutually beneficial cooperation, including in the OSCE context. There are areas of mutual convergence and strong potential for intensified cooperation. Within the OSCE context, these include combating transnational threats, a common understanding of the need to bring the outdated conventional arms control regime in line with current security challenges, a shared interest in stabilising Central Asia and managing the situation in post-2014 Afghanistan, as well as strengthening prospects

for stability and further economic development in the Western Balkans, notably in Kosovo. It is also worth noting that a growing number of participating states support the idea of working more on reconciliation in the OSCE area as well as enhancing the OSCE's mediation tools.

Discussing issues of resonance on the OSCE's and Paneuropean Movement's common agenda from the citizens' perspective is welcome. The contributions of the civil society, the academia and the non-governmental community are critical to achieving progress in our efforts to create a secure community, which is a long-term, progressive process involving all sectors of society – one that cannot be created artificially or imposed from the top. Past efforts have taught us that the civil society and academia must be more intensively involved in these debates.

Below, this contribution elaborates on the OSCE's perspective on Europe and in particular on the EU's foreign policy by looking at the link between the EU's CFSP and the OSCE from three perspectives: political, operational or geographical, and institutional.

## **THE EU AS A POLITICAL ACTOR IN THE OSCE**

The EU is a strong and indispensable actor in its own right within the OSCE. In my meetings with the EU's HR/VP Catherine Ashton, I always receive robust support for the OSCE, our institutions and activities in the field. I would like to see this support further operationalised. After all, EU countries together with the candidate and potential candidate countries make up almost 60% of the OSCE's membership and provide 70% of the OSCE budget.

The EU is a strong advocate and defender of the OSCE's *acquis* (its body of norms, principles and commitments), in particular in the human dimension, and of its three Institutions. This does not mean,

however, that EU member states are immune to the Institutions' scrutiny with regard to their implementation of OSCE commitments.

The EU is indeed a very important factor within the OSCE, and its contribution is undeniable, both in terms of vision and impact on the OSCE's activities. To a large extent, the future of the OSCE depends on the continued interest of the EU and transatlantic partners in the organisation and its potential.

At the same time, however, we must bear in mind that the EU and the OSCE have some essential differences. EU member states are united politically and legally on the basis of a strong and multifaceted integration agenda, always seeking ways to speak in one voice and to promote common interests together. The OSCE, by contrast, is composed of states with very diverse priorities and security perspectives, which in recent years have become increasingly contentious. The OSCE represents a large community with a Euro-Atlantic and Eurasian dimension, and also – through its Partnership arrangements – Mediterranean and Asian perspectives. The OSCE provides a broad framework for its participating states to discuss their diverse views and agendas on an equal footing. The OSCE's role is to help bridge differences through dialogue and seek common solutions on the basis of an agreed set of principles, norms and commitments. This is a unique and fundamental characteristic of the OSCE that not only must not be overlooked, but needs to be protected and preserved.

Some of the EU participating states in the OSCE are increasingly questioning the added value of the OSCE and its relevance in today's world. My answer is that the OSCE is still very much needed. The OSCE continues to be confronted with fundamental misunderstandings about key players' expectations which result from different perceptions of security and threats to security. In this context, the OSCE's comprehensive approach to security, its

inclusiveness, the organisation's ownership by participating states, as well as its strong presence in the field, all help create the possibility for the countries of our region to address shared threats together in spite of diverging and even conflicting interests and perspectives in other areas.

A cooperative security framework dominated by trust and transparency remains a long-term vision rather than a reality. So the OSCE's ultimate objective should be to continue seeking ways to promote a more effective programme of substantive cooperation, including a strong contribution by the EU and its member states. The OSCE's efforts to create a security community are aimed at advancing a cooperative security concept and a confidence-building programme. These, in turn, could help mitigate differences among participating states and develop a sense of shared interests in addressing strategic challenges, including from the EU perspective.

The EU, of course, can help build a security community in our region. Indeed, the European idea inspires much of the security community discussion. However, the EU is not likely to have the same traction across the entire post-Soviet space as it has had in the Western Balkans. It is limited by the operational and geographic scope of the organisation, in particular with regard to Russia and most of the other former Soviet republics. Another important institution that can facilitate the process of building a security community is the Council of Europe, which addresses issues of key relevance, notably in the human dimension. However, the Council of Europe does not include the US, Canada or Central Asia. Given this context, the OSCE should play a leading role as a security-building institution. Together with the EU and other relevant actors, the OSCE should seek ways to overcome scepticism towards the OSCE's comprehensive concept of security and to strengthen the engagement of the OSCE's participating states.

When it comes to the dynamics of the EU's work in Vienna, much of the focus is on strengthening its common foreign policy and improving procedures that enable the EU to speak with one voice. On the one hand, this has contributed to an increasingly strong role for the EU as a collective player in the OSCE. On the other hand, however, the implementation of the Lisbon Treaty in the OSCE framework has to a certain extent affected a practise that is central to the OSCE – namely our interactive dialogue. Efforts to enhance EU coordination are gradually transforming the dialogue within the OSCE into an exchange of positions that limits opportunities for open discussion. Frankly speaking, the EU policy of coordinated statements is stunting interactive debate within the OSCE's decision making bodies. I see this as an obstacle to the OSCE's effectiveness that is also detrimental to the interests of the EU, which could better exploit the potential of the OSCE as a negotiating framework. Dialogue is the key process that gives the OSCE a sense of what issues matter to the participating states. It also serves as an important early warning and conflict prevention tool. An increasingly formal exchange of statements hinders these important functions.

## **OPERATIONAL COOPERATION BETWEEN THE OSCE AND IN THE EU**

At the operational or geographical level, the EU's enlargement and neighbourhood policies are very close to the OSCE's activities in the field. Issues such as good governance, economic and environmental sustainability, rule of law, media freedom, and rights of persons belonging to minorities are at the core of the EU enlargement process. In this context, the work of the OSCE field missions, particularly in the Western Balkans, has made a tangible contri-



bution to the European and Euro-Atlantic integration process. A good example of the benefits that can be generated from an open and constructive interaction between the EU and the OSCE is the implementation of the Belgrade-Pristina agreement, in the context of which the OSCE has been called upon to play a role in election facilitation. There is, however, room for further strengthening of cooperation in the field. More effective and forward-looking communication at all levels, and a commitment to seek improved synergies and operational interaction could increase the impact and efficiency of both organisations – which is especially important in an era of economic uncertainty and increasingly tight budgets.

Moreover, the OSCE's and the EU's joint involvement in Central Asia is particularly important in the light of the withdrawal of ISAF forces from Afghanistan in 2014. The OSCE currently has over 500 staff members in the five Central Asian field presences. They are working on border management and security, policing, and counter-narcotics projects that build these countries' capacity to confront threats stemming from Afghanistan. The EU is a staunch supporter of these activities, and EU-OSCE cooperation related to Afghanistan should be seen as part of the international community's commitment to remain engaged beyond 2014. The challenges related to the developing situation in Afghanistan and the wider region offer an opportunity to enhance our cooperation and seek most effective ways to address them together.

## **INSTITUTIONAL COOPERATION BETWEEN THE OSCE AND THE EU**

Pleasingly, institutional interaction between the EU and the OSCE has intensified over the years and is moving in the right direction. I myself travel to Brussels on a regular basis to address the Political

and Security Committee and the European Parliament. In addition to the HR/VP, I meet with other key EU players, including Mr Herman Van Rompuy (President of the European Council at the time of writing) and Mr José Manuel Barroso (President of the European Commission at the time of writing), and I always receive strong support for OSCE activities.

In my view, there is still room for strengthening our institutional cooperation. There have been calls for the OSCE to open a liaison office in Brussels to work with the EU, and particularly with the European Commission, in a more structured and systematic way. This idea is worth exploring even though it represents a challenge for the OSCE's comprehensive and balanced approach based on consensus decision-making. Although the EU is already represented in Vienna, OSCE presence in Brussels would raise the OSCE's profile and reinforce the mutual links between our two organisations.

## **CONCLUSION**

I am convinced that the EU can use the OSCE framework more vigorously to promote shared values and objectives. To fully exploit the potential of the OSCE, however, the EU should seek ways to better define the long-term objectives that it wants to achieve within the OSCE. As the largest group of participating states and the OSCE's main financial contributor, the EU has a particular responsibility to engage proactively and constructively in the Helsinki +40 process and to help shape the OSCE's agenda in the new security environment. The future role of the OSCE will to a large extent depend on its ability to provide added value to its main stakeholders, including the EU. So I encourage the EU to utilise the multiyear Helsinki +40 process to prioritise its objectives within the OSCE

and focus on the most important issues – which, admittedly, are also the most difficult ones to address. The EU should make better use of the OSCE and its key strengths – particularly our forum for open debate on security in all three dimensions, and our extensive network on the ground. This will help both the EU and the OSCE to be stronger and more effective organisations – which will benefit our citizens and governments.

# IMPLEMENTATION OF UN SANCTIONS AS AN EXAMPLE OF THE RELATIONSHIP BETWEEN EU LAW AND INTERNATIONAL LAW

**ANA POLAK PETRIČ<sup>23</sup>**

## **INTRODUCTION**

In contemporary legal doctrine, the concept of the Europeanisation of international law is understood as a sum of influences of European integration on the use of international law in the EU and its member states. It is a trilateral relationship between international law, EU law<sup>24</sup> and the national laws of EU member states. There is no doubt that with the accession to the EU, the classical relation between international law and national law in a state changes, as constitutional rules are no longer the only ones to stipulate the applicability and the status of international law at the national

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23 The views expressed here are those of the author and do not necessarily represent the views of the Ministry of Foreign Affairs of Slovenia.

24 The term EU law encompasses the law of the European Communities and the law of the EU throughout the history of integration.

level. In line with specific competences, EU law now sets forth the application of international rules in EU member states.

This relationship between EU law and international law is rather complex. Although the EU is based on classical interstate international agreements (founding treaties), it has been recognised by the jurisprudence of the CJEU with specific characteristics. It is more than an international organisation - it is a *sui generis* subject of international law with a legal order that is autonomous and independent from the legal systems of its member states and at the same time distinct from international law.<sup>25</sup>

Today, EU law and international law interactively influence one another and are intertwined. The impact of the Union's legal order on the creation of international law, especially in the light of its increasing external competences, should not be overlooked. However, in the context of the Europeanisation of international law, the key question is how the nature of international law changes once it becomes part of the legal order of the EU, or in other terms, how much is international law Europeanised?<sup>26</sup>

In the past, in an effort to preserve the autonomy of the EU legal system, the CJEU was reluctant to recognise the legal effects to international legal obligations, but today's practice is different. By its jurisprudence, the CJEU has recognised the absorption of international treaties, in certain cases also of international customary law and instruments of international organisations, into the EU legal system.<sup>27</sup> In the course of this process, international law changes, as it adopts the characteristics of EU law. This trans-

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25 *N.V. Algemene Transport – En Expeditie Onderneming Van Gend & Loos v Netherlands Inland Revenue Administration* (26–62 [1963] ECR 1); *Flaminio Costa v ENEL* (6–64 [1964] ECR 585).

26 See Wouters, Nollkaemper and De Wet (2008).

27 *R. & V. Haegeman v. Belgian State* (181–73 [1974] ECR 449); *A. Racke* (C-162/96 [1998] ECR I-3655); *Opel Austria* (T-115/94 [1997] ECR II-39).

formation affects its status in EU member states: regardless of the status that international law holds according to the constitutional rules in the national legal systems, the Europeanised international law prevails over the conflicting national legal norms (the doctrine of supremacy) and becomes directly applicable in the national legal systems of the EU member states (Rosas 2008, 76). At the same time, international law is placed in the hierarchy of EU legal sources. It has primacy over secondary sources, which means that domestic courts are obliged to interpret national law in line with such international norms. Furthermore, the CJEU is obliged to interpret secondary sources in line with them.<sup>28</sup> Another important aspect is the possibility of direct reference to such Europeanised international legal obligations by individuals in domestic courts if the conditions of the so-called direct effect are fulfilled. It should be underlined, however, that the CJEU is much less inclined to recognise direct effect to the norms of international law in comparison to EU secondary legal sources.<sup>29</sup> In relation to legal acts, through which international law is transferred into the EU legal order, the CJEU also has the competence to review their legality (TFEU Article 263)<sup>30</sup> and to give preliminary rulings (TFEU Article 267). This provides a possibility of an infringement proceeding against member states for non-compliance with international legal obligations, or even proceedings of individuals against the EU for

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28 *Hermès* (C-53/96 [1998] ECR I-3603); *Commission v. Germany* (C-61/94 [1996] ECR I-3989); *Anklagemyndigheden v Poulsen and Diva Navigation* (C-286/90 [1992] ECR I-6019).

29 In general, the Court follows a two-stage test, during which it first estimates whether an international agreement forms directly applicable rights and obligations for individuals. In the second stage, it judges if a concrete norm of international law is legally perfect (clear, precise and unconditional) to directly create individual rights. *Meryem Demirel* (12/86 [1987] ECR 3719); *A. Racke* (C-162/96 [1998] ECR I-3655); *Parfumes Chistian Dior* (C-300/98 [2000] ECR I-11307).

30 *Treaty on the Functioning of the European Union*, signed on 13 December 2007 in Lisbon, entered into force on 1 December 2009.

the liability caused by the violation of accepted international legal obligations (TFEU Article 340).

Evidently, the consequences of the transferral of international law into EU law are complex and important. Many issues come into play in this process, such as the modification of the classical relationship between international law and national law, the relevant competences in the EU, the role of the CJEU and its jurisprudence, and the consequences of the EU being a *sui generis* subject of international law. This contribution is however limited to a rather general overview, dealing with the implementation of UN sanctions by the EU and its member states as one of the most typical and problematic examples of Europeanised international law.

## IMPLEMENTATION OF UN SANCTIONS

The legal basis for the obligation to implement sanctions adopted with resolutions of the UNSC is found in the provisions of the UN Charter.<sup>31</sup> Its Article 103 stipulates the key rule dealing with the legal nature of the obligations stemming from the membership of the UN; it sets a hierarchical superiority of these obligations over the obligations under other international treaties: “In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.” Although the UN Charter is itself an international treaty, it clearly offers a solution to conflicts which might arise between the obligations from UN membership and the obligations under other international treaties concluded between

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31. *Charter of the United Nations*, signed on 26 June 1945 in San Francisco, entered into force on 24 October 1945.

