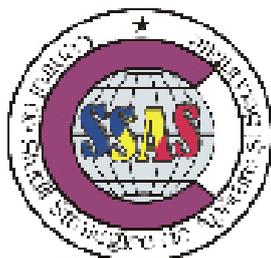


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EU POLICIES AND STRATEGIES REGARDING AFRICA

Mircea MUREȘAN, PhD

The ample development of EU policies and strategies, both past and present - the Mediterranean Agreement, Cotonou Partnership Agreement, Central Asia Strategy and the Black Sea Synergy - regards the world's future built on stability, security, lasting development, cooperation, integration, democracy, and dialogue on prevent and manage the conflicts, as well as, supporting, together with UN, NATO, OSCE, and AU (African Union) the efforts of peace keeping on other continents.

Regarding Africa, the Portuguese Presidency of the European Council has proposed, this summer, a re-shape and redefinition of the Union's strategy regarding the future of the Euro-African relations. It has also proposed a further development of the economic partnerships with all the African states, as well as an improved regional economic cooperation, of integration and trade. The Portuguese Presidency of the European Council has also proposed joint actions against poverty, and desertification, for food security, human rights, democracy and war against terrorism.

The new EU vision on its relations with Africa builds a bridge from a strategy of scattered relations to an amalgamated politic strategy, in accord with the present relations of the continent with the most severe security and development issues.

We have already underlined in our analysis the fact that the continuous present efforts of the successive presidencies of EU indicate a more decisive desire of the Union to solve the neighbouring problems. Through this different approach of the African problems, a new political horizon opens referring to an enlarged neighbouring, which includes spaces that add to the quality of an actor with new valences regarding EU global security.

1. The Complex Reality of the African Space

A stable neighbouring has represented and still represents, for our continent, a necessity¹. Compared to the internal, European security environment, the

security environment of the neighbouring regions of Europe is more unstable, insecure, presenting numerous and severe risks and threats. The regions towards which the Union concentrates its attention are the Mediterranean Sea, the North of Africa, the Black Sea, the Caucasus and the Central Asia. They represent the main spaces where there are important sources of instability and insecurity of political, economic, social and environmental nature. To these problems, new ones have been added, generated by terrorism, WMD proliferation, weapons, drugs, human trafficking and illegal immigration.

The special significance for EU of the states from these spaces has been underlined in the 2006 decision of the Council to grant the European Investment Bank (IEB) a new mandate for 2007-2013 for a loan up to 12.4 billion Euros for EU neighbours. It is the most important mandate up to now, that has been granted for countries outside the Union. It has practically doubled IEB activity in the Mediterranean countries (except Turkey), and it has multiplied by six the possible loans for the countries in the Eastern part of the continent².

Taking a better look at the immensity of the continent in the southern part of Europe, we may notice that even the international support offered to the African countries is also extremely consistent (300 billion \$ for 1990-2005). Unfortunately, the expenses of the African conflicts, which had a negative impact on the whole continent, cost the same amount of money, thus annulling the generous efforts of the international community³. During this period, Africa has lost, on average, 18 billion \$ annually because of the armed conflicts. 23 states have taken part in these conflicts. A war, a civil war or a rebellion can reduce with 15% the economic activity.

In the African space, the European Commission has allocated, for example, over 133 million €, as support of the Algerian refugees from Sahara (Algeria) in the last 15 years and 4 million € for



the victims of insecurity from the Central Africa Republic. The financial contributions for Africa are more numerous compared with other regions of the world.

The Union has made a huge effort to save Africa starting with 2005, thus at present, half of the annual supplementary budget allocated to support development is dedicated to Africa, at least until the end of 2010.

This budgetary support will serve for the accomplishment of various projects for a rapid development. The coordination and coherence will be improved. The programs regarding trade, agriculture, fishing and African migration will be dominant.

The Union takes into consideration the recent decisions regarding Africa, the complex and tensioned reality, which dominates this space, but also the Southern dimension of the European neighbouring:

- the conflict between Israel and Palestine in the Middle East;
- the Iraqi situation;
- the situation in Afghanistan;
- the nuclear problem in Iran;
- the confrontation at the border between Iraq and Turkey with the Kurdish rebels;
- the post-conflict situation in the Western Balkans;
- the conflict situation in Darfur (Sudan);
- the various conflict and post-conflict situations and from Burundi, Ivory Coast, Liberia, Democratic Republic of Congo, Ethiopia, Eritrea, Western Sahara, Somalia and Sri Lanka.

The conflict zones are, in most of the cases, fiefs of the organized crime, weapons, drugs and human trafficking. Here, every day people play a deadly game betting on their lives, this situation generates permanently insecurity and instability.

At present, EU treats with great care the problems from the Mediterranean region (economic stagnation, social tensions, unresolved conflicts). The European Security Strategy underlines the fact that "it is in Europe's best interest that its neighbouring countries are well-governed." EU contributes to the management of these problems through a strategy of partnerships, and it looks to expand its relations with the whole African space.

Looking across the Mediterranean Sea, the community institutions correctly perceive the

fact that the risk diminishing at the Southern frontier must be correlated with the development of authentic partnerships with the poor African countries. The statistics show that 34 out of 48 the poorest countries in the world are located in Africa. The partnerships would support the development and would create new jobs in the countries where most potential immigrants reside.

Thus poverty and famish would be eradicated and the labour force would be stabilized. The realities of this continent are hard to imagine for the XXI century: an African out of five lives in a country torn by wars or violent conflicts. Four quarters of the AIDS victims are Africans. 40% of the Africans live on less than a Euro per day. Malnutrition and lack of drinkable water are common characteristics for the continent. Each 30 seconds an African child dies of malaria⁴.

Globalization forces EU to look even further than its close vicinity. This has already materialized in the program of EU Portuguese presidency, which desires closer relations with the 53 African countries.

At the same frontier, the Union has to face other problems besides those ones from Africa (we would like to mention here Darfur case and other zones, in which the Union may intervene with military, civilian or civilian-military forces). The economic, social and security consequences of the Middle East, Afghanistan and Iraq conflicts add up to the various problems from the Mediterranean region. Confronted with the terrorist threat, the Union is forced to adopt another solution than the military one, to build up cultural bridges based on democratic values.

The cooperation with the Union's neighbours in the economic, social, commercial, strategic and political fields will be vast.

It will be accomplished through structural and regional partnerships with Africa - AU, but also with other regions of the world like Latin America - MERCOSUR, Asia - ASEAN, and with the Wider Black Sea Area - BSEC.

Thus the European continent will do its moral duty, namely to help the effort of integration of some regions, in order to permit them to do away with national cleavages and to obtain a greater national prosperity and an international influence.



2. EU Strategy for Africa: Security and Prosperity

EU strategy for Africa has been adopted in December 2006. The document⁵ defines the general strategy of the Union for Africa, focusing on the complicated aspects of security for this space. This part of the strategy, which is our main interest, recommends: long-term advantages regarding the creation of African Peace Facilities (APF). The states will take part in bilateral support activities in Africa. The EU will assist the implementation of the African Standby Force (FAS). The support for civilian and military operation in Africa will be created (including the development of the battle-groups). The efforts to stop the manufacturing and the weapons trafficking will continue. Africa will also take part in the war against terrorism.

The strategic cooperation has been accompanied with the conceptualizations and the definition of the post-conflict strategies. Two new concepts have been developed in 2006, defined by the united efforts of the EU General Secretariat and of the European Commission: Security Sector Reform (SSR) and Disarmament, Demobilization and Reintegration (DDR). We would also like to mention, in November 2005, and the definition, in 2006 of the Conflict Prevention, Management and Resolution in Africa (CPMR). They have imposed an effort coordination made by the EU and the member states to ensure the coherence between various European institutions, developing a support and a structure for coordination, thus offering consistency to the financial support.

At the same time, measures for accomplishing a security partnership with AU and other sub-regional organizations have been taken. New capabilities were created in order to train the African troops. In the recent effort of the EU we can notice the decided will to support politics that can create resources and autonomy that, in their turn, can provide security for Africa.

According to the specialists of the French Centre for Strategic Analysis⁶, we can already notice the coherence of the external actions of the Union in this domain, when we refer to the interventions in the Democratic Republic of Congo. They have proved the diverse and numerous instruments the Union has at its disposal. The Union also remarked itself as an international actor in Darfur, where it has made use of cooperation mechanisms with UN

and AU and to a smaller extend with NATO. The principles of the European intervention - multilateralism and better relations with its partners - have proved their viability, and certain practices have been validated. The cooperation with the AU has also demonstrated the limitations of the latter, as well the limits of both organizations, engaged in such a vast action.

Antoine Sadoux considers, referring to the conclusions of the AMIS mission in Darfur that "EU-AU cooperation has at its origins an ensemble of concepts that are purely Western and are hardly compatible with the necessity to take action in a pragmatic way during African crises."⁷

In the sphere of practice, we can mention the individual contributions of some member states to the development of programs to strengthen the African capabilities. Great Britain sustains the training centres in Kenya, Ghana, Nigeria and South Africa, and has a very ambitious project for Sierra Leone. Belgium supports the training of the armed forces in Congo. Portugal develops its own program in order to strengthen the military capabilities of the Portuguese-speaking African countries. We must not omit the decisive contribution of France to the definition of the Reinforcement of African Peacekeeping Capacities (ReCAMP).

The very short time, less than two years, since the EU Strategy for Africa, was not enough to draw some conclusions on its efficiency. Still, some annalists have formulated some critical considerations. There are some African authors that refer to the deficiencies of the strategy, especially when development is concerned. According to Hassaini Abdu⁸, the Strategy does not take into consideration the African capabilities to manage its own development agenda and it fails in offering "credible and systematic answers for the main obstacles in the African development, especially in those domains where Europe has a greater influence." To improve the Strategy, he proposes to include also the civilian society in drawing up and putting into practice the European policy for Africa. The incoherence of the European Council has to be solved out. It proposes a strategy for Africa, but, on the other hand, the same Council opens separate budgetary lines and funds for different regions in Africa. The EU has to learn from the African experience and analysis.

The 4th Euro-African Colloquium on "EU Strategy in Africa", that took place last year in Dakar,



and organized by the CREAM, was the place where specialists talked about the necessity to develop trans-frontier cooperation in Western Africa. The process of regional integration has also to be strengthened in order to prepare this African region for the shock of dealing with the new Economic Partnership Agreements (EPA)⁹.

There is a need for joint global solutions, in a world that is in permanent change. That is why two old partners –EU and AU- have decided to have a privileged long-term strategic partnership. This partnership will stimulate the development, will create resources and autonomy in ensuring security. It will consolidate international peace and security. There is no doubt that the contribution of some Western states, EU members, with traditional interests on the African Continent, like Great Britain, France, and Portugal is overwhelming.

3. EU- Africa Strategic Partnership

The European and African security and economic prosperity are intermingled, and interdependent. The serious problems of this continent cannot be ignored, or concealed, because they will backfire at us through globalization, on economic, social, military and cultural level. That is why there is a need for a wider partnership, of some EU coherent policies towards Africa. The future partnership, specialists consider, would be founded on mutual and shared interests and advantages that are to be identified by both continents. In a changing world, the EU remains a vital political partner for Africa. The adoption of the EU Strategy for Africa was an important step; now the time has come to reach to a political partnership with Africa. At present, the two actors lay the foundations of a long term strategic partnership, which will evolve beyond the cooperation for development, including all the political issues of joint interest, opening to the rest of the world. In the present conditions, the European Union takes into account AU's accession as a main political actor in Africa, and it is decided to treat Africa as a whole.

The first joint, coherent and comprehensive strategy EU- Africa, adopted in 2005, with the title of "Towards a Strategic Partnership", was based on three main hypotheses: the lack of a good government, of security and peace hinders a durable progress of development; regional integration, trade, and interconnectivity are useful factors to

promote economic growth; in order for Africa to reach the Millennium Development Goals, more support is needed in matters with direct impact on life standards, like health, education and food security.

In 2006-2007, the European Union has launched, at operational level, an ambitious partnership EU-Africa, regarding infrastructure and an EU Initiative for government, offering more funds for peacekeeping operations under AU control (as AMIS mission in Darfur), within the financial instrument for peace in Africa (APF).

Lisbon Summit of this year wants to represent a good opportunity for political leaders from the two continents to assume solid political engagements, action oriented, on the main present problems at international level (especially climate change, migration, durable forms of energy, government and security). The summit also wants to establish the political orientation of the EU-Africa Strategic Partnership. The EU and African heads of state and government want to launch the Lisbon Declaration, which is an agreement between EU and Africa regarding the values, mutual interests and strategic goals. They also want to adopt a Joint Strategy, representing a political vision and an orientation for the future EU-Africa Strategic Partnership.

The Joint Strategy addresses to four major goals: strengthening and promoting EU-Africa political partnership, transforming it in a real partnership between equal partners. Promoting peace and security will continue. The human rights and a just government will be also promoted, as well as trade, regional and continental integration in Africa.

Other key-elements for development will be also promoted. The two continents will face together the international challenges. An ample and diversified partnership will be promoted, oriented towards human element both in Europe as well as in Africa.

Before the summit, specialists considered that the heads of state and governments might have launched, as political initiatives, a series of emblematic and specific projects, that were supposed to offer substance to the partnership and to prove to Africa, to the whole world and to all European citizens that the EU was ready to promote constructively the EU-Africa partnership. Here are some of the initiatives:



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❖ An *EU-Africa Partnership in energy security*. It is known that there is a permanent interest at international level for energy security. The access to energy and the climate changes have strengthened the interdependence between the two continents energy future and there is a need for joint approaches;

❖ An *EU-Africa Partnership regarding the climate change*. In near future, Africa will be affected in the domain of food security, durable sources of water and extreme meteorological phenomena - draught and floods. This partnership may strengthen a practical cooperation in fields as: adaptation and reduction of catastrophe risk, banning the deforestation, promoting the participation of developing countries on the global market of carbon (inclusive in Clean Development Mechanism), promoting and using ecological technologies, as well as the improvement of the supervision of the effects of climate changes on environment, including by spatial systems;

❖ An *EU-Africa Partnership regarding migration, mobility and labour*. This partnership will develop cooperation by setting up African networks that will observe migration. They will collect, analyze, and disseminate information regarding the migratory flows within Africa and from Africa to EU. They will facilitate circular migration between Africa and EU in order to create beneficial situations for the origin and destination countries. By creating partnerships between European and African institutions, like universities and hospitals, the forces will be united to create new, better jobs for Africa, especially for the youth and women. For this new strategies and policies have to stimulate job creation, including here the improvement of investments, by creating labour market institutions. They have to be strong, responsible and transparent, and have to respond to market needs;

❖ An *EU-Africa Partnership in democratic governing*. This partnership will launch a Governing Forum, where nongovernmental actors will play an important part, as well as national and continental parliaments, local authorities, regional organizations. They have to develop the dialogue on common interests governing issues (like human rights, democratic principle, democratic state, natural resources management, fight against corruption and fraud, a transparent and responsible management of public funds, institution develop-

ment and reform, difficult situations, global government, security reform, and so on). The Forum has to strengthen a democratic governing at international, continental, national and local level. It has to promote a dialogue at high level between EU and AU regarding a democratic governing.

❖ A *Joint EU-Africa political and institutional architecture*.

Studying the resolution of the European Parliament from October, 25, 2007¹⁰ we can notice the fact that a multitude of documents and actors contribute to building up a future joint strategy between EU and Africa (EU-Africa Action Plan of 2000 EU-Africa Summit, 2004-2007 Strategic Plan of the Commission of African Union, July 2004, Joint Strategy EU-Africa Project, adopted by the EU- Africa ministerial troika, May, 15, 2007, Bruxelles, Commission Report for the European Council and Parliament, June, 27, 2007, entitled "From Cairo to Lisbon - The EU-Africa Strategic Partnership, 2006-2010 Strategic Plan, entitled "One Voice, One Action, One Africa of the Pan-African Parliament, November 2005, Cotonou Partnership Agreement, Development in Cooperation Agreement and others). The EU, AU, and parliaments, non-state actors and local authorities are the main actors. This participation offers the consistency of a continent to continent strategy, where all the communitarian institution contribute, adapting their cooperation in development instruments to the new AU political demand, thus supporting the process for Africa's political and economic integration at continent level.

The document dedicates a vast space to the matters of peace and security, underlining the responsibility of the two actors and of the world community to protect human being, to prevent, solve and manage conflicts, and to post-conflict reconstruction.

Conflicts prevention is a must for a durable peace, and it imposes that the EU-AU Joint Strategy to attack the structural causes of a conflict, by accomplishing a durable development policy. The strategy has to respond to the fundamental needs of African populations, to fight against unemployment and economic and social injustice.

The weak states' situation is extremely important and asks for a wider coherence of Union's policies, strengthening the weapon trade control, an



acceleration of Union's strategy to fight against the accumulation and against light, and small calibre weapons trafficking. The European Parliament has concluded that the international help should be mobilized in order to create regional supervision centres on a geographical base, able to detect any aggravation of interethnic, inter-religious and inter-linguistic tensions and to draw international community attention on the situations, which, in Africa, can easily turn into violent conflicts. The present moral code of the Union on weapon exports has to be hardened in order to fight against light and small calibre weapons proliferation. These types of weapons maintain conflicts and cause death in numerous developing countries. The joint strategy has to be effective in the fight against weapons trafficking.

A complete methodology of adaptation to climate changes is needed, taking into account its incidences on security by preventing catastrophes and the improvement of government and conflict prevention. The African peace unit has to be reinforced and it has to interact with other civil mechanisms in order to prevent, solve and manage conflicts in Africa, with greater and durable funding.

The development policy represents one of the main instruments of attack on the primary causes of insecurity. But this policy must not be subordinated to security policy, because it needs its own means to fight poverty.

The new partnership strategy will ensure a better democracy, government, and democratic elections, inter-parliamentary cooperation. The local authorities and the civil society will take part to the political dialogue. The European and African organizations belonging to civil society will be able to make exchanges and cooperate.

The European Parliament asks for greater efforts to reform security sector in connection to the democratic control of the armed forces. The Preliminary Reflection Documents of the Commission and of the Council have to be put into practice.

The joint strategy will integrate measures of democratic control of the African judiciary and judicial systems, the mechanisms of democratic control of the systems according to the human rights. The persons that commit crimes against mankind must be judged in Africa.

The persons engaged in peace and security operations will have to integrate women at all levels of responsibility, as conflict solving management,

military and civil peacekeeping missions.

It is vital to find a definition for the concept of "conflict resources", in order to fight better war economies. The conflicts sensibility has to be taken into consideration, for all strategy objectives, not only for peace and security, but also for trade, natural resources, climate changes and other key-elements of development. The new strategy includes an engagement to fight against illegal trade with natural resources, as a conflict generator. There is a need to define what the conflict resources are, and to create a group of experts to find a multilateral solution for this issue.

We expect a lot from this new strategy, and both parts hope in fundamental changes in the relations between the two actors, which will contribute to both African and European development and security.

4. Conclusions

Through its transformation until 2010 into the most competitive world economy and by creating, at its Southern frontier, of a great free exchange Euro-Mediterranean zone, through the EU-Africa Strategy and the implementation of all force elements of the new EU-Africa strategic partnership, the Union will contribute in a greater and more coherent way to the security and prosperity of the communitarian world as well as of its neighbours. It will succeed to better integrate itself in the world economy, and to affirm itself as a global actor of most importance.

It is expected that with the new operational strategy of partnership with Africa, the European Union will develop its means to face different types of conflicts, and, together with its African partners, it will gain a wider experience in international peacekeeping operations.

The Union will contribute to the construction on the African continent of a space of security and prosperity, of democratic values, and of peace, both on regional and global levels.

Translated and adapted by Alexandrina VLAD

NOTES:

¹ This idea has been developed by Mircea MUREȘAN, *Black Sea - Mediterranean Sea Space, a Future Durable and Complex Interface for an Euro-*



Asian and Euro-African Construction, CeMISS Quarterly, Centro Militare di Studi Strategici, Rome, Italy, Year V, Autumn, 2007, pp.39-48.

² IEB Activity Report for 2006, www.eib.org/report

³ "Lost Billions of Africa", Oxfam Study, commented in The Money Channel, http://tmctv.ro/articol_21926/razboaiele_din_ultimii_15_ani_din_africa_au_costat_300_de_miliarde_de_dolari.html

⁴ Questions et réponses: la <<stratégie de l'Union européenne pour l'Afrique>>, <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/05/370&format=HTML&aged=0&language=FR&guiLanguage=en>

⁵ Council of the European Union: The EU and Africa: Towards Strategic Partnership adopted by the European Council 15- 16 December 2005, http://europa.eu-un.org/articles/en/article_5499_en.htm.

⁶ Centre d'analyse stratégique, Actes du colloque du 25 octobre 2006, L'action de l'Europe en Afrique dans le domaine de la sécurité, 2007, <http://www.strategie.gouv.fr/IMG/pdf/EuropeEnAfrique.pdf>

⁷ Antoine SADOUX, *Les limites du partenariat UE-UA dans la gestion des crises*, Revue de la Défense nationale, août- septembre, 2006.

⁸ Hussaini ABDU, *EU strategy for Africa: an African Perspective*, <http://www.governancelink.org/Issueno!Apr07/eustrategz.html>

⁹ Rapport d'activité 2006, Enda Prospectives Dialogues Politiques, DIAPOL, http://endadiapol.org/IMG/pdf/Rapport_Enda_Diapol_2006.pdf

¹⁰ Résolution de Parlement européen du 25 octobre 2007 sur l'état des relations entre l'Union européenne et l'Afrique, <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=?EP//TEXT+TA+P6=TA-2007-0488+0+DOC+XML+V0//FR>

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THE IMPORTANCE OF THE NEOLIBERAL PARADIGM IN PROMOTING SECURITY AND COOPERATION IN INTERNATIONAL RELATIONS

Leonida MOISE, PhD

The neoliberal paradigm brings about an alternative approach to the theory of international relations' other dominant paradigm, the neorealism, by stating that the contemporary international system stands for a complex interdependence of all actors on the global stage, states and non-national entities alike, engaged in cooperative relations.

The strategy of cooperation prevails, as it facilitates the accomplishment of the goals of all entities in the system and resorting to war to solve international conflicts is no longer a productive solution.

Theoretical accumulations over time meant liberalism reached a new phase in the '80s, the neoliberalism. Whilst the state is still regarded as a unitary, rational entity, other political actors – such as international organizations and institutions are now being taken into consideration. The neoliberals acknowledge the anarchic nature of the international system as there is no world authority able to rule upon and to coordinate the system, yet they do not exclude various degrees of interdependence that make cooperation possible.

What is typical of the neoliberal paradigm is that international institutions are seen as independent entities within the international system which stimulate and facilitate cooperation and convey credibility to all parties involved.

The important thing is that the institutional principles and guidelines always need to meet state interest as this is the only way to have political leaders be more open to international cooperation. Their abandoning the predominantly morality-driven approach to international politics while accepting the state's central stand in foreign affairs enabled them to better suit the dominant

neorealist paradigm and get past previous controversies amongst realists and liberals. The liberal and neoliberal theories claim there are several sub-branches within the mainstream paradigm – *Republican liberalism, economic liberalism, transnational sociological liberalism and institutional liberalism*.¹

Republican (or cosmopolitan liberalism) – draws from Immanuel Kant's philosophical conviction that Republican (contemporarily democratic) states rather favour peace than war.

Kant stated peace would only be instilled when all countries become Republican, meaning when democracy is a constant with all parties within the international system. Later on, British philosopher Jeremy Bentham – the promoter of the utilitarianism – claimed that the most effective way to avoid resorting to war was to articulate a system of international law all states would agree so that it determined both prerogatives and prerequisites each state would have to go by.

Economic liberalism insists on enforcing the principles of free market economy within the broader context of the globalization as an ideal mean to amplify the interdependence and further appease war and conflict, since strong economical interests lead to cooperation getting the upper hand on confrontation.

Transnational sociological liberalism analyzes how transnational organizations evolve and their impact on national states, by emphasizing on the complex links between the current international system's central figure – the state – and the other parties that have been increasingly active on an international level.

Institutional liberalism refers to the role and the influence institutions and institutional regimes



have on states. It is seen as the prime international representative of modern day neoliberalism.

Robert Keohane and Joseph Nye's **Power and Independence** (1977) is particularly relevant when it comes to the liberal outlook on international relations. The two authors see the contemporary international system as inherently interdependent, with numerous channels connecting various societies, governments and states, leading to a poorly distinguishable hierarchy of problems and a significantly reduced propensity towards resorting to force.²

Though Keohane and Nye have been harshly criticized as their model on interdependence was seen as going against the realist paradigm, the two later on returned to say the realist and the liberal approaches did not clash but rather complemented each other, as both originated from the utilitarian outlook on the world.³

Keohane and Nye's concept of the regimes taps in on Stephen Krasner's view according to which they are networks of laws, principles and procedures, implicit and explicit, channelling – but not determining – the way states behave.⁴

As such, regimes are a kind of institutions governing the interactions of the various actors; what sets them apart from other institutions is their promoting more specialized cooperation procedures while addressing clearly defined activities and geographical spaces. Subsequently, not all international institutions are also international regimes.⁵ Haggard and Simmons claim that the balance of power is only an institution, not a regime. One important feature of the international regimes is that they are seen as intermediary variables acting upon the way international politics meets the parties involved in the international system.

Imre Lakatos believes institutional liberals add many factors that greatly impact state decisions to what the realist theory makes of state behaviour and decision making. In addition to interstate and system analysis – endorsed by both the realist and the neorealist – they support the transnational and internal politics layers of analysis.

Transnational actors – multinational corporations, NGOs, intergovernmental organizations, as well as internal actors (lobbyists, political parties, mass-media) now become central figures of the institutional theory. The state remains a rational actor though, as it will not deliberately make decisions which might lead to consequences that harm

its existence. Whilst accepting the realist point of view that states and individuals alike egotistically pursue their objectives amidst anarchy, institutional liberals believe states have a plethora of options regarding the various aspects of politics and as such can easily choose whether or not to cooperate.

In other words, states are not to be seen as permanently having to resort to threat or force, as at times they might join in mutual interests with no real need to make use of force.

Keohane sees cooperation as a process through which one state's politics invokes another one's favourable attitude as politics coordination⁶ means the latter's objectives may be easier to meet. This has to be taken with a pinch of salt though as egocentricity leads some states into waving off cooperation if faced with the prospect of enhanced gain. Force now becomes the pivotal structure as it can constrain other states to cooperate, whether neutral, allied or foe. Edward Kolodziej thinks realists and institutional liberals alike see states blocked in 'the prisoner's dilemma'⁷. Since the term 'prisoner' is not adequate to our analysis, we shall henceforth employ the term 'detainee', a more appropriate one considering the offence that the parties may be engaged in.

Here we have two detainees being separately enquired on allegedly being involved in some sort of wrongdoing. The stages the two will go through over the course of the enquiry synthesize the dilemma they will have to face. If none can point to proofs of the other's guilt, both will be released. If one gives in and 'blows the whistle' on the other, he'll easily find his way out while the other gets sentenced. Then there is a third option, that both betray each other, in which case they both get milder sentences yet none is released. Normally the two would be much better off if they stuck to option number one. Yet they won't as – being unable to coordinate their moves – the lack of information will lead them to a position of uncertainty and further resort to compromise, i.e. expose one another hoping for a lighter sentence. The situation is such that the two are driven to mutual betrayal in hope of a favourable outcome. This metaphor helps Kolodziej to point out that states lack the credible information and institutions needed to coordinate their actions and to sustain mutual trust, hence the need to reconsider international institutions. On the other hand, institutional liberals share the



realist belief that violence can play a serious part in interstate relations such that states cannot totally rely on other states' benignity and have to take into consideration other actors might engage in foul play. Institutional liberals believe the limits of information and coordination can be expanded by establishing institutions that can bring about mutual benefit. As Kolodziej puts it, "This distribution of benefits among cooperative egotists – such as the silent release of prisoners – can be fairly and effectively maximized such that it will outweigh the gain of one-sided disloyal course of action. Cooperation gives everybody optimal benefit".⁸

The complex interdependence between states and the other parties making up the international system spurred a continuous negotiation meant at constantly obtaining benefits, thus shaping up new features of the international system. First of all, the ever tighter interactions between entities pertaining to the international system led to increased efforts to find new ways to meet one's goals. The state is no longer the sole vector the other actors in the system can express within; states themselves can now wonder off old paths and rely on other parties when forging out relations to other states. Finally, the existence of the global market confirms these two trends as objective realities of the modern international system.

Keohane and Nye believe that interdependence, beyond interstate relations, interdependence requires two major levels of analysis – the trans-governmental and the transnational levels.⁹

In comparison with the realist paradigm, the trans-governmental level (the government elite, constantly negotiating) comes as a response to the realist theory claiming states act coherently, as units, whilst the transnational level serves as an alternative to the realism's idea that states are the only units to be taken into consideration.

