

THE CONTEXT OF ADOPTING THE EUROPEAN UNION INTERNAL SECURITY STRATEGY

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Building a space of freedom, security and justice is a top priority at a European level. To this end, the European Union (EU) member states cooperate in the field of internal security. In this article, the author analyses the context of adopting and enforcing the new strategic document in the field of European security, namely the European Union Internal Security Strategy.

Keywords: strategy; security; internal security; European Union; threat to security; cooperation.

The current existence and possibility to build a EU internal security strategy, considering the super-national and international nature of the EU, is an issue of paramount importance.

The EU has long been waiting to launch its own Internal Security Strategy, and create the Standing Committee on operational cooperation in the field of internal security, which will run the development of the Internal Security Strategy – both of them have been provided for in the EU Constitution (later on replaced by the Treaty of Lisbon).

Adopting a UE Internal Security Strategy provides the fundamentals of a concerted action within the EU to approach the main threats and risks EU faces. The Internal Security Strategy envisages that the efficient action to combat such threats and challenges will rely on a clear understanding of their nature and impact.

The concept of internal security approaches both the horizontal and vertical cooperation, and the national as well as the European dimension. Horizontal cooperation is achieved by a congruence of all main agencies from national states and the European ‘state’; the vertical dimension makes all active regional, local and community elements converge within the previously

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established framework. This includes law enforcement agencies, juridical and civil protection, regional and local administrative bodies, businesses, universities, schools and civil societies¹.

The grounds of an internal security strategy is represented by the concepts already existent in the EU: the principle of availability (information held by the state v. classified information available to all national agencies), the principle of operability (to enable straight-forward access to national and EU databases), and the principle of convergence (building a third of national police forces within the EU by 2014, and buying software by the EU to save funds).

The fear of “threats” is also fuelled by EU agencies. Some years ago, a Europol official appeared in the media stating that over 500.000 “illegal” migrations take place in Europe each year. This statement was unfounded, a mere presupposition, as at the time Europol had no statistics referring to the number of illegal migrations in the EU. It was in 2010 when the Europol, Eurojust and Frontex joint report on EU internal security stated that there are “approximately 900,000 illegal migrants entering the EU each year”².

The EU Internal Security Strategy „Towards a European security model”, adopted by the Council at 25-26 February 2010, and approved by the European Council at 25-26 March 2010, determines the common threats and challenges the Europeans face, the EU internal security policy and the principles governing it: it defines a European model of security, consisting of common instruments, a commitment to enhance cooperation and solidarity among member states, as well as close participation of the EU institutions, agencies and bodies.

In some papers published in Great Britain³, the Internal Security Strategy is seen as a document of broad and general issues, lacking specificity. According to UK National Security Strategy, any strategy should consist of a combination of objectives (what we aim to attain), methods (ways employed to reach the objectives), and means (the resources we can use to reach the objectives). This definition does not present the Internal Security Strategy as a true strategy, as it does not meet the above-mentioned criteria.

All the main threats and challenges to EU internal security – terrorism; international organized crime and serious crime, including drug trafficking, trafficking in human beings and illegal migration-related crimes; computer

¹ Tony Bunyan, *First thoughts on the EU’s Internal Security Strategy*, Statewatch Journal, Vol. 20, no. 2, November 2010.

² Robert Morar (coord.), Grigore Stolojescu, Cristian-Eduard Ștefan, *Operational methods and tactics*, Sitech, Craiova, 2011.

³ *The EU Internal Security Strategy*, Report published by the Authority of the House of Lords, 2011.

crime; cross-border crime; violence; natural and man-made disasters; as well as other significant challenges, such as traffic accidents – need to be addressed efficiently on the basis of close cooperation among member states and the EU institutions, agencies and bodies. Such responses must follow EU common values, including the protection and promotion of the human rights within the Union, and in its relation with the entire world⁴.

The EU Internal Security Strategy provides an answer to this situation, by integrating current conceptual strategies and opportunities, according to the Stockholm Program. This proves the firm commitment to advance a space of justice, freedom and security with the help of a European model of security, aiming to:

- protect rights and liberties;
- improve cooperation and solidarity among member states;
- remove both the effects and the causes of insecurity;
- make prevention and prediction a main priority;
- involve all sectors (political, economic, social, etc.) with a role in public protection;
- inform citizens on security policies;
- acknowledge the interrelation between internal and external security when developing a “global security” strategy towards third countries.

The concept of internal security has to be understood in a larger and more complex way, which spans across multiple sectors, to face such serious threats and the threats endangering citizens’ lives, security and welfare, including natural or man-made catastrophes, such as forest fires, earthquakes, floods and storms.

The objective of the Internal Security Strategy is to establish an agenda focused on internal security, benefiting from the support of all EU member states, institutions, civil societies and local authorities, and, interestingly enough, EU security industry.

The Internal Security Strategy does not include aspects regarding external security-related institutions and issues, such as the military, defense and international relations⁵.

The Internal Security Strategy was adopted as a step forward, it regroups current activities and defines principles and guidelines for future actions. It was developed with the aim to prevent offences and strengthen the

⁴ Robert Morar, Cristian Eduard Ștefan, *Illegal drug trafficking, a threat to internal European Union internal security*, „Government, Intelligence and Security in the 21st Century” International Conference, Babeș - Bolyai University, Cluj, 27-29 May 2011.