UN member states. This principle of primacy of the UN Charter is recognised as a rule of customary international law, as provided for in Article 30 of the Vienna Convention on the Law of Treaties<sup>32</sup> and Article 30 of the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations.<sup>33</sup>

Pursuant to the UN Charter, the UNSC is, in addition to making recommendations, authorised to adopt coercive measures. With a view to ensuring immediate and effective action of the UN, its member states have vested in the UNSC the primary responsibility to maintain or restore international peace and security. This is confirmed in Article 24 of the UN Charter.<sup>34</sup> UN member states are thus obliged to accept and carry out the decisions of the UNSC (Article 25 of the UN Charter), either directly on their own or through their action within the relevant international organisations (Article 48 (2) of the UN Charter). Binding decisions of the UNSC are those that enact coercive measures adopted on the basis of Chapter VII of the UN Charter, notably actions and measures of the UNSC in cases of threats to or, breaches of, international peace and in times of aggression.<sup>35</sup> In line with the UN Charter, such measures of the UNSC are binding on all UN member states. Moreover, they have, as stipulated in Article 103 of the UN Charter, priority over other

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32 *Vienna Convention on the Law of Treaties*, adopted on 22 May 1969 in Vienna, entered into force on 27 January 1980.

33 *Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations*, adopted on 21 March 1986 in Vienna, not yet in force.

34 It says: "In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf."

35 Practice reveals that the UNSC has many means at its disposal: measures not involving the use of armed force (economic sanctions, targeted sanctions, embargos); establishment of criminal tribunals and courts; granting mandates to peacekeeping forces; and coercive measures with the use of force.



international treaty obligations of UN member states and are superior to them in case of conflict.

The EU implements all sanctions imposed by the UN. It is clear that all EU member states are also members of the UN, some even permanent members of the UNSC. The EU may even reinforce UN sanctions by applying stricter and additional measures, or it may decide to impose autonomous sanctions (Council of the EU 2014). Articles 75 and 215 of the TFEU provide the legal basis for the adoption of sanctions by the EU, where such restrictive measures are necessary to achieve the objectives of the CFSP. The Council of the EU imposes the EU's restrictive measures through a CFSP Council decision adopted unanimously. While this decision contains all measures imposed, additional legislation may be needed to give full legal effect to the sanctions. Economic measures, such as asset freezes and export bans, fall under the competence of the Union and therefore require separate implementing legislation in the form of a Council regulation, which is directly binding and adopted on the basis of a joint proposal by the HR/VP and the European Commission (ibid).

Through this procedure, UN sanctions become part of EU law and assume all the characteristics of secondary EU legal sources, including supremacy and direct applicability. Sanctions adopted by the UNSC thus become Europeanised and their implementation is no longer at the sole discretion of EU member states. It is the CJEU in Luxembourg which gains the competence to review the legality and validity of the legal acts of the EU. The complexity of this legal situation is evident from the prominent but also controversial *Kadi* case.<sup>36</sup>

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36 The case involved many important legal issues, but for the sake of relevance to this article, the analysis is focused on the rulings dealing with the relationship between EU law and international law (the UN Charter).

## THE KADI CASE

Following the 9/11 attacks, the activities of the international community in the fight against international terrorism became more intensive than ever. The UNSC passed numerous resolutions, which introduced, on the basis of Chapter VII of the UN Charter, targeted or smart sanctions against individuals and entities suspected of cooperation and links with terrorist organisations, mostly with Al Qaida and the Taliban. They have put in place the obligation of UN member states to freeze without delay all funds and other financial assets or economic resources of designated individuals and entities.<sup>37</sup> The Sanctions Committee (Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities), a subordinate body of the UNSC, oversees the implementation of the sanctions, but also produces and updates, in cooperation with the UNSC members, the list of targeted individuals and entities to which the sanctions apply (the so-called Sanctions List, Consolidated List).<sup>38</sup>

All UN member states must take specific restrictive measures, as designated by the Sanctions Committee and adopted by the UNSC. The EU has thus adopted numerous acts<sup>39</sup> in order to implement the UNSC resolutions concerning antiterrorist sanctions, ordering the freezing of the funds and other economic resources of the persons and entities whose names appear on the Sanctions

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37 The most relevant is: *United Nations Security Council Resolution 1267 about Afghanistan*. 1999. Adopted on 15 October.

38 For the description of the work of the Sanctions Committee and the listing and delisting procedures, see UN (2014).

39 In particular: *Council Common Position (2002/402/CFSP)* of 27 May 2002 concerning restrictive measures against Osama bin Laden, members of the al-Qaeda organisation and the Taliban and other individuals, groups, undertakings and entities associated with them; and *Regulation (EC) No 881/2002* imposing specific restrictive measures against certain persons and entities associated with Osama bin Laden, the al-Qaeda network and the Taliban.

List. In the specific case from October 2001, the funds of Mr Yassin Abdullah Kadi, a resident of Saudi Arabia, were frozen in the EU, because the Sanctions Committee had put him on the list of individuals associated with Osama bin Laden or the al-Qaeda network.

### *Kadi I Case*

Mr Kadi started his almost 15-year legal odyssey with the proceedings initiated in 2001 before the Court of First Instance (today the General Court).<sup>40</sup> He claimed that the EU act (Regulation (EC) No 881/2002), which had been adopted in order to implement the restrictive measures of the UNSC, had infringed his fundamental rights, particularly the right to property and the right to a fair hearing. The regulation imposed sanctions on him although he had not been heard or given the opportunity to defend himself nor had the EU act been subjected to any judicial review (right to effective judicial review). The evidence and facts on which the case against him had been based were not communicated to him, and thus he had no opportunity to explain himself (right to be heard).

After the Court of First Instance dismissed the case in 2005, it seemed that the primacy of the UN Charter under international law, embodied in Article 103 of the UN Charter, would prevent the EU's judiciary bodies from reviewing the Europeanised sanctions. Namely, the Court of First Instance dismissed the case in 2005. It ruled that if restrictive antiterrorism measures are required by the UNSC, they fall, in principle, outside the scope of judicial review by

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<sup>40</sup> *Yassin Abdullah Kadi v Council and Commission* (T-315/01[2005] ECR II-3649). At the same time, legal action was also filed in *Ahmed Ali Yusuf and Al Barakaat International Foundation v. Council and Commission* (T-306/01 [2005] ECR II-3533). The cases were later merged.

the EU courts.<sup>41</sup> The conclusion that resolutions of the UNSC have undisputed primacy over any other domestic or international treaty obligation of UN member states, including EU law, was drawn from the UN Charter and the fact that the UNSC is responsible for the maintenance of international peace and security and that UN members must implement its decisions.<sup>42</sup>

This view was overruled by the influential 2008 judgment of the Court of Justice, which, following an appeal by Mr Kadi, decided that the EU courts have jurisdiction to review measures adopted by the EU which give effect to the UNSC resolutions. Moreover, in exercising that jurisdiction, the Court considered that the regulation infringed Mr Kadi's fundamental rights.

The Court of Justice underlined that obligations imposed by an international agreement – the UN Charter – “cannot have the effect of prejudicing the constitutional principles of the EC Treaty, which include the principle that all Community acts must respect fundamental rights.”<sup>43</sup> Although it recognised the obligatory nature of the UNSC resolutions, it did not accept the primacy of the UN Charter as regards the general principles of law and fundamental rights. It thus confirmed once again that the EU legal order is an autonomous legal system, in which the respect for fundamental rights is a precondition

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41 Judgment of the Court of First Instance of 21 September 2005 in *Yassin Abdullah Kadi v Council and Commission* (T-315/01[2005] ECR II-3649), §214–22. However, the Court claimed to be competent to review the lawfulness of UN resolutions with regard to certain mandatory fundamental rights recognised as *jus cogens*.

42 Ibid, §181–4.

43 “The Community judicature must /.../ ensure the review, in principle the full review, of the lawfulness of all Community acts in the light of the fundamental rights forming an integral part of the general principles of Community law, including review of Community measures which, like the contested regulation, are designed to give effect to the resolutions adopted by the Security Council under Chapter VII of the Charter of the United Nations.” Judgment of the Court of Justice of 3 September 2008 in *Yassin Abdullah Kadi and Al Barakat International Foundation v. Council and Commission* (C-402/05 P and C-415/05 P [2008] ECR I-6351), §285, §327. See also A. R. Wessel (2008, 323).

tion for the legality of any act. Any measures that are incompatible with human rights are not accepted in EU integration.

However, the Court did not object the validity of the UNSC resolutions, but based its judicial review on the fact that the UN Charter leaves the member states the choice among the various possible models for transposing those resolutions into their domestic legal order.<sup>44</sup> It surprisingly stated that, even if the EU courts would judge that an EU act giving effect to a UNSC resolution was contrary to a higher rule of EU law, this would not entail any challenge to the primacy of that resolution in international law (Court of Justice 2008). Based on this position, the Court examined and consequently annulled Regulation (EC) No 881/2002, since it found a breach of fundamental rights.<sup>45</sup>

### *Kadi II Case*

In the aftermath of this significant judgment, the European Commission was forced to adopt a new regulation, in which it pointed out that it had communicated to Mr Kadi the narrative summaries of reasons provided by the UNSC and that he had thus been given the opportunity to comment on these grounds in order to make his point of view known (Commission Regulation (EC) No 1190/2008).<sup>46</sup> After having carefully considered his comments, the Commission

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44 Judgement of the Court of Justice of 3 September 2008 in *Yassin Abdullah Kadi and Al Barakat International Foundation v. Council and Commission* (C-402/05 P and C-415/05 P [2008] ECR I-6351), §298.

45 The EU institutions did not communicate any evidence to the applicant, which constituted a violation of the right of defence and the right to effective judicial review. Without any meaningful opportunity to make his position heard, the applicant's right to property was also disproportionately restricted (Stahlberg 2010).

46 *Commission Regulation (EC) No 1190/2008 of 28 November 2008 amending for the 101st time Council Regulation (EC) No 881/2002 imposing specific restrictive measures against certain persons and entities associated with Osama bin Laden, the al-Qaeda network and the Taliban.*

decided that the listing of Mr Kadi was justified for reasons of his association with the Al-Qaida network (ibid). In 2009, Mr Kadi took new legal action and decided to appeal also against this regulation (Kadi II Case). He claimed that his fundamental rights (the right to be heard, the right to effective judicial review, the right to respect for property) had been violated, since in this new procedure he once again had not been informed about the evidence, which had served as the basis for putting him on the Sanctions List, and thus he had not been given the opportunity to defend himself.

The General Court confirmed in its judgement of 30 September 2010 the jurisdiction of the EU courts to fully and rigorously review the lawfulness of EU legislation in the light of fundamental rights, thus not admitting any immunity from jurisdiction on the ground that it gives effect to resolutions adopted by the UNSC under Chapter VII of the UN Charter. It stated that this must remain so as long as the re-examination procedure operated by the UN Sanctions Committee clearly fails to offer guarantees of effective judicial protection.<sup>47</sup> Since the relevant regulation imposed restrictive measures on a person without any real guarantee to that person as to the disclosure of the evidence used against him or as to his actually being properly heard in that regard, the General Court concluded that the regulation had been adopted according to a procedure in which the right of defence had not been observed and that Mr Kadi's right of defence and right to effective judicial protection had been infringed (CJEU 2013). As a consequence, the General Court annulled the Commission's regulation.

The final decision in this long legal saga was made rather recently by the CJEU. It dismissed in July 2013 the appeals of the

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47 Judgment of the General Court of 30 September 2010 in *Yassin Abdullah Kadi v Commission* (T-85/09 [2010] ECR II-5177), §126–9.

European Commission, the European Council and the UK, and confirmed, once and for all, that an EU act imposing restrictive measures against persons and entities cannot be afforded any immunity from jurisdiction in the EU. This is based on the constitutional guarantee which is exercised by judicial review of the lawfulness of all EU measures – including those solely implementing a measure of international law – in the light of the fundamental rights guaranteed by the EU.<sup>48</sup>

The Court – contrary to the analysis of the General Court – found that the majority of the reasons relied on against Mr Kadi were sufficiently detailed and specific to allow effective exercise of the rights of defence and judicial review of the lawfulness of the contested measure.<sup>49</sup> It further extensively dealt with the role of the EU courts in order to ensure that EU decisions, which affect persons individually, are taken on a sufficiently solid factual basis. In order to make this examination, the competent EU authority must provide information or evidence relevant to such an examination, regardless of confidentiality. Although by the time of the hearing Mr Kadi had been removed from the Sanctions List, the Court examined the reasons why he had been listed in the first place, i.e. the allegations presented in the UN Narrative Summary. The Court concluded that the allegations of him being involved in activities linked to international terrorism had not been substantiated by

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48 Judgement of the Court of Justice of 18 July 2013 in *European Commission and Others v. Yassin Abdullah Kadi* (Joined Cases C–584/10 P, C–593/10 P and C–595/10 P [2013]), §65–7.

49 Ibid, §111–16. The Court stated that, in proceedings relating to listing of an individual suspected of being associated with terrorism, the competent EU authority has a dual obligation – first, to disclose to the individual concerned the evidence against him or her and, second, to effectively enable that individual to state his or her views on the grounds presented against him or her. Then, the competent EU authority must examine, carefully and impartially, whether the alleged reasons are well-founded, whether it is necessary to seek the assistance of the Sanctions Committee and the UN members which proposed the listing of the individual concerned.

evidence and that they did not justify the adoption, at the EU level, of restrictive measures against him (CJEU 2013). Had Mr Kadi still been on the Sanctions List, as a result of this judgement, the EU and its member states would have been unable to implement the UN sanctions against him after this ruling.

## CONCLUSION

The *Kadi I* and *Kadi II* cases are undoubtedly among major milestones in EU jurisprudence, especially as regards the interplay between the EU legal order and international law. The EU courts have confirmed that all EU legal acts, including the ones adopted solely for the purpose of implementing binding international legal obligations – UNSC resolutions – are to be reviewed as to their lawfulness. Today substantial case law confirms the principle of ‘no immunity to EU jurisdiction for Europeanised UN sanctions’. The autonomy and independence of the EU legal system, which thus cannot be threatened by any international agreement, and the role of the CJEU as its guardian have once again been confirmed, along with the tradition of the strong dedication of the EU and its member states to fundamental rights and freedoms. An important aspect of the autonomy of the EU legal system is the fact that it itself determines the internal hierarchy of norms, in which primacy is reserved for the fundamental rights not the UN Charter. In the *Kadi* rulings, the EU courts confirmed the primacy of the fundamental principles of the EU over the UN Charter.