Neoliberals see complex interdependence as a frameset where states have to deal with matters simultaneously rather than gradually and to respond to all challenges the system might generate at any given time.

The neoliberal thinking replaces the *high politics* vs. *low politics* binary by an "agenda of multiple, conflicting, though interconnected trades"¹⁰.

The representatives of the institutional paradigm emphasize the fact that internal politics is part of the negotiation process since, from the perspective of the systemic level of analysis, interstate relations

are influenced by non-state actors on an internal, transnational level. By including the various actors and by broadening the levels of analysis of the complex interdependence – thus ultimately aiming at deciphering the way states behave – the institutionalists try to underline the systemic nature of their body of knowledge. Based on historical circumstances, states resort to different forms of power, ranging from 'hard' (physical) power to 'soft' (informational) power in order to promote their interests.

The supporters of the complex interdependence theory, in order to substantiate the way states make decisions and act, regard the non-coercive forms of power and cooperation as acting on a level similar to that of the military power. This, in fact, is the point that sets realists and institutionalists apart.

The neoliberals believe states not only have to go against other states but also other non-state actors, such as intergovernmental, nongovernmental organizations and multinational corporations. Intergovernmental organizations such as the UN, NATO or WTO, though created by states, have their own interests and can limit the influence of the states or, alternatively, enhance the power and endorse the interests of the member states. NGOs may themselves influence the way states behave, while the privileged position multinational corporations have on the world markets enables them to either impair on or consolidate state power.

In his analysis of international relations conflicts, defensive neorealist Robert Jervis highlights the realists' propensity towards war and security-related studies, having neoliberals on the other hand focused on economics and environment-related issues. Jervis claims what is really interesting to underline in terms of differences between the two agendas is not the neoliberals' emphasis on cooperation, but rather that though agreeing to the neorealist stand on conflicts being inherent to the international system, the former claim conflicts are both unnecessary and avoidable.¹¹ It is through the very means of employing institutions that the neoliberals believe international relations can experience a new course of action such that cooperation gets the upper hand on violence. Conversely, offensive neorealists believe that the constrictive structure of the international system and state egocentricity makes it less likely that the resort to conflict be subverted by alternative



politics. Defensive neorealists lie somewhere in-between neoliberals and offensive realists, in that they accept conflict may not be necessary under all circumstances yet they show no poise in accepting the states' capacity to act to the benefit of mutual interests.¹² Although the neorealist paradigm stands by the assertion according to which states in an anarchical environment are suspicious of the other states' relative military and economical gains – as they fear their own interests might be in for a setback – neoliberals assert they have sufficient arguments to claim accumulation of power by any given state doesn't have to pose a threat to another.

Institutionalists claim that institutions, once properly set up by the states, will follow their own trajectories and will seek to preserve their identities in keeping with the reasons why their first came to being. Institutions present the parties involved with both the benefits of cooperation and the consequences deriving from conflict or foul play. If one state fails to comply with the rules, it will then be subjected to political measures ranging from outspoken critic to economic blockade.¹³

Supplying every party within the system with satisfactory information is essential to having the institutions function properly and have them coordinate the actor's actions in order to attain mutual benefits, albeit not necessarily equal. The policy of transparency that the international institutions promote is meant to invalidate suspicions and misconceptions marring international relations and to highlight the benefits of being cooperative to the ones who are responsible with the decision making.

The European Union is one fine example of institutional structures showing cooperation in key areas can prevail; once the interests of the organization have been tuned up to those of the member states, the benefits of cooperation become obvious. Neoliberals subsequently claim institutions are not only dependent variables, but independent as well, as they hamper anarchy and favour cooperation. Supplying detailed information on the states' intentions and behaviour meant the principle of reciprocity can be better applied since states, once they know the strategies the others employ. The neorealists claim international institutions do not impact on the states' behaviour on their own, whilst the neoliberals' view is that the institutions act independently, that they control

the effects of power, as there are areas where states have mutual interests that can be promoted through cooperation.¹⁴

Another interesting approach, again from a liberal perspective, is that of the American researcher James Rosenau, who claims there are distinct entities within the international system. On the one hand, there's the realm of the states, where nation and sovereignty are the key elements – on the other, there lies the category of the transnational actors, attempting to both diminish the importance of the state and amplify the role of the non-state entities. The two sides have engaged in a conflict whose specific tensions led to what Rosenau calls the *turbulence effect*. At this point emerged a category of individuals better prepared to involve in international affairs, even more so when modern communication technologies came about.

Rosenau states that the citizens' loyalty hesitatingly evolves back and forth amid the national state, the local and regional communities and the transnational groups. The process is not linear, as it brings about a lot of turmoil; the traditional actors – the states – show no eagerness to seeing the individuals' attachment be transferred over to non-state actors. The upshot of all that is a decline of state authority and a global crisis of authority, with all parties involved trying to elicit legitimacy and win individuals over.¹⁵

Though instability reigns supreme where the two worlds collide, there is also a sense of delaying conflicts when interdependence and cooperation, if properly set in motion, help international solidarity prevail against force.

Francis Fukuyama, a Japanese-born American philosopher, also had a noticeable contribution to the evolution of the liberal school of thought when in 1989 he published his piece **The End of History?**, sparking controversy in both the scholar world and international public opinion.¹⁶

The author backed the idea that the last decades of the 20th century saw the legitimacy of the liberal democracy meet general consensus; his core argument was its proven prevalence with respect to rival ideologies such as the hereditary monarchy, fascism or communism. Fukuyama consequently thought liberal democracy may be the final point in mankind's ideological evolution and the ultimate form of government. The piece's tremendous worldwide impact and the controversy it triggered



led Fukuyama to further elaborate and publish **The end of History and the Last Man** in 1992. He there points out that his piece has been misunderstood, due to a defective perception of the term "history". When referring to 'the end of history', it was not the conventional, factual sense of the term he had on his mind – history is bound to carry on recording every significant event in society anyway – but rather the end of history seen as the process of evolution, of coherently structuring society based upon previous experience.¹⁷

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A GREAT ASIAN POWER – JAPAN. MILITARY PERSPECTIVES

Marina MUSCAN

Japan is aware that by accumulating military power it can generate a misgiving wave coming from the other countries in Asia. Therefore, Japan tried for a long period of time to avoid applying force in its political actions and initiated a conflict prevention policy in the region. The Japanese state wants a permanent place within the UN Security Council, counting on its contribution, which covers 20% of the UN's budget that makes Japan the second largest contributor to UN's financial resources.

For now, Japan holds approximately 5%¹ of the global power, benefiting, also from the US support, which holds almost 1/4² of the global power and insures the “nuclear umbrella” for Japan as it was stipulated within the Treaty of Mutual Cooperation and Security signed in 1960.

Although, it is still recuperating after more than a decade of economic recession, Japan is still one of the strongest economic powers in the world having the following traits:

- Industry – one of the most proficient in the world is continually developing, especially in areas as the IT&C and technical construction;
- Economy – Japan occupies the 9th place in the world according to its Gross Domestic Product (GDP), the 3rd place according to its acquisition power and the 2nd one according to its National Income (NI);
- Japan is the largest producer of electricity, occupying the 1st place in the world according to its capability of producing electricity.

Even though it has a powerful economy, Japan has few natural resources, it depends on imports: 100% for oil, bauxite, wool, cotton, 95% for grain, 90% for copper and 70% for timber.

Concerning the population, Japan was and it still represents a force. Between 1890 and 1938, Japan occupied the 4th place in the world taking into account only the demographic factor. In 1997, it occupied the 8th place between the most populated

countries in the world and in 2007 occupies the 10th place. Therefore, we can state that from 1890 to 2007 Japan was constantly present within the 10th most populated countries in the world. Although, according to the previsions made by the US Population Reference Bureau, in 2050 Japan will cease to appear between the most populated countries in the world.

Nowadays Japan's population is 127.7 billions, rising with 0%. According to the estimations in 2025, Japan's population will be 119,3 billions and in 2050 it will be only 95,2 billions. Therefore, from 2007 to 2050, Japan's population will diminish with 26%³. In 2050, Japan will occupy the 17th place between the most populated countries in the world according to the estimations made by the UN.

Approximately 80% of Japan's population lives in urban area, the density of the population being 329,5 persons per square kilometre. Regarding the composition of the population, 99.4 percent are Japanese and 0.6 percent other, mostly Korean and some Chinese *ainu* and *hisabetsu buraku* constitute native Japanese minority groups, but they are small.

Japan has the highest literacy rate in the world with 99% population which attended lower secondary schools and about 94 percent of lower secondary school graduates attend upper-secondary schools. Also, Japan occupies the 10th place among the nations with Nobel Prize winners⁴.

Taking into account the health level of the population, according to the World Health Organization, the situation in Japan is as it follows:

- 23.2% of the population over 15 years of age suffers from obesity;
- Approximately 3.2% of the men over 30 suffer from diabetes;
- 0.9% of Japan's population can be considered as alcoholic, and 20.8% are regular alcohol consumers;



- 56,2% of men and 39,7% of women have high blood pressure;
- 79,4% of the population is sedentary⁵.

World Health Organization appreciated that in 2025; in Japan, 100 workers will sustain 56 retired persons.

The immigration factor is a clear indicator of the health level of the population as a result of a cumulative phenomenon from which one of the most important is the poverty. Japan migration rate is 0%.

The economy and the development level are the key indicators that link the power indicator represented by the social element to the power indicator represented by the natural resources. The economic development of a nation is based on political evolution, education, social mobility and the innovative capacity.

These are few of Japan's characteristics from the economic and social point of view. The military power remains to be analyzed as it follows.

In the past, Japan was a military power to be considered. From 1411 to 1614 a daimyo could raise an army of 3,000 – 33,736 people.

During the Second World War, Japan had three types of infantry divisions:

- **Type A infantry division**, formed by: 29,408 men had 9,906 horses and 502 motor vehicles. This division had 10.072 rifles, 405 light machine guns, 112 heavy machine guns, 457 grenade dischargers, 151 regimental guns, 36 Howitzer guns, 13 armoured vehicles, 20 light tanks and 48 medium tanks. This was considered to be the strongest type of infantry division of the Japanese army in 1940;

- **Type B infantry division**, formed by: 20.000 men had 7500 horses. This division had 9000 rifles, 382 light machine guns, 112 heavy machine guns, 340 grenade dischargers, 22 anti-tank guns, 66 regimental guns, 7 armoured vehicles and 10-14 light tanks;

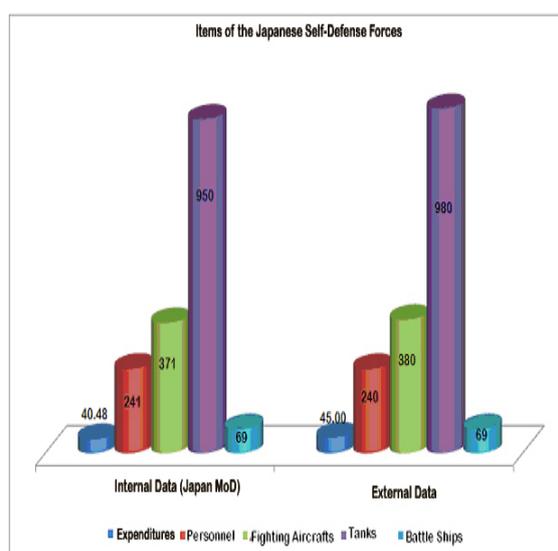
- **Type C infantry division**, formed by infantry brigades, each composed from 8 independent battalions, which did not possess any artillery equipment. They were light units trained to execute guerrilla operations.

Starting from 1947, Japan accepted the imposed military restrictions that prevented its own forces to participate at any combat operations outside Japanese borders until recently.

In 2006, the Self-Defence Forces were formed by 240,000 military personnel enrolled in Air Self-

Defence Forces, 44.000 in Naval Self-Defence Forces and 148.200 in Ground Self-Defence Forces. Also, the Self-Defence Forces had 950 tanks, 1880 armoured vehicles, 250 self-propelled artillery pieces, 480 towered artillery pieces, 120 missile launchers, 371 fighting fixed wings aircrafts, 596 fighting helicopters, 69 surface battle ships and 18 submarines.

If we observe the following chart we will notice that the difference between the image regarding the power of the Japanese Self-Defence Forces projected by the authorities towards the exterior and the image perceived by other parties is minimal:



Items	Ministry of Defence of Japan	Other parties
Expenditures (in billions of \$)	40.48	45.00
Personnel (in thousands)	241	240
Fighting winged vehicles (both rotary and fixed)	371	380
Tanks	950	980
Battle ships	69	69

Sources: Ministry of Defense of Japan, Anthony H. CORDESMAN, Martin KLEIBER, **The Asian Conventional Military Balance in 2006: Overview of major Asian Powers**, Working Draft for Review and Comment, Revised, June 26, 2006, Center for Strategic and International Studies, Washington DC, US.



Japan is counting on the US military power in order to maintain its own position among the Asian super-powers. The US military presence in Japan dates back to 1957 when the Headquarters United States Forces Japan was established at the Air Base of Fuchu. Later on, the Headquarters United States Forces Japan was moved at the Air Base of Yokota. The US military personnel present in Japan consist of approximately 42,000 people stationed ashore and another 14,000 people at sea. US forces in Japan have exclusive use of 86 facilities in Japan. There are currently 33 U.S. sole-use facilities on Okinawa. Okinawa is the major US forward logistics base in the Western Pacific. These locations are as it follows:



Source: Headquarters United States Forces Japan, http://www.usfj.mil/fact_sheet/brochure.html

Generally speaking, Japan is aware that the accumulation of military power can determine the generation of a misgiving wave from other Asian nations. Therefore, in time, Japan tried to avoid applying force in its policy and conducted a conflict prevention policy. The power centre that is Japan today is due to its economic power, will and coherent strategy.

Recognized as a regional power, Japan aims to obtain a permanent place within the UN Security Council, claiming the fact that its financial contribution to the organization represents, in fact, 20% of the UN budget, which means that Japan is the second largest contributor to the organization's funds.

The majority of the Japanese do not see another alternative to the US – Japan alliance and to the maintenance of minimal Self-Defence Forces in

order to ensure its security.

Anyhow, lately, we can observe an increased activity involving the Self-Defence Forces of Japan. As we pointed above, Japan has a Self-Defence Force formed by 240,000 people (almost as many as the British army) and a military budget of almost 50 billions \$ (the second military budget in the world).

Therefore, Japan has various means to project its own military power outside its borders like the submarines armed with Harpoon missiles.

Furthermore, in March 2003, Japan launched its first surveillance satellites. The majority of the Japanese assert that the main function of these satellites is to spy North Korea but the Chinese

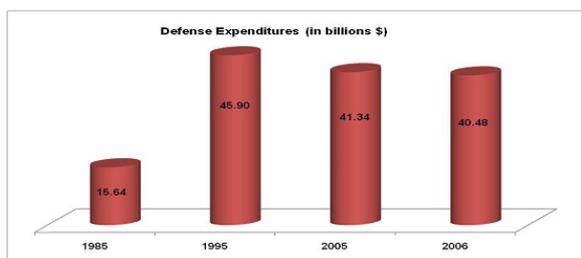


analysts consider that they are directed towards China.

In June 2003, Japanese fighters and an Airborne Warning and Control System (AWACS) aircraft crossed the Northern Pacific in order to participate in military exercises in Alaska along with contingents from the USA, Thailand, South Korea, Singapore and India. In 2004, some changes were made within the Japanese legislation that allowed the Nippon Self-Defence Forces to cooperate more closely with the US military.

In addition, Japan started to implement the anti-missile system designed for self-defence. Furthermore, Japan deployed 600 members from its Self-Defence Forces in Iraq.

According to data, the military expenditure of Japan were developed as it follows:



Source: Japan Ministry of Defence and Bank of Japan (yen/dollar exchange rate)

Sources: Ministry of Defence from Japan and the National Bank of Japan (for exchange rates yen/dollar)

These expenditures were necessary for maintaining the Self-Defence Forces.

Many analysts tend to believe that Sino-Japan relation will deteriorate further in time. Japan does not want China to become a notable power in the region because it could limit its own action capability in the area.

The disputed Senkaku/Diaoyu Islands controlled by Japan are at the centre of the many active territorial issues between China and Japan. The two governments dispute ownership and the resources (e.g., gas, oil, fish).

The territorial disputes between the two countries are dangerous, because they can trigger national conflicts, which can have severe consequences comparing to the dimension of the material disagreements that started the conflict. US position regarding the issue is beneficial to Japan as the US administration officials have claimed that the United States is bound under the treaty to help Japan in the event Japanese forces come under attack while on the disputed islands.

Passing over the territorial quarrels, the economic relations between the two countries are good, taking into account that Japan is China's most important business partner.

The commercial exchanges between the two countries reached over US\$ 100 billions in 2000, and now Japan imports more from China than from the US.

Therefore, according to data from 2005 centralized by Australian Government - Department of Foreign Affairs and Trade, Japan's trade partners are the following:

Japan's main export partners		Japan's main import partners	
United States	22.6%	China	21%
China	13.5%	United States	12.4%
South Korea	7.8%	Saudi Arabia	5.6%

However, at the economic level a series of problems still exist, they are generated by China's desire to have more access to the Japanese market. Therefore, many Japanese are afraid that their economy will be decimated by China's power, which already eliminated some of the local producers. A possibility exists, that, in the decades to follow, China will gain more economic power than Japan.

Facing the rapid raise of China in the international landscape, Japan did not adapt rapidly enough to the situation and the Chinese diplomacy is still considered as aggressive in Japan. On the other hand, neither China was quick in adequately answering to the changes made by Japan regarding its own security policy, therefore, the feeling of misgiving grew between the two nations. These misunderstandings knew a climax in 2003. The fact that Mr. Koizumi failed to impose the position of Japan as an economic power in the region during the APEC forum generated an awakening of the national spirit in Japan, which created a similar wave in China.

The rising tension between China and Japan caused concern for the two parties regarding the economic consequences that a rupture between Beijing and Tokio could produce. However, Koizumi's annual visits to Yasukuni were considered by the Chinese the main obstacle for improving the bilateral relations. Still, these visits have strengthened Koizumi's popularity at national level. Especially his fourth visit, dated 2004, raised some national protests in China.

Sino-Japanese relations fell to another low-point after China's Vice Premier Wu Yi cancelled a scheduled meeting on May 23 with the Japanese Prime minister Junichiro Koizumi and flew home. The initial excuse given by the Chinese government for Wu's abrupt departure from Japan was that "emergency duties" required her to return to China. The following day, however, the Chinese Foreign Ministry confirmed the cancellation was to protest Koizumi's announcement on May 16 that he would visit the Yasukuni shrine, despite Chinese and South Korean opposition.

China and South Korea condemned official



Japanese government visits to the shrine as honouring the wartime regime that was responsible for horrific atrocities against the Chinese and Korean people in the 1930s and 1940s.

The planned meeting between Koizumi and Wu was regarded as a step towards repairing bilateral relations following angry anti-Japanese protests in China in April. The demonstrations erupted over Tokyo's bid for a permanent UN Security Council seat and the official approval of history textbooks in Japan whitewashing its wartime record.

The meeting had been requested by China, in order to discuss Japan's expansion of a list of Chinese cities whose residents would be eligible for a Japanese tourist visa. But the nationalist politics being promoted by both sides, particularly by the Koizumi, has obstructed any reconciliation.

Since coming to power in 2001, Koizumi has deliberately stirred up the right-wing nationalist sentiment to divert growing social tensions within Japan caused by the continuing economic recession that still held the country.

This raise in importance of the national sentiment that started during Koizumi determined the effortless adoption of changes within Japan's security policy, which can have long term consequences in North-East Asia and worldwide.

Following the approval of revisionist textbooks, Koizumi's government pushed through the renaming of a national holiday on April 29 to honour the wartime Japanese Emperor Hirohito, as well as reiterating plans to visit the Yasukuni shrine.

Taking into account the vice-prime minister Wu's abrupt leaving the following declarations made by the Chinese Ministry of Foreign Affairs Koizumi lectured his critics by quoting the ancient Chinese philosopher Confucius in a parliamentary committee meeting: "People often touch upon the fact that Hideki Tojo⁷ was a Class-A war criminal. But it was Confucius who said, '*condemn the offence, but pity the offender*'"⁸.

Some members of the ruling Liberal Democratic Party (LDP) in 2005 publicly stated for the full rehabilitation of the war criminals interred at the Yasukuni shrine. LDP member Masahiro Morioka declared that the 14 men (including Tojo) should no longer be considered as war criminals in Japan.

Morioka, a parliamentary secretary for the Ministry of Health, Labour and Welfare, stated that Japan had apologized "enough" for its wartime

aggression in Asia. "The notion that the victor is right and the loser is evil is wrong, and we have no reason to apologize," he said.

Koizumi did not openly support these views commenting only that the status of the 14 was an issue that had already been closed by the war crimes tribunals after 1945.

Even though, it did not openly support these various tensioned opinions the Koizumi government registered, during Wu's eight-day visit, 20 Japanese citizens as "permanent residents" of Diaoyu Island. This island is claimed both by Japan and China. The move was intended to strengthen Japan's position on the island that could be used as a projection base for Japan's economic power vector in the region.

Koizumi's actions have forced the Chinese regime to react silently supporting dumping policies that generated tensions between classes and created a base of support for the nationalist, anti-Japanese movements in China. The blatant apologies for Japanese war crimes have provided strong holders for the nationalist movement. Beijing gave tacit approval to the anti-Japanese protests. The nationalist extremists supported unofficially by Beijing criticized China for being "too soft" on Japan. A Chinese official who did not mention his name was quoted by *Asahi Shimbun* on 26th of May 2005 when he expressed his concern regarding the national reaction of the Chinese people after Koizumi's remarks related to the Yasukuni shrine that caused the cancellation of vice-prime minister, Wu's visit. The central party leadership declared that resistance would have arisen in China Wu had met Koizumi while it was clear that no progress would be made on the Yasukuni issue.⁹

Tokyo's response was not delayed and it aggravated the diplomatic tensions between China and Japan. Japan's Foreign Minister Nobutaka Machimura, told reporters: "*There is not even a word of apology over the sudden cancellation. Such things go against international manners.*"¹⁰

Koizumi also declared that he felt "*no need to meet someone who doesn't want to do so.*"¹¹

The largest Japanese daily, the right-wing Yomiuri Shimbun, publicly blamed China for deteriorating relations in an editorial on May 25. The newspaper listed Wu's actions, the intrusion of a Chinese submarine into Japanese waters last year and the anti-Japanese protests and demanded



an apology from Beijing. It defended Koizumi's visit to the Yasukuni shrine, stating that it was a domestic issue and "should never be settled through interference by another country".

Koizumi's visits to China continued until 2006 when he retired, although he was declared almost an *undesirable* person in China, taking into account that he was forbidden to visit the country repeatedly.

Japan's Prime minister, Junichiro Koizumi, retired and he was succeeded by Shinzo Abe, in 2006.

Abe, who was officially recognized as Prime minister on the 27th of September 2006, had many supporters. In fact, he was elected as leader of the Liberal Democratic Party, the ruling party in Japan. In other words, it was not a shock to anyone when he became a Prime minister.

Maybe this was the reason because Abe, known for his rather blunt political positions, could represent some of the key aspects of the current Japanese vision of the world. Japan is a country hungry for a major change in its identity and with the Prime minister Abe as a leader this change looked feasible.

The few official political positions taken by Abe reflected the modern thinking pattern of the Japanese people who appear to be reconsidering the pragmatic patience that dominated the Nippon foreign policy during the last five decades.

The Prime minister Abe, born after the Second World War, was in favour of modifying the Article 9 of the Nippon Constitution, which allows his country to use its military force for defensive purposes. Mr. Abe supported the idea that Japan needs a military force in order to be able to participate in a military conflict.

While the old generations of leaders who carried the burden of the Second World retire, Abe and others like him see a chance for change. Change from a country that plays the role of the supporter in the international landscape into a country that holds both power and influence. Change from a country that suffers the punishment for loosing the Second World War into a country that has the same military options like any other. Change from a country that holds a relative place within UN into a country that has its own voice within the most powerful UN body.

Maybe Abe chose his words carefully in order to emphasize these two very sensitive issues.

Therefore, the relations between China and Japan improved, at least temporarily, taking into account Abe's statement that he will endeavour to establish strategic relations with China that will be beneficial for both parties.¹²

The conflict between the two countries diminished temporarily when Mr. Abe came to power after the situation created by Koizumi generated strong commotions in China. The conflict came to an end when Mr. Koizumi retired, although he tried to put an end to the situation when the first public movements started in China. Then the Japanese Prime minister informed his Chinese counterpart and the press that he was going to the monument on the Chinese soil to pray for peace. Although the Nippon Prime minister added that no country is entitled to judge the traditions of other country.

The tensions between China and Japan did not generate an open armed conflict taking into account that the economic interests of both parties were too high. But the two actors start to see each other as possible, future rivals. Though the situation created in 2005 was a status-quo conflict with a diplomatic dimension which can evolve into a resource conflict on long term taking into the account the common interests linked to the Senkaku/ Diaoyu islands.

As a result of Abe's policy, the relations between China and Japan became less tensioned, at least on the surface. A diplomatic conflict was ended, least it could become worse, putting in grave peril the equilibrium of the entire region.

On the other hand, Japan's actions aimed to develop its military capabilities are a reason for concern for China.

The National Defense Agency of Japan went through a profound process of evolution, which ended in September 2007 when the organization was transformed into the Ministry of Defense of Japan during Yasuo Fukuda government. Therefore, Japan is transforming itself step by step into an actor capable to maintain regional security and prepared to counter-balance China. The auto-determination of its own military options is an issue but is not as troubling as the perspective of a decisional place within the UN Security Council formed by the powers that were victorious at the end of the Second World War – Russia, China, US, France and Great Britain – they will not be so easy going in receiving Japan among them, especially

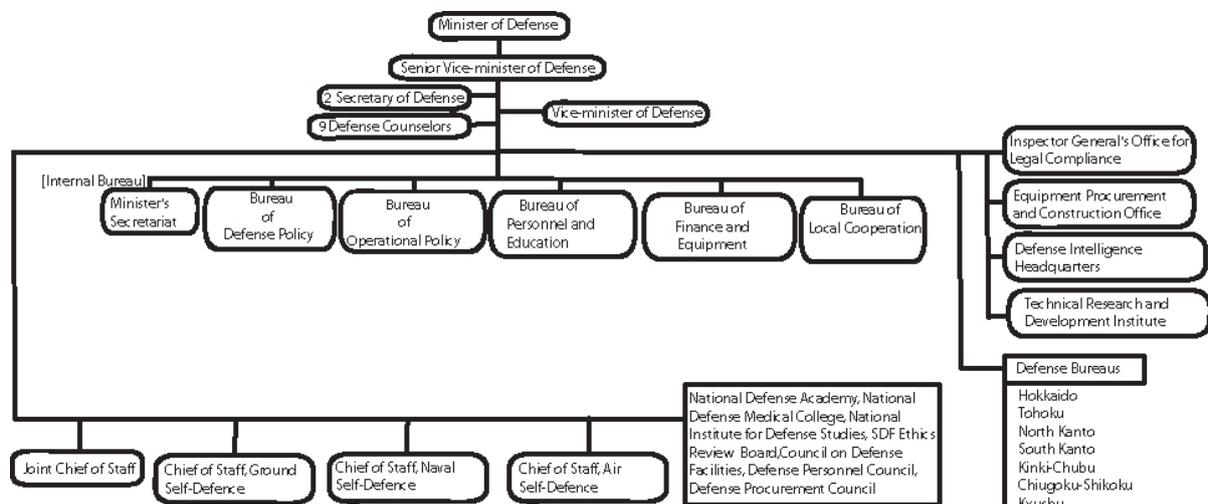


China that wants to dominate the Asia-Pacific region and is more pleased by a weaker Japan.

The Japanese Ministry of Defense was officially recognized on 1st of September 2007. The Defense Facilities Administration Agency was abolished and its functions were given to the Internal Bureau of MoD and to the Equipment Procurement and Construction Office. Also, the Regional Defense Bureaus are established in order to coordinate the regional defence.

The detailed organizational chart of the Japanese Ministry of Defense – after reorganisation

Source: Ministry of Defense of Japan (official



website, <http://www.mod.go.jp/e/about/organization/reorganized/p4-5.pdf> - accessed on December, 02, 2007)

Although Japan continues to affirm that these changes are destined to strengthen its own defence towards the new threats that appeared in the international landscape, its Asian neighbours are looking with growing concern towards Japan.

On the other hand, we cannot omit the fact that in North-East Asia there is a latent conflict within the Korean peninsula and in North-East Asia we have two strained areas represented by Cambodia and Indonesia.

Finally, in South Asia the tension between India and Pakistan surfaces periodically.

In any case, Brzezinski's remark that the list of possible inter-states and internal conflicts in Asia surpasses the European list, is perfectly adequate.¹³

Therefore, the formation of a security system

in the region is necessary and Japan seems to be interested in the perspective of ensuring the regional security.