⁵ Elspeth Guid, Sergio Carrera, *Towards an Internal (In)security Strategy for the EU?*, CEPS, Liberty and Security in Europe, January 2011.

ability to react accordingly and timely to natural or man-made catastrophes by developing and administering suitable instruments.

The „zero risk” does not exist; despite this, however, the EU must create a safe environment, where people in Europe would feel protected. Moreover, there is a need to institute the necessary mechanisms to maintain a high level of security, not only in the EU, but also, and even more substantially, when citizens travel to third countries, or use virtual environments, such as the internet.

In this context, the EU internal security means protecting persons and the values of liberty and democracy, so that each of them can enjoy life without fear. This also reflects the common vision in Europe on current challenges, and the determination to fight together against these threats, respectively, employing policies on EU added value. The Treaty of Lisbon and the Stockholm Program enable EU to take ambitious and concerted actions to make Europe a space of liberty, security and justice.

The Internal Security Strategy institutes a European model of security, which includes, among others, measures on law enforcement and judicial cooperation, border management and civil protection, with special attention to common European values, such as the fundamental rights. Its main objectives are as follows:

- to inform the public on the current EU instruments which already contribute to ensuring security and freedom for EU citizens, and the added value represented by the EU in this field;
- to further develop common policies and instruments, using a more integrated approach to the causes of insecurities, not only their effects;
- to consolidate law enforcement and judicial cooperation, border management, civil protection and disaster management.

The current success shows the significant progress made in the EU space of justice, liberty and security. However, efforts need to converge to ensure better protection for European citizens. The Stockholm Program and strategies – such as the European Strategy for Security, the Strategy on the external dimension of the space of justice, liberty and security, and the Intelligence Management – have provided a solid basis in this respect.

The Internal Security Strategy comprises ten guidelines to ensure EU internal security for the next years:

- a vast and global approach to internal security.
- ensure effective democratic and judiciary supervision of security work.
- prevention and prediction: a proactive, intelligence-based approach.
- issue a global model for the exchange of information.
- operational cooperation.
- judicial cooperation in the field of criminal justice.

- integrated border management.
- commitment to inform and train.
- external dimension of internal security / cooperation with third countries.
- flexibility to adapt to future difficulties.

On 22 November 2010, the European Commission issued the Communication on „The EU Internal Security Strategy in action: five steps towards a safer Europe”. Based on this Communication, the Presidency presented a draft conclusion of the Council of 9 February 2011 and the Coreper meeting of 17 February 2011.

The Position of the European Commission on the Internal Security Strategy presented in the Communication of 22 November 2010 begins with a number of arguments going in the same direction: first, there is a need for „more security” (never defined, but sure to leave out social security); secondly, the 27 EU member states share a common framework based on convergence through threats to security, which ensure the objective framework of a common Internal Security Strategy.

„The internal security strategy in action” proposed by the Communication presents a common agenda for the member states, European Parliament, the European Commission, the Council, agencies and other actors, including civil society and local authorities, and suggests the way all of these should collaborate in the next four years to meet the objectives of the Internal Security Strategy.

It is necessary that this plan be supported by a solid EU security industry, where producers and service providers work together with end users. Similarly, common efforts to address the challenges in the field of security we face now will also contribute to the strengthening and development of the European model of social market economy, presented in the Europe 2020 strategy.

The plan which will be put into practice by 2014 identifies five objectives for a stronger cooperation, with the aim of facing threats to security represented by organized crime⁶, terrorism⁸, computer crime⁷, border security⁸, crises and disasters⁹.

⁶ Serious crimes and organized crimes take various forms: trafficking in human beings, drug trafficking, trafficking in firearms, money laundering, illicit transport and disposal of waste inside and outside Europe. Even what appears to be petty crimes, such as robbery and car theft, trading counterfeit and hazardous merchandise, and offences committed by street gangs are often local manifestations of international crime networks. These crimes need to be addressed by a concerted European strategy. The same strategy needs to be taken in the case of terrorism: European societies are still vulnerable to bomb attacks, such as the ones which affected the public transport in Madrid in 2004, and in London in 2005. For this reason, the EU states must step up efforts and cooperate more closely to prevent the commission of new attacks.

⁷ Another increasingly important threat is cybercrime. Europe is a key target due to its advanced internet infrastructure, the large number of users, as well as the economies and the internet-based payment systems. *Citizens, businesses, governments and the critical infrastructure must be better protected against criminals who employ modern technologies.*

The five objectives issued in the Communication of the European Commission, if broad and demanding, are sensible, practical and doable; as such, they are likely to raise the standards among member states, and enhance the EU security as a whole. All future provisions in this field would have to be developed on a probatory basis, with priority to combating identifiable threats, as well as complete impact evaluations and cost-benefit analyses.

Our world is changing, and so are the threats and challenges around us. The response of the EU must change accordingly. The connected effort to apply the sanctions revealed by the Internal Security Strategy shows the EU member states the right path to follow. At the same time, it is inevitable that, however strong and well trained EU states might be, the threats could never be eliminated in their entirety. For this reason, it becomes extremely important that the member states intensify their efforts.

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⁸ Border security also needs more coherent actions. Due to common external borders, smuggling and other illegal cross-border crimes must be combated at a European level. Subsequently, efficient control of the EU external borders is essential for the free flow area.

⁹ In the past years, there has been a reported rise in the frequency and intensity of the natural and man-made disasters in Europe and close vicinity. This proved the need for a more sustainable, solid, convergent and integrated European response strategy in case of crises and disasters, as well as the need to enforce the current external policies to prevent disasters, along with the relevant legislation.