The impact of the *Kadi* rulings on the traditional views on the hierarchy and the structure of international legal order is considerable. But does it indeed jeopardise the primacy of obligations stemming from the UN Charter? The EU courts did not deal with the legality and validity of the UNSC resolutions *per se* nor did



they establish a new hierarchical structure regarding the interplay between international law and European law (Posch 2009, 4). They also did not challenge, but rather affirmed, the primacy of obligations under the UN Charter in the international legal order. The EU courts surpassed the formal hierarchical relationship between UN law and EU law and a pluralistic view prevailed: UNSC resolutions remain untouchable, but the acts by which the EU implements them are not, and they are subject to the fundamental rights and principles that form the basis of the EU legal order (Wessel 2008, 326). Pluralist approaches to international law admit the existence of the multiplicity of distinct and diverse normative systems and the likelihood of clashes of authority claims and competition for primacy among them (de Búrca 2009, 38).

It is, however, clear that, by examining the lawfulness of EU acts that merely implement UN resolutions, the EU courts also indirectly reviewed the resolutions and thus tested the actual primacy of the UN Charter in the complex and fragmented contemporary international legal order. This leads to a conclusion that in the event of a conflict between UN Charter obligations on the one hand and the fundamental rights of the EU on the other, the latter will prevail. Thereby, the primacy of UN Charter obligations and the integrity of UNSC resolutions end in the absence of discretionary power to implement such resolutions in a fundamental rights-friendly way (Posch 2009, 4). Due to the lack of judicial remedies at the UN level, the EU and its member states might be unable to fully implement binding UNSC resolutions with a fundamental human rights shortfall.

The question remains whether the *Kadi* judgments could undermine the unlimited authority of the UNSC as the only guardian of international peace and security. They are pioneer judgements at the global and regional levels recognising that UN targeted sanc-

tions have a fundamental rights deficit. Hence, it is not surprising that they are praised by those who insist that the UNSC should be held responsible for its actions and decisions. These ideas are not new to the theory and practice of international relations; calls for the reform of the UN are still strong and foresee the establishment of a mechanism controlling the work of the UNSC and its international responsibility.

The main criticism of the *Kadi* rulings pertains to the question whether the effectiveness of the work of the UNSC and the international community in the global fight against terrorism can be preserved if the authority of global binding decisions is jeopardised by regional courts. One might question whether it is really possible to balance the fundamental rights of an individual with a legitimate objective pursued by the UN and the essential public interest in maintaining international peace and security in the face of a threat posed by international terrorism. In a region strongly committed to fundamental rights and the rule of law, the *Kadi* judgements were not surprising; they created pressure on the UN body to change its policy towards human rights. In practical terms, the *Kadi* rulings have enhanced and positively influenced the debates in the UN circles and thereby contributed to greater human rights protection of sanctioned individuals. In 2008, by passing UNSC Resolution 1822 (2008),<sup>50</sup> the UNSC introduced a practice of publishing the narrative summary, in which it summarises the main reasons for putting an individual's name on the Sanctions List. In addition, the UNSC created in 2009 the Office of the Ombudsperson, tasked with processing the requests of individuals or entities to be removed from

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50 United Nations Security Council Resolution 1822 about *Threats to international peace and security caused by terrorist acts*. 2008. Adopted on 30 June.

the list;<sup>51</sup> see UNSC Resolution 1904 (2009).<sup>52</sup> As a consequence of the *Kadi* cases, the introduction of UN targeted sanctions is more inclusive and more mindful of the affected individual's rights.

Without questioning the authority of the *Kadi* rulings in the context of preserving the autonomy of EU law and its underlying commitment to the protection and respect of fundamental rights, their impact on the actual implementation of UN sanctions and resolutions, as well as on the possible effectiveness of the international legal order should not be underestimated. Regional or domestic court judgements that proclaim – even if only indirectly – the decisions of the UNSC illegitimate because of their human rights deficit may call into question the authority of this global body. Such sublime European practice could spur the states that are unfavourable to the UNSC and global governance of international peace and security to object its practices and decisions. The European continent wants to be and should be a positive example of a region respecting and adhering to international legal obligations. Would we accept such rulings based on the autonomy of a regional legal order, its understanding of human rights and the primacy of internal fundamental principles over binding international legal obligations if they were produced by courts in Africa, the Islamic world, or even the US?

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51 The Ombudsperson collects data, communicates with petitioners and drafts reports to the Sanctions Committee. If the request for delisting is refused, the Ombudsperson informs the petitioner of the reasons for refusal, provided that they are not confidential. In 2011, the UNSC significantly strengthened the Ombudsperson's powers. Since then, a recommendation to delist in principle becomes effective if it is not rejected by consensus in the Sanctions Committee within 60 days. Additionally, petitioners can now assert their rights before the Ombudsperson themselves or through their chosen representatives. Moreover, the Ombudsperson seeks to guarantee fair proceedings and transparent standards to analyse information on the individuals concerned consistently and objectively (Kokott and Sobotta 2012, 1020–1).

52 *United Nations Security Council Resolution 1904 about Threats to international peace and security caused by terrorist acts*. 2009. Adopted on 17 December.

Regardless of the well-known deficiencies in its structure and work, the UNSC remains the only global and universal mechanism capable of adopting binding decisions for the effective maintenance of international peace and security. Furthermore, the EU should be cautious in possibly subverting its authority, since not implementing UNSC decisions and resolutions could seriously endanger the international legal order based on the UN system and the UN Charter.

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# EU FOREIGN POLICY: COOPERATION WITH NATIONAL DIPLOMACY – A PRACTITIONER’S VIEW ON THE EEAS

**LEON MARC<sup>53</sup>**

As we know, making EU foreign policy is not an easy exercise. We should not see this solely as a weakness of the EU, but also as a reflection of the respect for national positions. Those that call for speaking with a single voice may sometimes have one particular voice in mind – their own –, and that is equally not a genuine, single EU voice.

The goal of the single voice may come as a confluence of two processes. First, of making of a greater/deeper/more cohesive EU, in which distinct national voices in foreign policy are less pronounced or, simply, where there is less scope for such differences. Second, as a result of further globalisation that will accentuate issues common

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<sup>53</sup> The views expressed here are those of the author and do not necessarily represent the views of the Ministry of Foreign Affairs of Slovenia.

to the EU as a whole. This process will eventually have a boomerang effect: only a unified position of the EU may hope to make a change globally.

So we need to be and can be more pragmatic about the future direction of the EU: deepening the EU may simply be a necessity as individual member states, even those of greater size, may not be powerful enough to exert sufficient influence in global affairs. This is not about an ideological approach to the EU.

With the advance of the EEAS, a rather superficial and simplistic view has been expressed in many quarters: national diplomacies will become less important, in particular within the EU. These views largely miss the point or are based on a false understanding of the EEAS. As far as the role of national diplomacies within the EU is concerned, the EEAS has almost no bearing on them. There is growing awareness that bilateral embassies within the EU make sense and that they provide indispensable complementary information to that gathered in corridors in Brussels or in direct communication between leaders. While certain EU countries, as a part of their spending cuts, wanted to impress voters by making diplomacy save on their EU embassy network, others have realised that times of constraint require more not less influence in intra-EU relations.

But the EEAS certainly has consequences for the way national diplomacies are represented in third countries. Here, there is scope for leaving the job to EU Delegations or at least to share resources locally. In some places, it is the EU Delegation that is the true focal point that can offer valuable information to locally represented national embassies. In some others, the EU Delegation is on the learning end.

The size and scope of work of both EU missions and national embassies will have to find a new equilibrium, reflecting how – in particular local circumstances – the mix of all-European and na-

tional interests can best be represented. It is important to be realistic about this equilibrium but at the same time make sure not to confuse the host country with diverging views.

An obvious target for delegating work would be consular protection. But as we know, this area has not been included among the EEAS's tasks and has not been budgeted for. Some member states did not feel the need for this, as they have their own consular resources of significant capabilities. Some think that this would mean surrendering sovereignty in an important and politically sensitive area of service to their citizens. But imagine the powerful message that an EU Delegation providing an Emergency Travel Document or other form of assistance to an EU citizen in distress in a remote part of the world would have for the image of the EU being in the service of citizens! Besides, there may be an important economic rationale behind this. Moreover, some EU countries may feel overwhelmed by regularly providing consular assistance to citizens of small countries not represented locally. After all, this also comes at a certain cost. However, apart from legal problems, the fact is that at this moment the EEAS has a complete lack of expertise and resources in this area, and can hardly offer anything in this respect.

Here, we arrive to the issue of Temporary Agents sent to the EEAS from EU member states. First, we must state that we all have very short and thereby limited experience with the EEAS staff from member states. The year 2014 will see the first generation of Temporary Agents ending their term, returning to their home ministries or seeing their service extended for another term. It is yet to be seen how the experience and skills gained by those returning to their national diplomacies will be disseminated and used.

The immediate focus of many member states has been, initially, on securing posts of Heads of EU Delegations. This is certainly important with respect to the perception of the EU in member states

– domestic audiences expect that their diplomats are well placed in the EEAS. However, we are in danger of missing the point again. The goal of the quota of one third of the EEAS being national diplomats should not be seen as a mechanical goal. There have been some difficulties with this. To be fair to the EEAS, its management had to square the one-third requirement with its budget on the one hand, and also with the aspirations of their permanent staff on the other. This is not easy. The situation is perhaps similar to staff changes that occurred in new democracies, where a large part of former civil servants were retained, but room had to be made for new entrants. New entrants can easily be seen as a problem. So instead of looking at them in a mechanical way, we should rather see national diplomats in the EEAS in the light of their added value. National Temporary Agents bring with them the classic diplomatic and consular skills that the permanent staff in EU Delegations does not (necessarily) possess. They may also bring specific expertise; for example, diplomats from the newer EU member states poses first-hand experience of transition and may therefore be well placed to the EEAS postings across the globe where democratic transition is still undergoing.

One way to address this might be to request that each year member states prepare a list/pool of national diplomats (maintaining the respective national quota or target) who meet certain minimum criteria (set by the EEAS) and who, in the view of their respective national foreign ministry, possess the necessary competences for the EEAS. The EEAS might then match these individuals against its needs, and offer them positions accordingly. This would give the EEAS the necessary flexibility and the opportunity to address its real needs, while national authorities would be reassured of maintaining a continued presence of their national diplomats, in accordance with the target number. Meritocracy is ensured by

setting the minimum standards by the EEAS itself, while the EEAS is relieved of the burden of having a substantial part in the selection process.

Speaking about skills, the issue of national quotas should not be a taboo. Professional criteria and meritocracy must apply, but when judged, for example, by the size of an organisation or budget that a diplomat had a working experience with, large countries will beat smaller ones by default. So some degree of national quotas would thus not be entirely out of place.

All member states, in particular the smaller ones, also face an important dilemma: should we send the best or the most junior diplomats to the EEAS? Is the EEAS a place for indirect influence on decision making and information gathering in areas of interest, or a place to learn how EU foreign policy works? These dilemmas are most pertinent for small EU member states; to be competitive, they should offer over-qualified candidates, but this may mean a loss for their national diplomacies. Some sort of national quotas would relieve this concern.

The forging of EU foreign policy will take time. So will the fine tuning of the EEAS and the role of national diplomacies in it, as well as the evaluation of the stake of individual member states in the EEAS.

# RECONNECTING WITH THE CITIZENS

**TADEJ RUPEL**<sup>54</sup>

## **INTRODUCTION**

Today, we are facing a great challenge ahead: bringing European citizens to the centre of the EU and its policies. All the more so as we approach elections to the European Parliament in May 2014,<sup>55</sup> which probably represent a make-or-break point in terms of choosing the future model for the EU and its citizens. Our main point of concern should be how to avoid ending up with an EU that is even more detached from its citizens. We have the responsibility to contest Euroscepticism, re-nationalisation and indifference, to come out and highlight the positive elements that each policy has established at the European level.

## **MATCHING EU EXTERNAL AND INTERNAL VALUE-BASED ACTIONS**

EU foreign policy is subject to specific rules and procedures compared to other EU policies. This does not render it less efficient

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54 The views expressed here are those of the author and do not necessarily represent the views of the Ministry of Foreign Affairs of Slovenia.

55 The article was written in October 2013.

in pursuing its objectives, which stayed the same throughout its long existence: promoting peace, stability and prosperity for the citizens within and outside Europe. The EU has been – and still is – overperforming in this perspective through history, which was also acknowledged when it was awarded the Nobel Peace Prize in 2012. Institutional changes, brought by the Lisbon Treaty with the creation of the EEAS, consolidated Europe's efforts in this regard.

The mentioned achievements should give Europeans self-confidence, not only because they have managed to build a peaceful and prosperous society, but also because Europe's regional integration model is exercising its influence well beyond its borders. Against this background, Europeans are invited to find more strength to reflect the EU's values they are promoting through their external action also at home, thus not leaving any room for populism and nationalism, which are clearly riding the waves of the economic and financial crisis. Consistency between external and internal endeavours will give the EU more weight on the global stage.

## **REASSERTING EUROPE'S GLOBAL AGENDA**

The financial crisis and fiscal tightening should not serve as a pretext for concentrating predominantly on internal consolidation. Although only 6% of the overall amount within the financial framework for the next seven years is to be allocated to Heading Global Europe, we should remain open, making headway in those areas and levels where we can make a real difference. Europe should reassert its agenda at the global level. To name just a few examples: concluding ambitious trade deals that promote growth and jobs for our economy, making progress in energy policy on the internal and external front, and promoting the global agenda on climate change.

*Slovenia Is Reconnecting with Its Citizens*



These priorities are also in the core of Slovenia's diplomatic activities, both at home and abroad. We are trying to rebalance the need for more efficient foreign policy and service with interests and views of Slovenian citizens. We have established a holiday dedicated to Slovenian diplomacy (22 May) and have given the public the possibility to see 'behind the closed doors of the Foreign Ministry building'. We try to offer the best consular services that we can manage, so that our citizens feel safe and secure. We also try to build awareness among our citizens that foreign policy is not something too foreign for them.

Going through geographical priorities of Slovenia's foreign policy, you can notice an undulating effect (similar to what you see on water when you throw a stone in a pond). The first wave is the relationship with our closest neighbours. Here, we try to intensify our cooperation, especially in the context of the EU. You might have already noticed the ever increasing process of close cooperation and coordination between Slovenia, Austria and Croatia on most EU Common Foreign Policy issues and Human Rights issues. We also try to cooperate on our common priorities with Italy and Hungary. The second wave is the region, Western Balkans. It is crucial that this geographical area is a stable, prosperous and democratic part of Europe. It cannot be excluded from any form of European integration.