Taking into account that the Japanese Self-Defence Forces can be considered as the best trained and they have at their disposal modern defence capabilities, it is perfectly normal for the Nippon state to desire to use these capabilities in a wider area which can include preemptive actions considered necessary for the stability of the region.

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² Evaluation made by Gregory F. TREVERTON, Seth G. JONES, in *Measuring National Power*, RAND Corporation, US, 2005, p. ix.

³ Carl HAUB, Kelvin POLLARD, Becca GURNEY, **2007 World Population Data Sheet**, Population Reference Bureau, Washington DC, US, 2007, p. 14.

⁴ Source: **The Nobel Foundation 1901 – 2002**.

⁵ World Health Organization, WHO Global InfoBase Online, Country Comparable Data (<http://infobase.who.int>, accessed on November, 17, 2007).

⁶ Yasukuni shrine is a monument where 14 Japanese generals were symbolically buried after they were condemned and executed for war crimes, after the Second World War. (a.n.)

⁷ Hideki Tojo, the Japanese Prime minister during the Second World War was executed after the war. (a.n.)

⁸ John CHAN in *Cancelled high-level meeting fuels tensions between China and Japan*, June, 2, 2005, published by the World Socialist Web Site, www.wsws.org.

⁹ Source: Asahi Shimbun, May, 26, 2005, quoted by John CHAN, *art. cit.*

¹⁰ Ibidem.

¹¹ Ibidem.

¹² China International Radio – broadcasted on February, 5, 2007.

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TOWARDS THE EURO-ATLANTIC SECURITY INTEGRATIONS

Dario MATIKA, PhD

In order to reach the Euro-Atlantic security integration and to adapt to NATO standards, the Republic of Croatia is implementing the reform of defence sector. This paper briefly surveys the chronological development of Croatia's national security system and achieved level of transformation in adaptation to the standards and rules valid in NATO and EU. There's a brief description of conditions in which Croatian armed forces were developing, conducted reforms and the new structure of Croatia's armed forces, which is based upon rational and realistic basis appropriate to needs and capabilities of the state.

The new direction of Croatia's armed forces development abandons the concept of individual defence and adopts the concept of common defence and security. The new structure and dimensioning of the armed forces will enable a wider participation in operations which react to emergencies abroad (peace and humanitarian operations) as well as the participation in security and trust build-up and help to domestic civilian institutions. Thus, the Armed Forces of Republic of Croatia will be the instrument of actualization of international security and reliance inside the frame and rules of the Euro-Atlantic unions and international security organisations.

Introduction

In June 1991, from the moment of proclamation of releasing all connections with social community called Yugoslavia, the Republic of Croatia has started with building its own system of national security. That process of building national security system wasn't so easy and simple. The Republic of Croatia as a new state did not inherit institutions of national security system from former state and had to build it from the very beginning. On the other side, great Serbian aggression appeared, homeland war and later activities on setting up the sovereignty on whole territory of the state.

Those adverse conditions influenced the development of national security system that is characterised by¹:

- in war conditions, all efforts were concentrated on defence of the aggression and all other things were in second plan - the imperative of defence resulted with biggest attention on Armed Forces, while all others national security system components were less in the centre of interests;

- in the first of couple of years after proclaiming the independence, the Republic of Croatia became a member of numerous international organisations (UN, Council of Europe, Organisation for Security and Cooperation in Europe and similar) which are dominantly political, not safety organisations;

- in building national security system, the centre on defence from the aggression resulted with some criteria which are not so acceptable in contemporary systems and developed democracies (for example, democratic supervision above national security system components);

- despite the written, undisputable fact that the Republic of Croatia, in the first ten years from proclamation of independence, succeeded in building- up functional components of national security system (police, armed forces, external-political institutions, intelligence community and similar). With the end of the war, setting the land free, setting up the sovereignty on whole state territory, conditions for further building of national security system were made.

Building-out the security system

In accordance with the practice of contemporary democratic states, the Republic of Croatia has defined its own national security and national interests with top level documents, because national security must be conceptually and legally regulated area of social acting and in supporting of democratic development of the society.



On 2002, the Croatian parliament, for the first time, approved the Republic of Croatia's National Security Strategy. In that conceptual document, the Croatian Parliament, as lawgiving and political institution, took out some political attitudes about fundamental questions of national security, such as national values and interests, safety policy and its goals and political basis for further legislative production.

Other significant document, brought by Croatian Parliament, is the Defence Strategy which actually comes out from the National Security Strategy and represents the starting point for all implemented acts on that area. On long term, the Defence Strategy routes defence resources in order that system could answer on existing and projected (calculated) threats, challenges and risks.

It is very important to point out that the National Safety Strategy and the Defence Strategy are in accordance with statutory obligations, norms of international law as well as with some international obligations taken on that area. The National Security Strategy and the Defence Strategy represented the starting point for preparing many laws, as the Law on intelligence services², Law on the participation of the Armed Forces of the Republic of Croatia, police, civil protection and state officers in peaceful operations and other activities abroad.

After the setting out the sovereignty on whole territory, as well as with stabilisation of whole safety situation in region, some good conditions for further building out national security system of Republic of Croatia and increasing the level of the citizens' safety were made. Military factor of jeopardising of safety, as well for other European states, has lost its previous importance, but, still, unfortunately, represents one of the safety factors. Contemporary approach to the jeopardising of safety starts from five areas: military, political, social, economic and ecologic. Among most positive effects for Croatia's safety we can point out:

- readiness of state for peaceful resolution of interstate and interethnic conflicts;
- increased volume of international cooperation;
- multilateral resolution of safety problems.

But the Republic of Croatia has gone one step forward. In accordance with one of the basic interest-connection to the Euro-Atlantic integration, the Republic of Croatia has successfully finished

the first phase and became a candidate for full membership in the European Union. This is also an obligation for implementing means, standards and rules of behaviour valid in EU, which imply the compliance with the democratic principles, rule of law, and free market economy.

By involving in MAP (*Membership Action Plan*), the Republic of Croatia has become a candidate for a member state in NATO. For that fact it totally restructures its defence system, within the goal is not defence from one aggression or direct threaten with it, but different forms of safety challenges, just as regional instability, global terrorism, transnational threats, organised criminality, illegal migration, weapons of mass destruction and similar challenges which most of democratic state worldwide face.

In that sense, it is to conclude that the instruments the Republic of Croatia can use in the area of national security for accomplishing its goal, namely, the state's safety, are the following:

- a) the integration in the European Union and NATO;
- b) the regional cooperation;
- c) the cooperation within international organisations;
- d) the weapon control and measures of trust and safety;
- e) the contribution to international peace and humanitarian operations;
- f) the development of defence capacities and internal safety.

The Republic of Croatia is becoming a more and more important component of the European Security and Defence Policy (ESDP).

The Armed Forces

The Armed Forces of the Republic of Croatia were created in war conditions in early nineties and were structured towards the needs of those times and situations. Priorities of state defence requested high level of financing of Armed Forces and in that sense in 1995, during the greatest military actions, the budget for defence was at high level at 10,4% of GDP.

In the second half of nineties, the defence budget continuously gone down and the situation requested an optimal control of defence resources, although in 1999 the defence budget was 4% of



GDP. Positive changes in safety surroundings and more active role of the Republic of Croatia on international plan, the membership in Partnership for Peace, the peaceful missions as well as the status of a candidate for EU and new requests of Croatian society (renewing the economy and social questions) installed some other priorities in front of the Armed Forces and with the existing structure it was not possible to achieve it.

The reform efforts, starting 2000, resulted with a great downsize of the Armed Forces, but the new structure of the Armed Forces has become a smaller version of the former, meaning it wasn't adapted to new priorities and needs of society. In the same sense, the new structure wasn't in accordance with the available budget fund for defence, despite the great reduction of personnel.

All mentioned, with the parallel approach of Croatia to the membership in NATO, resulted with a need for basic reform of pattern of thinking in the area of controlling the defence resources.

There are also several analysis of the Croatian defence system, among which we can mention the American *Defence Reform Study* and the British *Study of MOD Management & Administration*, but for sure the *Strategic Defence Review* made by the Ministry of Defence and the Armed Forces was a first attempt to oversee all aspects which influence the defence system, from threats' analyses, necessary capabilities to disposable resources.

The key result of the Strategic Review of Defence was a new structure of forces, installed on rational and realistic basic appropriate to needs and possibilities of state.

The General Staff of the Armed Forces

The General Staff of the Armed Forces is a joint body structured within the frame of Ministry of Defence and authorised to give commands to the whole Armed Forces, in accordance with commands of supreme commander and with acts of minister of defence and for preparation and practical use of Armed Forces.

The new role, the structure and authority of the General Staff of the Armed Forces is connected with planning and guidance of future operations and direction of the Armed Forces for joint action and acting within international responses to crisis. General Staff of the Armed Forces is a planning body, with a part of authority in a area of defence

planning (forces, infrastructure, staff, finance and equipment), at the same time the strategic planning body in the area of the operative planning.³

The establishment of the positions of two deputies of the Chief of the General Staff of the Armed Forces, with clear definition of the authority of structural units, will increase the efficiency in the area of defence, as well as in the area of operative planning. The Chief of the General Staff of the Armed Forces is the main military advisor of the Supreme Commander and of the Minister of Defence, and he executes their commands in accordance with the Law on Defence. He is directly superordinate to his deputies and to the heads of the General Staff departments, to the commanders of branches, to the commander for support and to the support and to the director of the Croatian Military University. He is a member of the Military Council, the Military-Technical Council and the Human Resources Council, where he represents the interests of the Armed Forces.

He also represents Military Forces homeland and abroad, and he participates in the activities of the international organisations and bodies that require the presence of the Chief of the General Staff or of the highest commanders (Chiefs of Defence) is mandatory.

When executing his duties, he is assisted by the members of Cabinet, two deputies, six departments and the Operative Command Centre. The establishment of the positions of the two deputies will increase the efficiency of defence and operative planning, in support of the Chief of the General Staff as the highest military authority in the state and the main military advisor of the Supreme Commander and the Minister of Defence.

The Strategic Defence Review has set out a new direction for the Armed Forces of Republic of Croatia, leaving a concept as the individual defence and accepting a concept of collective defence and security. Starting from *safety judgement*⁴ towards which possibility of an attack in this moment on Republic of Croatia is very small, with an accent on structuring and dimensioning of Armed Forces beside basic mission of protection of sovereignty, whole territory and defence, appropriating influence in other missions⁵ as well: participating



in operations responding to crisis abroad (peaceful and humanitarian), participating in measures of building up a safety and confidence, as well as assistance to civil institutions in country.

For accomplishing a basic mission of sovereignty protection and whole territory, the Armed Forces will keep capability of increasing the total military potentials of Croatia on necessary level withholding mechanism of general military obligation by installing *voluntary military service and new concept* of a reserve, having the strengthening potential of the Armed Forces in crisis situations.

Signatory reserve will be the filling up reserve forces with acting corps and units filled with members of reserve units that will be structured, equipped and trained in situations when the safety of the Republic of Croatia is threatened with a potential aggression. Because of that, all members of static Armed Forces (about 40.000 members) will be confirmed, and in warehouses there will be kept a part of arms and equipment. Those forces won't be used until a level of threat reaches critical point.

New missions and tasks of Armed Forces, just as participating in operations responding to crisis outside national territory, including also the fight against international terrorism, require completely new profile of military capabilities and that is: right-time availability, capability of set-up and mobility in operations area, efficiency in activating forces, sustainability and capability of providing long-term operations and capability of surviving.

The vision and the goals of the development

A Croatian Armed Forces' vision for development is based upon an estimate of risks and threats, accepted obligations in international frames as well as on expected resources acceptable to the budget of the Republic of Croatia. A vision is focused on the following:

- Armed Forces;
- filling only with voluntary units and contracted reserves;
- numbering from 16.000 military persons, 2.000 officers, 6.000 contracted units and 2.000 civilians;
- organised in functional, not territory principle.

General Staff of the Armed Forces:

- makes plans and guide operations;
- specially structured joint Chiefs will take care of the total support in segments of logistic, health and personal functions;
- primary role of Chiefs is the forces' preparation.

Branches of Armed Forces:

- land forces will develop and sustain balanced capabilities responding to contemporary challenges⁶, and will be a joint operations' provider;
- sea forces will develop capabilities of supervision and protection of sea space, and capabilities of supporting land forces in joint operations;
- air forces will sustain capabilities of supervision and protection of air space and capabilities of supporting land forces in joint operations.

The main goals of the development of the Armed Forces in the next period of time are the following:

- to install aimed organisational structure and fill up armed forces with professionals, officers and members of contracted reserve;
- to realise planned operative distribution of forces in modern objects, to supply armed forces with necessary weapon and military supplies and totally take care of sufficient, aged and dysfunctional weapons and military supplies;
- to amplify the participation in international military operations and to accomplish conditions for becoming a NATO member;
- to improve educational structure of personnel, to adapt the training system, to approve the necessary doctrinal documents and adopt documents and the adaptation of legislation and other regulations to new defence concept.

The main goals of development require a whole line of reforms in area of human resources and military education, material resources, logistic, doctrine and training and international military cooperation and development and research.

The contribution to the international security and confidence improving

In area of international security, the Armed Forces of the Republic of Croatia take an active



role in crisis response missions abroad under the international organisations and alliances. That is a very significant activity of military forces in process of building up security and confidence, on global and regional level, as one of the most significant goals of state policy determined is the Republic of Croatia to become, up to 2010, a NATO and EU member. In supporting achieving that goal, the Armed Forces will develop the required capabilities for membership. The main tendencies will be focused on gradually increasing the contributions to joint operations responding to the crisis abroad, primarily within UN, NATO and EU frame. Together with the transformation, the armed forces will continue with adapting the defence system by increasing total capabilities for participating in international military operations. Between 2011-2015, there will be sustained the accomplishment of certain of participation in international military operations, meantime spreading the spectre of operations that the armed forces will be able to participate.

After the integration to the Euro-Atlantic structures, units of Armed Forces will be prepared to participate in NATO Response Force – NRF and EU fighting units - EU Battle Groups. The costs of participating in operations will be about 150-530 millions of kuna per year, depending on the number of participants. Up to 2010, gradually, there will be increased the participation in international operations, from 200 members to 600. In UN peaceful operations there will be 150 members of Armed Forces and in 14 peaceful operations approximately 50 persons: military observers, General Staff officers and experts, and with one-two units max. platoon or company -entirely till 100 members. In NATO and EU guided operations 450 members will participate in units max. company: pedestrian platoons, military police, other units and teams from services of support. Also, there will be trained 100 officers for fill up different duties in NATO and EU, to end the achievement of military-diplomatic network, to prepare forces for NRF and Battle Groups.

From 2011 to 2015, the participation in international operations will be increased from 600 members in 2010 to 700 members in 2011 and maintained that number till 2015 (with a possibility for introducing more than 700 persons after 2012). The participation in UN-led operations will be continued with max. 85 military forces. The Armed

Forces of the Republic of Croatia will take part in NATO guided operations with 600 members with a rotation or stronger unit without rotation (till 1000 members). The NATO and EU headquarters will be completed with 100 officers to participate in NRF and Battle Groups.

Epilogue

The basic missions of the Croatian Armed Forces are: protection of the sovereignty of Republic of Croatia, defence of Republic of Croatia and alliances, participation in international operations responding to the crisis abroad, participation in building up security and confidence and assistance to civil institutions in country.

The centre of building up of the Armed Forces will be on supplying branches and units with modern weapon and military equipment and modernisation of existing weapon and military equipment which satisfies the needs of crucial capabilities.

The most important project of supplying and modernisation of Croatian land forces will be the new armoured personnel carrier, the centre for the air forces will be new fighting aircraft, which will be used after expiry of resources of existing aircrafts and contemporary radar system and Croatian sea forces will be supplied with one boat which will secure capability of supervision of territory by sea and protect the fishing belt in Adriatic sea.

The preconditions for accomplishing the goals of the organisational structure are the standards of living and the personnel and units' education, with a rational governing of resources is getting larger of material capacities and modernisation of objects and infrastructure.

To ensure capability of guidance and command in all conditions, it is necessary to take care of modern communication-informational-equipment basics with appropriate capability of sustaining and improving other operative needs.

Modern armed forces are unimaginable without highly motivated professional staff.

For accomplishing these requested goals, 2% of national GDP is enough for stability of expenditures. The financial stability and the possibility of different developmental projects is a task to secure necessary level of internationalisation of Croatian Armed forces.



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² The Law was not valid anymore due to the acceptance of the Law on intelligence-safety system of the Republic of Croatia, National Papers 79/06.

³ As operative planning we understand military planning of operations and activities of Command and forces of Armed Forces of Republic of Croatia. It is operated on three levels - strategic, operational and tactical.

⁴ **Judgement of safety surroundings of Republic of Croatia**, MORH, 2 004-2005.

⁵ The Republic of Croatia's Government program 2003-2007 and an epilogue of the Government.

⁶ In accordance with the conclusions from the Istanbul NATO summit, up to 8% of land component will be activated or ready to be activated in international military operations and 40% will possess capabilities of participating in operations outside the Republic of Croatia.

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THE ORIGINALITY OF THE EUROPEAN COMMISSION IN COMPARISON WITH A NATIONAL EXECUTIVE BODY

Mădălina Virginia ANTONESCU

This article tries to show the original legal nature of the European Commission, called in the academic literature as “a EU genuine government”, in comparison with an executive state body. There are analyzed different meanings of the “executive authority” concept, and also we try to identify, within the EU institutional body, the institutions endowed with executive competences that haven’t received the denomination of “government” as in a state. Can we speak about many de facto governments in the EU institutional framework or can we only admit the existence of the European Commission, as unique executive institution, a true “super-EU government”?

Referring to the legal term of „executive authority”, there has to be made a distinction between the **broad meaning** of the concept (which includes a series of executive structures, such as: head of state, government, ministries and other central authorities of the public administration, the administrative body within each structure of the executive authority, which is empowered to draw up and to enforce decisions) and **the narrow meaning** (government and head of state, as distinct political institutions within dualist executive systems, while in the monocephalic executive systems the head of state cumulates also the office of the head of government)¹. Usually, we understand by „executive” in its usual meaning, **the government (because it rules the executive**, in the broad meaning, and it is also the reference structure in the study of the relations between the powers).

To identify the structures with a legal-political nature which belong on a European level, to the European “executive power” is a difficult enterprise, because the prerequisites show that the EU political system was not built as based

on the state model of power organization. Thus, executive competences can be found also within the EU Council² (an institution which is one of the **legislative** authorities of the EU system), but also the European Council³ (to the extent to which it monopolizes some executive competences⁴ without sharing them with the other European executive structures – as the Commission or the Council).

If we adopt the classical vision of the European “executive structure”, we shall admit that such is formed by an original template, which does not observe the “hierarchy of executive” on a national level: this European executive structure consists of the European Commission (“the EU government”) around which a vast administrative body is formed, in order to draw up and to execute the decisions taken within the Commission. Such vision is outlined as a simplistic reflection of the separation of powers within the state (the Commission - as “the European executive”⁵”; the EU Council – as “the European legislative”⁶, in association with the European Parliament; and thirdly, the Court of Justice as the „European court of law”). This overview, focused on the four above-mentioned EU institutions, does not include the European Council (ignored because of its political intergovernmental nature and because of the structure and fulfilled responsibilities which cannot allow an easy identification or assimilation with a certain “government body”).

In another vision regarding **what constitutes in fact “the executive” of the EU political system, a triangular structure emerges**, in which the Commission becomes a “visible executive”, consecrated as such by the provisions of the Community treaties, and as well as in the post-Nice stage (by the European Constitution), the Commission representing only a “pillar” of such executive structures. These executive structures are



completed (by their implicit existence as executive institutions, by their executive responsibilities and by their composition) with other two EU institutions: the EU Council and the European Council.

But if we admit that within the EU political system there is a single “European executive” (the Commission)⁷, the other EU institutions (for example - the EU Council) having only some executive responsibilities, but not a legal status of an „executive”, we can start to analyze **the Commission, which is understood as “European government”**⁸ under the aspect of the structure, functions, responsibilities and legal documents which it can issue, according to the “Nice system” and also according to the “post Nice stage” (in the European constitutional variant).

1. The originality of the European Commission in comparison to a national government, taking into consideration the structure and the legal status of its members

If, on national level, a government usually consists of the Prime minister and of his ministers (the other members of the government), forming together **a collegial, solidary and hierarchic body**⁹ (the ministries being legally and politically subordinated to the head of government), on the European level (within the EU political system), the **European Commission** (an institution understood as “European government) **consists of a President** (assisted by a Secretary General, for the preparation of the sessions and the meetings of the Commission) **and of the European commissioners** (each of them being assisted by a Cabinet led by the Head of Cabinet and consisting of five counsellors)¹⁰.

As an auxiliary to the Commission, an entire administrative body is organized in “Departments” in the subordination of the Secretary General, in “Services” assigned to General Directorates and in “Assimilated Services” - directions, divisions, units. In addition to the 24 General Directorates, there are some Committees created by the Community treaties: Legal Department (under the direct authority of the President of Commission), the Humanitarian Aid Bureau, the Bureau of European Policy Advisers (under the direct authority of the President of Commission), the Translation Service, the Joint Interpretation and Conference Service, the Service of Internal Audit,

the Office for Official Publication of the European Communities, etc.

Before the EU enlargement from May 1st 2004, the European Commission consisted of 20 members and one can state that this figure is not invariable, due to the latter enlargements of the Union (the Council can modify the number of commissioners). The Nice Treaty initiated a reform for the structure of the Commission (taking into account the 27 members of the extended Union), which confers a good operation (possible with a limited number of commissioners); thus, the Nice variant reorganized the Commission with regards to the number of members, being established for 27 commissioners (their citizenship being determined by equal rotation¹¹ between the member states for the office of the European commissioner).

As a natural consequence of the fact that they are part from an institution within the EU political system, in the procedure of appointment of the Commission members the prerequisite of the EU citizenship has to be observed (any commissioner has to be EU citizen, thus citizen of an EU member state). Until the Nice Treaty, there was also a rule according to which a state could not appoint **two** commissioners with its citizenship¹² (until the Nice Treaty, some states from the Union, like France, Germany, Great Britain, Italy, Spain **had two commissioners**). It is very important to notice the following fact: once they have been appointed by the governments of the member states in mutual agreement, the European commissioners become fully independent¹³ (as an illustration of the principle of power separation, but also of the supranational character¹⁴ of the Commission which cannot be controlled politically by EU institutions representing the interests of the member states, like the EU Council or even the European Council - due to their **intergovernmental legal nature**, but only by an institution with democratic legitimacy (European Parliament).

As a consequence, the European commissioners cannot be taken as “representatives of the member states”, although in the “Nice system” (a system containing all Community treaties and their modifications, including the Treaty of Nice/2001), the European commissioners are appointed on a mutual basis¹⁵, **by the government of the member states** (art. 158/ECT)¹⁶ and in the post-Nice period (the European constitutional variant) the appointment of the Commission occurs within



the institutional framework of the EU, by an EU institution (European Council)¹⁷.

In comparison to the French model of appointment for the members of the government (depending on the decisions taken by the Head of state and the Prime minister, and not by the claims of the political parties), anticipating the competence of **appointing the ministries by the Head of state, by the Prime minister's proposal**¹⁸, within the EU political system **there is no competence of appointing the European commissioners, which belongs** (by the stipulations of the treaties or of the European constitution) **to the "EU President"** (the latter could be the President of the Commission or, in another variant, the President of the EU Council).

We also have to remark that, besides the new aspect of the lack of one "EU President" consecrated as such (as a distinct political institution, along with the other institutions composing the EU unique institutional framework) which could be somehow assimilated with a "head of state", **the commissioners are not appointed either in the "Nice system" or in the European Constitution by the President of any EU institution, but by the governments of the member states, by an agreement**¹⁹ (in the Nice system), or by the **European Council (according to the European Constitutional treaty, art. I-27)**. But at a closer look, we notice that the role of the President of the Commission (once appointed by the government of the member states) is important in the further procedure of appointing the European commissioners (both in the "Nice system" and in art. I-27/European Constitution). More exactly, in the procedure of art. 158/ECT amended by art. G.48/TEU, after appointing the President of the Commission, the governments of the member states will consult with him in order to appoint also the members of Commission. According to art. I-27/ European Constitution, the procedure becomes more elaborate (the President of the Commission has to be elected **by the European Parliament**, at the proposal of the European Council. This means that in practice, the step of his "appointment" by the governments of the member states is suppressed)²⁰.

Thus, after electing the President of the Commission, another procedure is initiated. This procedure is for the appointment of the members in the Commission; other EU institution than

the European Council is involved, which has to propose and to adopt the list of the members for the Commission: the EU Council. The latter does not have an exclusive competence for the appointment of commissioners and has to share it with the President of the Commission (due to the fact that the latter has already been elected by the European Parliament, holding thus the democratic legitimacy, which is necessary for a position of equal importance with that one of the EU Council in the procedure for the appointment of the European commissioners). According to art. I-27, par.2/European Constitutional treaty, a shared competence between the Council and the President of the Commission is instituted for the proposal and adoption of the list of commissioners (the "Council, in mutual agreement with the elected President .."), which increases the similarity between the President of the Commission and a prime minister, regarding the role played by the latter for the assignment of the members of his government, on national level (in the case when the Head of state has only a limited political role, being incapable to appoint the government out of lack of support from the parliamentary majority).

From the structure point of view²¹, the **European Commission seems to be constructed based on the model of a simple structure** (with no middle hierarchy level, the kind of a government body named as cabinet / executive office / permanent office, etc., where the President of the Commission, the Vice-Presidents and some of the European commissioners shall be part of).

The existence of such a "body of the Commission" (which illustrates a hierarchy level, implicitly a hierarchy structure) should have been stipulated both in the "Nice system" and in the European Constitution (which is not found in reality, because neither the Community treaties, nor the amending ones, nor the European Constitution stipulate anything in this respect). **There are no references regarding a "permanent office" which should have the right to adopt decisions on behalf of the entire Commission**, or even in the modernized variant of the European Constitution, which removes the hypothesis of the hierarchy structure of the Commission. **At the same time, the existence of the administrative bodies around the Commission (Directorates, Secretary General, services and cabinets of the commissioners) shall not be taken as hierarchy levels, which**



are understood as intermediary functions between the President of the Commission and the European commissioners.

In a similar manner to the ministries, each European commissioner is responsible with a certain public sector (portfolio) and with the General Directorate of such sector (similar to the model of the Italian Constitution, which comprises the number of the members of the government exclusively to the ministers, as holders of the respective departments). **The structure of the Commission does not contain the institution of a “State Secretary”** and does not contain the classification of other persons with public authority similar to a “State Secretary” for the “European commissioners” or for members of the Commission. **At the same time, one cannot find within the Commission “ministers with no portfolio”** (as in the Constitution of Greece).

Meantime, the characterization of the European Commission as a “government”²², from the perspective of its structure, reveals the fact that we do not have the presence of a bi-organic structure, in the sense that we do not encounter either in the “Nice system” or in the variant of the European constitutional treaty, the existence of a larger body (government + State secretaries) or of a shrunk body (Council of Ministers, including the Prime minister and the ministers) as the Constitutions of Belgium and Portugal do stipulate²³. We cannot admit either the variant of a bi-organic structure from the perspective of drawing up a Commission based on the model offered by the Constitution of Holland (the government consists of King and ministers, including the Prime minister, the ministers form the Council of Ministries, presided by the Prime minister)²⁴.

Regarding the **number of the members within a national government**, the provisions of the Constitutions from the European states differ. Some stipulate that the government consists of a fixed number of members (seven ministers/Constitution of Switzerland), while others limit themselves to provide a minimal number, others indicating the authority which shall settle such number and the other Constitutions leave this matter open, either by a subsequent regulation of the law, or at the same time with the establishment of the government, by the means of the political game.²⁵

Regarding the **structure of the European Commission**, we have to highlight the following

fact: if in art. 157/ ECT (modified on January 1st 1995, after the EU accession of Austria, Finland, Sweden) the Commission has a structure of 20 members (a number which can be modified by the Council with a unanimity of votes), the protocol annexed to the European Union Treaty and to the other Community Treaties which institute the Communities (a protocol regarding the institutions in the perspective of enlarging the European Union), art. 1 stipulates that on the date of the **first enlargement of the Union** (the first enlargement shall take place after the date when the Amsterdam Treaty shall come into force, to which the present protocol is annexed on May 1st 2004), the composition of the Commission will be a **citizen from each member state** (within a Union with 25 member states, the Commission shall have 25 members, according to art. 1 from this protocol)²⁶. Also, there is the possibility for those member states which waived to appoint a second member of the Commission, to be compensated by a new weight of votes within the EU Council²⁷.