With Slovenia's geographical position on the rim of the Pannonian Basin on one end and touching the remaining waves of the Mediterranean on the other end, we feel very much connected to both parts of European neighbourhood – from Eastern European countries through the South Caucasus and Central Asia to the southern shores of the Mediterranean. We see great importance in the security and stability of this area.

We will also continue with our efforts, bilaterally and at the European level, to use the leverages and instruments at our disposal

to further the notions of democracy as a bearer of stability, respect for human rights, economic prosperity and wellbeing.

We seek – together with our citizens – our role and our priorities, which are to be established in the discussions about the future of the EU. We want to build up a political EU through dialogue with the citizens and the national parliament.

The Ministry of Foreign Affairs has initiated a project entitled ‘More Europe – More Slovenia’, which covers a broad range of issues: from the general conception of the future EU as a political union and the proposed genuine Economic and Monetary Union to more technical areas related to specific EU policies. In January 2014, we will also discuss the question of the EU as a global actor and the views of Slovenian citizens about it. The findings will serve as an important input for the final Slovenian position to be represented at the EU level.

Bridging the gap of democratic deficit and bringing the ideas, proposals and problems of our citizens to the centre of our policy making is actually a never-ending exercise, which will hopefully be a rewarding one, not the least at the election to the European Parliament next year.

# EU ENLARGEMENT THROUGH EDUCATION WITH AN EMPHASIS ON CSEE

**LUDVIK TOPLAK**

## **INTRODUCTION**

Europe is a geographical, historical, cultural, economic and political phenomenon. The vision of Europe from the 1950s (Robert Schuman, Alcide De Gasperi, Konrad Adenauer) is a result of two thousand years of historical and cultural continuity since the Roman times. This text is limited to the question of enlargement to CSEE, with the Balkan countries. CSEE has a political connotation; it is, therefore, often referred to as the Danube Region or Euro-Mediterranean Region.

Europe, and especially CSEE, is a place with numerous challenges, faced with historical, cultural, economic and political issues that are subject of research, EU neighbourhood policy, EU enlargement and EU citizenship. When talking about CSEE, the international community, including the EU, thinks of political and economic contradictions, but it neglects the historical and cultural vision of European identity. It therefore seeks solutions only with the help of economic, political and military instruments, and neglects the key solution – education.

## **CHALLENGES OF THE REGION**

Geographically speaking, CSEE borders on large nations: 100 million Germans, 150 million Russians, 100 million Turks, 50 million Italians, etc. It is an area with many smaller nations with a thousand years of history and their individual cultural and political identities, where many small nations still need to solve their shared transnational issues with transnational instruments. There are four main religions in CSEE, which is also challenging. Moreover, transnational questions cannot be solved by public universities, even if they are autonomous, because they are always politically and locally determined.

It is not only the task of the economy (euro) or the military to sort out these contradictions; it is also the task of education. Challenges of CSEE include linguistic and cultural diversity; there are 20 countries in the region, 20 different educational systems, 1.5 million classrooms, and 18 different languages spoken. To overcome the contradictions among smaller nations that, nevertheless, have a thousand years of cultural and political identity, a new educational vision, new instruments and new information technology are needed. The academic community, therefore, suggests intensifying academic initiatives and approaches. Several initiatives have already been launched in the region and, below, I focus on Alma Mater Europaea.

## **THE ACADEMIC SPHERE**

The region's specific conditions in research, education, and development should follow these modern principles:

Bologna principles: compatibility, mobility, employability, quality, competitiveness, autonomy and responsibility;

- respecting national entities and identities;
- inclusion and cooperation of public and private universities, institutions and individuals;
- unified European university space;
- infrastructural inclusion into the Danube Strategy;
- appeal to government institutions to accept and include the project as a priority project of the EU for the region;
- the project of infrastructural inclusion should be incorporated in development plans at the European and national levels.

In this area, several academic initiatives have already been implemented, such as:

- the Danube Rectors' Conference;
- the Rectors' Conference of the Alps-Adriatic Universities;
- the European Academy of Sciences and Arts, Salzburg;
- the Danubian Academic Conference;
- Alma Mater Europaea, founded by the European Academy of Sciences and Arts;
- the Central European Initiative (CEI), Trieste;
- the European Forum Alpbach;
- the Institute for the Danube Region and Central Europe (IDM – Institut für den Donaauraum und Mitteleuropa);
- the Central and Eastern European University Network (CEE-UN);
- the Alpe Adria Danube Universities Initiative (ALADIN);
- the Central European Exchange Programme for University Studies (CEEPUS);
- the Euro-Mediterranean University (EMUNI).

A particularly interesting form of cooperation and a large contribution to the development of the academic European identity are scientific conferences, such as the conference on interreligious dialogue, organised in Maribor in 2006 by the European Academy

of Sciences and Arts together with the Austrian Institute for Religion and Peace.

The process of unification of international commercial law is also an example of good practice that could be used in the region also in other legal fields with instruments of modern information technology, like the Ius INFO law portal. Such processes may also help increase awareness of European citizenship.

### **ACADEMIC INITIATIVES OF ALMA MATER EUROPAEA**

#### *A) International conference 'Society and Technology – Dr. Juraj Plenković 2014'*

The conference took place in Opatija, Croatia in late June 2014. It was the 21<sup>st</sup> annual international scientific conference in Croatia, and is named in honour of its founder, the late professor Juraj Plenković, PhD, who in the first years of transition and war in the Balkans started this scientific and academic initiative. Over the last twenty years, over 100 scientists and professors from 30–40 universities in the CSEE region would meet in one of the Croatian coastal towns every year. Last year's 20<sup>th</sup> anniversary conference had 180 scientists and professionals from over 20 countries in attendance. The conference is organised by the Croatian Communication Association, the World Communication Association and Alma Mater Europaea.

Sections:

- society, science and technology;
- e-education and school in the future;
- communication management;
- society, technology and intergenerational dialogue;

- transparency and security in the global communication society;
- religion, culture and media;
- technology and new communication trends in tourism;
- European identity and small nations: new social challenges;
- holistic view on health and education;
- archiving and documenting in interculturally connecting the Danube Region and the EU;
- management of NGO organisations in the countries in the Danube Region;
- new trends in the development and technology of insurance.

### *B) Regional Interactive Educational Network*

The international community is estimating that the reintegration of the Danube Region has and will continue to have a key impact on the Balkan Region and ensuring peace and sustainable development in Europe. The academic community evaluates that an accelerated educational programme in the Danube Region is crucial for its reintegration. This can be achieved by introducing new technologies in education, such as interactive information technologies.

In addition to the teaching programmes in the areas of environment, reintegration, intercultural and intergenerational coexistence, health and welfare, Alma Mater Europaea – European Centre Maribor has been entrusted with the organisation and coordination of the project ‘Regional Interactive Educational Network’, which is about introducing interactive technology in education. In a nutshell: blackboards, white chalks and paper books are to be replaced with interactive whiteboards and other electronic learning tools.

In order to successfully integrate different countries into the project, the following is still needed:

- incorporating the project in EU development programmes
- concretely in Danube strategies and in state and regional programmes;
- connecting competent political representatives who recognise the strategic interest and opportunities the project offers;
- adopting the Interactive Whiteboard Common File Format as standard (following the example of the UK) to have a unified data format for the interactive whiteboard (and thus increase efficiency and reduce uneconomical purchases of equipment);
- connecting own production, development, educational and publishing resources in the region.

To sum up: the project cannot be implemented without additional funding from EU programme resources. There is special interest for the Regional Interactive Educational Network project to be incorporated into the context of the Strategy for the Danube Region. This should be done by recognising the interests of each individual country. The project addresses and includes the issues of lifelong learning programmes and intergenerational communication. Consequently, project activities also extend into higher age groups, leading to active and productive ageing, which is included in European lifelong learning strategies, programmes and funds. Moreover, addressing the active and productive ageing process by including ICT is not only related to lifelong learning but also a part of each national strategy in the EU.

### *C) Ius INFO*

Alma Mater Europaea – European Centre Maribor has, in accordance with its basic mission of transition and reintegration of the European Economic Area, prepared a conceptual project with the



working title Ius INFO. The project's mission is to set up a centre of excellence that would contribute to the harmonisation of EU laws in the region and thus indirectly affect the transition, reintegration and peace in the EU, and connect EU citizens. World-class professional institutions in the fields of law, economics and IT are invited to take part in the project.

The objective of Ius INFO is a synergy effect on the gradual modernisation and adaptation of national legislations in specific areas of EU law. The project will include professional meetings, professional courses, seminars, consultations, workshops and conferences.

#### *D) Distance learning at Alma Mater Europaea*

Alma Mater Europaea is a leading institution for distance learning, incorporating IT and practical experience. The comprehensive system for distance learning uses:

- the Vox professional videoconferencing system;
- the Moodle e-learning management environment;
- recorded sessions;
- interactive teaching tools.

The advantages of distance learning at Alma Mater Europaea are availability of study materials at any time, high flexibility of study requirements with respect to time and space, and use of open-source tools, which are financially accessible and contribute to high economic competitiveness of the programmes.

#### *E) Accredited study programmes at Alma Mater Europaea – European Centre Maribor*

Already accredited study programmes at Alma Mater Europaea follows the main issues in the CSEE region:

- in the fields of environment, infrastructure and energy: ecoremediation – bachelor's and master's degree;
- in the field of transition and reintegration: European business studies, finance and management – bachelor's and master's degree;
- in the field of intercultural communication: archives and records management – master's degree; intercultural communication: communication management (in the process of accreditation); and the Institute for Jewish and Minority Studies, humanities and anthropology – master's degree and PhD;
- in the fields of health and social issues: social gerontology – bachelor's, master's and PhD degree; health studies (physiotherapy, nursing, public health sciences and integrative health sciences) – bachelor and master degree.

## **CONCLUSION**

It is very gratifying and encouraging to see the Paneuropean Movement getting so actively involved in the development of academic excellence and, consequently, economic competitiveness, tolerance, peace and education in the CSEE region. Universities and other academic institutions in the CSEE region have confirmed their will to take active part in the development and implementation of academic programmes that are relevant and competitive for Europe, strengthening European identity and active citizenship. Academic institutions of CSEE have called on public and government institutions to open up any free academic capabilities to be freely available for educational and research purposes, and to promote relevant academic programmes, including the Danube Strategy.

Today's contradictions of the crisis call on the academic sphere to contribute. In addition to political and economic recovery, we

especially need moral and professional recovery by strengthening awareness of European citizenship. Alma Mater Europaea, as a European institution with large resources in terms of knowledge within the network of the European Academy of Sciences and Arts can, together with local universities, rationally implement programmes and contribute to quality of education, peace and wellbeing in the region, and consequently in Europe. To promote peace and wellbeing in the Euro-Mediterranean Region, including in the CSEE, the EU has to recognise education as a priority instrument for EU enlargement, including through strengthening awareness of European citizenship.

# THE FUNDAMENTAL RIGHTS OF BIH CITIZENS

**VALENTIN INZKO**

This contribution focuses on the issue of national minorities in the broader context of citizenship – what citizenship means in the twenty-first century, and how a reaffirmed sense of citizenship can be an element in resolving major foreign policy and social issues that we are facing in Europe today. I bring to the discussion the particular perspective of my experience as High Representative for BiH.

This perspective encompasses the dynamics of a complex and sustained international effort to help BiH to complete its post-war recovery. It also encompasses the very distinctive civic virtues that are woven into the fabric of the Bosnian society – and in this respect I think it is useful to remember that European values do not simply radiate out from the EU – member states and aspiring member states enrich the EU with the values that they bring to the table.

In this regard, BiH brings important values, including traditions of hospitality and neighbourhood solidarity. This may sound strange in the light of recent history, but the country that gave rise to the odious term ethnic cleansing also has a centuries-old and remarkably resilient culture of ethnic and cultural inclusiveness;

this can be a constructive and dynamic element in the two-way process of European integration. Over a period of centuries, when other parts of the continent were mired in religious or ideological intolerance, BiH was a place where diversity was valued. This is the historical context in which, for example, the Jews who were expelled from Spain at the end of the fifteenth century found refuge in Sarajevo. And we are not speaking about a sort of condescending or ‘magnanimous’ tolerance, but about a clear and broadly accepted understanding that diversity is an asset, that societies succeed because of – not despite of – internal differences, and that ‘the other’ is not a synonym for ‘the enemy’.

What happened in the early 1990s was not a mass rejection of tolerance by the people of BiH. Rather, it was an attempt by a small minority to bring centuries of communal coexistence to an end. That attempt failed, but it caused enormous damage. The damage cannot be completely undone, but a substantial recovery is nonetheless being made. One element of this recovery has been to build guarantees into the political and administrative system of BiH that protect the interests of the constituent peoples. This approach has sustained peace for nearly two decades and has created a space in which it has been possible to achieve a significant degree of material recovery. But it entails a basic contradiction, because not only does BiH have three constituent peoples, it also has 17 national minorities, which do not enjoy the same rights as the three established constituent peoples. The Sejdić-Finci ruling, which has been on the political agenda for many years, has made clear that protecting the interests of one group can undermine the interests of other groups, in this case national minorities.

How do we square this circle? One approach is to make adjustments in order to bring minorities onto the same political and administrative playing field with the constituent peoples, but it

might also be argued that this will simply expand a flawed strategy of favouring the interests of groups of citizens over the interests of individual citizens. In other words, extending guarantees to more and more groups will necessarily result in continued discrimination against some individuals. I think it is important to remember that national minorities are not the only kind of minority. There are citizens whose religious or political affiliation puts them in a minority; there are also citizens whose sexual orientation puts them in a minority, and other similar cases. Just as – in the Bosnian scenario – protecting the interests of the constituent peoples may mean downgrading the interests of national minorities, protecting the interests of one minority may work against the interests of another minority.

An alternative approach, while keeping in mind the specific communal sensitivities that may exist in particular societies, is to develop and promote a modern European concept of citizenship. I often say that if you speak about EU foreign policy, you have to speak about building consensus among 28 different foreign policies. But if you speak about European values, then you really can begin to speak about an agreement on fundamental principles. The idea of citizenship as indivisible and absolute is at the core of these values and principles. Each citizen is entitled to the same rights as another; all citizens enjoy the same protection under the law, protection from other citizens and protection from those who are in authority; citizens have a clear and unalienable right to speak and act freely, to operate a business, own property, travel and worship as they see fit – the only proviso being that their words or actions must not limit the freedom of other citizens.

If we advance and promote the concept of citizenship – and the interests of citizens –, we are less likely to encounter mutually exclusive situations where the advantage of one group, one com-

munity, one constituent people, or one (national or other) minority works to the disadvantage of another group, community, constituent people or minority. And this is one reason BiH's long tradition of tolerance and inclusiveness is so important – because it is absolutely consistent with the modern European concept of citizenship.

In early 2014, Bosnian citizens have shown that they are far ahead of their political representatives when it comes to understanding this. The surge of popular protest has brought together diverse groups with no reference to communal or national identity, but with an understanding that present conditions are an affront to the fundamental right of citizenship – the right to live and work in security and dignity.

A part of the EU's extraordinary success has been to recognise the benefits of diversity. It is not simply a question of accommodating those who are different; it is a question of celebrating the difference and harnessing it for the benefit of all. Managing this is challenging, but not impossible, and the rewards are enormous. It took more than 60 years and 28 architects to build the European house, but it is an impressive house, and it will become even more impressive as new architects are invited to build extensions. The result will be a complex and infinitely varied structure – and that is a structure in which the people of BiH with their unparalleled tradition of diversity and tolerance will feel completely at home.

# LATVIA'S EU PRESIDENCY PRIORITIES IN FOREIGN POLICY

**IMANTS VIESTURS LIEĢIS**

## **INTRODUCTION**

Recently, Hungary celebrated the 25<sup>th</sup> anniversary of the famous Paneuropean Picnic organised on the border with Austria by Otto von Habsburg and the movement in August 1989. This had a crucial role in pulling down the Iron Curtain that divided Europe for over half a century.

Slovenia was of course the first of the 'Big Bang' enlargement group from 2004 to take on the EU Presidency, at a time before the role of Presidency countries had changed as a result of the Lisbon Treaty. Latvia's first Presidency of the Council of the EU begins in January 2015.<sup>56</sup> It is appropriate to focus on foreign policy in today's discussions, because power in foreign policy resides in EU member states. Thus, Presidencies are an opportunity to use such power effectively.

At the same time, every Presidency deals with a combination of the planned and the unpredictable. If we put this in culinary terms – it is like choosing at a restaurant between *a la carte* and *plat du jour*. Nobody predicted at the beginning of this year that Russia

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<sup>56</sup> The article was written in October 2014.



would invade Ukraine. This became a *plat du jour* foreign policy crisis which presented the Greek and Italian Presidencies with the chance to mould a common EU approach at a time of crucial EU institutional changes.

On the predictable *a la carte* side, there are two major Foreign and Security Policy events that have already been earmarked during Latvia's Presidency. The first is the Eastern Partnership Summit in May, to be followed in June by a European Council that will address strategic issues relating to the CSDP. That may be the time to start considering a new ESS.

Our EU Presidency will also be guided by other factors, such as the progress and success of the current Italian Presidency and in particular the mandates given by the European Councils in October and December 2014. Another factor which will influence the Latvian Presidency is the work programme of the new Commission. And of course, we will guide EU foreign policy in close cooperation with the new HR/VP, Federica Mogherini.

In addressing the foreign policy priorities of Latvia's Presidency, I touch on 4 issues:

- the European Neighbourhood Policy, in particular the Eastern Partnership;
- the importance of the Central Asian region to the EU;
- relations with Russia;
- the Free Trade Agreement with the US.

So let us take them one by one.

## **EUROPEAN NEIGHBOURHOOD POLICY / EASTERN PARTNERSHIP**

The new President of the European Commission has decided to amalgamate the Neighbourhood Policy and Enlargement issues into one Commission portfolio, with the Austrian Johannes Hahn

being offered the responsibility to take charge. Juncker wrote to Hahn that the focus of his work should be on strengthening the EU's political and economic ties with its Southern and Eastern neighbourhood.

Latvia's view is that both regional dimensions of the European Neighbourhood Policy are equally important and should be developed in a balanced way. We consider it desirable that countries in Europe's neighbourhood should embrace Europe's values. Our neighbours should be stable, secure and economically developed.

Migration policy has been very much in the focus of the Italian Presidency in view of the tragedies with the loss of life that regularly occur in the Mediterranean Sea as refugees from Europe's Southern neighbourhood try to reach the security of our shores. Given that my own parents were refugees from Latvia during the war, I can personally understand the plight of those seeking a more secure and stable life in EU countries.

Instability rages to Europe's south. There is an arc of crises spreading from North Africa to the Middle East. Events surrounding the Arab Spring during recent years have had a big impact on EU policy. Likewise, developments in Syria and now once again Iraq are high on the foreign policy agenda of EU governments. Countries on Europe's Southern rim are crucial to our security and stability.

At the Eastern Partnership Summit in Vilnius in November 2013, a decision was taken to hold the 4<sup>th</sup> Eastern Partnership Summit during Latvia's Presidency in Rīga. It is scheduled for 21 and 22 May 2015, when we will also host a number of important side events, including a Business Forum, a Media Freedoms Conference and a Civil Society Conference.

The Eastern Partnership agenda for our Presidency will cover both the ratification of Association Agreements, as well as specific questions covering visa liberalisation.

Ongoing support for the European aspirations of Ukraine, Moldova and Georgia is essential. Speedy ratification and entry into force of Association Agreements with these 3 countries will help reinforce the reforms that they are carrying out. The Summit will provide the opportunity to evaluate the progress achieved in relations between the EU and its partners since the Summit in Vilnius in November 2013, and identify a new strategic guidance on further steps to be taken. Our aim will be to reform and give new impetus to the Eastern Partnership.

## **CENTRAL ASIA**

Given the region's geostrategic importance, Latvia has defined Central Asia as a priority for its Presidency. EU interests relate to regional security in the post-2014 scenario following the completion of NATO and partners' military operations in Afghanistan. Central Asia offers huge economic potential, including as an energy-rich region that can help diversify energy supplies.

The EU is currently addressing specific questions relating to the region, such as EU priorities for the region and whether Central Asian countries have changed their approach to Russia following Russia's actions in Ukraine.

The EU has consolidated its presence in the region through its Strategy, development assistance programmes and diplomatic representations. These efforts have been appreciated, but our Central Asian partners now wish to receive more attention and engagement from the EU side. Latvia is willing to devote its effort to address their expectations.

We will focus on stepping up EU visibility in the Central Asia region as well as implementing the current EU-Central Asia Strategy and reviewing it in 2015. The accent should be on security,

education and sustainable development, with these topics being used for an in-depth discussion on Central Asia.

## **RELATIONS WITH RUSSIA**

Although not strictly a priority that Latvia has selected, the topic of EU relations with Russia remains ‘the elephant in the room’. Its presence is noticeable, but the EU often prefers to avoid addressing it. Regrettably, the relations have hit an all-time low following Russia’s invasion, occupation and annexation of Crimea earlier this year, the subsequent attack on eastern Ukraine and the shooting down of the Malaysia Airlines MH17 flight by pro-Russian rebels.

Russia is at this moment conducting a war on several fronts. Military actions are taking place on the sovereign territory of Ukraine. A trade war is taking place with economic repercussions from sanctions hitting the Russian economy where it hurts and counter-sanctions by Russia affecting many EU countries. There is a continuation of a massive propaganda war. I say ‘continuation’, because Latvia and the other Baltic countries are familiar with the propaganda war conducted against us by Russia during the last twenty years or so. The information war against Latvia has been well-documented in books by Finnish journalist Juka Rislaki.

There are other actions by Russia that are of concern. For example, the abduction of an Estonian border guard from Estonia’s territory 2 days after the visit of President Obama to Tallinn in early October 2014. Russia asked Lithuania to extradite an estimated 1,500 citizens who allegedly failed to complete their military service in the final years of the Soviet Union. We have witnessed increasing incursions into the air and sea space of neighbouring Baltic and other countries by Russia’s air and naval forces, as well as offensive military exercises close to the EU and NATO bor-

der, which in recent years have included a scenario using nuclear weapons.

Russia's actions in Georgia and Ukraine have shown that Russia is a revisionist power bent on overturning the post-Cold War order and with the means to pursue its objectives. Russia has the capability to field not just elite 'little green men' who seized Crimea, but also large regular units that are both well-organised and equipped. This means that Europe is now facing a completely new and dangerous security situation which has profound implications for stability.

Although Russia may view developments in regions covered by the Eastern Partnership and Central Asia in terms of geopolitics, our policy must remain one of allowing countries in these regions to determine their own fate without the risk of their sovereignty and territorial integrity being challenged.

In the light of the changed situation, it will be important for the EU to maintain a common approach towards Russia in spite of the refined attempts to divide and rule. The policy on sanctions is working and the coordination and tailoring of the policy with the US shows how effective EU-US relations can be in practice.

## **TTIP**

The new Commission President, Jean-Claude Juncker, has mentioned 10 new priorities for the next Commission. Number 6 is entitled 'A reasonable and balanced Free trade agreement with the US'. Latvia looks forward to supporting this during our Presidency and moving negotiations forward. With the 7<sup>th</sup> round of negotiations now completed, it will be important to maintain the right level of ambition. The issue was on the agenda at this week's informal meeting of Trade Ministers in Rome.

It is also important to note and take on board the public interest in the negotiations. Demonstrations have recently been held in various EU capitals. Clearly, the recent decision by member states to allow the Commission's negotiating mandate to be made public was necessary.

We envisage that the agreement will offer new possibilities for entrepreneurs. In our own case, the areas of pharmaceuticals, processed foods and timber industry could provide particular opportunities. The service sector could also benefit.

Energy issues are currently high on the political agenda in Europe. Recent events in Ukraine show that the EU needs to find ways to reduce its energy dependence on Russia. Improved access to US energy resources, more specifically gas, could play an important role. This needs to be addressed in the negotiations.

TTIP negotiations provide a unique opportunity to expand the cultural and economic ties between the EU and the US. Moving towards a speedy conclusion of the agreement will send an important signal to other regional and global powers that the strategic ties between the EU and US are enduring, and supplement those strong military ties that exist within the NATO Alliance.

## **CONCLUDING REMARKS**

Let me make a few remarks about the enlargement policy. Progress towards further enlargement must proceed. Completing Europe's unfinished business in the Western Balkans region needs to take precedence over the symptom known as enlargement fatigue.

Latvia's Presidency is determined to advance the enlargement agenda building on the work done during the Italian Presidency. We will pursue the enlargement policy based on principles of conditionality and the individual approach. We will strive to advance

the European perspective of Western Balkan countries. We also consider that efforts are necessary to regain momentum in the accession negotiations with Turkey.

Latvia has described one of the strategic priorities for its EU Presidency as reinforcing the role of the EU in the global arena. In addressing the above issues, I think the scope for increasing the EU's role as a global actor is apparent. Latvia's Presidency from 1 January 2015 will endeavour to contribute to this aim.

# ATTITUDE OF SLOVENIAN CITIZENS TOWARDS THE EU 2004–2014

**MIRO HAČEK AND SIMONA KUKOVIČ**

The overview of statistical data on the attitude of Slovenian citizens towards membership and life in the EU extends back to 2004, detailing support for EU membership. Among the ten acceding countries in spring 2004, the highest support for EU membership was recorded in Lithuania (52% of survey respondents saying it was good for their country to become a member of the EU), followed by Malta (50%). Slovenia, at 40%, was at the lower end, only higher than Latvia (33%) and Estonia (31%). However, the citizens of Slovenia, Hungary and Lithuania most often expressed expectations of certain benefits as a result of their country's membership: in Slovenia, 64% expected benefits while in Lithuania and Hungary the percentage was 58% respectively. In the 2003–2004 period (measured from spring 2003 to spring 2004), the trend of support for EU membership in Slovenia reflected the average for new member states at the time of the referendum on Slovenia's accession (spring 2003), when support reached its peak (57%), followed by a trend of decreasing support to 40% – a drop of 17 percentage points (pp). In the 1999–2002 period, the support in Slovenia was continu-



ously below the average for new member states (by between 5% and 11%). However, the percentage of inhabitants of Slovenia who maintained that EU membership would be detrimental to Slovenia was also consistently lower, ranging from 7% to 17% (European Commission 2004, 18).

For Slovenians, their worst fears were related to increased difficulties for the country's farmers (67% of respondents) – which was a topic frequently promoted by opponents of Slovenia's EU accession – and migration of jobs to countries with lower production costs (63%). The latter probably reflected previous similar experiences in the Slovenian economy, such as the case of Tobačna Ljubljana, which moved its production activities abroad to reduce production costs, and the fact that Slovenia has the highest labour costs of all new EU member states, making other locations more attractive to foreign corporations. This was followed by fears of increased illegal drug trafficking and international organised crime (58%), based on Slovenia's strategic geographical position connecting Western Europe to former Yugoslavia and Southeast Europe. Concerns that Slovenia might become a net contributor to the European budget (57%) were also frequently advanced by opponents of Slovenia joining the EU. Even supporters of Slovenia's membership listed these same four concerns. On the other hand, fears of declining use of the Slovenian language and loss of Slovenian national identity and culture were relatively rare (European Commission 2004).

Subsequently, in the autumn of 2004, 52% of survey respondents said that Slovenia's EU membership was a good thing, while only 5% thought it was bad. Only Slovakia, Luxembourg and Ireland had a higher percentage of favourable responses. At this time, most Slovenians were convinced that Slovenia had benefited from becoming part of the EU (58%), whereas 28% thought that it had gained nothing, which was slightly better than the average for the

then EU25. Those who said that Slovenia had not benefited from EU membership were primarily the unemployed (40%), or those with primary education only (32%), born in European states outside the EU (33%), the self-employed (39%), and those who were dissatisfied with the level of democracy in the EU (41%). The opinion that Slovenia had benefited from membership was endorsed by a majority of survey respondents who were male (64%), students or highly educated (65%), to the right on the political spectrum (65%), managers (67%), civil servants (68%), or satisfied with democracy (68%) (European Commission 2004).