In art. I-26 / European Constitution it is stipulated that the first Commission which shall be appointed, based on the provisions of such Constitution, **shall consist from a resident of each member state, including the President and the Minister of Foreign Affairs of the Union (who is one of its Vice-presidents)**. After the first Commission shall conclude its mandate of five years, according to the Constitution, the next Commissions shall be formed from a certain number of members (the exact number of such members is not specified) who, including the President of the Commission and the EU Minister of Foreign Affairs, have to observe two thirds from the number of member states (by this, the rule of appointing a commissioner by each member state is terminated). Nevertheless, such a rule is flexible, because the European Council, with unanimity, can decide to amend such number. They keep the explicit condition that the members of the Commission shall be European citizens, residents of the member states.

The election procedure for the members of the Commission is based on the equal rotation system between the member states, which is established by a European decision adopted unanimously by the European Council.

Here we can find specific rules for the appointment of the Commission members²⁸ (as



a supranational institution²⁹) in comparison to a government at national level.

Regarding the duration of the mandate for a national government, a distinction concerning the political regime has to occur (thus, the duration of the government mandate in a parliamentary regime and in a semi-presidential regime is given by the duration of the parliamentary majority, which is established for five years, with the possibility of a renewal, in order to make possible **the political control of the European Parliament** - whose mandate is also of five years - over the Commission).³⁰

We have to indicate that we are talking of a “harmonization” of the duration for the parliamentary mandate and the duration of the Commission’s mandate, in order to insure an efficient operation and a democratic base for the EU institutions; nevertheless, a dependence of the Commission’s mandate on the mandate of the European Parliament members cannot be accepted, **because the Commission is not a reflection of the political life from the Parliament and not a result of the political game.** On the contrary, the Commission has its own individuality, highlighted by the status of a “complete independent member” towards any national government and any body/institution from the EU political system, which any European commissioner is endowed with.

Of course, we cannot talk about the existence of a presidential political regime (in which the duration for the government’s mandate is given by the duration of the mandate for the Republic’s President), because the **members of the Commission are not appointed by any “EU President”, but in mutual agreement by the governments of the member states** (within the Nice system) **and by the European Council** (in the variant of the European Constitution, art. I-27). **Meantime, we do not have a presidential regime within the EU political system**, because neither the Community treaties, nor the amending ones, nor the European Constitution **stipulate such a distinct political institution (as the “Head of State”)**, when they refer to the structure of the EU institutional framework.

The election of the Commission members is made based on their general competences, each proposed personality has to offer every independence guarantee (as a condition for the appointment of the commissioners). This is an

expression of the **importance granted to the European executive** within the organization model of the “powers” within the EU political system, and also an expression of the supranational character for this EU institution³¹ (art. 213, former art. 157, par. 1 and 2/ECT), where there is a clear stipulation of the way in which the office, which are trusted upon by the treaty is fulfilled by the Commission members: “under complete independence and for the general interest of the Communities”). **The supranational character of the Commission**³² is also expressed in the later provisions of art. 157/ECT: for the fulfilment of their competences, the commissioners shall not request or accept instructions from a government or from another body within or from outside the Community, and the commissioners shall refrain from any action which is incompatible with the nature of the fulfilled competences.

Regarding the incompatibilities of the government members, if on national level³³ (for example, in the Constitution of France) there are stipulations that the office of the government is incompatible with any parliamentary mandate, but also with any professional representation office of national character and with any public job or any private activity, on European level both art. 157/ECT and art. III-347/European Constitution confine themselves to stipulate that the members of the Commission cannot fulfil, during their mandate, any other professional activity, which is remunerated or not (there is no explicit provision which stipulates the interdiction of the office accumulation, of an European Commissioner and of an European M.P. But, according to the Document from 1976 regarding the election of the representatives within the “Assembly”, the European M.P. cannot fulfil during his / her mandate as a M.P. the office of a Commission member). Such provision eliminates the argument, which pleaded in favour of the existence of a **parliamentary regime on the EU level** (because only in such a political regime the compatibility between the public function of a government member and of a parliamentary member is admitted). The fact that both the “Nice system” and the European Constitution do not contain explicit provisions regarding the interdiction of office accumulation - European commissioner and M.P. - does not prevent us to affirm that such an issue has not been considered as important enough



in order to be mentioned as such, because art. 157/ECT and art. III-347/European Constitution consider implicitly that the independence of the Commission and of each member is a definite realization of the “principle of the separation of powers” within the EU system.

Some national constitutions (as the Romanian one) refer to the organic law of government organization and operation³⁴, where it becomes obvious that the office of a government member is incompatible with any public authority office, **except for the office of a senator or a deputy**³⁵ (which could affect the balance of the powers in a state, because a parliament member, as an elected representative of the people, cannot be subordinated to other member of the government)³⁶. On European level, even if it isn't stipulated within the Community treaties or in the amending treaties, nor in the European Constitution the fact that no European commissioner cannot fulfil a “European public authority office”, or a national public authority, it arises even from the actual independent legal and political character of the Commission (as a distinct institution of the EU), but also from the status of its members (of complete independence) that the accumulation office is prohibited in the case of Commission. Its members are bound not to receive and to request instructions from the national governments or from bodies within or outside the community. This duty - within an extensive interpretation - can be considered to include the duty of the European commissioners not to fulfil within the European Union other “offices which need the exercise of a public authority”.

The Protocol regarding the Community privileges and immunities, from April 8th 1965 contains the specific character of the privileges and the types of **immunities** for the European commissioners³⁷, in comparison to the members of a national government:

- such privileges and immunities have communitarian character (according to the criterion of the immunity object: for example, the immunity of jurisdiction applies for the acts fulfilled by the European commissioners for the realisation of their official quality. This immunity is extended also after such quality is terminated; the tax exemption on national level for the commissioners, regarding salaries and other amounts granted by the Community);

- such privileges and immunities apply to the members of an EU institution, which have the quality of a “European commissioner”, according to the provisions of the Community treaties and the amending ones.

The cessation of the membership quality in the European Commission³⁸ appears in the following situations: when the five years-mandate expires, when the respective person deceases, when the respective person quits voluntarily, when the respective person is dismissed *ex officio* (as an individual sanction, which could refer to a member of the Commission, according to art. 160/ECT, rendered by the Court of Justice upon the request of the Commission in its totality, or of the Council), when the impeachment of the Parliament is approved (dismissal of the whole Commission). Regarding the dismissal of a European commissioner by the ECJ, based on art. 160/ ECT, such measure can occur only in two cases: severe fault or if the respective member fails to fulfil the required conditions for the realization of his/her office.

During the **post-Nice period - constitutional variant** (art. III-348), the situations for cancelling the quality of a European commissioner include: the decease, the ordinary replacement, the resignation and the dismissal (as individual measures for the cessation of the European commissioner office) which are distinct to the dismissal of the whole Commission (by the approval of the Parliament for the impeachment).

Regarding such situations, where the quality of a “government member” ceases, **the national constitutions provide also other situations**: the cessation of a government member's office due to the revocations (occurred during a normal political situation), **the loss of electing rights**³⁹, **the incompatibility. The Community treaties, the amending ones, as well as the European Constitution do not stipulate such situations for the cessation of the quality of a “European commissioner”** (regarded as a “member of the European government”) which we find in some national constitutions. In comparison, art. III-349/ European Constitution, referring to the dismissal of a European commissioner, introduces certain differences as distinguished from the dismissal of a member in a national government:

- the dismissal of the European commis-



sioner occurs only in the two situations enumerated with limitation by art. III-349/European Constitution: for a severe fault or “if he/she fails to fulfil the necessary conditions for the realization of his/her duties”. On national level, the dismissal of a minister can occur: when an impeachment is adopted regarding his/her activity⁴⁰ (which, in the case of the European Commission represents a distinct case, of a collective termination of the European commissioner’s office, which occurs for the entire Commission if the European Parliament adopts an impeachment regarding the activity of the Commission). Also, on national level, **the dismissal can occur as a case of penal liability of the minister, as a consequence of a legal decision of conviction**⁴¹ (so it is regarded upon as an administrative sanction, which is complementary to a main penal sanction), whereas in the meaning of art. III-349/European Constitution the dismissal is the main sanction, which is pronounced by the ECJ;

- the dismissal of the minister on national level occurs as a consequence of the approval of an impeachment for his/her activity, whereas in the sense of art. III-349 / European Constitution it occurs based on a specific procedure: upon the complaint of the Council (adopted by simple majority) or of the Commission. The competence for pronouncing such communitarian administrative sanction lies only with the ECJ (as an illustration of the independent character of the European commissioner’s office).

- the dismissal is different from the revocation⁴² (such is not a sanction but only a legal measure, pronounced by the President of the Republic in some constitutional systems)⁴³. The legal status of the two is different; the revocation is not stipulated among the situations where the office of an European commissioner ceases, although it can be found at national level.

2. The originality of the European Commission in comparison to a national government, given the aspect of its function

The function of the European Commission is based on the observance of the principle of collegiality⁴⁴ (a principle reflecting a certain state influence, if we refer to the fact that, on national level, the “government” is characterized in some constitutional systems, like the French one, by

some particulars: collegial, solidarity, hierarchic character)⁴⁵.

If on national level (for example, the French political regime of the Fifth Republic) **the collegial character of the government signifies a distinct existence, inherent for this state authority towards its members** (an existence which can be translated as **the institution of the “Council of Ministers”**⁴⁶, as a reflection of a bi-organic structure), **the existence of the EU Council**⁴⁷ (**the former “Council of Ministers”**, in the formulation previous to the Maastricht Treaty) is on the European level nothing but a reflection of the distinct character which the **European government, *lato sensu***, including the Commission, has towards the European commissioners as individuals (“the ministers”). **The EU Council does not exist as a distinct body within the Commission**⁴⁸, **and does not create an intermediary hierarchy level between the Commission as a collegial body and its members**, like the Council of Ministers in the structure of the French government. At the same time, we can affirm that the institution of the EU Council represents an **influence of the French model**, given the fact that this EU institution (the Council) has a collegial and ministerial nature similar to a Council of Ministers on national level.

Regarding the collegial character of the Commission, this is visible and is referring to the conditions for the validity of deliberations (art. 219/ECT stipulating that the deliberations of the Commission take place with the **majority** of the number of the Commission members - stipulated on art 213/ ECT). The Commission - in its unity - is able to deliberate in a valid manner only if the number of members established by its own Regulation is fulfilled. The “collegiality” is also visible in the procedure of decision taking within the Commission (by groups of commissaries called “Colleges”, where the principle of collective liability is applied for the decisions taken)⁴⁹, in the “investiture” procedure of the Commission by the Parliament (by granting the vote of confidence to the Commission at the beginning of the mandate) or in the procedure for the initiation of the complete dismissal of the Commission (by approving the impeachment by the European Parliament).

On the national level, the majority of constitutions stipulate just a few principles regarding **the government way of working**, and



such aspect is regulated subsequently by organic laws. In exceptional situations, the constitutions of some European states (Norway, Sweden, Finland) stipulate some rules referring to the flow of the government activity.⁵⁰

Thus, the Constitution of Sweden sets the legal quorum of the government meetings (at least five ministers) and stipulates that, in order to prepare the government's works, the competence is held by the Government Chancellery (consisting of ministers, responsible with different activities). It is also stipulated that, during the meetings of the government, each leader of a ministry shall draw up reports and the works are documented in a protocol (including the divergent opinions). The Constitution of Finland mentions the obligation to discuss in plenary sessions any issues which fall into the competence of the Council of Ministries (except for those situations, in which, by decree, the decision for a certain issue is assigned to a minister); it also stipulates the rule that the issues which are analyzed by the government should be previously elaborated by the competent minister; it also stipulates the right of the Justice Chancellor to assist at the meetings of the Council of Ministers and to learn about the content of the protocol, which is drawn up in the meetings of the Council⁵¹.

Such provisions found in some national constitutions, referring to different ways of working for one government, **do not** represent a source of inspiration for the way in which the European Commission operates, which - **due to its original legal situation and to its organization structure** - proves to have its own way of working and its own set of rules.

Thus, plenary meetings of the Commission have as topic to discuss issues of maximum importance⁵², and for another type of issues it is sufficient to call for a meeting of the Chiefs of Cabinet. The two special procedures (the written procedure and the procedure of delegation) have an original character which becomes applicable during the meetings of the Commission.

The Commission is summoned by its President (who plays an important **political** role, and one can consider that he / she has a **superior hierarchic role**⁵³ in comparison to the Vice-presidents of the Commission, to the Union Minister of Foreign Affairs - in the constitutional variant, and to the other members of the Commission). The meetings of the Commission take place at least

once a week (supplementary meetings can be organized depending on the new issues), but they have a secret character (the debates within the Commission are also confidential). According to the old art. 156/ ECT, the Commission publishes on a yearly basis, a general report on the activity of the Community⁵⁴ (in the "post Nice system", in the European constitutional variant, art. III-352/ European Constitutional treaty stipulates a yearly general report on the activity of the Union). Art. III-351/European Constitutional treaty introduces a general instruction referring to the requested quorum, which is necessary for the adoption of the Commission's decisions (a quorum, which shall be stipulated later, within a future procedure regulation of the Commission), and which also mentions the rule of the valid adoption of all legal documents of the Commission (given the *majority* of its members)⁵⁵.

3. The originality of the European Commission in comparison to a national government, taking into consideration its competences

In the post-Nice period (the European constitutional variant, art. I-26), **the Commission keeps its supernational character** (given the aspect of the independence of its members towards any national government and towards any authority within or outside the Community), and it is considered to be the institution which represents the general interest of the Union.

a) We can make a classification of the Commission's competences within the "Nice system" (as they are reflected in the new art. 211/ ECT) in: competences which are specific for the Commission and in typical competences for any government (which are found also at the level of the European Commission). Such **competences, which are similar to those ones of a national government**, and which can be found in the case of the Commission in a form adapted to the EU objectives are the following: drawing up of the project draft for the Community budget; implementing the Community budget; competences for the fulfilment of execution duties assumed in the implementation of treaties and documents of the Council; right of legislative initiative (specific also for the national governments)⁵⁶; ensuring that the provisions of the treaty and the measures taken by the EU institutions on such grounds



are implemented⁵⁷; decisional competences; competences of participation in the legislative process⁵⁸; possibility of notification for the European judiciary authority⁵⁹, based on art. 169/ECT, on art. 171/ECT, amended by G 51/TEU); competences in the sector of concluding international agreements⁶⁰ (right of initiative, recommending to the EU Council the start of negotiations); competences linked to the implementation of foreign policy and of mutual security (title V, Amsterdam Treaty, art. J.4, par. 4 referring to the competence of the Commission to present proposals in this sector); competences stipulated by art. J.8/TEU, in the variant of the Amsterdam treaty (regarding the “full involvement” of the Commission in the EU external representation, by the “Presidency” of the Union, in the CFSP sector⁶¹; in the implementation of the decisions taken in the CFSP sector; in expressing, besides the “Presidency”, the position of the Union within international organizations and conferences); art. J.11/TEU, in the variant of the Amsterdam Treaty, based on which the Commission informs the Parliament regarding the CFSP development; the competence to notify the Council and to deliver proposals to the Council regarding any issue within CFSP (art. J.12/TEU, in the variant of the Amsterdam Treaty); competences of initiative within the procedure for adopting specific legal acts by the Council, in the field of judicial and police cooperation for the penal sector (title VI/ Amsterdam Treaty, art. K.6, par. 2); competence to make proposals in the field of health, security, protection of the environment and the consumer’s protection (art. 100A/ ECT, in the variant of the Amsterdam Treaty); competences linked to the presentation of a yearly report to the European Council regarding the employment rate of the labour force within the Community (art. 109Q/ECT, in the variant of the Amsterdam Treaty); drawing up of reports in the domain of the protection of fundamental social rights (art. 120 and art. 117/ECT, in the variant of the Amsterdam Treaty).

But such competences have also a specific dimension: they are granted based on international treaties, not on internal laws or national constitutions; they regard a EU institution, the European Commission and not a state authority; they are original because they refer to specific reports between EU institutions, as well as to domains which either are part of the separated

competences between Union and states or of the EU exclusive competence domain - as a reflection of the EU specific political system and the manner of “power separation” within this system.

b) Besides such competences which can be found (of course, with some particular aspects imposed by each constitutional system, in its individuality) also at the national level, **there are competences which are at the command of the Commission, based on Community and amending treaties, and which cannot be found within a national government.** Such new competences can be considered to be the following:

- the competences enumerated in the old article 155/ECT (new art. 211/ ECT modified by the Amsterdam Treaty) as competences specific to the Commission by their application domain (“in order to ensure the operation and the debate of the common market”): in this category, one can find supervisory competences regarding the implementation of the provisions of Community treaties, the competence to watch over the implementation of measures taken by institutions based on the Community treaties (specific supervisory competence); competences which were delegated by the EU Council for the implementation of regulations, which were established by this⁶²; decisional specific competences; competences for participation in the European legislative procedure (“to draw up the documents of the European Council and Parliament”); competences for drawing up of recommendations and approvals regarding issues which are object of Community treaties (if such stipulate explicitly or if such legal acts are considered to be necessary by the Commission)⁶³;

- political competences (the political responsibility in front of the European Parliament, by the presentation of a yearly report regarding its activity; by drawing up of Community legal regulations in certain sectors; by drawing up of approvals, recommendations or directives for member states);

- competences like that of a “guardian of the observance of treaties”, based on which it can initiate procedures in front of a judiciary court from the EU political system (ECJ) if the Council or the EU member states fail to fulfil their communitarian duties; to impose financial sanctions to enterprises which do not observe its decisions; to pursuit and



to sanction crimes in the sector of competition or in the sector of security control⁶⁴;

- competences regarding the management of various funds and communitarian programs (including those regarding assistance to third states);

- taking decisions with particular character, which have member states as beneficiaries;

- competences in the field of art F.1/TEU, which were introduced by the Amsterdam Treaty (to propose to the Council to ascertain a serious and persistent violation of the principles from art. F.1 /TEU, introduced by the Amsterdam Treaty, by a member state);

- competences linked to the implementation of the liberty, security and justice environment (art. K1/TEU, and art K6/TEU, both introduced by the Amsterdam Treaty);

- competences linked to the domain of art. K12/TEU, introduced by the Amsterdam Treaty (deepened cooperation among the EU member states), to issue a motivated approval, by which it recommends some necessary measures to be implemented so that a member state can take part in the respective cooperation;

- the competence to promote the consultation of the social partners at communitarian level and to take any useful measures in order to facilitate the dialogue between parties; the competence for initiating proposals in the sector of the social policy at communitarian level (art. 118A/ECT, introduced by the Amsterdam Treaty; became the new art. 138/ECT); the competence to encourage the cooperation between member states and to facilitate the coordination of their actions in all sectors of social policy which are regulated by the title VIIA – art. 118C/ECT, which was introduced by the Amsterdam Treaty, and became the new art. 140);

- the competence to organize, together with the member states, a close cooperation between the competent authorities, in the sector of fighting against the frauds and against any other illegal activities, which affect the financial interests of the Community (art. 209A/ECT, modified by the Amsterdam Treaty)⁶⁵.

During the post-Nice period (in the variant of the European Constitution), by art I-26, the Commission **fulfils competences which can be found, in specific variants, also in the case of a national government** (the supervision of

implementation of the Union's law; the execution of the budget⁶⁶; the administration of programs; competences for coordination, execution and administration⁶⁷; legal competences linked to legislative initiative) but which have a specific European dimension (referring to competences linked to the implementation of the European Union law); the institution which is endowed with such competences, based on the European Constitution, is an institution of the European Union, and not a state authority, like the government).

But also, the European Constitutional treaty stipulates a series of specific competences for the Commission as an EU institution, which we cannot find in the case of a national government (due to the specific character of the EU political system regarding the legal status of its institutions, due to the legal and political relations between the institutions, to the types of competences acknowledged for the member states and for the Union, to the distinct legal nature of the communitarian law or to the originality of the “European executive”):

- competence for ensuring the external representation of the Union (except for the CFSP area), art. I-26/ European Constitution;

- competence for watching over the observance of the European Constitution and the measures which were adopted by the EU institutions, based on the European Constitution disposals;

- competence to supervise the application of the European Union law;

- competences of enforcing the EU acts with compulsory legal character (by European enforcement regulations) – art. I-37/ European Constitution;

- competences delegated by European laws and European framework laws, to adopt some delegated European regulations (art. I-36/ European Constitution);

- competences in order to watch over the implementation of principles in the sector of competition, stipulated in art. III-161; III-162/ Constitution; to investigate the alleged situations of breaching such principles; to propose the according measures for the cessation of breaching the respective principles (if a breach is ascertained); to authorize the member states to take necessary measures in order to make a remedy of the situation (if the breach continues) – art. III-165/ Constitution;



- competences in the matter of assistance offered to member states, according to art. III-168/ European Constitution: to permanently verify the status of the assistance which exists in such states; to adopt European decisions of amending / cancelling the assistance granted by the member state; to notify the Court of Justice of the European Union if the respective state does not observe the European decision within the established deadline;

- competences in the sector of public health (in cooperation with the member states), based on art. III-278 / European Constitution, par. 2, second thesis), based on art. III-278 / European Constitution, par. 2, second thesis (adopting any initiative which is useful for the promotion of coordinating the policies and programs of member states in this sector);

- competences in the industrial sector (in cooperation with member states) based on art. III-279, within the sectors in which the Union can decide to develop a support, a coordination or a complementary action;

- competences linked to the negotiation of agreements with third states or with international organizations, for the implementation of art. III-315 (common trade policy) ;

- adopting of any useful initiative in the sector of cooperation for development (cooperation with third states and humanitarian aid), art. III-318, par. 2 and art. III.321, par. 6.

As we can notice, **almost all competences of the Commission**, both for the formulation of the Community Treaties and the amending treaties, and for the formulation established by the European Constitution, have a specific European character. **They do not allow the establishment of a rigorous similitude with the competences which are given to a national government on a domestic level** (for example, in the case of the Commission, we cannot speak of the existence of competences regarding⁶⁸: the initiation of the state of siege; the management and control of the activities in the ministries or in the central public administration authorities; implementation of the adopted measures for the general organization of the army forces; organization of the parliamentary elections, of the local administration elections or of the presidential elections; taking the necessary measures for the assurance of the state of law,

of public peace, of civil rights and freedoms; the approval of programs for the economic development of the country; the assistance granted to the Prime minister in fulfilling its competence of enforcing the policy established by the President of the Republic; the proposal for the organization of a referendum; the participation in the decision taking within the Council of Ministers etc.)- such competences are frequently granted by the national constitutions or by organic laws, **to a national government**.

NOTES:

¹ Ioan MURARU, Elena Simina TĂNĂSESCU, **Drept constituțional și instituții politice**, Ed. All Beck, București, 2003, vol. II, pp. 238-239.

² Niles ERSBOLL, *Introduction to the Debate. The European Union: The Immediate Priorities*, International Affairs, vol. 70, no. 3, July 1994, p. 414.

³ In a proposal regarding the removal of the present regime of “powers confusion” in the EU, Jean Louis Quermonne insists on the fact that “a **more strict** separation of powers has to be established between the governmental function within the network exercised by the Commission and the Council, and the legislative function assumed by the Parliament in co-decision with the Council”. See also Paul ALLIÈS, **Une Constitution contre la démocratie? Portrait d’une Europe dépolitisée**, Climats, Castelnau-le-Lez, 2005, p.181. Here, the term “power” is used as “function” after the model of Montesquieu.

⁴ For example, according to art.I-21/European Constitution, the European Council “gives the necessary impulses for the EU development” and “defines the general political orientations and priorities”. As an opposite opinion, such competences should not be monopolized by the European Council, because it is a part of an **hierarchic structure of the Council of Ministers” in a broader meaning, as an institution with „multiple facets”**. See also Fiona HAYES-RENSHAW, The Council of Ministers, in John PETERSON, Michael SHACKLETON (coord.), **The Institutions of the European Union**, The New European Union Series, Oxford University Press, New York, 2002, p. 49. In a similar manner, regarding the “**multiple nature” of the Council**, see also Clive H. CHURCH, David PHINNEMORE, **The Penguin Guide to the European Treaties. From Rome to Maastricht, Amsterdam and Beyond**, Penguin Books, England, 2002, p. 379. We cannot agree upon such opinion, because **the European Council remains a distinct EU institution**, even if it was consecrated as an institution, later on (by Maastricht Treaty).



⁵ If the **intergovernmentalists** consider the Commission as an “executive delegate body, without any autonomous decisional power”, therefore not needing to be submitted to a specific control, others see in the Commission a “**quasi-government**” and state that the Commission has to be subjected to mechanisms of democratic control, especially by its responsibility in front of the European Parliament. See also Paul MAGNETTE, *Controlling an International Bureaucracy. The European Commission between Intergovernmentalism and Parliamentarism*, Studia Diplomatica, vol. LII, 1999, no. 5-6, p. 269.

⁶ The Council **fulfils three functions** based on art. 202 from ECT, which defines the essential role of the Council in the institutional architecture of the Union: legislative function, governmental function in its decisional aspects and coordination function for the policies of the member states. See also *Procès Verbal du 25 /10 /2001, Réforme du Conseil, A5- 0308 /2001, Résolution du Parlement Européen sur la réforme du Conseil (2001 /2020 (INI))*.

⁷ Other authors mention the existence of **two European executive bodies** (Commission; EU Council). See also Gilles FERRÉOL (coord.), *Dictionarul Uniunii Europene*, translated by Iuliana-Cristina Doboş, Polirom, Iaşi, 2001, p. 51, Jean-Louis QUERMONNE, *Les institutions de l'Union Européenne en quête de légitimité*, Presses de Sciences Po, 2001, La bibliothèque du citoyen, Paris, p. 42. The issue of the “**executive bycephalism**” is very controversial in the doctrine and was not resolved, not even by the reference to the European Constitution.

⁸ John FAIRHURST, *Law of the European Union*, Pearson Education Limited, Pearson and Longman, Essex, UK, 2006, p.83, Olivier DUHAMEL, *Pour l'Europe. La Constitution Européenne expliquée et commentée*, Seuil, Paris, 2005, p. 205.

⁹ Pierre PACTET, *Institutions politiques et droit constitutionnel*, Armand Colin, Dalloz, together with Ferdinand MÉLIN- SOUCRAMANIEN, 2002, p.447.

¹⁰ Augustin FUEREA, *Instituțiile Uniunii Europene*, Universul Juridic, Bucureşti, 2002, pp. 76-77.

¹¹ Until 2014, after which the Commission shall become “a shrunk college”. According to François-Xavier PRIOLLAUD, David SIRITZKY, *La Constitution européenne. Texte et commentaires*, La Documentation Française, Paris, 2005, p. 93. According to other authors, after the 2004 enlargement, the Commission seats 30 commissioners (states like France, Germany, Italy, Spain, and Great Britain are each appointing two commissioners). According to John FAIRHURST, *op. cit.*, p. 84.

¹² Augustin FUEREA, *op. cit.*, p. 69.

¹³ The requisition of **independence** for the European Commissioners is the characteristic which **separates**

the Commission from the Council and the Parliament (being translated by a “supranational” relation of the commissioner to the member states). See also Pierre MATHIJSSEN, *Compendiu de drept european*, ed. VII, translated by Viorica Alexandru, Mihaela Dumitrescu, Ed. Club Europe, 2002, p. 114.

¹⁴ Octavian MANOLACHE, *Drept comunitar*, Ed. All Beck, Bucureşti, 1996, p. 73.

¹⁵ The **political legitimacy of the Commission** derives in fact, from “its basics” (the appointment by the governments and the approval of its President, but also from its collective responsibility in front of the European Parliament). See also Jean Claude GAUTRON, *Rémarques sur la constitutionnalisation de l'Union et problèmes liées à la révision des traités*, Studia Diplomatica, vol. LII, 1999, no. 3, Eric REMACLE, Jacques VANDAMME ed.), *L'Union Européenne après l'Euro*, Institut Royal des Relations Internationales, Bruxelles. p. 69.

¹⁶ New art. 214/ECT, amended by the Amsterdam Treaty.

¹⁷ Art. I-27/European Constitution.

¹⁸ Art. 8/Constitution of France.

¹⁹ Philippe MANIN, *Droit constitutionnel de l'Union Européenne*, Pédone, Paris, 2004, p. 217.

²⁰ One of the **innovations** brought in this respect by the European Constitution refers to the European Council, which, on the occasion of the proposal by the E.P. of the candidate for the Presidency of the Commission, **has to take into consideration the results of European elections** (whereas the European Parliament is not acknowledged with the option of appointing also a candidate for such office). See also François-Xavier PRIOLLAUD, David SIRITZKY, *op.cit.*, p. 95.

²¹ Antonie IORGOVAN, *Drept administrativ. Tratat elementar*, vol. IV, Ed. Actami, Bucureşti, 1994, pp. 127-128.

²² Some authors consider that it is important to **acknowledge the role of the Commission as a “supranational government of the Union”**. Such a role has never been fully accepted by the national governments because it presupposes the existence of **an executive which is not responsible in front of the national government but in front of the European Parliament** and which does not fulfil its duties according to the specific interests of the member states. See also Giorgio NAPOLITANO, *Challenges Facing the European Union*, The International Spectator, vol. XXXV, no. 1, January- March 2000, p. 9.

²³ Idem, p. 128.

²⁴ Idem, pp. 128-129.

²⁵ Idem, p. 129.

²⁶ The doctrine considers that an enlargement of the Union to 30 members or more, should bring a Commission with 40 members, which could provoke



for the institution, a difficult situation. Such a situation should mean that, within the intergovernmental conferences, there has to be found a solution in this respect. Details are contained in Xenophon YATANAGAS, *The Treaty of Nice. The Sharing of Power and the Institutional Balance in the European Union - A Continental Perspective*, The Jean Monnet Program, Jean Monnet Working Paper 1/ 01.

²⁷ François-Xavier PRIOLLAUD, David SIRITZKY, *op.cit.*, pp. 91-93.

²⁸ Yves DOUTRIAUX, Christian LEQUESNE, *Les institutions de l'Union Européenne*, La Documentation Française, Paris, 1995, pp. 44- 45.

²⁹ The **supranational character of the Commission** is also confirmed by the introduction of the vote with **qualified majority** for the selection and the appointment of the Commission members, and by the **strengthening of the President's powers**. Details can be found in *EUROPARL, Procès Verbal du 31/ 05/ 2001, Traité de Nice et avenir de l'Union, A5/0168/ 2001, Résolution du Parlement Européen sur le traité de Nice et l'avenir de l'Union Européenne (2001- 2022 (INI))*.

³⁰ Philippe MANIN, *op.cit.*, p. 220.

³¹ Olivier DUHAMEL, *Droit constitutionnel et institutions politiques*, Ed. du Seuil, Paris, 1993, p. 417.

³² Iordan Gheorghe BĂRBULESCU, *Uniunea Europeană. Aprofundare și extindere. Cartea I - De la Comunitățile Europene la Uniunea Europeană*, Ed. Trei, București, 2001, p. 152, Philippe MANIN, *op.cit.*, pp. 223-224.

³³ Pierre PACTET, *op.cit.*, p. 452.

³⁴ According to the National Law 90/2001 regarding the organization and operation of Romania's government and ministries, published in the Official Gazette no. 164 from April 2nd 2001, section 2, art. 4, it is stipulated that "the office of a Government member is incompatible with any public authority office, except for that of a deputy or a senator". This provision is hazardous for the observance of the principle of the separation of powers within a state and for the rule of law as such, because it allows, at least in theory, the accumulation of executive and legislative offices by the same person.

³⁵ Art. 104, par.1 and 2/ Romania's Constitution /1991, revised in 2003.

³⁶ Antonie IORGOVAN, *op.cit.*, p. 156.

³⁷ For the enumeration of a list of the privileges and immunities granted to European commissioners, see also Augustin FUEREA, *op.cit.*, pp. 212-213.

³⁸ Philippe MANIN, *op.cit.*, pp. 221-222, Iordan Gheorghe BĂRBULESCU – *op.cit.*, 155. Augustin FUEREA, *op.cit.*, p. 71.

³⁹ Art. 105, Constitution of Romania from 1991, revised in 2003.

⁴⁰ Antonie IORGOVAN, *op.cit.*, p. 159.

⁴¹ Idem, p. 159.

⁴² *Ibidem*, p. 158.

⁴³ For example, in the section 64/ Constitution of Finland, the President of the Republic, upon request, can approve the resignation **of the government** or of one minister. The President of the Republic can approve also the resignation of a minister, upon request of the Prime-minister (hence the concept of a normal situation, not of a sanction, which resulted from a political game, which imposed a certain legal measure).

⁴⁴ Paul CRAIG, Gráinne de BÚRCA, *EU Law. Text, Cases and Materials*, Oxford University Press, NY, 2003, p. 56.

⁴⁵ Pierre PACTET, *op.cit.*, p. 451.

⁴⁶ The President of the Republic has the competence of presiding over the Council of Ministers (art. 9/ Constitution of France) and of signing ordinances and orders within the Council of Ministers (art. 13).

⁴⁷ If we take into consideration the hypothesis of "a **dual** European executive body" (consisting of the Commission and of the EU Council). Thus, **the EU Council would represent a "European executive"** which cannot be mistaken, or assimilated with the members of the "European executive" in a restricted meaning (European commissioners). As a particular aspect, while on the national level (in France), the **ministers** are members of the government, thus of the Council of Ministers, the European commissioners, although members of the "European executive" **are not also members of the EU Council** (they have not the quality of "European ministers" in the sense of a national constitution).

⁴⁸ Although we are talking of a "dual" or "bicephalic executive", we are using these terms **in a metaphoric sense**, because we shouldn't forget that the Treaties consecrate the Commission and the EU Council **as two distinct EU institutions**, and **the executive competences** realized by each of such authorities are **different**. Nevertheless, we can discuss the fact if between the two EU institutions there is **actually a hierarchic** relation on political - legal level, which **subordinates the Commission to the will of the Council** (which also acts as the **EU lawmaker**). Therefore, the principle of the **independence for the Commission** is broken.

⁴⁹ It is said about the European Commission that it represents "**one of the strangest existing executive bureaucracies**, an institution **sui generis**, which cannot be found at state level", because, in practice, it is a **hybrid**: The Commission consists of two bodies: on the one hand, the "College" of commissioners, authorized with decision making, and on the other hand, the permanent body, formally "non-political", with administration duties (or the General Directorates) the "College" is responsible for. Details can be found in John PETERSON, *The College of Commissioners*, in John PETERSON, Michael SHACKLETON, *op.cit.*,



p. 72 ff.

⁵⁰ Antonie IORGOVAN, *op.cit.*, p. 165.

⁵¹ For example, the issues falling under the competence of the government are decided in a plenary meeting of the government or of the competent ministry. The issues of great importance are presented for decision in plenary meetings (the quorum being of five present ministers) – art. 67/ Constitution of Finland.

⁵² Augustin FUEREA, *op.cit.*, p. 74.

⁵³ Iordan Gheorghe BĂRBULESCU, *op.cit.*, p. 156, Paul CRAIG, Gráinne de BÚRCA, *op.cit.*, p. 57, John FAIRHURST, *op.cit.*, p. 88.

⁵⁴ On the national level, the **government** presents in front of the Parliament, a political program for which it assumes political liability (for example, there is a political **collective** liability - art. 192 / Constitution of Portugal, for the program of the government and for the decisions taken by the Council of Ministers; there is also an **individual** political liability of the Prime minister towards the President of the Republic and of the Assembly of the Republic). Art. 196 stipulates the possibility of the government to request a vote of confidence from the Assembly of the Republic for a decision of general politics or over any issue of national interest. This is a case **separate** to that of an **annual publication** by the European Commission of a **general report** (its publication occurs **one month previous** to the opening of the parliamentary session). This report has a **different** content (covers the activity of **all** EU authorities and institutions) from that of a **political program**. Details can be found in Pierre MATHIJSSEN, *op.cit.*, p. 130. As an opposite example, John FAIRHURST, *op.cit.*, pp. 90-91.

⁵⁵ Whereas on national level, the quorum requested for the implementation of the government decisions can be different, according to the law of organization and operation for the government in the respective state.

⁵⁶ Iordan Gheorghe Gheorghe BĂRBULESCU, *op.cit.*, p. 161.

⁵⁷ The competence of “guardian for the observance of the constitutive treaties”: Iordan Gheorghe BĂRBULESCU, *op.cit.*, p. 161. John FAIRHURST, *op.cit.*, pp. 92-93, Gilles FERRÉOL (coord.), *op. cit.*, p. 40.

⁵⁸ Thus, the Council can issue regulations only based on a proposal handed out by the Commission. By handing out the drafts of regulations, directives and decisions, the Commission takes part in the “modelling of measures taken by the Council and by the European Parliament”. Cf. Pierre MATHIJSSEN, *op.cit.*, p. 125.

⁵⁹ By means of the so-called “**recours en manquement**”, established by the Treaties and by the European Constitution as a **discretionary right of the Commission towards the member states which failed to fulfil (or fulfilled faulty) their duties based on the Community treaties**. Thus, the Commission can notify

the ECJ (more than this, the Court itself admitted for the Commission, in the decision from May 05th 1981 „Commission c./Royaume Uni, 804/79, 1068, a “general surveillance mission”, which allows the Commission - if a communitarian regulation is absent - to supervise that the member states act within the observance of their competences). See also Philippe MANIN, *op.cit.*, p. 247.

⁶⁰ The Commission makes recommendations to the Council, which authorizes the Commission to open the required negotiations and to formulate the directives for the negotiations (in case of trade agreements). See also Pierre MATHIJSSEN, *op.cit.*, p. 128.

⁶¹ In the matter of the external representation of the Community, **no** instruction from the ECT **confers** to the Commission such competence (a fortiori, not even in the situation of the external representation of EU). Only the European Constitutional treaty grants such competence to the Commission (except for CFSP). See also Philippe MANIN, *op.cit.*, pp. 245-246.

⁶² The EC Treaty allows **the Council to offer the Commission competences “for the enforcement of rules, which are established by the Council”**; at the same time, the Council grants itself “in certain situations” the competence “**to fulfill directly the enforcement competences**”. In order to restrict this prerogative of the Commission, the Council has stipulated that the acts adopted by the Commission based on these competences, **shall be submitted to the approval of “committees** consisting of representatives of the member state governments” (in our opinion, this being a restriction of the supranational and independent character of the Commission). See also Philippe MANIN, *op.cit.*, pp. 238-239.

⁶³ In such category one can find also the so-called “notifications” or “announcements” of the Commission. See also Pierre MATHIJSSEN, *op.cit.*, pp. 119-120.

⁶⁴ Iordan Gheorghe BĂRBULESCU, *op.cit.*, pp. 160-161, Augustin FUEREA, *op.cit.*, p. 80.

⁶⁵ Such competences of the Commission, to “coordinate or organize together with the member states different types of cooperation in various sectors” reflect a “**transnational dimension** of the competences of the Commission”. The fact that it **exceeds the state notion of an “executive”**, is very important because **it becomes a “political and administrative body which exceeds the normal borders of power separation and penetrates the judicial and legislative domains, as well as the executive domain”**. See also Clive H. CHURCH, David PHINNEMORE, *op. cit.*, p. 398.

⁶⁶ This competence is similar, in a regime of power separation, **to a prerogative of the executive**. As a consequence, “**the powers of the Commission are analogue** to those belonging to a state executive (according to Philippe MANIN, *op.cit.*, p. 244). There is also an unilateral perspective, which fails to take



into consideration the supernational and original character of the Commission, derived from other types of competences.

⁶⁷ Augustin FUEREA, *op.cit.*, p. 80.

⁶⁸ Pierre PACTET, *op.cit.*, pp. 456-457.

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THE COOPERATION BETWEEN THE UNITED NATIONS AND THE EUROPEAN UNION FOR CRISIS RESOLUTION ON THE AFRICAN CONTINENT

Dorel BUȘE, PhD

The UN cooperation with the European Union in crisis and conflict management in Africa is based on the provisions of Chapter VIII of the Charter and the EU-AU Agreements signed in 2000 in Cairo.

The creation of the African Union in July of 2002 and the founding of the Peace and Security Council (CPSAU) in February 2004 allowed for the hope that Africa can dispose of its own capabilities of crisis and conflict management and of peace forces that were more efficient than those ones of the former Organization of African Unity. As a mediator in the peace negotiations in Darfur, the African Union decided, on the July 16, 2004, to establish the African Mission in Darfur (AMIS) for the surveillance of the ceasefire. But the extent of the difficulties, as well as that of the AMIS mandate, evolved rapidly.

The UN cooperation with the European Union in crisis and conflict management in Africa is based on the provisions of Chapter VIII of the Charter and the EU-AU Agreements signed in 2000 in Cairo.

The European Union started from the idea that the African Union is a credible and organized partner, capable of promoting peace and security on the African continent, as it results from the creation, in 2002, of the African Union Peace and Security Council.

As a result, by respecting the commitments assumed at Lomé and later at Cotonou, of not becoming militarily and politically involved in Africa, the EU continues to finance various African crisis and conflict management agencies, in particular through sub-regional organizations such as ECOWAS. The latter created a force of 6,500 soldiers, out of which 1,500 were destined

for emergency interventions. In addition, in March 2004, the EU states accepted the European Commission's proposal to grant the African Union 250 million euros for funding a peace supporting service.

These funds would only be used for assuming the modus operandi of crisis and conflict management, but not for financing of European peace supporting operations in Africa. In light of this durable and viable partnership, the EU states, such as France, Great Britain and Belgium already have programmes for peace operations under the UN umbrella and many others among those 27 member states allocated soldiers for the multinational brigade, expected to be deployed in a crisis situation for peacekeeping, as it happened in Eritrea¹.

The EU-UN operation ARTEMIS was launched in June of 2003, as a response to the crisis situation in the city of Bunia, the capital of the Ituri region, in North – East Congo. Despite political progress at the national level and the presence of the UN mission in the Democratic Republic of Congo – MONUC, Bunia was marked by the persistence of violent confrontations between rival militias and a catastrophic humanitarian situation.

On May 30, 2003, through Resolution n°.1484, the UN Security Council authorized the deployment of an interim emergency force in Bunia. A few days later, ARTEMIS was transformed in an EU peacekeeping mission by decision of the European Council from July 12, 2003.

Operation ARTEMIS represented a triple performance. It constituted the first EU peace restoring operation, the first EU operation without any NATO means and the first EU operation outside area of responsibility.



NATO AND EU: POLITICS, STRATEGIES, ACTIONS

Taking action according to Chapter VII and in tight cooperation with MONUC, the interim emergency force had as main objectives “to contribute to the stabilization of security conditions in Bunia, to improve the humanitarian situation, to ensure the protection of the airport and of the displaced persons, found in the camp in Bunia and, in case of necessity, to contribute towards ensuring the security of the civil population, the UN personnel and the humanitarian organizations in the city”²².

The ARTEMIS mandate was limited both in time and space. The end of the mission was expected to take place in September 2003, at latest. Moreover, at this date, a reinforced MONUC would take over the emergency force. In regard to the coverage area, the ARTEMIS mandate was limited to the city and airport of Bunia.

Regarding the command’s structure, the hired units and the political control, it is worth mentioning that, as a framework nation, France ensured the Command of the Operation (General Bruno Neveux), as well as the Command of the Forces (General Jean Paul Thornier).

The operation’s command, charged with strategic planning, was based in Paris and employed approximately 80 officers, out of which 60% were French. From the theatre of operations perspective, the forces’ command centre was located in Entebbe, in Uganda, and engaged approximately 100 soldiers of various nationalities. Approximately 1,800 soldiers from nine countries were deployed in the field: 110 in Bunia, 650 at the Interarms Support Base at the Entebbe Airport and 100 in Kampala. These effectives were provided by France (1,700) and Sweden (70). The contribution of other countries (South Africa, Belgium, Brazil, Canada, Germany, Greece and Great Britain) ranged from logistics and support elements to ensuring the transport and medical assistance.

ARTEMIS took place in UN support, under the political and military leadership of the European Union’s institutions, in the framework of the European Security and Defence Policy (ESDP). Therefore, the Council of the European Union delegated to the Political and Security Committee (COPS) the political control and the strategic management of the operation, including the ability to modify the plan of the operation, the chain of command and the rules of engagement. The Council, assisted by the High Representative

Javier Solana, was still responsible for the decision-making regarding the final objectives of the operation.

The High Representative was responsible for maintaining contact with the UN, the Congolese authorities and those ones of the neighbouring countries, as well as with other participants to the crisis management.

The Forces’ Command served as a liaison with the local authorities and with MONUC. The Operations’ Command was supervised by the Military Committee of the European Union (EUMC) and transmitted reports regarding the development of the operation to the Political and Security Committee.

In terms of mandate achievement, ARTEMIS can be considered a true success of UN cooperation with regional organizations in crisis management³.

The European force succeeded in imposing itself in the field and stabilizing security conditions in Bunia, despite the hostile environment in which it had been deployed. This improvement of the security conditions allowed the resumption of economic life, and the return of approximately 50,000 inhabitants and the extended recommencement of humanitarian aid. Moreover, the cooperation between the military forces and the humanitarian organizations obtained the best of praises. From the very beginning of the operation, a CIMIC liaison officer, who favoured dialogue and cooperation, was permanently present in the field.

In addition, we must mention the speed with which the forces were deployed, in approximately six weeks from the adoption of the resolution by the Security Council.

Finally, the transfer of responsibilities from ARTEMIS to MONUC II was a success in itself.

ARTEMIS outlined the deficiencies of regional organizations, in particular the EU, in terms of strategic transport, technologies, high distance communication, information techniques.

Moreover, the multi-nationality of the operation created problems in regard to communication and the interoperability of tactical doctrines.

Although ARTEMIS successfully accomplished its mission, this essentially military operation, limited in time and space, presented some limits, out of which some can be considered as inherent to such a mandate. In reality, ARTEMIS was a rapid reaction force and did not have long-term



stability as a goal. The militias of the Lendu ethnic group (UPC) were not neutralized and no proper demilitarization took place. Consequently, the violence and massacres soon retook their course. Furthermore, ARTEMIS was unable to intervene during the course of violent acts directed against civilians, outside Bunia.

After this short-term military operation and the stabilization of the situation in a limited area, the UN and EU specialists and officials understood the necessity of a civilian crisis management in the Democratic Republic of Congo⁴.

For this matter, the EU launched a financial support programme of 205 million euros for the period from 2003 to 2007, out of which 34 million were directly destined to the Ituri region, for supporting the interim administration, human rights activities and the reestablishment of the rule of law. The European Police Mission EUPOL Kinshasa is inscribed in this context, being launched in January 2005, respectively an integrated police unit, meant to contribute to the protection of state institutions and to the reinforcement of the internal security apparatus⁵.

“The management of the crisis in Darfur was at first conceived as an African solution for an African problem”, but the difficulties with which the African Union was confronted, determined it to ask for support and to cooperate with the UN and regional organizations⁶.

The establishment of the African Union in July 2002 and the creation of the Peace and Security Council (AUPSC) in February 2004, allowed for the hope that Africa could dispose of its own crisis and conflict management capabilities and more efficient peace forces than those ones of the former Organization of African Unity.

As a mediator in the peace negotiations in Darfur, the African Union decided on July 16, 2004 to create the African Mission in Darfur (AMIS) for the supervision of the ceasefire. But the extent of difficulties, as well as that of the AMIS mandate, evolved rapidly.

The solution for the conflict in Darfur was configured as a dual strategy: a diplomatic aspect whose objective was the agreement on a durable arrangement accepted by all the parties involved in the conflict and an operational aspect, materialized in AMIS.

In its turn, this operation was created, on the one hand, to support the diplomatic aspect, on

the other, to ensure a good development of the humanitarian missions present in Darfur⁷.

The African Union began its political involvement in the crisis in Darfur after the failure of the ceasefire agreement in N’Djamena in September 2003. It became an intermediary in the negotiations on the Humanitarian Ceasefire Agreement, from April 8, 2004, between the rebels and the Sudanese authorities based in Khartoum, and later amended by the Abuja Security Protocol in November 2004. This ceasefire agreement put into motion, as the main element, the Ceasefire Commission (CFC), whose goal was to ensure the surveillance of the ceasefire through the use of observers.

On May 25, 2004, the African Union Peace and Security Council authorized the president of the African Union Commission (AUC) to take all necessary measures to ensure the factual supervision of the agreement, “particularly through the deployment of an African Union observer mission, and in case of necessity, of a protection force”.

From May 28, 2004 to October 20, 2004, the AMIS mandate consisted solely of the observation mission. There were 12 CC members, 132 military observers (MILOB), a number that increased to 152 in July, as well as an observers’ protection force composed of 300 militaries from Rwanda and Nigeria.

Basically, AMIS monitored possible violations of the ceasefire and did not have a mandate to intervene in case of human rights violations.

Faced with the impossibility of AMIS to oversee the vast territory undergoing a war, the AUPSC decided, on October 20, 2004, to increase the number of members within the mission. As a result, in May of 2005, it was composed of 452 MILOB from 25 countries, 40 CFC members, 413 civilians and 1,732 soldiers of the Protection Force from six countries: Nigeria, Rwanda, Gambia, Senegal, Kenya, and the South African Republic. Likewise, the AMIS mandate was extended, by adding a protection component, meant “to ensure safety conditions for the delivery of humanitarian aid and the return of refugees to their homes”.

Actually, this consisted of escorting humanitarian organizations and patrolling in villages and in the proximity of camps, in order to re-establish a climate of trust. From this date on, the mission was named AMIS II⁸.



After the report of the AMIS Evaluation Commission, dated March 2005, the AUPSC decided, in April 2005, to give priority to refugee protection and humanitarian organizations and to increase the number of soldiers in the Protection Force up to 5,569, the number of observers up to 702 and the number of civilian police officers up to 1,560. The Protection Force was completed in 2005. Moreover, the Commission stipulated a third phase of AMIS, in order to protect the return of refugees for the agricultural season in the spring of 2006, which required a new increase of effectives to 12,500 persons.

As expected, the first extensive operation of the African Union, in terms of crisis and conflict management, was confronted with an important number of difficulties, which, on the one hand, lead to the UN and regional organizations' support and, on the other hand, to the rethinking of AMIS from an operational point of view, based on the findings of the Evaluation Commission, created in this context⁹.

Operational difficulties, which the Evaluation Commission observed, covered various aspects. The first referred to the founding of the AMIS Forces, because, if African states hesitated less in sending troops abroad, financed by the African Union, they were not inclined to send police forces that required a long training period, hence a deficit of police officers of 50%. The second referred to equipment, both at the logistical level and at the level of the military technique used in the field, particularly the vehicles. The mission lacked approximately 500 vehicles and 5 transport airplanes, without taking into consideration the delay in the delivery of communication material, which would explain the low operational level of the troops, even in situations when mobility was vital in Darfur. Likewise, AMIS was confronted with great difficulties regarding funding.

Naturally, such an operation is costly. In the case of AMIS, after approximately one year since its launch, in July 2005, the deficit reached 200 million dollars. In addition, the financial management of such an operation is not usually optimal. For instance, the remuneration of observers (120 dollars/day) was by far superior to that one of the UN observers.

Additionally, the African Union proved lack of political willpower in the case of AMIS. Though only an intermediary in the peace negotiations,

the African Union declined to warn the parties in conflict about the sanction-imposing. This action was assumed by the UN, as we would see later on.

Meantime, the AMIS mandate lacked precision. It had, at the same time, both observation and protection attributes. AMIS was not interposed and did not supervise the implementation of the ceasefire, since the AUPSC admitted that the investigations were not a priority anymore. De facto, the presence of AMIS succeeded in diminishing the effects the war had on civilians. The objective of the short-term return of refugees seemed more inaccessible, because, based on the estimations of the Evaluation Commission itself "even if a climate of safety was created in the Darfur region, the absence of food security, the destruction of the economy and the serious disorganization of life were meant to limit the number of returns"¹⁰.

As a result of the difficulties faced, AMIS made an appeal to the assistance of the international community in the political, financial and logistical fields.

Thus, from a political standpoint, the UN Security Council adopted Resolution n°. 1564 on September 18, 2004, through which the involved parties were warned about the sanction-imposing in case of a refusal to deploy additional AMIS forces.

From a logistical point of view, the UN, through UNAMIS, intervened once again, in order to coordinate different humanitarian actions in Sudan, particularly in Darfur and in the southern part of the country. Likewise, the EU and NATO ensured the transportation of the AMIS forces from contributing countries to Chad or to southern Sudan.

From a financial perspective, it is worth mentioning that AMIS benefited, in April 2005, from 278 million dollars, in money or goods (armoured vehicles from Canada, helicopters from Holland, hosting equipment from the US).

Through Resolution n°. 1706 from August 31, 2006, the Security Council requested the increase of the United Nations Mission in Sudan (UNMIS) to 17,300 soldiers, 3,300 civilian policemen and 16 police units¹¹.

By the end of 2006 and the beginning of 2007, the UN carried out negotiations with the Sudanese authorities in order to deploy a mixed UN – AU force in the Darfur region.



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THE STRATEGY, THE OPERATIVE AND TACTICAL ART IN THE CONTEXT OF THE FUTURE SECURITY POLICY

Constantin MOȘTOFLEI, PhD

The approach is based on an implicit and explicit paradigm, on a model accepted by the most Romanian and foreign theoreticians and practitioners.

1. Security policy and its evolution

1.1. Theoretical considerations

The concept of security has been a much disputed one, as it is mentioned in a study edited by UN (1986) and elaborated by a group of experts. This study is about “Security concepts” and there have been noticed certain conceptual similarities.

During Cold War, in the countries from the Central and Eastern Europe, there were no talks about a concept of national security, in the Western sense, but about a military doctrine related with the Warsaw Treaty and in some cases (as Romania’s) about a military national doctrine. After the fall of the Iron Curtain, gradually, the countries mentioned above opted for using the national security concept. This term takes into consideration all the threats to the national interests, but also the whole spectrum of ways for counteracting them, therefore the military ones not having an important role anymore.

The **national security concept**, adopted by a certain state, comprises in detail the concerns of that country in the security field, ensured independently or together with foreign partners. The national security concept, adopted by state, guides its security policy, as it is part of the general policy of that state, giving details about the way that country will react to these matters.

A policy security assumes a network of decisions interconnected, regarding the objectives, means and resources allotted for their fulfilment in specific situations.

In our analysis we will follow exactly the way these three elements (objectives, means, resources) may be found in conflicts that are to appear, appeared, are developing/are frozen or ended in the context of what we call “security environment”.

An aspect generating confusions (from perception and translation perspectives) is that the conceptual scheme that different countries or international institutions operate with comprises similar terms but having different denominations. We refer to the following terms: security concept (for example, NATO), national security strategy (for example, US, Romania), national security policy (for instance, in Romania, the National Security Policy is a distinct chapter inserted in the Governing Program 2005 – 2008), security and defence policy (at European Union level, we speak of the European Security and Defence Policy – ESDP or Common Foreign and Security Policy – CFSP, and in Romania, the National Defence [national defence policy] and Foreign Affairs Policy, together with the Internal Affairs, determine the ensemble of the National Security Policy). Our point of view sustains that in the conceptual scheme we have to relate to, the chain of determinations is defined by the following elements: concept, policy, strategy, program, all the above mentioned at the national level; policies, strategies, programs, projects, plans at interdepartment/ department level.

1.2. Characteristics of the dynamics of the security environment

The security environment is mainly characterised by the following major tendencies: accelerating the globalisation and regional integration processes, together with the proliferation of actions aiming the state fragmentation; the reasonable convergence of efforts aimed for structuring a new security architecture, a stable and predictable one, accompanied by stressing out the regional anarchic tendencies; refreshing the states’ efforts aiming preserving their influences in the dynamic of the international relations, in parallel with multiplying the forms and increasing the importance of nonstatal actors’ intervention in the dynamic of the international relations.



In the context of this complex configuration of the global stage, regions are affected by instability and conflict states, poverty and frustration generating or promoting the new risks and threats.

Some of them may have a major impact on Romania's security. At regional level, both in the South-East of Europe – especially in the West Balkans and in the Black Sea Area – there are tensions continuing or increasing, determined by old disputes, whether they are ethnic or religious, separatist or contesting the actual borders, including also the increasing transborder crime acts; some of these new tensions have an explosive potential.

1.3. The security policies' generators

We were stating that a national policy security, even if it is related to a state, it is not achieved without taking into consideration the characteristics of the new security environment. As a matter of fact, the security of each social organisation can not be analysed but in its context, in the influences it may get.

Thucydides said that “Big nations do whatever they want and small nations accept what they have to”¹. It is a truth that has to be taken into consideration when we refer to our country, as a NATO and EU member, the fact that we are part of a regional security structure and we develop certain strategic partnership.

Meantime, when studying the context of the relations between the existence of a state and the geopolitic one (the power equations) there have to be considered six fundamental variables that have to be analysed when there are inequalities between the big powers:

- 1) The strategic importance of the geographic position of the state, as it is perceived by a big power or another;
- 2) The tension degree between the big powers;
- 3) The phase of the power cycle where the closest power is situated;
- 4) The historical evolution of the relations between that state and the closest power;
- 5) The policies adopted by other big rival powers for that state;
- 6) A multilateral security framework by cooperation that should be able to counteract the power inequality.²

2. Impact indeterminations on the military art

Both in theory and military practice there are certain questions that scientific research should answer. Professors should bear them in mind when they project their teaching materials. We mean the types of war we are ready for, the nature of the military actions that are deployed by military forces. Under these circumstances, there are questions as: war/ armed conflict; military/non-military actions; armed fight/fight; the laws of war/ the laws of the armed fight; strategy, operational art, tactics/strategy, tactics; collective defence/ national defence; security/security and defence and so on.