Data published in the spring of 2005 presented a somewhat altered picture of the attitude. This time, Slovenia's EU membership was deemed a good thing by 49% of respondents, while 9% said it was bad. By comparison with the preceding Eurobarometer survey, one can see a slight decrease in satisfaction and an increase in dissatisfaction. It could be argued that, after a year of membership, Euro-optimism had declined a bit, as the initial enthusiasm dissipated. However, this decline might equally be attributed to high-profile pre-referendum campaigns against the ratification of the Constitutional Treaty in some EU member states, which may have prompted a general increase of Euroscepticism and Euro-criticism. There were still no signs of any dramatic change, though, as surveys conducted around the first anniversary of EU membership showed that it had brought about few if any major shifts in the life of the average citizen, which would only become tangible with the adoption of the euro and the introduction of Schengen control of external borders. In other new member states at that time, many people simply had no idea whether their country's membership was to be considered good or bad. At the time, the most satisfied respondents were to be found in the Benelux countries and in Ireland (European Commission 2005, 17).

**TABLE 1: TRUST OF SLOVENIANS TOWARDS THE EU AND KEY EU INSTITUTIONS (%)**

	EUROPEAN UNION	EUROPEAN PARLIAMENT	EUROPEAN COMMISSION
2004	60	66	64
2005	55	66	64
2006	70	73	73
2007	65	63	61
2008	60	62	61
2009	50	46	46
2010	48	49	51
2011	38	43	40
2012	39	48	47
2013	34	38	40
2014	37	35	34

Source: Eurobarometer surveys from 2004 to 2014. Numbers represent percentages of respondents who expressed trust towards the EU as a whole or towards particular institutions (European Commission 2004; 2005; 2006; 2008a; 2008b; 2010; 2011a; 2011b; 2012; 2013; 2014).

Data from autumn 2010 show that 48% of Slovenian respondents trusted the EU, while 46% did not. In the EU as a whole, 43% of respondents said they trusted the EU and 45% said they did not. Compared to the previous survey, trust in the EU had increased slightly (by 1 pp in both Slovenia and the EU as a whole), while the level of distrust had decreased (by 2 pp in both Slovenia and the EU as a whole). It is also interesting to note that for more than half of Slovenian respondents, the EU meant freedom of travel, studies and employment (54%), and the new euro currency (53%).

More than a quarter of respondents associated the EU with wasting money (29%), bureaucracy and crime (both 26%), while 25% of Slovenians associated the EU with peace. As in earlier opinion polls, Slovenians demonstrated good familiarity with EU institutions: a majority responded they had heard of the European Parliament (96%), followed by the European Commission and the ECB (both 92%), with the Council of the EU in last place (87%). The degree of trust in institutions increased with respect to the preceding survey and was somewhat higher for all the institutions than the average across all member states. In 2010, more than half of Slovenian respondents said they trusted the European Commission (51%), while slightly fewer expressed trust in the other institutions, all three of which enjoyed a 49% support (European Commission 2011a, 3–4).

Data published in autumn 2011 show that 38% of Slovenian respondents trusted the EU while 56% did not. At the same time, 43% trusted the European Parliament while 49% did not, and slightly fewer (40%) trusted the European Commission while 45% did not. Some 48% of Slovenians were satisfied with how democracy works in the EU while 46% were not satisfied. More than half (57%) of Slovenians understood how the EU works; a higher share than the EU27 average (42%). An overwhelming majority of Slovenia respondents (99%) said they had heard of the European Parliament, followed by the ECB (93%) and the European Commission (88%). For more than half of Slovenians, the EU still represented freedom to travel, study and work (57%), and the euro (56%). More than a third of respondents associated the EU with wasting money (36%), with lower shares associating it with bureaucracy (33%), unemployment and crime (29%) and peace (28%) (European Commission 2011b).

Data published in autumn 2012 indicate that 60% of Slovenians included in the survey understood how the EU works, an increase of 3 pp from the previous survey. In the 2012 survey, we can see that

**TABLE 2: FAMILIARITY OF SLOVENIANS WITH KEY EU INSTITUTIONS (%)**

	COUNCIL OF THE EUROPEAN UNION	EUROPEAN PARLIAMENT	EUROPEAN COMMISSION	EUROPEAN CENTRAL BANK	COURT OF JUSTICE OF THE EU
2004	74	95	90	74	83
2005	79	95	92	76	77
2006	81	97	91	77	82
2007	86	96	91	88	84
2008	88	94	90	91	NA
2009	88	96	91	91	NA
2010	87	96	92	92	NA
2011	83	99	88	93	NA
2012	87	98	92	95	95
2013	88	98	94	95	95
2014	NA	97	93	94	NA

Source: Eurobarometer surveys from 2004 to 2014. Respondents were asked 'Have you ever heard of...?' Numbers represent percentages of respondents who answered positively (European Commission 2004; 2005; 2006; 2008a; 2008b; 2010; 2011a; 2011b; 2012; 2013; 2014).

98% of Slovenian respondents had heard of the European Parliament; followed by the ECB and the Court of Justice of the EU (95%), the European Commission (92%) and the Council of the EU (87%). Just over half (51%) of Slovenian respondents were satisfied with how democracy works in the EU, while 44% were not (2% fewer than in autumn 2011). 51% said that for them personally the EU meant freedom to travel, study and work, while 43% associated the EU with the euro, 28% both with waste of money and peace, 27% with bureaucracy and 23% with unemployment. The data about

trust in the EU and in European institutions are also very interesting, with expressions of distrust in the EU at 57%. In a year-on-year comparison, trust in the European Parliament and in the European Commission increased slightly; for the European Parliament there was an increase of 5 pp to 48%, and for the European Commission an increase of 7 pp to 47%. Some 57% of Slovenian respondents trusted the Court of Justice of the EU, followed by the Council of the EU and the ECB, both at 43% (European Commission 2012).

And how satisfied are Slovenian citizens nowadays? The latest data, published in spring 2014, show that 57% of Slovenian respondents distrust the EU, which is the same as in autumn 2012. As to how satisfied Slovenian respondents were with how democracy works in the EU – for most part, they were not. Data show that almost half of the respondents (43%) said that they are not satisfied in this regard, ranking Slovenians at the exact EU28 average (43%). As many 65% of the respondents disagreed with the statement ‘My voice counts in the EU’. Moreover, 51% of the Slovenian respondents said that ‘Slovenia could better face the future outside the EU’ (European Commission 2014). This is consistent with data from 2013, indicating that 48% see themselves in the near future as both Slovenians and Europeans (European Commission 2013).

Looking at data published in spring 2014, we can see that 97% of the respondents from Slovenia had heard of the European Parliament, followed by the ECB (94%) and the European Commission (93%). In this survey, more than half of Slovenian respondents expressed distrust not only towards the EU, but also in European institutions in general: 61% distrusted the ECB, 56% distrusted the European Parliament and 55% distrusted the European Commission (European Commission 2014).

As to the question of what the EU meant to them personally, Slovenian participants highlighted freedom to travel, study and

work (48%), the euro (35%), peace (33%), bureaucracy (26%), unemployment (23%), waste of money (22%), more crime (18%), cultural diversity (14%) and a stronger say in the world (14%). Only 15% of the respondents associated the EU with democracy, 8% with loss of national identity, 10% with economic prosperity, 8% with social protection and only 7% with insufficient control at external borders (European Commission 2014).

## **CONCLUSION**

The main objective of this paper was to analyse the first decade of Slovenian EU membership in terms of citizens' attitude towards the Union and its institutions. We compared the results of public opinion polls on satisfaction with the EU from the time of accession to the present. Support for EU membership reached its peak at 57% in spring 2003, at the time of the successful referendum on Slovenia's accession to the EU, but started decreasing slowly after that. Going back to autumn 2004, one finds that 52% of survey respondents said Slovenia's EU membership was a good thing, and only 5% thought it was a bad thing. The latest data published in spring 2014 present a very different picture as 57% of Slovenian respondents expressed distrust towards the EU. Furthermore, it is concerning that almost half of Slovenian citizens (43%) said they were not satisfied with how democracy works in the EU. As we can see, the satisfaction of Slovenian citizens with the EU is slowly decreasing, and the same observation can be made about trust in the EU and its major institutions. Any definitive explanation of these declining levels of satisfaction and trust remains elusive, although we can probably find at least partial answers in recent events, especially in the global economic crisis and its political and economic impacts – which hit Slovenia particularly hard – as

the state of permanent political and economic crisis extends into its sixth consecutive year. There seems to be little doubt that the generally negative attitude towards the political sphere among Slovenian citizens over the last few years must be taken into account. In general, we must conclude that Slovenian citizens are increasingly dissatisfied with the EU and with the democratic processes in the EU, and they certainly do not express a great degree of trust in the key EU institutions.

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# EUROPEAN CITIZENS FOR EUROPEAN FOREIGN POLICY, A CONCLUSION OF THE PROJECT

**LARIS GAISER**

The Slovenian Paneuropean Movement carried out the European Citizens for European Foreign Policy project in 2013 and 2014 in order to increase the awareness of EU citizens about the topics and issues related to the future of our common continental institutions on the international stage. The European Communities, which based their development on a functional approach, could be considered the winners of the Cold War. The European Union is the continuation of the project, but builds on a unionist model. If in the past the countries developed specific collaborations in fields of common interest, creating an atmosphere of mutual confidence for each individual case, today – after the Maastricht Treaty – the methods are different. The functional approach meant convergence of national interests and represented a mechanism multiplying the strength of each country. The unionist approach is a top-down process that sometimes lacks in legitimacy and seems to make the common structure feeble.

The EU's greatest achievement since 1989 without any doubt is the enlargement process towards the East. The enlargement allowed stabilisation and democratisation of numerous countries, some of which have never before experienced full independence, and the shaping of the greatest common market area in the world. It was a multilayer process fostered by the unique geopolitical environment on the bridge between the first and the second millennium. The expansion of the EU space was based on firm will of a part of the international community and implied a complex and coordinated approach. The enlargement process could be considered the greatest achievement of EU foreign policy in the last twenty years but today the international scenery is changing and the process is slowed down. The international financial crisis, the renewed Russian geopolitical activity, the US pivot to Asia, the revolutions in the Arab world and the instability in the Middle East are factors influencing the EU's development. They have clearly shown the EU's lack of strategy and vision in foreign policy, but they have illustrated even more clearly the general weakness of our common institutions. National interest is still an unavoidable concept characterising the final decisions in each country. We, EU citizens, are far from being unified. Talking about foreign policy, we have no common vision or common principles and it means we have no common internal politics. Our politicians are always proud to underline that, even if not perfect, the European Union is successful in protecting us from a continental war. This cannot be denied. So far, the major European nations have not experienced a conflict since 1945. This is the longest period of peace on the old continent since the Congress of Vienna in the 19<sup>th</sup> century. However, times are changing. The international and the European balance of power are shifting. According to Prof. Pelanda, the unionist approach is deepening frictions between EU states. Instead of stability, we are facing an era of latent, incessant

political confrontation. Periods of crisis, as well as periods of geopolitical change, are stressful for any international player, but they are even more stressful for an institution that has no equal in history of international relations or law. The EU is unique and cannot be managed using standard approaches. Considering the ongoing situation, it could be preferable to opt once again for a functional approach based on *ad hoc* cummunitarisation of certain areas instead of continuing to pursue a unionist agenda that could bring to undesirable disagreements. Making one step back today could help us make two steps forward tomorrow but especially to preserve the European Union as a conflict-solving institution, guaranteeing further economic development, as well as social security.

Within such a scenario, the deepening of regional cooperation within the EU could be promoted for it to become more institutionalised in order to create a new level of interstate collaboration. Benelux could serve as a role model. Belgium, Nederland and Luxemburg decided decades ago to create and share part of their political bodies in order to promote a space of economic cooperation and political stability. It still works today with noteworthy results. Given that in periods of turmoil politicians always try to project their inefficiency toward remote institutions in order to survive by riding the wave of popular discontent, a few different Beneluxes around the EU could be an interesting possibility to protect the EU from attacks or further turmoil coming from state-level politics. Politicians would be forced to solve their own local and regional problems at a lower level. This would be an effective application of the subsidiarity principle, which is slowly disappearing from the horizon of day-to-day politics. In an environment as Central Europe, where different medium-range states share a common history, values and problems, such an approach could guarantee better cooperation, which means peaceful development.

The new world order will need a working European Union. Our duty is to understand the ongoing problems and to support the institutions in their reshaping process. We, Paneuropeans, citizens, have to highlight the open issues forcing the Union and its member states to face reality and reorganise their cooperation model. For this reason, we carried out four different conferences in three different countries between October 2013 and October 2014 inviting the most prominent experts to confront their views on foreign and internal political problems of the European Union. Maybe we only found answers to the discussion questions. We never had the pretension of saving the world, but this book is the result of this process – a process that at first posed a great challenge for a humble Slovenian non-profit NGO but that we managed to turn into an adventure enriching for each of our members and, at the same time, delivering new ideas to the public that followed us at the events or through the media. The Slovenian Paneuropean Movement has always played an important role in the national society. Under the Presidency of my predecessor, Prof. France Bučar, this role even became historical, helping the country reach full independence and maintain its faith in a European destiny. With the positive conclusion of this project within the Europe for Citizens Programme, the movement confirmed its vitality and strength. All generations of members worked together, dedicating their free time, giving their best in terms of knowledge, professional know-how and enthusiasm in order to manage a project that would normally have needed a professional organisation team. During this year, we hosted sixty speakers, more than 500 guests coming from 25 countries (mostly from the EU, but also from Pakistan, Russia, Israel, Palestine, the US, India and Jordan). Presidents of countries, secretaries general of international organisations, parliamentary speakers, royal and imperial highnesses, bishops, prime ministers, members of parlia-

ments, vice-chancellors, foreign affairs ministers, constitutional court presidents, ambassadors, university chancellors, world-esteemed authors, analysts and professors honoured us with their presence and active participation. Thanks to this, official political institutions appreciated our efforts and expressed their official support. So it came that for the first time in history a Slovenian NGO was bestowed the support or official high patronage of the European Commission, the European Parliament, the Slovenian Ministry of Foreign Affairs and the Prime Minister of Italy.

It was a long journey marked by different international events revealing how unstable the international environment is today and how constant dialogue between civil society and the European Union is necessary. Our lasting contribution is this book. To better understand the path that led to its creation, my opening speeches from the first and last conference are included, as well as the official programmes. As the President of the Slovenian Paneuropean Movement, I can only be proud of the quality of the discussions we provoked in Vienna, Ljubljana and Trieste, and of the official support we received from EU institutions and Slovenian and Italian governments. But especially, I am proud of my Paneuropean members to whom I express my gratitude for their engagement.