2.1. The transition of war between the paradoxes and the future dilemmas

War has always been a phenomenon that marked the people and their history. Direct and indirect sufferings' generator, but also generating satisfaction specific to winners, war was and is still perceived as a source for anxieties, destructions, human losses or a mean for fulfilling the purposes defined from political perspective.

Approaching the war phenomenon starts from Carl von Clausewitz and his paper **About war**, making references to the relations between war and policy: “war is merely a continuation of politics with other means”. This expression is generally assimilated with the definition to war.

There will always be debates and controversies regarding this definition, expressed in the relation between war and politics. Military theoreticians have been interested in determining whether this formula is available in the nuclear era, if we can accept switch this formula in order to characterize politics, if war still can be considered a political tool nowadays and what is the impact of the technological development on the relation between politics and war under the scientific and technical revolution conditions.³

Raymond Aron states that the greatest accomplishment Clausewitz is responsible for is his *trinity* definition that stresses out the relation between the three notions used – war, politics, and violent means.

Therefore, we can come to the conclusion that substituting the purpose by the mean, an unlimited military violence, destruction, with no reason, no justification or political perspective – all of them



are elements that the whole philosophy of war has rejected and still does⁴.

In an attempt to analyse defining **war** and **armed conflict** (labelled having a *low*, *moderate* and *high intensity*), there concludes that the armed conflict notion includes also the war one⁵. When it comes to modern war, there are times when there is no distinction between war and conflict⁶, using **war/armed conflict** phrase.

Having armed fight as a common element that is defined as an ensemble of actions, violent clashes, deployed in an organised manner between two armed forces, aiming achieving certain opposite purposes⁷, the concept of **war** is associated to the **armed conflict** one.

However, we should take into account another point of view that expresses a scientific indetermination and may generate a conceptual confusion. An American Field Manual, *Military actions in low intensity conflict*, states that there is an ambiguous medium between the peace state and the war one, called **low intensity conflict**. This is defined as a political-military confrontation, between states or group of states, that has a lower intensity than the conventional war and larger than a usual competition between them. Nevertheless, it is said that the low intensity war phase reflects an American point of view. It is an inadequate term if we take into account the fact that the people affected directly feel the threat immediate and vital, while the Americans perceive it as a subtle, indirect but serious one. The actions included in the low intensity conflict are different of the ones related to the conventional (classic) warfare, mainly by the way it is deployed and then by its intensity.

We think this association has been imposed by the need of certain legal-diplomatic delimitations, exactly in order to detach from the restrictions resulted from the *war law*, defined by the European system from Hague and Geneva⁸.

Easing the security policy, starting 1989, has allowed a certain decrease of the military presence. As forms for achieving this diminution we mention: downsizing the armed forces; decreasing the value of the military budgets; expanding the spectrum of the armed forces missions; adapting the military strategies to the new threats, objectives and resources and so on.

Meantime, we witness the proliferation of non-military actions aiming obtaining higher effects,

even in comparison to the ones based on violence. There are voices asserting the non-violent actions are to become the main type of threats on one country's security. The advantages of these actions recommend them to be used even before the violent actions.

Among the advantages of the non-violent actions we mention:

- they are hard to be delimited and labelled as specific to conflict situations. As they are on the edge between legal and illegal, between moral and immoral, these actions are easy to be hid and can not be sanctioned by the international law of conflicts;

- they can be deployed without being necessary to pass from peace state to war one. Most of the times, non-violent actions are at the limit of the belligerence state;

- they do not need the approval of the public opinion and they do not determine its contempt, as its specific forms generates dissimulated effects, hard to be noticed;

- by their use, there can be gained major advantages with minimal losses.

When it is acknowledged the fact that an able commercial and investment policy there may be created the same advantages as a military expedition, it seems the role of the armed forces tends to diminish more and more. Moreover, there were also expressed some doubts regarding the need of the armed forces. We think the supporters of this theory neglect some constants of the conditions related to the security policy. It is forgotten the fact that the humankind history is the history of the fight for power, that exerting the power is the decisive element of national and international policy.

There are more and more opinions regarding the physiognomy of the future conflicts, choosing the weapons, their non-lethal effect and so on. Labelling actions as military and non-military does not correspond anymore to the concepts related with violence and non-violence. If by actions undertaken by army or militaries there are obtained destructive effects, marked by violence (as the organised crime, terrorism, etc.), that is how the ones projecting military power intend, by using force and specific means, to reduce and even avoid the human losses, goods and infrastructure destructions from the operational area. Weakening and avoiding the violent character of the military



actions, by adopting strategies and tactics excluding the physical destructive effects, are more and more accepted by the political-military decision makers.

According to the military specialists, when it is about the elements characterising the modern warfare, there should be mentioned: different violence thresholds; the different weight of confrontations in multiple fields and environments; applying certain laws and principles; alternating the forms and means of carrying a warfare; the specific organization and the strict specialization of participant forces and means; respecting certain special legal rules and norms⁹.

Within a recent scientific session, one of the topics aimed the security environment in the 21st century and the “New war”. Asserting that defining the “new war” is something variable, all-inclusive but still specific, clear but still vague, there has been suggested that the delimitation of the concept should be done by focusing on the following elements: nature; circumstances; actors; challenges; threats; targets; weapons and advantages; the combatants’ purposes; victory-defeat.

The conclusion of war definition, “Not even in the third millennium wars/military conflicts will not get rid of the politics area”¹⁰, determines the completion of the list that we mentioned in the beginning with the following elements: is the Clausewitzian formula available for combating terrorism?; are the non-violent military actions (at physical, informational, radio-electronic level, etc.) connected with the war concept?; do the military actions that do not exclude the use of force (peacekeeping operations, peace-imposing operations, peace-enforcement operations, peace-implementing operations) belong to the war concept?; do the new types of war (“command and control” – blocking, distorting the command; “cyber war” – cybernetic war; “info war” – informational war; psychological war; media war, etc.) request the need for re-evaluating the content and the field of the war concept, and, therefore, its definition?

2.2. The laws and principles of the armed fight – source of conceptual confusion?

In the Romanian specialty literature it is often used the expressions “laws and principles of the armed fight”. The phrase “laws of the armed fight”

is introduced and sustained by the supporters of the **military science** concept.

The principles of the armed fight, sometimes named principles of war, vary in number, from an author to another, between three (Marshall Foch) and ten (the British handbook for naval fight) or barely suggested (Sun Tzu, Hitler), or described in detail (Suvorov, US Military Handbooks)¹¹. The principles or rules are the decisions’ base. They are considered as “immutable, without any reference to the types of weapons, time and place” (Jomini). The most familiar¹² are:

- for the French army: forces economy, focusing the efforts and the freedom of action;
- for the US army: objective, ensemble, offensive, surprise, safety, mobility, forces economy, unity of command and simplicity;
- for the Israeli army: maintaining the objective, initiative, offensive, surprise, concentrating forces or efforts, forces economy, protection and safety, cooperation and flexibility;
- for the Russian army: advancement and consolidation, concentration, manoeuvre and initiative, morale, appropriation and deception, corresponding reserves, forces economy, cooperation between services and armies, annihilating the offensive.

Before 1989, the Romanian military theoreticians sustained different lists with the armed fight principles. For the time being, the Doctrine for Joint Armed Operations states that the starting point has to be the knowledge of the following principles related with the armed fight: stating the purposes; the unity and the continuity of operations; the freedom of actions; flexibility; the efforts’ concentration; initiative; the economical use of forces and means; achieving surprise; avoiding surprise; organizing and timely executing the manoeuvre; achieving and maintaining the reserve; cooperation; safety and protection; maintaining a good morale; logistic support.

We also remind an original approach of the principles of war and armed fight¹³. It is about a new theory that states there are only two principles of war: **uncertainty** and “**thunder strike**”. These principles are concluded starting from the two essential factors marking the MAN– the common element of wars – *anxiety* and *time*. In an antagonistic relation, the more the enemy’s fear is larger, the more we will be able to exert pressures on his anxiety and the harder will be for him to



react. Meantime, each person or human group has its own “time” and any change of rhythm may affect their actions efficiency.

The uncertainty principle aims increasing distrust, anxiety, and fear among fighters, civilian and military superiors, civilians, in order to ruin “the other’s will” and paralyze him. This principle is achieved by a permanent dissimulation, including during fight actions, so that the enemy is uncertain regarding the scope, time and place, the form of the actions and the forces used, without being able to prepare him for an effective counteraction, keeping him in the area of hypothesis, suppositions, hesitations. The principle may be put in practice by common procedures: keeping the secret, cunning, mobility, the refuse to act according to pre-established or limiting doctrines and rules, flexibility, the diversity of means, espionage, information gathering and dissemination, research, parallel diplomacies, unusual alliances, manipulating mass-media, etc.

The thunder strike principle does not aim destroying everything, but determining the enemy to face some rhythm gaps, in order to hinder him and to continuously postpone his actions. Actually, it aims the timely execution of strikes on his the most sensitive “areas”, in order to ruin any enemy’s attempt to gain or regain initiative and advantages, to regain his cohesion, material and morale resources, etc.

This principle may be applied by a certain number of procedures known as principles: achieving surprise in all fields (tactical, technical, etc.); the forces economy; knife (cut) effect; the effects’ instantaneity; the media concomitance; the freedom of action; cooperation; troops’ concentration; changing the rhythms, etc., procedures that may be summarized in a triple convergence: in time, in the space chosen for operation and efforts.

Normally, in order to study war you need notions, concepts and expressions. The specialised papers, including here authors’ papers, dictionaries, lexicons, etc., doctrines, military rules, handbooks, etc., reflect the military theoreticians’ concerns for defining and substantiating the dimensions of wars /armed conflicts.

Obviously, it still applies the fact that we may never say that we have said everything on defining all the terms, concepts and expressions used by military theory and practice¹⁴.

For that matter we think it is interesting to remind an idea expressed by a famous philosopher, Tadeusz Kotarbinski, that states in his paper **Traktat o dobrej robocie** the distinction between the positive cooperation or cooperation and the negative cooperation or fight, proposing the general fight theory to be named **agonology** (from the Greek word for fight, agon).

We think the temptation to signal a conceptual confusion state has to be eliminated and replaced with the recognition of the process related with the clarifications of the term war, with a new physiognomy.

In the Romanian specialty literature, at the beginning of this century, the following elements are defining this new type of war¹⁵:

- the discrete confrontation, most of the times “ordinary”, based on an adequate strategy applied in a regulatory process;
- stressing out a peace state, one that is “tensed, hard and hot”;
- the fact that the peace state and the war state will no longer have antinomic meanings: peace will co-coexist with war;
- the weight of non-violent means and actions will increase considerably;
- forces and means will be more “peaceful” and ecological, the major confrontations will engage more and more in the information field and translate the enemy’s intentions;
- the war will no longer be between big powers, but in the space of areas for interest and their control;
- the confrontation time will increase and the acting continuity will be obvious;
- the conception will be in the field of human thinking and actions; the decision will be informational, the execution will belong to ultra sophisticated, viable, smart, selective, effective means;
- the masses perceive and feel affected by war, but at action level, the number of human losses is low.

Under these circumstances, we notice the fact that a new paradigm of war is to be defined.

However, without trying to solve or explain the dilemmas and paradoxes, we mention some of them:



a) Dilemmas:

- Do we destroy the enemy and do we assume the possible collateral damages or do we avoid the possible victims that he will make in the future?
- Do we take into account the individual's security or do we begin with the national security (national interests)?
- How do we act, military or non-military?
- Where should we decide a sufficient military power, on the national territory or in international missions?
- If a NATO member state is attacked, what is to be done? Will that state for the Alliance's decision, or intervention, or will solve the problem on its own, if he can and has the capability to?

b) Paradoxes:

- US, even if they are the biggest political-military power, they were vulnerable to an unconventional attack method;
- Developing a new mean of fight, in order to ensure the long lasting supremacy, although it is known that its immediate assimilation by the enemy will be achieved in a very short period of time;
- Developing a new mean of fight that may already be old and the enemy may be better at developing it;
- Developing some very sophisticated weapons, even if they will not be used;
- Limiting or even reducing the weapons' arsenal from quantity point of view has determined their proliferation from the quality point of view;
- The nuclear discouragement, even if it has prevented the nuclear confrontations, has generated an intensification of efforts from the non-nuclear countries to develop and get nuclear weapons;
- Although big powers and organisations fight for peace and stability, the tensions, crisis and conflicts have not diminished. On the contrary, they are probably maintained by the need to test new weapon systems, weapons commerce;
- A democratic society may have both a technological potential for the humankind development, and means of war that may destroy it;
- Big nuclear powers pressure the Nuclear Non-Proliferation Treaty to be respected, but they are the first ones interested in maintaining and devel-

oping these weapons;

- Big powers use even the military force in order to impose democracy in countries having another culture.

Although the nature and the physiognomy of war is changing, war will continue to be a necessary evil and will still be a part of our lives. Although we don't want it, it is something we are afraid of, even if we condemn it, we don't stop, and we will never will, to prepare for it and, in a way or another, to be part of it¹⁶.

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SENSE AND SIGNIFICANCE IN BRINGING UP TO DATE THE DEFINITION OF SECURITY THROUGH COOPERATION

Ioan GRECU

Security through cooperation is a long-debated topic lately. Especially after the end of the Cold War, it has become a major concern of all the interested leaders or the ones responsible for the humankind's present and future and therefore occupies a privileged place on the international relations' agenda.

The practical successes – as Romania is an exponent and example of achieving security through cooperation – have overcome the theoretical approaches and the conceptual development.

Although there is no consistent definition, one to be unanimously accepted, the security through cooperation term has gained lately lots of meanings and significances.

The meanings and significances used both by the Western and the Romanian literature investigate the topic and increase the utility of the conceptual fundament for analysts, strategists, researchers but especially for the decision-makers involved in foreign affairs, security and defence.

Romania – an example in which security through cooperation may be achieved

The beginning of the third millennium confirms that the actual efforts "...have the tendency to convince the society that the main solution for the worldwide peace is achieving the security through cooperation, which is a feasible issue that the Romanian experience may prove"¹. Romanian experience is the best example to support the above mentioned theory. After 1989, the Romanian old European vocation had to be re-established and reinforced, by annihilating the security shortcomings. It is very well known that in the '90s, in spite of traditions and geo-strategic importance, "...Romania had to be isolated. It

fought against this isolation through a weapon called cooperation"². The key of success proved many times to be the accomplishment of security through cooperation.

Once we joined NATO and EU, Romania had a guaranteed security but in its turn, it has committed to reinforce security in the south of the continent, on the south-eastern flank of the two major organizations. Until becoming full member of both NATO and the European Union, Romania has confirmed its European vocation, by proving to be a cooperative state, throughout necessary stages: first as partner, then candidate state, invited for adherence, negotiator during adherence process, and then full member state. Nowadays, Romania's full integration in the Euro-Atlantic structures is meant to confirm and demonstrate the success of the significant efforts in reinforcing and maintaining the security through cooperation, which have been assumed in a relatively short period of time (starting from 1989 - which represented a milestone event in Romanian and European history).

This important stage for Romanian cooperative vocation has been systematically envisaged by a study³. The author of the study divides Romanian modern history in three distinct phases, in accordance with the criteria of the correlation between the Romanian society and western civilization, thus: 1) the phase of synchronization with Western states (nearly seven decades, between 1859-1939); 2) between isolation and politic autonomy (nearly half a century, between 1944-1989); 3) the European integration and Euro Atlantic integration (after 1989). The conclusions of the study underline the idea that, mainly, Romanian modernization and synchronization with the Western civilizations have lasted until the beginning of the Second World War. After the



above mentioned period of isolation, we faced the “Romanian re-entrance in Europe”⁴, which was no longer similar with that of the mid 19th century and the first half of the following century.

In the first phase, through an accelerated modernization process, Romania has adopted Western values, detaching itself from Turkish - Levanter Balkans and despotic West Europeans, which have always menaced Romanian spiritual rebirth. The process of synchronization has been gradually achieved, not only through the mere import/ imitation of solutions (such as institutions or forms of organizations) in economic, politic, educational and military fields, but mainly through the coherent and adequate implementation, taking into consideration the local specifications.

It has not been produced at the suggestion of some external centre of power, but according to own projects, will and capabilities, through a firm politics and modernization management directed towards transformation.

In the first half of the 20th century, Romania occupied democrats' positions, and in many fields we have reached the same performance level as Western states - unlike the Eastern side of Europe which was dominated either by the totalitarian communist regimes (USSR) or by nationalist military dictatorships (Bulgaria, Poland, Hungary). We represented a security supplier. Its significant contribution to consolidation of democracy, stability and security in the Centre and South-Eastern European region was historically validated, by combating the Bolshevik danger in Dniester region and in Hungary, as well as through the feasible cooperative system constituted by Entente.

Today, “Romanian re-entrance in Europe” means the efficient integration through cooperation, as it has the necessary potential and demonstrated its cooperative capabilities.

The OSCE Summit in Istanbul (1999) has created a favourable framework: NATO and EU expansion, with Romanian option and expressed desire to join the European and Euro-Atlantic structures, in order to reinforce and in the same time to benefit from the collective security environment.

Romania, which previously was oscillating between being a security consumer and a security supplier, has now the role of stability and security generator and supplier, in accordance with its geo-strategic position: second central European

country, with significant economic and democratic potential; its position occupied within NATO field of competence and contribution to Southern flank reinforcement; demonstrated capability as an actor of stability in the Balkan area; major importance given by the proximity with the Black Sea region and Caucasus area.

Romanian increased role has been admitted and underlined by Bruce Jackson⁵: along with NATO expansion, Romania plays a major role in the region, contributing to an efficient process of enlargement, by creating a stability basis on the axis Budapest, Bucharest, Sofia.

This affirmation was based on the arguments offered by our country itself, related to the creation of EAPC – The Euro-Atlantic Partnership Council within the NATO structure and the South-Eastern European Cooperation Initiative, adopted by European Union. By correlating the efforts of NATO, EU and OSCE, the Alliance promotes cooperative and stability processes and initiatives in the South-Eastern Europe, to which Romania had major contributions. In this respect, we may present Romanian relations: with SECI – The Initiative for Cooperation in the South-Eastern Europe; SEEGROUP (Directory Group for Cooperation in the field of security in the South-Eastern Europe); SEEDM (Defence Ministers Reunion Process in the South-Eastern Europe); PSSEE (Stability Pact for South-Eastern Europe); OSCE (Organization for Security and Cooperation in Europe).

We should also present Romanian responsibilities within these structures, processes and initiatives: we had OSCE presidency in 2001, a responsibility to which Romania committed during the 1999 Summit, when it was also adopted the “European Security Charter”; Romania led SEDM and PMSC-MPFSEE organizations from 2002 until September 2003; it also led SEEGROUP and the Third PSSEE Round Table - on security issues.

If there are enough solid arguments for the successful achievement of security through cooperation by the considerable efforts of Romania, we cannot say the same in what regards the theoretic approach, the proper conceptual development.

Theoretic - conceptual approach status

The first part of the present article analyses the affirmation that the theoretic development of the



security through cooperation is far behind praxis. The second part of the article deals with the idea that security through cooperation lacks a fundament and a theoretic development from the beginning of the XXI century, being very easy to notice that the actual status (in the first years of 2000) has no improvement than in the '90s. In another study⁶ published in this domain, it is presented another concept of security through cooperation promoted by the Marshall Center⁷. The conceptual variant proposed by this prestigious institution is based on two studies (suggestively entitled: “*Security through Cooperation: from individual security to international stability*” and “*Security through Cooperation. From theory to practice*”). Here, the basis has been laid by three Americans (Ashton Carter, William Pery and John Steinbruner) and one Australian (Gareth Evans).

Since 1992, the American founders were announcing the strategic change that was to follow: from the “nuclear stability” during the Cold War era, to the achievement of international security, seen as a cooperative security. In 1994, the Australian scientist said that, basically, security through cooperation meant: consultations instead of confrontations, insurance instead of concern, transparency instead of opacity, prevention instead of correction, interdependency instead of unilateralism.

Regarding their studies, the authors draw the attention that these are meant *to render a model of security through cooperation, and not to offer a genuine conceptual approach*. In fact, the first author specifies⁸ that, in the absence of a widely accepted definition, the term became popular after the end of the Cold War, as a new approach of the international relations. In addition, at the beginning of the 21st century, the term became even more modern, as politicians stroke to approach the security of a tumultuous present and of an unpredictable future. That is why, after the Cold War, the accomplishment of security through cooperation became a practical means and a feasible principle in achieving international security.

However, since the liberal-democratic vision of the four scientists, in what regards world security, has been brutally shaken by a “history repeated” in Balkan area and in the former soviet regions, *a pragmatic approach of security was considered necessary*. Moreover, in order to make the concept

useful, in an unstable, extremely dangerous world *we must search for a manner of making the term operational*.

The author of the second study starts from noticing that almost all observers admit that security through cooperation is a desired issue, but many contradict themselves in what regards the manner of accomplishment. The cause was generated by security itself (regarded as phenomenon or status) which has been given several definitions ever since the end of the Cold War. Thus, it became a “concept of controversy”, in the absence of a unanimously accepted agreement on the sense of the term. A solution for clarifying this issue might be the concepts “security dilemma” and “prisoner’s dilemma”. In compliance with the latter, meaning “prisoner’s dilemma” makes the explanation of the security through cooperation possible. Another concept, which bears great significance for security through cooperation term, is “security community” (postulated by Karl Deutsch). In other words, security through cooperation becomes a natural consequence of security community, as it is demonstrated by the solution based on four marking points: 1) Western Europe, prototype of security community; 2) NATO, with its evolution from collective defence to security through cooperation; 3) OSCE, the line of evolution towards security through cooperation; 4) ASEAN, security limited by the absence of democracy values.

The *model of security through cooperation*, as envisaged by the two authors and promoted by Marshall Centre is, basically, a strategic, practical, active, functional and institutionalized system, funded on the two major well-known concepts, which dominated the last century (Collective Security-CS and Collective Defence-CD) to which the others may be added, namely Individual Security-IS and Stability Promotion-SP. These concepts represent concentric rings within the system architecture, starting from the nucleus IS, lapped in by CS, CD and reaching the exterior SP. *The system efficiency* is given by the integration of the four elements with their proper significance¹⁰ and resides in the fact that component states will be interested in promoting the stability of their neighbouring states. Using illustrative arguments, Cohen entitles his study “NATO-practical example of security through cooperation”, based on three major conclusions: 1) Security through cooperation system must be funded on public institutions;



2) If such a system configuration is accepted, then NATO is the single organization capable to efficiently react, at world level; 3) NATO model in Stability Promotion ensures solutions and guarantees for Collective Defence, Collective Security and Individual Security. Through its last ring, the model may be extended outside European continent, becoming a Euro - Asian project. In addition, Mihalka underlines Western Europe and North America roles, where *security through cooperation* became a “way of life”. Eventually, this way will be adopted by the states in the South and South-Eastern part of the continent. The key of success depends on faith in a better common future, in which cooperation may offer the best means to achieve the national interests; correct perception of the relations between the traditional and the actual security system; common system of the future; strong points of member states; economical interdependence. His conclusion is relevant: “Only the liberal-democrat values offer the best range of solutions and options in all fields. As the military force that we unilaterally use has been much discredited as a political instrument, states will commit to joint operations for maintaining a peaceful environment in the neighbouring states. Moreover, states will take the necessary measures (...) to improve the security environment. The traditional obsolete concepts on security issues have proved inappropriate and thus inefficient. The new challenges generate the increased necessity for cooperation in the field of security”¹¹.

By thoroughly analyzing Cohen-Mihalka model, we may deduce that the latter author easily went beyond the problem of authentic definition of the security through cooperation concept, but builds a concept from others, which he explains, exemplifies, and compares. For instance, when he refers to the practical examples of security through cooperation, Mihalka briefly affirms: security through cooperation differs from the traditional concept of security as the preventive medicine differs from that which treats “bird flu”.

As a conclusion, after examining the model promoted by Marshall Centre, it is important to notice, that through the journalist manner of communication, Cohen conveys the very essence of the term: “stability promotion”- practical solution currently provided by NATO only. Mihalka has a different manner of rendering the message, but

the solution he proposes is, basically, the same. He is closer to the theoretic-conceptual approach, and in order to be convincing, he stipulates that the essence of the security through cooperation should become norm, whereas the strengths of the member states within the security community should reside in liberal-democratic values. Both models, with their similarities and differences, should be a starting point in investigating the security through cooperation, in the attempt to evaluate the conceptual elaboration status.

Senses and significances in Romanian literature

In addition to the senses and significances ascribed to the security through cooperation concept, in the following pages we will also try to present the other opinions related to this issue.

Security through cooperation is a very frequent expression, which appeared in the Romanian literature beginning with 2000; its regular senses and significances: managerial, technical paradigm, type, model, form or dimension of security.

A special sense is given by a researcher within the Centre for Defence and Security Strategic Studies, Alexandra Sarcinschi, PhD, an author who considers security through cooperation as a *type of security*, along with *collective security* and *common security*. In the attempt to clarify upon the non-military dimensions of security, the author presents the dangers and threats at the beginning of the 21st century. She specifies the causes which led to the increase of the need for international cooperation. She enumerates the premises of the efforts to redefine security and reaches the conclusion that a common vision upon security is possible due to the above-mentioned concepts.

“These three concepts have a dominant military dimension as the achievement of the state of security will largely depend on combating the traditional challenges against security, as for instance limitation of weapons of mass destruction proliferation and the adequate management of conflicts to prevent them from becoming violent”¹².

In the context of globalization, the non-military dimensions of security have become more and more important. The security issue is far from being clarified. The most used term is currently *human security concept*.



In another study, cooperative security is regarded as *an alternative model of security* (along with other two concepts: *comprehensive security* and *common security*). The concept has been developed during North Pacific Dialogue for Cooperative Security, under the aegis of the Foreign Affairs Department of the Canadian government, with the aim of offering a *multilateral security framework*, through which to replace the bipolar security structure, existent during the Cold War¹³.

The *managerial sense* has recently appeared in an encyclopaedic study¹⁴, edited under the aegis of the Romanian Science Academy (Military Science Section) which has a major contribution in the field of security.

“The events that have taken place after 9/11 have emphasized the fact that approaching the security issue only from the military point of view is not sufficient. The sine-qua-non of a *security cooperative management* is not only achieved by the institutional reforms but also through the principles of security indivisibility, transparency and global and regional commitment of the entire community.”¹⁵

The new sense ascribed to the term is brought up-to-date and reflects the security environment at the beginning of the 21st century, characterized by significant transformations, which require the adoption of classic criteria of international security. These transformations are related to the increase of the international community role in preventing the conflicts and in crisis management; they are also related to the geographic ampleness of the democratization process.

Within the new environment, besides the tendency of security globalization, a *regional context* is also obvious, as well as the *development of sub regional cooperation forms*, simultaneously with the increase of the role of certain crisis management systems, coordinated by organizations with major responsibilities, such as UN, NATO, EU, OSCE.

Security through cooperation “... with well-established roles and responsibilities might guarantee stability, peace and prosperity in nowadays society”¹⁶. From the managerial perspective, this should be based on sovereignty and responsibility of all actors on the international scene - be it states or international organizations. States have the obligation to provide justice, dignity and safety for their citizens; to protect and led their

own people, as well as to develop cooperative relations with neighbours, in accordance with UN Charter and Declaration of Human Rights. States and international organizations must assume interdependent responsibilities. International organizations have the duty to support states in well governance. “Thus, the international security system, based on credibility, efficiency and equity is able to prevent, mediate and cease the conflicts, to annihilate threats represented by the proliferation of weapons of mass destruction and international terrorism”¹⁷.

The proposal of *technical paradigm* belongs to a Romanian scientist¹⁸ who comes upfront with an original variant of operational concept, in order to demonstrate that security through cooperation is a technical paradigm and a feasible solution, in the complex environment of globalization expansion, placing security between war and peace. His entire pleading in chapter “Peace-War dynamics in international relations” supports an idea promoted by Ulrich Beck: “the only solution for global terrorism (...) is transnational cooperation”¹⁹.

The term of “security” is a binding element between notions like “peace” and “war”. Unlike notions, “security” is an *operational concept*, which generates politics²⁰. In order to make the term operational, security studies are very important, as well as the correct formulation of security issues, the thorough analysis of “security dilemma”, interactions between security politics and the establishment of foreign affairs targets. The analysis from the international relations theory reflects two models, one of the spiral type, the other focused on discouragement of the opponent. The former (spiral) proposes the confrontation with an adversary with no claims for expansion, having as main objective the maintenance of the status-quo; therefore, it prescribes cooperative based politics, defensive type. The latter characterizes the expansionist systems, with competitive politics and offensive type military doctrines.

As *type of security*, security through cooperation is a necessity, widely promoted by other researchers in the military field²¹. Starting from the double determination of partnership (on voluntary basis and generated by need), their necessity leads to such a type of security.

Often, individuals, states and organizations, actors on the international scene are compelled to become partners. Starting from the idea that no



single state in the world, be it a nuclear superpower, or a third country can provide security by itself, it is easy to deduce that "...the type of security which is more likely to be imposed at the beginning of the 21st century as well as in the far future, is represented by security through cooperation or security through partnerships"²². The strategic partnership represents an alternative to confrontation. The main aim of a partnership is to prevent war and to ensure a security environment to allow crisis management and to prevent its escalation into conflicts, on one hand and on the other hand, to establish associations in order to provide access to resources, finances and markets²³.

Beyond the political military environment, concerns in this area have extended and intensified in academic (university) environment also, taking into consideration the new status of Romania, that of NATO and EU full member, which embeds "... the development of security studies as a civilian academic discipline"²⁴. In Romanian literature, there hasn't yet appeared a special study which to define and analyze the fundamental elements of the national security politics, especially from public politics point of view. The present article aims at rendering the several postures of security through cooperation, as well as their related sources. One of these sources is the Swiss "think-tank" that speaks about *national politics motive*: politics is defined as the framework in which a country provides security for its state and citizens, whereas the last of the motives for which states require security politics is to "increase confidence and improve regional and international cooperation"²⁵. Manfred Wörner postulated the NATO standard as fundamental element for security and prosperity in Europe. Derived from the theory of democratic peace, this posture became more frequent within Alliance during the '90s, both as manner of argumentation, as well as strategic approach of the security context, after the end of the Cold War²⁶. Security through cooperation is also a *positive effect* of economic liaisons between states and of international institutions role. This is one of the arguments embedded by the neo liberal approach of international relations, mainly highlighted by Lord, Keohane, Wallander and Hoftendorf, who focus on the importance of state as security referent and the importance of economic resources in international relations. "In an interdependent world, the economic relations may help in conflict

management through cooperation or may amplify them, depending on the context and the conditions of the respective states"²⁷. *Cooperation as the main support of international security*, besides the internalization of certain rules of action is another posture, promoted by the English School of International Relations and the Copenhagen School (B. Buzan and O. Waver)²⁸. In the strategy of conflicts transformation, *cooperation is a solution*. Such an approach is based on the presumption that "development of efficient cooperation between the sides engaged in a conflict may generate changes at personal, relational, structural and cultural level" (Burton and Dukes)²⁹. With all these in mind, we have enough reasons to assume that security is a very complex issue. "In spite of all the scientific contribution in fields like International Relations, Security Studies or Geopolitics, the academic research produced no unanimously accepted definition of the security concept"³⁰.

Sense and significance in the Western literature

The Western literature of the last decades has frequently used the term of cooperative security (cooperation based security), ascribing it a multitude of senses and significances. Within the present article, we shall focus on two studies, which have recently been published in Romania.

The first paperwork³¹ presents a security through cooperation model (project), as the one promoted by the Marshall Centre. The Romanian edition of this paperwork has an introductory study in which the author appreciates the material as "an intellectual product of best quality", "with an impressive visionary message and discourse power of synthesis"³². The signatory of the introductory study also highlights Cooper's "*generous idea of cooperative security*"³³, pleading for postmodern state and postmodern world security.

Robert Cooper affirms that the postmodern state creates a unique world of postmodernity in Europe (with some extensions in certain areas of the globe) and that peace and stability in the postmodern world must be accomplished and defended with firm and intelligent politics and strategies. However, the author warns that "the postmodern states encounter a difficulty"³⁴. The postmodern state must familiarize with the idea of double standards. Such types of standards (unlike



those pertaining to modern and pre-modern world) operate based on law and *cooperative security*. When coping with democratic states (modern or pre-modern), outside postmodernity boundaries, the Europeans will have to go back to the methods applied in the previous epoch (force, preemptive attacks, deception) and behave in accordance with the jungle laws (as “where in jungle one should apply laws of the jungle”³⁵). Also, it is very important to draw the attention on the actual state of facts. “In this period of peace in Europe, there is the tendency to neglect the defence, both in what regards its physical component, as well as its psychological aspect. This represents one of the major threats of the postmodern state”³⁶.

The difficulty and dangers of the postmodern state are not undefeatable; there are solutions only if we take into consideration another international reality. In spite of the progress achieved at the level of international relations, through the creation of postmodernity of European Union type, the international world may be even more dangerous, as we go further in the new century.

The solution may reside in the *cooperative security within this new postmodern world*, transparency and mutual vulnerability, achieved voluntary, based on conventional wisdom, postmodern ethos, rational thinking, efficient operations and clear objectives. There are great chances to achieve this: EU and NATO lay the political - strategic basis of the new order. NATO is an example of building confidence in the nucleus of western world, whereas EU is the most obvious expression of postmodernity, through its capacity to relativize states’ interests, so that they undergo a continuous process of negotiations and self re-definition.

However, the author affirms that “there is no such thing of new world order”³⁷ but he is displeased with the perception of another truth. “There is though a new European order”³⁸; it is new as it has no precedence in history and as it is founded on brand new concepts. The unfortunate issues is that *the new order appeared before the existence of the necessary concepts which to define it*.

Thus, the author is aware of the conceptualization status, but insists on the practical solution by supporting the respective model. “The type of world that we shall have depends on the type of states composing it. Thus, for the pre-modern world, the success meant efficient power balance

management, whereas the failure meant regression to war or world of empires. For postmodern state, success resides in openness and transnational cooperation”³⁹.

The answer to world order problem is the *European postmodern solution*, by the “expansion of the cooperative imperial system”, which is in fact “...an exact description of the most natural security politics of a post modern state community”⁴⁰. The larger the post modern network, the fewer the risks and threats posed by neighbours and lesser the excessive necessary militarization. The European Union is a solution. It offers such a perspective, but we should remind the fact that it has developed under the protective wing of American military power and its long term survival still depends on this protection, therefore, the necessity of this ‘military muscle’. In this sense, “the cooperation based empire is still a dream (...) and until it comes true, the postmodern space must be capable of self defending”⁴¹.

The current cooperation structures in Europe - the author says - reinforce sovereignty by strengthening the security⁴²; peace building process is as much part of security as the war fighting capability. For the postmodern state, sovereignty means “sitting at the table”, therefore a kind of international democracy. We may thus grasp the dual character - if not contradictory - of the author’s approach, merely his opinion towards the United States. On one hand, he admits the important role of this power and supports the necessity of this ‘military muscle’ within the new world order, on the other hand he does not include it in the postmodern category and even affirms that “to leave the entire world at America’s hand is not sufficient”⁴³. This is a realistic justification keeping in mind the fact that the actual world configuration is the creation of America. “If Europeans have been capable to develop their security system through transparency, that was possible because America stood beyond this phenomenon, as the embodiment of security through military force; in a way, America has positioned itself outside the European system, and above it, as guardian”⁴⁴.

As a conclusion, we may retain four *major senses* (significances) among those ones ascribed to the concept of security through cooperation: 1) *the security historic-cooperative* postmodern security; 2) *the cooperative system* - security empire; 3) *the most natural security politics*; 4) *the*



political model of cooperative type security.

The second study belongs to a group of academic scientists, collaborators, professors and lecturers in the fields of political sciences, international relations, sociology and economical sciences, being thus a multi-discipline and inter-discipline intellectual, an academic product⁴⁵. This study comprises, in the field of politics, the military defence and security issues, focused on the central subject that globalization is. Thus, the first two chapters deal with the politics and military globalization. The conclusions of these chapters are suggestive enough.

Several answers to these dilemmas may be given.

First, when referring to the historical forms of military globalization, the answer is given in 12 paragraphs, out of which we may depict: "The notions of national and military security undergo significant changes, as the efforts are driven towards cooperative mechanisms and security and defence multilateral structures; the security agenda is expanded, including a multitude of threats, ranging from ecological to the cultural ones"⁴⁶.

Second, the changes of the above mentioned notions are justified in the following manner:

- globalization and regionalization in the military field seem to be mutually supportive;
- security military networks and liaisons have become more institutionalized and more regulated;
- increased pressure over advanced capitalist states⁴⁷, after the Cold War, to involve in multilateral cooperation efforts;
- in our contemporary era, it is possible that the military globalization and social demilitarization processes to become mutual supportive.

Third, based on relevant indicators, the author argues that the advanced capitalist societies evolve towards "postmilitary societies", highlighting the structural tendencies in the relation between military power and state power (the structural balance between welfare and conflict has inclined towards welfare).

Finally, by using the examples of G-7 Summits, as a reflection of the way in which internationalization and trans-nationalization evolve, the study argues that "...we've reached the status of strengthening the matters like economical, ecological and social security, rather than the traditional geopolitics and military security"⁴⁸.

Through the evolution of cooperative security, the human kind will go further in the 'post-military society'. Such evolution is based on the same western model- reduced to the example of six advanced western states, members of international institutions, which form the so called "security community".

Therefore, the key note is that: "cooperative security is an alternative to national security".

The specific of the "security community" is given by the fact that "... the military force has no active role in the relations between member states. Within it (...), the defence strategies and national security are established in institutionalized alliance systems, in which consultations and cooperation support the national mechanisms of security politics. Therefore, cooperation and attainment of national security objectives are inseparable from the attainment of alliance security objectives. We may conclude by saying that national security and alliance security are mutually established"⁴⁹.

Another sense or significance ascribed to security through cooperation is *practice*. Here, we may notice that in the model of "wider security community", US and NATO roles are specified. In the US case, the role is reminded based on "its military super power capabilities", as an example for which "building and maintaining the national security and building and maintaining the global security became inseparable matters". This example is further extended to other members of security community for whom "...cooperative security practice restates the traditional agenda of national security"⁵⁰.

Cooperative security, as a practice specific to post-Cold War era, does not substitute or discard the national security, but replaces it only at the level of globalization, as essential aspect of security agenda restatement.

By the example of advanced western states, "national security state evolves towards postmilitary state"⁵¹, does not presume the disappearance of national state. On the contrary, the cooperative security associates with national security in the enlarged framework of security and defence politics.

A less controversial aspect is the manner in which contemporary military globalization has encouraged global security politics. The improved security agenda, cooperative defence institutionalization and the global regulation of



military power have greatly contributed to the development of defence and security politics”⁵².

NOTES:

¹ General prof. univ. dr. Eugen BĂDĂLAN, *Forward to Securitatea prin cooperare, Soluția stabilității regionale*, Centrul Tehnic-Editorial al Armatei, București, 2005, p. 5.

² Ibidem, p. 6.

³ Dr. Vladimir ZODIAN, *Românii și Occidentul modern: sincronizare, izolare și integrare euro-atlantică*, Impact strategic, nr. 2/2002, pp. 110-112.

⁴ Ibidem, p. 111.

⁵ Nine O’Clock, nr. 2338, dated January, 15, 2001, p.1, *Cuvântul lui Bruce Jackson, Consilierul președintelui George W. Bush pe probleme de politică externă și NATO și Președinte al Comitetului Senatului SUA pentru extinderea NATO*.

⁶ Ioan GRECU, *Securitatea prin cooperare, soluția stabilității regionale*, Centrul Tehnic Editorial al Armatei, București, 2005 (National Defence College – Graduation Paper, 2003).

⁷ Richard COHEN, Michael MIHALKA, *Cooperative Security: New Horizons for International Order*, George C. Marshall European Center For Security Studies, n. 3, May 2001.

⁸ Ibidem, pp. 9-11.

⁹ Ibidem, p. 34.

¹⁰ IS-Individual Security: human rights promotion and protection, within the borders of a state and outside its territory; CS-Collective Security: peace keeping and stabilization in the common space; CD-Collective Defence: mutual protection against any external threat/ aggression; SP-Stability Promotion: active promotion of stability in the areas in which the conflict can threaten security, by using political, informational, economical and eventually military assets.

¹¹ Richard COHEN, Michael MIHALKA, *op. cit.*, pp. 65-66.

¹² Alexandra SARCINSCHI, *Dimensiunile nonmilitare ale securității*, Editura Universității Naționale de Apărare „Carol I”, București, 2005, pp. 6-7.

¹³ Constantin-Gheorghe BALABAN, *Securitatea și dreptul internațional. Provocări la început de secol XXI*, Editura C.H. BECK, București, 2006, pp. 27-28.

¹⁴ Dr. Teodor FRUNZETI, dr. Vladimir ZODIAN (coord.), *LUMEA 2007. Enciclopedie Politică și Militară. Studii strategice și de securitate*, Editura Centrului Tehnic-Editorial al Armatei, București, 2007.

¹⁵ Dr. Teodor FRUNZETI, *Dinamici globale și actori non-statali*, LUMEA 2007, p. 29.

¹⁶ Teodor FRUNZETI, *Soluționarea crizelor internaționale. Mijloace militare și nemilitare*, Institutul European, Iași, 2006, p. 160.

¹⁷ Ibidem, pp. 156-157.

¹⁸ Ion CÂNDEA, *Războiul și pacea. Înnouri conceptuale în relațiile internaționale contemporane*, Editura Militară, București, 2006.

¹⁹ Ibidem, p. 251.

²⁰ Ibidem, p. 201.

²¹ Gl. dr. Mircea MUREȘAN, gl. bg.(r) dr. Gheorghe VĂDUVA, *Strategia de parteneriat, parteneriatul strategic*, Editura Universității Naționale de Apărare „Carol I”, București, 2006.

²² Ibidem, p. 15.

²³ Ibidem, p. 17.

²⁴ Luciana Alexandra GHICA, Marian ZULEAN (coord.), *Politica de securitate națională. Concepte, instituții, procese*, Editura Polirom, Iași, 2007, p. 17.

²⁵ Ibidem, pp. 41-42.

²⁶ Ibidem, p. 69.

²⁷ Ibidem, p. 83.

²⁸ Ibidem, p. 85.

²⁹ Ibidem, p. 219.

³⁰ Ibidem, p. 38.

³¹ Robert COOPER, *Destrămarea națiunilor. Ordine și haos în secolul XXI*, Editura Univers Enciclopedic, București, 2007.

³² George MAIOR, Robert COOPER, despre „ordine” și „haos” în secolul XXI, *Studiu introductiv*, pp. 5-17.

³³ Ibidem, p. 13.

³⁴ Robert COOPER, *op. cit.*, p. 88.

³⁵ Ibidem, p. 89.

³⁶ Ibidem.

³⁷ Ibidem, p. 103.

³⁸ Ibidem.

³⁹ Ibidem, p. 104.

⁴⁰ Ibidem, p. 106.

⁴¹ Ibidem, p. 107.

⁴² Ibidem, p. 70.

⁴³ Ibidem, p. 25.

⁴⁴ Ibidem, p. 71.

⁴⁵ David HELD, Anthony McGREW,



David GOLDBLATT, Jonathan PERRATON, States of America, France, Sweden, Germany and Japan.
Transformări globale. Politică, economie și cultură, Editura Polirom, Iași, 2004.

⁴⁶ Ibidem, p. 165.

⁴⁷ The study examines and exemplifies the six advanced capitalist states, Great Britain, the United

⁴⁸ David Held (ș.a.), **op. cit.**, p.76.

⁴⁹ Ibidem, p. 175.

⁵⁰ Ibidem.

⁵¹ Ibidem, p. 177.

⁵² Ibidem.

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WAR IN THE AGE OF GLOBALIZATION

Mihai CRĂCIUN

Everyone knows how the Second World War was fought, what military techniques were used, what strategies were implemented, etc. For sixty years, since the war ended, the technical means to wage war have greatly improved, new strategies were developed, the “great armies” (numerically speaking) disappeared, more efficient ways of mobilization and demobilization were elaborated, even the pretexts used for starting a war evolved. The most important pretext of war in the 21st century is international terrorism. Under this threat’s “umbrella”, the major world powers hold the right to intervene militarily in any country on the planet, ensuring, among other things, their access to strategic energy resources, which represent the economic engine of the beginning of this century and millennium. Even if the world is in full globalization process, it doesn’t mean that military confrontations between countries will cease to exist.

1. Globalization and the dynamics of military-industrial complexes

“For the globalization to work, America needs not to be afraid to act as an all powerful superpower... The hidden hand of the market will never work without a strong fist. Mc Donald’s cannot prosper without McDonnell Douglas, the developer of F-15. And the hidden fist that holds a world in security for the technologies in Silicon Valley is called the US Army, Air Force, Naval and infantry”¹.

Todd also points out that we still don’t know if the extent of liberal democracy and peace is an inevitable historical process. We already know that such a world would be a threat to America. Economically dependent, it needs a certain level of disorder to justify its political and military presence in The Old World: “The control of certain oil producing areas is an important element of traditional tribute. The dominant position of American multinationals in the oil business,

political and economical allows a planet wide tribute gathering, but at a level insufficient today, to finance American imports of all sorts.”²

On a short and medium term, USA will not allow any foreign power to become dominant in an area of operations. The “new” international order for the years of transition will have two major characteristics: it will be under American guidance or leadership and it will be focused on areas of power and military interests. It is neither isolationism, or is the absolute imperialism as it had been told, it is something else: a third path aiming to obtain the capability to take action anywhere, anytime, without constraints (...) but in the narrow limits of the agreements determined by itself.

2. Modern Warfare

Right now, an F-117, with one takeoff and by dropping one bomb, can accomplish the same thing for which, in the Second World War, it would take the B-17 bombers to operate 4.500 lift-offs and drop 9.000 bombs or, in the Vietnam War, 95 take-offs and 190 dropped bombs. “*What makes all this work is the weapons based on information instead of firepower. Thus, the explosive tonnage to be transported is greatly reduced*”³.

So, we could say that, as today’s new economy requires highly qualified workers, the army also needs soldiers who use their minds, who can interact with a variety of people and cultures, who can tolerate ambiguity, who can take initiative and ask questions, even to the point of challenging authority⁴. Today, each F-15 pilot receives training that costs millions of dollars, and spans over several years, not days or months. The modern pilot is part of a vast and complex interactive system sustained by: radar operators aboard AWACS planes, who warn him of an enemy approaching, experts on the ground and in the air in electronic warfare and counterintelligence, the planning and information officers, data analysts and communications personnel. In the cockpit, the pilot has to process



huge amounts of information and to understand how to integrate himself exactly in this much larger system, while it changes continuously.

The logistics have also suffered changes. Even USA's withdrawal process after fighting in the Gulf was a monumental task. General William G. Pagonis was in charge of sending half a million soldiers back in the USA. But his mission also implied washing and preparing the transport of over 100.000 trucks, jeeps and other four wheeled vehicles, 10.000 tanks and artillery pieces and 1.900 helicopters. Over 40.000 containers were required for this task.⁵

Because of the communication systems' incompatibility in different countries, we are witnessing today the restructuring of giant defence companies and a shift towards civil-oriented industries. For example, the Lockheed-AT&T joint-venture with the automated card reading highway gates or the efforts of the Lawrence Livermore National Laboratory to manufacture climate change computer models based on activities previously dedicated to the study of nuclear explosions. Thompson CSF, the French defence giant, applied some of its military know-how to build networks for France-Telecom.

Nowadays, the so-called "great armies", like the ones used in the two World Wars, which implied the existence of a formidable weapons industry, have been replaced by small standing armies. This was made possible mainly by the technological development, because of which fewer soldiers and weapons were necessary for accomplishing the objectives, but also because countries like USA and Japan, successfully implemented efficient mobilization and demobilization techniques according to their needs.

Therefore, weapons industries capable to develop in times of war and to contract in times of peace were created.

In most of the cases, the Cold War was characterized by a high degree of mobilization, which required a constant production of weapons. The military-industrial dimension included private companies who served under the armed forces, but were equally led by their ultimate goal, which was profit and aligning their own interests to those of the workforce in the weapons industry and their political representatives.

A country can just consume its resources by over investing in the military field, thus affecting

its own economic base and ultimately its capacity to develop long term military capability, as was the case with the USSR.

3. Economic war: reality or chimera?

Economic war is rarely discussed seriously, even in the mass-media, where titles such as "the textiles war", "the war of the shoes" have the purpose of attracting attention and not explaining it. Taking the economic war out of context, to highlight it and analyze its implications in the process of globalization, can sometimes appear inadequate, taking into consideration the fact that, most of the time, *humanity's wars have constantly had an economic component*. The last World War, for example, is part of a series of major conflicts characterized by loss of human lives and material goods, in which the economic interests played a central role.

Because of the fact that war implies a violent action, a certain reserve appears when expanding its understandings towards today's international economic area. In theory, world wide economic competition assumes that the countries and companies are involved in the race for obtaining maximum gains for the consumers and the share holders, thus it cannot be stated that the main goal of these globalization actors is the destruction of their adversaries. However, what this theory fails to point out, is the fact that complex geopolitical-economical relations exist between the world's countries, and the interests and rivalries among the major powers continue to exist, even in the conditions of ideologies no longer dividing the two sides. What globalization and geopolitical interests create today is not an easy war to define. Basically, it's about a complex use of economic weapons on different levels in which the political side gets involved or not, takes action from the shadows or in plain site. As Christian Harbulot noticed, *"opposed to the traditional war, the strikes made in the economic war are usually invisible and decisive"*.

The difference between competition, economic war and economic weapon, is not yet clear. On a long term, the effects of accelerated economic competition between countries and companies can be devastating to the environment and to the irreplaceable natural resources, therefore the "losers" could, at first, be the territories drained of



resources because of the “tribute” they paid to their “protectors”. Albert Hirschman said you cannot talk of equality between a strong country and a weak one, thus the strong one will always impose the most advantageous commercial terms for him. It is easy to conclude that, when it is the case, a major power could block the imports of goods from certain countries they wish to undermine economically and politically.

The oil war has transformed the American army into a global protection service for the “black gold”. What initially seemed to be a quick victory, as read in the articles published immediately after the invasion of Iraq, now, four years later, this conflict seems unending. The number of American deaths grows each day, especially because they must fight on two fronts: for the control of Iraqi towns and to protect the vast oil infrastructure against sabotage and terrorist attacks. The first action has been and still is widely covered in the American mass-media; the second one however has not received the same attention. And still, the fate of the Iraqi oil infrastructure could prove no less important than that of the Iraqi cities. A failure to win this battle would destroy the economic base which a future stable Iraqi government could use for rebuilding the country, and, at the same time, it would mean for the USA to lose the control of the Iraqi oil reserves, as well as shaking the very foundations of their global economic and military supremacy.

It has been stated that the oil protection role is just one of the objectives of the war in Iraq, where oil installations are spread all across the country, and the national economy is greatly dependent on the oil sales⁶. But Iraq is just one of the countries where American troops risk their lives each and every day to protect oil imports. In Columbia, Saudi Arabia and Georgia, US troops spend their days and nights guarding oil pipes and refineries or supporting the local forces tasked with this mission.

The situation in Georgia is a perfect example of this trend. As soon as the USSR collapsed in 1992, American oil companies and government officials wanted to have access at the huge reserves of oil and natural gas in the Caspian Sea region, especially Azerbaijan, Iran, Kazakhstan and Turkmenistan. Some experts estimate that 200 billion barrels of oil are untouched in the Caspian region, almost seven times greater than the quantity still remaining in

the USA. But the Caspian Sea region doesn't have an exit to the sea, therefore the only possibility to transport the oil to the West is through pipelines, that cross the Caucasus region, an area including Armenia, Azerbaijan, Georgia and the Russian provinces ravaged by war: Chechnya, Dagestan, Ingushetia and North Osetia.

American companies are currently building an important oil pipeline that crosses these volatile areas. Spanning over 1600 dangerous kilometres, from Baku in Azerbaijan, through Tbilisi in Georgia, to Ceyhan in Turkey, it is built to transport a million barrels of oil per day towards the West, but it is going to be under constant threat of sabotage from Islamic militants and ethnic separatists, all over its length. USA has already assumed great responsibilities for protecting it, giving millions of dollars worth of weapons and military equipment to the Georgian army and sending military specialists to Tbilisi to train and provide assistance to the troops tasked with protecting this vital pipeline. American presence has increased in 2005-2006, when the oil started flowing through the pipeline.

This approach, to use military means for guaranteeing the continued flow of oil, was first used by the Truman and Eisenhower administrations after the Second World War, when Soviet incursions in Iran and the revolts in the Middle East Arab world threatened the safety of oil deliveries from the Persian Gulf. President Carter openly stated in January 1980, as an answer to the Soviet occupation of Afghanistan and the Islamic revolution in Iran, that the security of oil deliveries from the Persian Gulf was “in the vital interest of USA” and that, for protecting this interest, they would use “any means necessary, including military force”. Carter's policy, to protect oil through military might, was later quoted by President Bush senior to justify the American intervention in the Persian Gulf in 1990-1991 and also provided the hidden reasons behind the recent invasion of Iraq. Of course, these actions and decisions are put under the banner of “war against terror”. A careful read of the documents of Pentagon and the Department of State shows, that, antiterrorism and protecting oil deliveries are closely related in the administration's strategy. When asking for funds, in 2004, to finance a “quick reaction brigade” in Kazakhstan, for example, The Department of State motivated to the Congress that such a force is necessary “to increase Kazakhstan's capacity to



answer terrorist threats on oil installations” in the Caspian Sea.

More and more naval task forces are assigned to protect foreign oil shipments. Navy’s 5th Fleet, stationed in Bahrain, spends its time patrolling oil tanks’ naval routes in the Persian Gulf and the Strait of Hormuz, which connects the Gulf with the Arabian Sea and the neighbouring oceans. The Navy improved its capacity to protect naval routes in the South China Sea, a promising region in oil extraction, contested by China, Vietnam, Philippines and Malaysia and in the Strait of Malacca, an essential link between the Persian Gulf and USA’s allies in East Asia. Even Africa receives more and more attention from the US Navy. To increase naval presence in the neighbouring waters of Nigeria and other important oil producers, battle ships under the European Command (which controls the South Atlantic) will shorten their future visits in the Mediterranean “and will spend half of the time navigating towards the western shores of Africa”, as announced by general James Jones, in May 2003.

4. The war of the future

The war of the future will change its entire nature by: moving the causes of military conflicts from the real area (economy related) towards one mostly ethnical and religious; combining the classical type of aggression with new ones: economical aggression, cultural, psychological, information, religious, in which the symbolic one plays an important role. Such a war can only be defined as the conquest and rule of the mind with help from signs and symbols. It will be a total and absolute war, a war of civilizations and, why not, of cultures, and the battlefield will be the world we imagine.

It will also have a multidimensional character and will be waged in all environments: in the air, on the ground, on the sea, in space, in the

electromagnetic spectrum and in the information area. The adversaries in the military field will be split in the following categories:

- Main, comparable in force, competition and might, able to use all advantages of state of the art technology in the military area;
- Competitors, major or regional powers who have nuclear weapons;
- Regional powers, capable of rivalling only in certain domains, which deploy their own armed forces on a limited scale and can concentrate them in a certain area;
- Countries without the nuclear weapon;
- Other groups participating in the conflict (not countries) which have different fighting capabilities, as training, structure and equipment.

The future will not belong to slow, large sized structures, which would have to depend on static logistics. Even conventional forces will become much more mobile structures, fully capable of self sustaining with logistics subject to the same rigors. Talking about small sized structures, carefully selected, equipped and trained, the Special Forces will represent not only the specialized component of totally reformed troops but the expression of waging war in the third millennium itself. Certainly, the future will belong to elite units, in which the Special Forces will always be present.

NOTES:

¹ Karen TALBOT, *Backing Up Globalization with Military Might*, New York Times, March 28th 1999.

² Emmanuel TODD, **After Empire: Essay on the decomposing American system**, Gallimard, 2002.

³ James F. DIGBY, an expert of Rand Corporation in precision equipment.

⁴ See the ‘60’s slogan – “Challenge authority”.

⁵ Alvin TOFFLER, **Război și antirăzboi**, Ed. Antet, 1995.

⁶ Michael T. KLARE, **Blood and Oil: The Dangers and Consequences of America’s Growing Petroleum Dependency**, New York, 2004.

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LA GUERRE GLOBALE CONTRE LE TERRORISME ET SES CONSEQUENCES POUR LES RELATIONS TRANSATLANTIQUES

Jan EICHLER, PhD

Aujourd'hui, le terrorisme représente un phénomène global. C'est pourquoi la lutte contre lui doit être menée de tous les pays du monde. Pourtant, „la réponse” donnée aux attentats terroristes doit être l'un adéquat à la situation et non le produit de l'affectivité des uns dirigeants des Etats. Les effets des erreurs faits quant au combat contre le terrorisme global, après les attentats du 11.09.2001, ressentiraient pendant le temps par tout le monde.

Il y a 15 ans, le Nouveau concept stratégique de l'OTAN approuvé à Rome, a qualifié le terrorisme international comme un simple risque. Où sont les neiges d'antan? Aujourd'hui, le terrorisme est aperçu comme la menace la plus grave. A partir du 11.9. 2001, on parle du terrorisme global qui représente la 3-eme étape dans l'histoire du terrorisme, les étapes précédentes étant le terrorisme national et, à partir des années 70 du 20-eme siècle, le terrorisme international.