## **INTRODUCTORY SPEECH AT THE FIRST CONFERENCE IN VIENNA**

Dear Secretary General,

Dear Minister,

Dear Excellencies,

Dear President Karl von Habsburg,

Dear Paneuropean friends,

Many people have dreamt of a united Europe, but few are determined to create it. As an object of longing, it remains barren; but as an object of will, it becomes fruitful. The only force that can realise this Europe is the will of Europeans; the only force that can prevent its realisation is, again, the will of Europeans. Thus, into the hands of every European is given a share of the destiny of their individual world. While the rest of the world is making daily progress, Europe is steadily going downhill. This diagnosis implies a programme.

The cause of Europe's decline is political, not biological. Europe is not dying of old age, but because its inhabitants are killing and destroying one another with the instruments of modern financial war and political egoism. As regards quality, Europe is still the most productive human reservoir in the world. The peoples of Europe are not senile; it is only their political system that is senile. As soon as the latter has been radically changed, a complete recovery of the ailing Continent can and must ensue. The World Wars changed only the political map of Europe, not really its political mentality. Now, as before, international anarchy, oppression of the weaker by the stronger, latent war, economic disunion, and political intrigue prevail everywhere. European politics of today resemble those of yesterday more than those of tomorrow. The eyes of Europe are turned backwards instead of forwards.

This constant retrospection is the chief cause of Europe's reaction and disunion. To bring about a change in this state of affairs, is the duty of Europe's youth. Upon them it devolves to build up a new Europe upon the wreckage of the old – to establish European organisation in place of European anarchy. If the statesmen of Europe refuse to recognise and to give effect to this aim, they will be swept out of existence by the nations whose destinies they so lightly rate. Two burning problems weigh upon the European con-

continent: the Social Question and the European Question – the reckoning between the classes, and the reckoning between the states.

The Social Question rightly dominates in public discussion; it creates and divides parties, and it is daily being thrashed out a thousand times by public opinion in every country. Meanwhile, the European Question – in no way secondary to it in importance – is not taken seriously. And yet, upon its settlement depends the future of our culture and of our children. The European Question is this: ‘Can Europe, so long as its political and economic disunion lasts, maintain its peace and independence with respect to the growing World Powers; or is it bound, in order to preserve its existence, to organise itself into a real federal union?’

To pose the question is to answer it; and that is why it is not posed, but burked. Although there is much talk of European questions in public discussion, there is none of the European Question in which all of them are rooted, just as the many social questions are rooted in the Social Question. Just as today every European is forced by internal politics to take a stand in regard to the Social Question, so he or she must be forced by external politics to take a stand in regard to the European Question. Then let it rest with the Europeans whether they want union or disunion, organisation or anarchy, resurrection or downfall.

One thing, however, must never again happen: the burking of a question which affects the lives of five hundred million people, by their responsible leaders.

At last the European Question must be unfolded every day before the public opinion of the continent, in its newspapers and political literature, and in its assemblies, parliaments and cabinets. Time presses. Tomorrow perhaps it may be too late for the settlement of the European Question; and it is better, therefore, to begin today. The rapidity of the movement toward real unification of Eu-



rope is quite as important as its existence: for it depends upon the rapidity of this movement whether Europe will be a union of states or a collection of ruins.

For us, Paneuropeans, Pan-Europe signifies – self-help through the consolidation of Europe. The objection will be raised against such politically stronger Europe that it is a utopia; No natural law is opposed to its realisation. It harmonises the interests of an overwhelming majority of Europeans; it violates the interests of only a dwindling minority. This small but powerful minority, which today directs the fortunes of Europe, will endeavour to brand political Europe as a utopia. To this the reply is that every great historical happening began as a utopia and ended as a reality. In 1913 the Polish and Czech-Slovak republics were utopias; in 1918 they became realities. In 1916 the victory of communists in Russia was a utopia; in 1917 it was an accomplished fact. In 1945 the European Communities were a utopia but they became a reality in the 1950s. Slovenian independence was a utopia in the 1980s but reality in the 1990s.

To a politician, in inverse proportion to his power of imagination, the realm of utopia seems greater and the realm of possibility smaller. World history has more imagination than the puppets who make it; and it is compounded of unending surprises – of utopias come true. Whether an idea remains a utopia or becomes a reality usually depends upon the number and the energy of its supporters. If thousands believe in Pan-Europe, it is a utopia; when millions believe in it, it is a programme; but once a hundred million believe in it, it becomes a fact. Accordingly, the future of Europe depends upon whether the supporters have the faith and the propagandist force necessary to convince millions and to convert the utopia of yesterday into a reality of tomorrow.

I call upon the youth of Europe to stop the disruptive process of Europe and to accomplish this task!

Dear Ladies and Gentlemen,

Thank you very much for your warm applause but right now you have cheered and applauded a 90-year-old text. I have just shared with you – with a few small corrections – the foreword to the manifesto Pan-Europe, written by our founder Richard Coudenhove-Kalergi right here in Vienna in the spring of 1923.

I did this on purpose.

I wanted to share with you the astonishing feeling that, after 90 years of history and European development, we are still dealing today with the same fundamental question! Our politically divided Europe suffered a lot in last 3–4 years of international economic crisis. It almost collapsed under the blows of the speculative financial world. Showing no unity and only local political egoism, the EU itself paved the way for heavier attacks and loss of wealth. Due to its self-referential political elites, Europe is once again becoming a land of nihilism where real politics is excluded.

In ancient Greek, the meaning of *polis* was ‘a proper town’ – a proper town, where everybody would want to live and for which they would be ready to make sacrifices. The *polis* was the aim of any political activity or decision. In 2014, the EU will enter a phase of changes. Parliamentary elections will bring a period of necessary reflection. We need a new pact between citizens and politics! We, Europeans, would like to live in a *polis*! The proper *PanEuropean polis*!

This is the reason why we, the Slovenian Paneuropeans, set up the project ‘European Citizens for European Policy’, which will take place throughout 2014. This is why we republished the English version of the book *Pan-Europe* for the first time after almost 90 years – let me thank here and congratulate Igor Kovač and Aleš Lampe for the splendid work they did editing it and the Slovenian

Railways for their sponsorship – and this is why we wanted to start here in Vienna! We believe it is about our future and we cannot remain passive.

We want our democratic polis...because democracy is the only tool that can break the negative relation between power and money.

Ladies and Gentlemen, we are not in a crisis! The steady financial oligarchies are in a crisis!

Let me quote Otto von Habsburg: ‘The European Communities were better than nothing. The European Union is better than the European Communities but the EU is still not Europe!’

Let us accomplish our task!

*Vienna, 4 October 2013*

## **INTRODUCTORY SPEECH AT THE LAST CONFERENCE IN LJUBLJANA**

Dear Speaker of the Slovenian National Assembly,

Dear Excellences,

Dear Paneuropean friends,

Welcome to this final international Paneuropean conference of our project!

Usually, when opening a conference, I am supposed to deliver a speech on the status of the European Union, trying to analyse the current situation, but today is a special day and for the first time I kindly ask your indulgence for a few notes of slight self-celebration.

Today, we are opening the last Paneuropean conference within the project European Citizens for European Foreign Policy, which we started a year ago on the premises of the Diplomatic Academy in Vienna. At that time, we were also celebrating the 90<sup>th</sup> anniversary of our organisation, founded in 1923. Since October 2013, the Slovenian Paneuropean Movement, together with its thirteen partners from nine different countries, has organised four conferences in Austria, Slovenia and Italy, followed by round tables, books and articles about EU foreign policy. We hosted sixty speakers, more than 500 guests coming from 25 countries (mostly from the EU, but also from Pakistan, Russia, Israel, Palestine, the US, India and Jordan). Presidents of countries, secretaries general of international organisations, parliamentary speakers, royal and imperial highnesses, bishops, prime ministers, members of parliaments, vice-chancellors, foreign affairs ministers, constitutional court presidents, ambassadors, university chancellors, world-esteemed authors, analysts and professors honoured us with their presence and active participation.

Thanks to this, official political institutions appreciated our efforts and expressed their official support. So it came that for the first time in history a Slovenian NGO was bestowed the support or official high patronage of the European Commission, the European Parliament, the Slovenian Ministry of Foreign Affairs and the Prime Minister of Italy. We can be proud of what we have achieved in one year. It is something new in our social and political environment, and I hope also a sign of good will for the future because we do not want to stop our engagement here. In May 2013, we unofficially started with the presence of the President of the Republic of Slovenia and the President of the Slovenian Academy of Sciences and Arts. At that time, we were still facing the sharp consequences of the financial crisis in the EU. In October – in Vienna – we were already approaching a new issue: the forthcoming trade agreement

with Ukraine, discussed as a global problem during our conference in Ljubljana in February. Today, it seems that EU foreign policy and the financial crisis are newly converging. Germany – after being the hard champion of budget austerity – is witnessing a slow-down of its economy, a fact that will very likely soon have regional and global consequences.

The EU is a live matter. The EU is still in a deep political crisis. The EU is still facing a sort of disorientation. It is our duty to answer this confusion, suggesting solutions, visions, gathering together the best minds and politicians of our continent!

Dear Mr Speaker, Prof. Brglez,

I have had the pleasure to become familiar with your special personal view about the importance of tighter regional cooperation, sharing with you the experience of sitting together on the Slovenian MFA's Strategic Council. Benelux is a good example of efficiency and a good example of a problem-solving mechanism that avoids putting too much stress on EU institutions. We think this should be the path to follow also in our Central European region. Let us look for a real functioning medium-level subsidiarity. As a next step, we would like to call for an international conference on this topic, inviting the highest political representatives of our Mitteleuropean region, a space of a shared culture, values principles and history. In order to pass over the exclusive coordination of these few states and open the way for an inclusive cooperation of all countries interested in the development, stability and peace of this amazing part of the world! For this goal, Mr Speaker, we would like to count on your support and on the support of the Slovenian government. We will work together against the *blocage cerebrale* of

our Union and of our politicians. This could be the best pro-active proposal ever formulated by Slovenia towards the EU.

Dear Ladies and Gentlemen,

Having this in mind, I would like to thank you for joining us in this final conference of our project. I wish you fruitful discussions, bearing in mind that all your ideas and proposals will be included in the booklet we will issue and present as a final report to the European Commission.

However, before leaving the floor to the Speaker of National Assembly, let me thank not only our sponsors – especially the Slovenian Railways – for their support in this challenging year, but above all the Slovenian Paneuropeans, who worked really hard to make all this possible, donating their free time and a lot of energy. Because of time constraints, I cannot list them all here now, but believe me they are an incredible team, full of energy, that makes me proud to be their president. From the deepest parts of my heart: well done ladies and gents! Thank you!

Dear Paneuropean friends,

Enjoy the conference, contribute for a better future and see you soon next year!

Thank you!

*Ljubljana, 17 October 2014*

# CONFERENCE PROGRAMMES

**INTERNATIONAL CONFERENCE**  
**EUROPEAN CITIZENS FOR EUROPEAN FOREIGN POLICY**  
**04–05/10/2013, Vienna (AUSTRIA)**  
**DIPLOMATIC ACADEMY OF VIENNA**

**FRIDAY, 04/10/2013**

**17:00 – 18:00      Registration of participants (Diplomatic Academy of Vienna)**

**18.00                Opening ceremony**

**Welcome**

- Gerhard Sailler, Deputy Director of the Diplomatic Academy of Vienna
- Karl Habsburg, President of the Austrian Paneuropean Movement

**Opening remarks**

- Lamberto Zannier, Secretary General of the Organisation for Security and Co-operation in Europe
- Šarūnas Adomavičius, Ambassador-at-Large of the Ministry of Foreign Affairs of Lithuania
- Tadej Rupel, Director-General for Bilateral Relations and European Affairs, Ministry for Foreign Affairs
- Laris Gaiser, President of the Slovenian Paneuropean Movement

**19:00                Dinner**

**IN NECESSARIIS UNITAS | IN DUBIIS LIBERTAS | IN OMNIBUS CARITAS**



**SATURDAY, 05/10/2013**

**9:30 – 11:00 EU Foreign Policy: the challenges**

- Erhard Busek, Institute for the Danube Region and Central Europe
  - Guillaume Xavier-Bender, The German Marshall Fund of the United States
  - Christian Stadler, University of Vienna
- Moderator: John Hildred, president of Diplomatic Academy Student Initiative

**11:00 – 11:30 Coffee break**

**11:30 – 13:00 EU Foreign Policy: between theory and practice**

- Iveta Radičová, Comenius University Bratislava
  - David Crikemans, University of Antwerp
  - Gerhard Hafner, University of Vienna
  - Boštjan Udovič, University of Ljubljana
- Moderator: Igor Kovač, REFORMISS

**13:00 End of conference**

**14:30 – 16:30 Technical meeting of project partners**

- The meeting will be held at the headquarters of the Austrian Paneuropean Movement

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Slovenian Paneuropean Movement (Slovenia)

**International conference organized in cooperation with:**

Paneuropabewegung Österreich (Austria)

Diplomatic Academy of Vienna (Austria)

**Project partners**

Paneuropabewegung Österreich (Austria)

Paneuropaska unija Bosne i Hercegovine (Bosnia and Herzegovina)

Association Paneuropean Movement (Bulgaria)

Hrvatska Paneuropaska Unija (Croatia)

Paneuropa-Jugend Deutschland e.V. (Germany)

Kulturna Ustanova Josip Pangerc (Italy)

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**Sponsors of the conference**

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**INTERNATIONAL CONFERENCE**

**MULTIDIMENSIONALITY OF EUROPEAN FOREIGN POLICY**

*European Citizens for European Foreign Policy project*

21–23 February 2014

Ljubljana, SLOVENIA

City Hotel Ljubljana



EUROPEAN PARLIAMENT



Europe  
for Citizens



REPUBLIC OF SLOVENIA  
MINISTRY OF FOREIGN AFFAIRS

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## Friday, 21 February 2014

**14.00–16.00 Registration**

**16.00–17.30 EU Foreign Policy: Legal Basis and Constitutional Practice**

Bashkim Dedja, President of the Constitutional Court of Albania

Nikolaus Bachler, Constitutional Court of Austria,  
Supreme Administrative Court of Austria

Erik Kerševan, University of Ljubljana, Faculty of Law

*Moderated by:* Ernest Petrič, Constitutional Court of Slovenia

**18.00 Opening**

Jožef Horvat, Chair of the EU Affairs Committee of the National  
Assembly of the Republic of Slovenia

Gianni Pittella, Vice-President of the European Parliament (video)

Karl Erjavec, Minister of Foreign Affairs and Vice-President of the  
Government of the Republic of Slovenia

Laris Gaiser, President of the Slovenian Paneuropean Movement

**19.30 Reception** (Venue: Ljubljana City Hall)

Zoran Janković, Mayor of Ljubljana

## Saturday, 22 February 2014

**9.00–9.15 Introductory Address**

Boštjan Šefic, State Secretary at the Ministry of the Interior of the  
Republic of Slovenia

**9.15–10.45 EU Foreign Policy: New Security Challenges**

Lucio Caracciolo, director of the geopolitical review LIMES

Alistair Shepherd, professor at the Aberystwyth University

Steven Blockmans, senior research fellow at the Centre for the  
European Policy Studies

Erhard Busek, President of the Institute for the Danube Region and  
Central Europe

*Moderated by:* Damir Črnčec, Graduate School of Government and  
European Studies

**10.45–11.00 Coffee break**

**11.00–12.30 EU Foreign Policy: Business Diplomacy**

Mitja Kumar, regional director of business consulting for Deloitte

Maša Čertalič, port operator Luka Koper

Nedžan Brataševac, ARC Group (TBC)

Andrey Myasnikov, economic counsellor, Embassy of the Russian Federation to Slovenia (TBC)

*Moderated by:* Peter Frankl, director of the business daily Finance

**12.30–14.30 Lunch**

**14.30–16.00 EU Foreign Policy: A Geopolitical Approach**

Adrian Hyde-Price, professor at the University of Bath

Carlo Jean, President of the Centre for Economic Geopolitics Studies – Rome

Ulrich Krotz, professor at the European University Institute

*Moderated by:* Igor Kovač, head of the Ljubljana office of the Regional Forum for International and Strategic Studies (REFORMISS)

**16.00–16.15 Coffee break**

**16.15–17.45 EU Foreign Policy: European Parliament and EU Citizens**

Ivo Vajgl, MEP (Slovenia)

Tanja Fajon, MEP (Slovenia)

Davor Ivo Stier, MEP (Croatia)

*Moderated by:* Franco Frattini, former Vice-President of the European Commission

**18.00 Dinner**

**Sunday, 23 February 2014**

**10.00–11.30 EU Foreign Policy: Cooperation with National Diplomacy**

Pieter Jan Langenberg, Ambassador of the Kingdom of Netherlands

Adam Kettle-Williams, Team Leader, Northern & Central Europe Team, Europe Directorate, Foreign and Commonwealth Office

Leon Marc, Ambassador, Deputy Secretary General of the Ministry of Foreign Affairs of the Republic of Slovenia

*Moderated by:* Ana Polak Petrič, High Representative of the Republic of Slovenia for Succession Issues

**Under the high patronage of the European Parliament**



**The conference is organised under the auspices of the Ministry of Foreign Affairs of the Republic of Slovenia.**



**REPUBLIC OF SLOVENIA  
MINISTRY OF FOREIGN AFFAIRS**

**The conference is part of the project entitled  
European Citizens for European Foreign Policy, which is supported  
by the Europe for Citizens Programme of the European Union.**



**Project partners:**

- Paneuropabewegung Österreich (Austria)
- Paneuropska unija Bosne i Hercegovine (Bosnia and Herzegovina)
- Association Paneuropean Movement (Bulgaria)
- Hrvatska Paneuropska Unija (Croatia)
- Paneuropa-Jugend Deutschland e.V. (Germany)
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- Comité Español por la Unión Paneuropea (Spain)



Josip Vangerc  
Mittel-European Institute of History and Culture  
1991-2000, 2002

## INTERNATIONAL CONFERENCE

### EURO-MEDITERRANEAN REGION AND NATIONAL MINORITIES

*European Citizens for European Foreign Policy project*

25–26 April 2014

Trieste, ITALY

Palazzo della Borsa Vecchia di Trieste



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## Friday, 25 April 2014

**15.30–16.00 Registration**

**16.00–17.30 EU Neighbourhood Policy and EU Enlargement**

Ludvik Toplak, President of Alma Mater Europaea

Maria Cristina Benussi, Vice-Chancellor of the University of Trieste

Erik Csernovitz, Deputy Secretary General of the Central European Initiative

*Moderated by:* Rainhard Kloucek, Secretary General of the Austrian Paneuropean Movement

**18.00 Opening**

Antonio Paoletti, President of the Trieste Chamber of Commerce

Edi Kraus, member of the Committee for Economic Resources and Financial Development of the City of Trieste

Igor Dolenc, Vice-President of the Trieste Province

Igor Gabrovec, Vice-President of the Friuli-Venezia Giulia Regional Council

Adriano Martinolli D'Arcy, Secretary General of the Consular Corps in Trieste

Msgr. Ettore Malnati, Vicar General of the Diocese of Trieste

Laris Gaiser, President of the Slovenian Paneuropean Movement

**Honorary speaker**

Boris Pahor, writer



## Saturday, 26 April 2014

<b>9.00–9.30</b>	<b>Introductory addresses</b> Valentin Inzko, High Representative for Bosnia-Herzegovina Marko Manin, President of the Mittel-European Institute of History and Culture "Josip Pangerc", Trieste
<b>9.30–10.45</b>	<b>EU Foreign Policy, Media and Citizens</b> Martina Repinc, editor-in-chief for Slovenian TV Programmes at RAI Martin Brecelj, editor at the minority paper Primorski dnevnik <i>Moderated by:</i> Ivo Jevnikar, editor-in-chief for Slovenian news programmes at RAI
<b>10.45–11.00</b>	<b>Coffee break</b>
<b>11.00–12.15</b>	<b>Minorities and Foreign Policy</b> Miha Kampuš, President of the platform "Unser Land" in Carinthia Georg von Habsburg, President of the Red Cross Hungary Tamara Vonta, State Secretary at the Office of the Prime Minister of the Republic of Slovenia <i>Moderated by:</i> Miroslav Polzer, Secretary General of Global Challenges (GLOCHA), Klagenfurt
<b>12.15–12.30</b>	<b>Coffee break</b>
<b>12.30–13.45</b>	<b>Minority Rights in Practice</b> Stane Baluh, Office for National Minorities of the Republic of Slovenia Bahrija Sejfić, Office for Human Rights and Rights of National Minorities of the Republic of Croatia <i>Moderated by:</i> Samo Pahor, "Edinost" minority association, Trieste
<b>13:45</b>	<b>Closing remarks</b> Igor Kovač, Vice-President of the Slovenian Paneuropean Movement
<b>15.00–17.00</b>	<b>Technical meeting of project partners</b>

**The conference is part of the project entitled  
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**Project partners:**

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- Paneuropska unija Bosne i Hercegovine (Bosnia and Herzegovina)
- Association Paneuropean Movement (Bulgaria)
- Hrvatska Paneuropska Unija (Croatia)
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- Mladinski svet Ljubljane (Slovenia)
- Študentsko društvo Slovenska akademska unija (Slovenia)
- Comité Español por la Unión Paneuropea (Spain)



**INTERNATIONAL CONFERENCE**

**CITIZENS CREATE EUROPEAN FOREIGN POLICY**

*European Citizens for European Foreign Policy project*

17–19 October 2014  
Ljubljana, SLOVENIA  
M Hotel



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## Friday, 17 October 2014

**15.00–17.00**    **Arrival and registration of participants**

**17.30–18.00**    **Opening addresses**

Laris Gaiser, President of the Slovenian Paneuropean Movement

Milan Brglez, Speaker of the National Assembly of the Republic of Slovenia

**18.00–19.00**    **Diplomacy of EU Member States and EU Foreign Policy**

H. E. István Szent-Iványi, Ambassador of Hungary

H. E. Imants Viesturs Lieģis, Ambassador of Latvia

## Saturday, 18 October 2014

**9.00**            **Introductory address**

Peter Zimmerman, Vice-President of the Slovenian  
Paneuropean Movement

**9.15–10.30**    **EU Foreign Policy: Role of Embassies and Consulates**

Nataša Bergelj, Minister Counsellor, Consular Department,  
Slovenian Ministry of Foreign Affairs

Aleška Simkič, former Deputy Permanent Representative of Slovenia  
to the United Nations

*Moderated by:* Tina Hočevar, Vice-President of the Slovenian  
Paneuropean Youth

**10.30–11.00**    **Coffee break**

**11.00–12.30**    **EU Foreign Policy: EU Member States and Candidates**

Zijad Bećirović, Director of the IFIMES Institute, Ljubljana

Jurij Giacomelli, Secretary General of NLB bank, Slovenia

Nicholas Whyte, Independent Diplomat, Brussels

*Moderated by:* Vanja Gavran, President of the Paneuropean Union of  
Bosnia and Herzegovina

**12.30–14.00**    **Lunch break**

**14.00–15.30 EU as a Global Player**

Abdelhamid El-Zoheiry, President of EMUNI University

Alessandro Minuto Rizzo, former NATO Deputy Secretary General

Ana Bojinović-Fenko, University of Ljubljana

Bojan Grobovšek, President of the Slovenian Association for  
International Relations

*Moderated by:* Pavol Drlička, Vice-President of the Slovak  
Paneuropean Union

**15.30–16.00 Coffee break**

**16.00–17.30 Citizens' Perception of the EU**

Katja Geršak, Vice President of Business Angels of Slovenia and  
Co-Founder of Regional Dialogue

Tina Bolčar, Studio Marketing

Simona Habič, President of Transparency International Slovenia

*Moderated by:* Iztok Štefanič, Euro-Atlantic Council of Slovenia

**18.00 Social evening**

**Sunday, 19 October 2014**

**9.30–11.00 Citizens and Their Rights in the EU**

Gregor Cigüt, President of the Network of Ideas platform

Simon Delakorda, Director of the INePA Institute

Klemen Žumer, Head of the Information Office of the European  
Parliament in Slovenia

*Moderated by:* Martin Ušaj, Secretary of the Slovenian  
Paneuropean Youth

**11.00 Conclusion**

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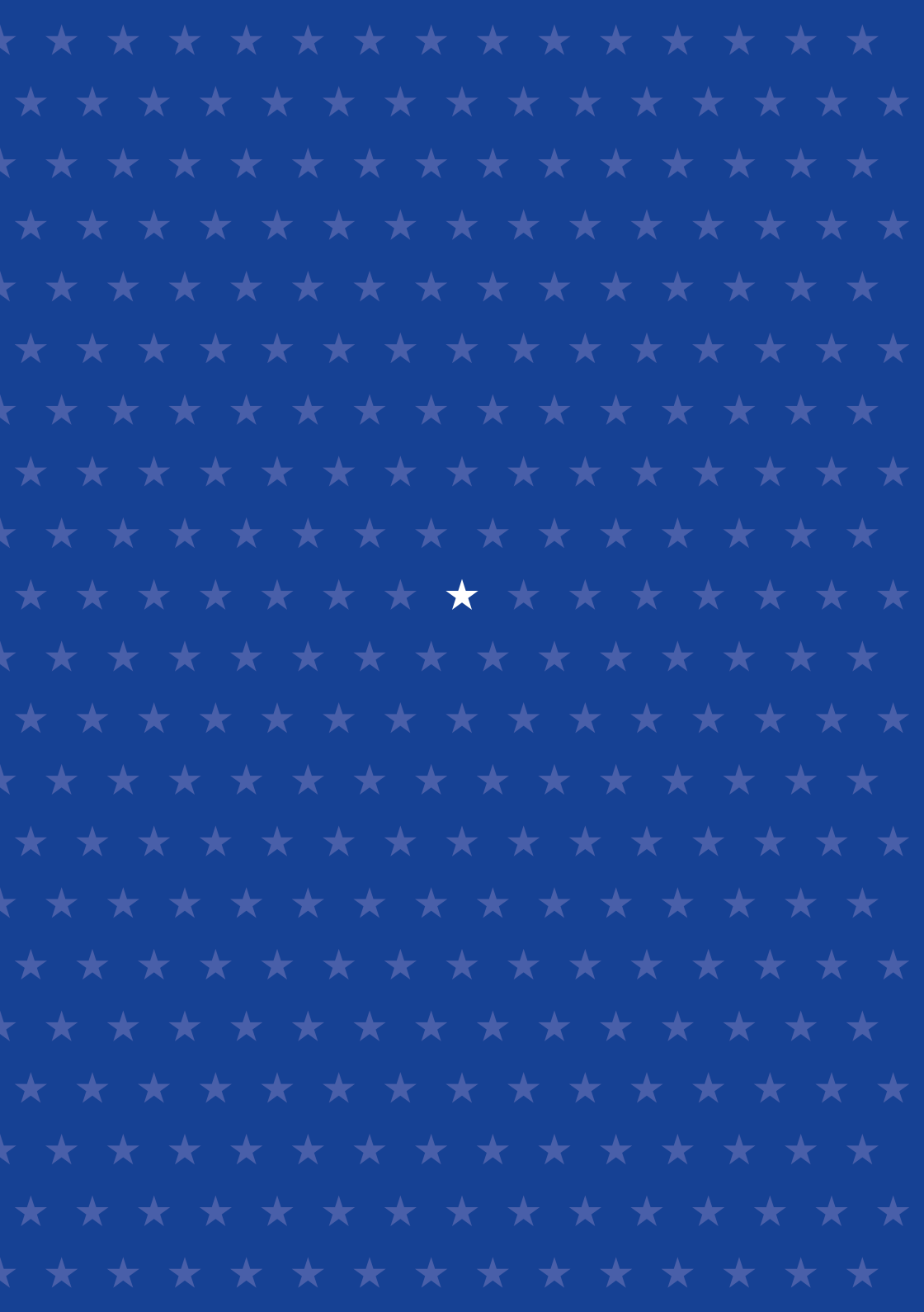
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Initiative, which focuses on the different levels of the European response to global economic, diplomatic, geopolitical, and cultural challenges is very much appreciated and welcomed.

– *Martin Schultz*

*President of The European Parliament*

United by a belief in the importance of an integrated European foreign policy as a means to deal with the wide range of security issues challenging Europe today, this book offers a constructive collection of diverse and thoughtful analyses of the obstacles and resources affecting its achievement.

– *Joel D. Wolfe*

*Professor at University of Cincinnati*

European Citizens for European Foreign Policy offers a different way of thinking about some of the most recent EU foreign policy challenges. In particular, current approaches pay insufficient attention to the importance of civil society, education and citizenry-at-large to different strands of European integration. The editors thus put forth a careful account central to both theory and policy, which deserves to be read by anyone concerned with the political prospects for a more effective EU external action in the years ahead.

– *Luís Lobo-Fernandes*

*Jean Monnet Professor of European Political  
Integration, University of Minho*

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