Tout le monde répète la phrase que les attentats du 11. 9. 2001 ont tout changé. C'est vrai, mais il ne faut pas oublier que, même après cette date magique, il y a aussi une continuité incontestable. Elle concerne la substance du terrorisme comme une stratégie indirecte qui implique 4 acteurs principaux.¹ Le premier acteur s'appelle expéditeur du message (transmitter en anglais). Le 11.9. 2001 nous a de nouvelle confirmé que c'est seulement lui et personne d'autre qui décide quand, à quel endroit, comment et contre qui on va frapper. Le second acteur, c'est à dire la cible (target) - c'est à dire, la population et, par son intermédiaire, les autorités de la ville ou de l'état frappés - se trouve chaque fois dans le rôle passif. Il ne lui reste que de réfléchir sur le contenu du message (message) qui représente le troisième acteur et de préparer la réponse (feedback) qui deviendra le dernier,

quatrième acteur. C'est pour ça que le terrorisme est classifié comme une stratégie indirecte – il ne s'agit jamais d'une ligne directe, mais d'un triangle après les attaques et d'un carré après la réponse. Les morts, les blessés, les grands dégâts matériels jouent toujours le rôle des moyens de pression utilisés pour influencer la réflexion et les décisions de ceux qui décident du caractère de la réponse.

La mauvaise interprétation du 11.09.2001

Après les attentats choquants, le futur de la sécurité internationale au niveau globale dépendait de la réaction de l'administration G.W. Bush. Malheureusement, le président et son entourage ont commis trois grandes fautes. Premièrement, ils ont dès le début ignoré la caractéristique fondamentale du terrorisme en interprétant les attaques du 11.09 comme les actes de guerre, c'à dire comme les actes d'une stratégie directe. Aujourd'hui, il ne nous ne reste que de deviner si les racines de cette mauvaise interprétation consistaient en ignorance ou en une vision simpliste du monde contemporain. Néanmoins, cette incertitude ne change rien sur le fait que le premier pilier de la réponse aux attaques du 11. 9. 2001 fut mal dessiné et mal construit.

Deuxièmement, toute l'administration GWB a passé sous silence les deux moitiés du noyau du message des actes du réseau al-Qaida. C'est à dire la protestation contre le soutien long terme dont bénéficient les régimes apostats et despotiques en Arabie Saoudite, en Egypte et au Pakistan. En même temps, il s'agissait d'un cri désespéré contre l'engagement unilatéral des Etats – Unis dans le conflit israélo – palestinien. Bien sur, on peut se poser la question qui a donné à al-Qaida le mandat d'agir au nom d'un milliard de musulmans qui se sentent outragées et humiliés par la politique



des Etats – Unis. Néanmoins, ce doute, quoi que légitime qu'il soit, n'autorise personne de cacher les vrais contenus du message des attaques terroristes les plus sanglants de l'histoire.

Aujourd'hui on peut se poser la question combien de temps va prendre la classe politique aux Etats-Unis pour comprendre que les attaques du 11.9. 2001 étaient aussi une des formes comment protester contre "le modèle de la globalisation des vainqueurs" qui approfondit les différences entre les Etats comme aussi au sein des Etats comme l'écrit Stanley Hofmann² en analysant trois dimensions de la globalisation après la fin de la guerre froide³. Dans la dimension *économique*, il y a beaucoup moins de "winners" de l'hémisphère Nord que de "losers" de l'hémisphère Sud et, notamment du monde islamique. Les premiers imposent aux seconds leur organisation *politique* c'est à dire la démocratie libérale et, en plus, il les galvanisent aussi dans le *domaine culturelle* - notamment par l'américanisation de la vie quotidienne.

La troisième faute fatale de l'administration Bush résulta de deux fautes précédentes et s'est manifestée par la déclaration de la guerre globale contre le terrorisme (Global War on Terror (GWT déclarée par GWB - quel hasard au niveau des acronymes !). Face à face de la stratégie indirecte, Washington a misé sur la réponse directe, en plus purement militaire. Jusqu'à nos jours, la mise en œuvre de cette série avait deux présentations, les deux ayant deux choses communes. La première s'est manifestée par l'accent énorme mis sur les aspects non matériels qui sensibilisent la population civile et mobilisent le soutien de toute la nation. Qui refuserait, dans une atmosphère émotionnelle, une opération pour la liberté, même dans les pays lointains? La seconde caractéristique commune s'est révélée par l'accent qui a été mis sur le caractère international de chaque opération pour pouvoir les présenter comme les actions de la "communauté internationale". A part de ça, il y a plusieurs grandes différences.

Catastrophe irakienne et ses conséquences

L'opération **Enduring Freedom** avait un mandat clair du Conseil de sécurité de l'ONU et grâce à ça, elle n'a provoqué aucun désaccord. En plus, elle a été mise en œuvre après une vague de la solidarité internationale spontanée. Rien d'étonnant que cette opération se soit passée

presque sans problèmes. En plus, elle a contribué à la cohésion du lien transatlantique. En revanche, la seconde opération déclenchée au nom de la liberté, c'est à dire Iraq Freedom, peut nous servir d'exemple d'une opération militaire qui déborde des problèmes. Le premier d'entre eux résulta de la manipulation avec le principe de l'attribution de la responsabilité pour les attaques du 11. 9. 2001 à un Etat concret (Iraq) et des thèses de ses contacts avec al-Qaida. N'étant pas capable de présenter des preuves incontestables, l'administration de GWB généra un autre problème, celui de l'absence du mandat du Conseil de sécurité. Ca peut nous rappeler le fait qu'après la guerre aérienne contre la Serbie en 1999 (Allied Force), plusieurs experts parlaient de la possibilité que, en cas de refus de l'organisation mondiale, le mandat aux opérations militaires pourrait être accordé par le Conseil de l'OTAN. Mais, quatre ans plus tard, même cette institution était paralysée par la politique américaine des faits accomplis, et, donc, incapable de trouver une attitude commune. Cette crise a manifesté que les événements dans le monde unifient les Européens tandis que la politique des Etats – Unis les divise. Les Américains sont convaincus que le monde est devenu plus dangereux tandis que les Européens sont convaincus qu'il est devenu plutôt plus complexe par rapport au passé.⁴

Cette complication accoucha le deuxième problème de l'invasion en Iraq qui s'est manifesté par le collage d'une coalition trompe-l'œil présenté par M. Rumsfeld comme "coalition of willing". La confrontation avec les problèmes générés par la résistance inattendue en Iraq a dévoilé devant le monde entier son caractère artificiel et vétuste.

Ebranlement de l'Alliance atlantique

En plus, l'opération IF avait des conséquences néfastes pour le lien transatlantique et, notamment, pour l'UE. En ce qui concerne l'OTAN, il est évident qu'elle fut marginalisée, sinon ignorée et qu'elle "restera fragilisée par la volonté américaine de ne pas s'en servir lorsque la lecture géopolitique faite à la Maison Blanche imposera d'autres postures diplomatico-stratégiques".⁵ Il s'agit d'une approche qui peut avoir des graves conséquences pour le fonctionnement de l'Alliance atlantique dans le futur prévisible.

La lecture washingtonienne fut partagée, notamment, par les gouvernements de l'Espagne,



de la Grande Bretagne et de la Pologne. Leur dénominateur commun n'était pas du tout l'orientation politique⁶, mais la volonté de gagner la faveur des Etats-Unis. Dans les deux premiers pays, la décision de participer à l'invasion militaire est tombée malgré le refus massif et spontané de la population, malgré les démonstrations les plus fortes depuis la fin de la 2^{ème} guerre mondiale.⁷ La Grande Bretagne a envoyé en Iraq ses 11. 000 soldats de la 1. Brigade mécanisée avec un grand soutien logistique et avec les systèmes d'armes modernes comme les avions Tornado, C-17, Hercules à Nimrod et hélicoptères Puma, Chinook, Lynx et Gazelle. Dans le cas de l'Espagne, il s'agissait de 3 200 soldats de la Brigade plus ultra qui était ultérieurement élargie par les soldats de l'Honduras, Nicaragua a République Dominicaine.

En revanche, les pays dont les leaders politiques avaient le courage de s'opposer à l'intervention militaire, justifiée par les prétextes non prouvés se sont vus dis/ qualifiés comme "la bande a quatre". Rien d'étonnant que le comportement de l'administration GWB vis à vis des approches différentes vers le problème irakien ait inspiré une lecture très inquiétante d'après laquelle "les Etats-Unis favorisent une action directe sur des dossiers chauds... tandis que une partie du noyau des fondateurs de l'Union européenne souhaite une entente mondiale entre grands pays, pôles de puissance, pour envisager collectivement les grands défis de la planète".⁸

Les victimes innocentes

Parmi les premières victimes de l'aventure irakienne il y avait de soldats américains, britanniques, espagnols. Dans chacun de ces cas il s'agissait d'une tragédie personnelle qui toucha très grièvement toute la famille de chaque soldat mort ou mutilé. Mais, quoi que cynique que ça puisse paraître, il s'agissait de soldats de métier qui doivent penser au pire.

Beaucoup plus graves et inquiétantes sont les victimes parmi les citoyens civiles qui vivent concentrés dans les grandes villes. Ce fut le cas de deux grandes capitales européennes, c'est à dire de Madrid et de Londres. Dans les deux cas, il s'agissait des massacres des gens innocents dans les lieux où ils sont concentrés et, donc, très vulnérables. Ces deux attaques ont de nouveau confirmé le caractère

indirect de la stratégie terroriste. Après avoir subi un coup sévère sur un champ de bataille, choisi et même imposé par le "far enemy", al-Qaida s'est vengée dans l'arrière profond de la "guerre globale contre le terrorisme", c'est à dire sur le territoire de deux alliées les plus proches.

Deux explications différentes

En ce qui concerne Madrid, on a vu un comportement encore plus étonnant qu'à Washington, en septembre 2001. Si GWB et son entourage ont mal interprété seulement le message des attaques terroristes, leurs homologues espagnols sont allés encore beaucoup plus loin. Pour cacher la vraie substance du message des attaques dans les trains madrilènes, ils ont commencé par *mentir sciemment* dans le sujet des expéditeurs, c'est à dire des auteurs des attaques. En donnant des ordres directs à ses ministres de l'Intérieur et des Affaires étrangères et à tous les ambassadeurs de parler partout de la piste ETA et en expédiant des informations mensongères même au Conseil de sécurité de l'ONU, ils ont présenté une manipulation digne des années brejnéviennes en ancienne l'URSS.

Quant à Londres, quinze mois après Madrid, Tony Blair n'a pas commis la même faute comme son homologue espagnol. Des les premiers moments, il n'a pas dénaturé les données de base. Il a ouvertement dit qui était l'auteur des attaques et quel était son message. Quand même, ces attaques, réalisés avec le but de le "punir" pour son rôle de "ministre des affaires étrangères de GWB" avant l'invasion en Iraq, représentaient les moments les plus difficiles de toute sa carrière politique.

Un avertissement inquiétant

Ne nous y trompons plus, Madrid et Londres nous ont donné un avertissement très inquiétant - les capitales européennes sont en permanence énormément vulnérables. Pour les frapper, al-Qaida n'a pas du tout besoin d'être présente sur le terrain des futurs massacres ni d'y envoyer ses militants djihadistes. Il lui suffit de prononcer un verdict catégorique et de trouver la voie par laquelle on peut le transmettre en Europe. La réalisation de la condamnation diabolique devient l'affaire des fils ou même des petits-fils des immigrés d'origine musulmane venus en Europe dans les années 1960



ou 1970. Leur motivation est claire comme le jour : se venger de tout ce qu'il est aperçu comme l'humiliation du monde musulman - soutien unilatéral accordé à l'Israël, la marginalisation des immigrés dans les pays de l'UE, et, notamment, la participation d'un pays concret à l'occupation de l'Iraq. Tous ces faits devraient servir comme un grand avertissement pour tous les présidents ou premiers ministres de tous les pays du Vieux continent.

La guerre en Iraq comme une nouvelle impulsion pour le terrorisme global

La guerre en Iraq a offert aux chefs d'al-Qaida trois grands avantages. Elle leur a offert, en même temps "un nouvel argument pour présenter leur combat (occupation américaine d'un pays qui se trouve au cœur du monde arabe), un refuge (qui s'est créé en conséquence du désordre total après la guerre) et un champ d'entraînement."⁹ En plus, elle leur a donné la possibilité de présenter chaque attentat avec un grand nombre des victimes comme un échec de la "guerre contre le terrorisme". Les actes répressifs de l'armée américaine en Iraq contre les insurgés font venir de l'eau au moulin d'al-Qaida en leur donnant la possibilité de se présenter comme victime de la globalisation injuste et d'utiliser cette fausse interprétation pour le recrutement des nouveaux membres.

L'expérience irakienne nous montre que "la guerre globale contre le terrorisme" peut changer les terroristes en martyres, mener à l'aliénation des masses de la population et créer un vivier du terrorisme.¹⁰ Le résultat de la deuxième opération de la "guerre globale contre le terrorisme" est tel que l'Iraq s'est transformé en un pays promis pour les anciens cadres et, notamment, soldats du régime de Saddam, pour les islamistes et djihadistes de tous les pays du monde, pour les activistes du crime organisé. La conséquence est très inquiétante - d'après le général Clark, la guerre asymétrique en Iraq va durer encore 7 - 12 ans.¹¹ Et Walter Posch, un expert autrichien, est encore plus pessimiste - d'après lui, "en Iraq, il n'y a pas de solution militaire. Les insurgés ne sont pas capables d'expulser les Américains du pays tandis les seconds ne sont pas capables de vaincre les premiers".¹²

Pascal Boniface a entièrement raison quand il nous avertit dans son dernier livre que la "guerre

globale contre le terrorisme" pourrait se transformer en 4. Guerre mondiale qui, ayant la forme du conflit israélo-palestinien globalisé, apporterait des nouvelles, immenses possibilités pour le recrutement de nouveaux militants dans les réseaux terroristes¹³. En même temps, ce grand spécialiste des questions de la sécurité internationale mène une polémique avec Samuel Huntington. Il ne se trope pas du tout quand il lui reproche "caractère déterministe, à ce qu'elle donne à penser que l'Histoire est écrite à l'avance".

Néanmoins, il ne faut pas oublier que les conséquences néfastes de la guerre contre le terrorisme ont donné raison à la partie finale de livre de Huntington dans laquelle il souligne ces trois recommandations, c'est à dire: *absention rule*, *joint mediation rule* et *commonalities rule*. Dans la guerre contre le terrorisme, aucune de ces recommandations n'a pas été respectée. L'administration GWB était très loin d'être réticente, elle a bafoué, sans les moindres scrupules, l'ONU comme tribune principale d'intermédiation internationale pour imposer ses intérêts stratégiques en ignorant les valeurs et les habitudes qui sont communes à l'Occident comme au monde islamique. Les conséquences tragiques du non respect total des recommandations de Samuel Huntington ont de nouveau manifesté comment dangereux sont des tentations des dirigeants occidentaux d'imposer les valeurs, les normes, les institutions et les méthodes de la civilisation occidentale aux autres civilisations. Et le danger se transforme en un hasard irresponsable au moment où les leaders occidentaux optent pour l'intervention militaire au nom de la démocratie globale.

Les leçons pour le futur

Quelles sont les leçons pour le futur? La première d'entre elles nous dit que les pays européens soutiennent les USA dans leurs opérations sans mandat du Conseil de sécurité de l'ONU, ils vont courir un grand risque à deux niveaux. Tout d'abord, il s'agit *des risques militaires*, c'est à dire d'enlèvement dans une guerre asymétrique dans laquelle beaucoup de soldats peuvent être tués. Les conséquences de l'enlèvement peuvent se manifester dans trois étapes. Dans la première, il s'agit des pertes directes, personnelles et matérielles, dans les embûches et autres modus operandi des guerres



asymétriques - un avertissement très grave résulte du fait que presque 90% des Sunnits approuvent les attaques contre les soldats américains. Dans la deuxième étape, c'est le désenchantement et la démoralisation des troupes sur un théâtre lointain. Et dans la troisième étape, c'est la discréditation de l'armée, de sa doctrine et de son moral qui peut se produire et provoquer un syndrome de long terme.

Encore beaucoup plus grave est *le risque politique*, qui peut se manifester en deux étapes. Dans la première, on court le risque de devenir, dans la région d'une opération sans mandat de l'ONU, une nation contestée sinon détestée.¹⁴ Beaucoup plus grave est la deuxième étape, dans laquelle un pays qui participe à une occupation militaire destinée à imposer un nouveau régime politique, dont l'installation ne correspond que très peu aux aspirations de la population locale, est puni par des attaques terroristes perpétrées sur la population innocente de pays dont les leaders politiques ont pris la décision de participer aux opérations dans le cadre des "coalitions of willing". A ce niveau - la, les attentats commis à Madrid et à Londres devraient être compris comme les mementos énormément graves.

Bien sûr, il ne faut pas oublier le risque de détérioration des relations transatlantiques. Les différences dans les approches vers le terrorisme global pourraient affaiblir le lien transatlantique. Hall Gardner de l'American University of Paris a raison quand il nous avertit que si les Etats - Unis continueront à surestimer le rôle des opérations militaires au détriment de la diplomatie, c'est à dire la "hard strategy" au détriment de la "soft strategy" nous pouvons devenir témoins d'un choc des démocraties (clash of democracies). A la différence du "clash of civilisations" de Huntington, il s'agirait d'un choc à l'intérieur de la civilisation la plus riche, la plus développée et la plus démocratique. Même si elle continue à partager les mêmes valeurs, elle pourrait arriver à un tournant auquel elle ne serait plus capable de coordonner ses stratégies de sécurité au sein d'une même civilisation.¹⁵

Au niveau des concepts stratégiques, ce choc intra-civilisation pourrait revêtir la forme de l'insistance sur les principes qui sont ancrés dans deux différents documents doctrinaux. C'est à dire la National Security Strategy et la National Strategy for Victory in Iraq - les deux misent toujours sur

les moyens militaires. Et de l'autre côté, il y a la détermination de la majorité des membres de l'EU de mettre en place la fameuse European Security Strategy qui s'oriente vers les approches politiques et n'utilise jamais l'expression de la guerre globale contre le terrorisme.

A côté des leçons négatives et inquiétantes, il y a aussi *des leçons positives* qui se manifestent dans trois domaines. Tout d'abord, le *droit international* - Alex Conte¹⁶ a entièrement raison quand il dit qu'après l'expérience irakienne, il faut que chaque opération ait une autorisation «d'utiliser tous les moyens nécessaires.» Pour l'obtenir, il faut présenter des preuves claires et irréfutables. Ca devrait être l'inspiration la plus importante non seulement pour la classe politique aux Etats - Unis, mais aussi pour tous ceux qui restent, comme par exemple Michael Mandelbaum¹⁷, convaincus que l'Amérique du Nord peut continuer à fonctionner comme un gouvernement mondial.

Dans le *domaine politique*, l'effet cataclysmique de la guerre en Iraq nous a montré des différences profondes et long - terme entre les Etats-Unis et l'Europe continentale dans le domaine des structures des attitudes vis à vis l'emploi des forces armées sans le mandat de l'ONU. Comme il s'agit des structures qui forment les contours des débats des différents pays et créent le cadre pour l'articulation de leurs stratégies gouvernementales, elles devraient être prises en considération non seulement en Europe mais tout d'abord à l'autre côté de l'Atlantique.

Si n'importe quel président des Etats-Unis peut essayer de mettre en place une politique unilatérale en comptant sur le support des "faucons"(hawks) et des pragmatiques dans son pays, il sera déçu quand il aura découvert qu'en Europe continentale ces deux groupes sont beaucoup moins influents au détriment des "palombes" (doves).¹⁹

Ca ne veut pas dire qu'il y a un "gap" insurmontable au sein de l'OTAN ni que les Américains et les Européens sont devenus plutôt concurrent que partenaires.

Bien au contraire, ça peut nous indiquer que si on souhaite que le partenariat transatlantique ne soit pas ébranlé, il faut respecter l'inclination dominante et longue - terme des opinions publiques européennes (notamment en France et en RFA) vers l'approche d'après laquelle la guerre doit être le dernier scénario dans la stratégie contre le terrorisme.

Dans le *domaine militaire*, l'enlisement en Iraq, comme un résultat purement négatif, a inspiré plusieurs auteurs a une réflexion critique. Roger Cohen écrit de la nécessité de changer de doctrine et de méthodes de l'action dans les opérations a l'étranger.⁵ Andrew Krepinevich de George Mason University (il est l'auteur du livre *The Army and Vietnam*) a essayé de passer du négatif au positif. D'après lui, dans les opérations de ce genre, il faut oublier la doctrine "Search and destroy" (trouver l'ennemi et le tuer tout de suite) pour la remplacer par la stratégie dite "oil-spot strategy" qui s'oriente vers des cibles positives, c'est à dire vers l'élargissement des zones contrôlées par les soldats américains qui s'investissent corps et âmes dans l'amélioration de la vie quotidienne de la population locale, c'est à dire la sécurité dans les villes, l'approvisionnement de l'électricité, de l'eau potable, des denrées alimentaires etc.²⁰

La réflexion théorétique

Dans les analyses théorétiques, nous voyons une variété d'approches et de conclusions qui ne dépendent pas du tout de la nationalité des auteurs. Quant aux Etats-Unis, il y a l'école de néo conservateurs qui approuve la guerre contre le terrorisme, qui l'a, même, prône. Sa branche "dure" se présente sous l'étiquette du "globalisme démocratique" et part de la thèse de la nécessité de "remoraliser la politique étrangère des Etats-Unis."²¹ Elle suggère qu'il n'y a que "deux solutions possibles: La chute de la force des Etats-Unis, le regain du chaos global et un 21 siècles plein de dangers d'un coté ou le retour vers la conception reaganienne de la force américaine et de son leadership de l'autre coté."²²

En même temps, il y a un autre courant qui s'appelle "réalisme démocratique" d'après lequel l'approche précédente coûte trop cher ce qui nécessite une variante qui soutient la démocratie partout dans le monde, mais l'engagement personnel et investissements financiers ne devraient pas être réalisés que dans les régions avec l'importance stratégique dans le cadre large du combat contre un ennemi existentiel qui représente un danger mortel pour la liberté humaine.²³

Mais même aux Etats-Unis, il y a des critiques provenant du camp des réalistes. Stephen M. Walt, souligne que la politique des USA est dans le monde arabe aperçu comme injuste (unfair foreign

policy) et provoque le refus et la résistance. D'après lui, le terrorisme ne signifie pas la négation des valeurs américaines mais des méthodes de leur mise en place. Il avertit que "même les meilleures intentions des Etats-Unis peuvent être nuisible a leurs alliés...comme par exemple en Espagne ou en Grande Bretagne."²⁴

Encore plus critique est Francis Fukuyama, dans le passé récent une figure emblématique du courant des néo conservateurs. D'après lui²⁵, la politique de GWB représente un mélange du réalisme exagéré (l'administration a choisi la solution "state to state," c'est à dire une attaque armée contre un Etat prédestiné) et de l'idéalisme exagéré (la détermination des néo conservateurs de changer le monde a leur image). Et l'auteur mondialement connu conclut par constatation suivante «nous sommes hais non pour ce qui nous sommes, mais pour ce qui nous faisons - pour notre indifférence vis a vis des Palestiniens, pour notre soutien aux dictateurs et, tout récemment, pour l'occupation de l'Iraq."²⁶

En ce qui concerne l'Europe, il faut rappeler, à coté de Pascal Boniface, deux autres théoriciens importants. L'Anglais Lawrence Freedman écrit clairement que "guerre contre le terrorisme signifie un décalage des guerres nécessaires vers les guerres déclenchées volontairement ("shift from wars of necessity to wars of choice"). On se bat contre une menace qui est dirigée contre nos intérêts secondaires, non primaires. Il ne s'agit pas de combat pour la survie.²⁷ Et d'après l'Allemand Ulrich Beck, la guerre contre le terrorisme s'inscrit dans la logique qui est en contradiction avec la civilisation (circle of decivilisation). Cette solution est d'après lui basée sur l'élasticité du concept de l'ennemi. Ce n'est plus lui qui déclare la guerre, c'est l'Etat qui se sent être menacé et qui prends la décision contre quel Etat on va déclencher une intervention militaire.²⁸

Quatre scénarios pour le futur

Projetant les leçons du passé récent dans le futur prévisible, on peut dessiner quatre scénarios possibles au cas ou l'administration des Etats-Unis prends la décision de réaliser une opération du type Syrian Freedom, Iranian Freedom ou Palestinian Freedom.

1. *Scénario anglais- espagnol*, c'est à dire le soutien politique et participation active aux



opérations militaires. Après les expériences dramatiques de Madrid et de Londres, il est clair que ce scénario est lié avec des grands risques de la vengeance des terroristes. Partant de ce fait, il est très difficile d'imaginer un homme d'Etat qui se permettrait de répéter la faute fatale de Aznar ou de Blair. Il paraît que dans le futur prévisible, ce scénario est très peu probable. Néanmoins, s'il est permis de mentionner une exception qui pourrait confirmer la règle, c'est la Pologne avec son orientation très pro-américaine.

2. *Scénario néerlandais*: soutien politique et la participation militaire a partir de la fin officielle de l'opération militaire. S'agissant de 1 100 hommes placés sous le commandement britannique, le Pays-Bas participe activement à l'occupation de l'Iraq. Rien d'étonnant qu'il s'agit de la mission la moins populaire de celles menées depuis les années cinquante. Ça nous donne un avertissement que même ce scénario est lié avec pas mal de risques politiques, il ne serait pas facile de le répéter dans les conditions semblables aux celles de l'opération IF.

3. *Scénario italien*, c'est à dire le soutien politique, mais sans participation militaire avant la fin officielle des hostilités. En plus, même s'il s'agit d'un contingent de 3 500 hommes sur terrain, le gouvernement Berlusconi a souligné plusieurs fois qu'il s'agissait des le début d'une mission strictement humanitaire. Cette mission n'a provoqué aucune vengeance terroriste. Ce scénario offre une grande marge pour les manœuvres politiques et il est, à ce titre, beaucoup plus probables que les scénarios 1 ou 2.

4. *Scénario franco-allemand*: non a la participation militaire doublée par le refus politique. Ce scénario peut se répéter chaque fois quand il s'agira d'une mission sans mandat explicite de l'ONU, notamment dans le cas de l'intervention des pays occidentaux dans un pays musulman.

De la "bande à quatre" au "Sept mercenaires"?

Aujourd'hui, c'est le scénario n. 4 qui paraît le mieux correspondre au besoin de l'élimination de la menace du terrorisme global. Son écho ne se limite pas seulement au quatre pays membres de l'OTAN, parce que les anciens pays neutres - l'Autriche, la Finlande, la Suède, ont réagi de la même manière. Ils ont exclu non seulement

la participation militaire mais aussi le soutien politique. Leurs gouvernements ont respecté l'opinion publique - en Finlande, il y avait 75% de la population contre la guerre²⁹, comme en Suède, ou seulement 14% de la population ont approuvé l'invasion militaire.³⁰ En plus, M.Goran Persson, Premier ministre, a déclaré, fin janvier 2003 qu'il aurait refusé de signer la Lettre de Huit s'il avait été demandé de le faire.

Et pourtant, dans le cas de la Finlande et de la Suède, il s'agit des pays auxquels personne ne peut reprocher ni indifférence, ni égoïsme. Ils sont très engagés dans les opérations du peacekeeping, très généreux dans l'aide au développement et aux réfugiés. Bien sûr, ils insistent sur la nécessité d'un mandat clair du Conseil de sécurité de l'ONU. Il est, donc, très encourageant de voir que "la contagion franco-allemande" continue à se répandre et que la fameuse "bande à quatre" s'est déjà élargi au "Sept mercenaires" et qu'il n'est pas du tout exclu que leur nombre va augmenter. Comme un fait encourageant, on peut rappeler le comportement du gouvernement norvégien qui, en phase avec l'opinion publique de son pays, a rejoint le camp franco-allemand exigeant le renforcement du régime des inspections. En plus, les enquêtes de l'opinion publiques dans les pays de l'Europe occidentale nous autorisent à être optimistes.³¹

Reste à savoir combien de temps vont les nouveaux pays de l'OTAN et de l'EU prendre pour comprendre quels sont le contexte, les motivations et, notamment, les conséquences des actions du type de la Lettre des Huit ou de Groupe de Vilnius...

NOTES:

¹ HENDERSON, Harry, **Terrorism**, Facts on File, New York, 2001, p. 18.

² HOFFMANN, Stanley, *Le triste état du monde*, Le Monde, 24 janvier 2002.

³ HOFFMANN, Stanley, *Clash of Globalisations*, Foreign Affairs, Volume 81 No. 4, July/ August 2002, pp. 104-115.

⁴ GNESOTTO, Nicole, *EU, US: visions of the world, visions of the other*, en *Shift or Rift. Assessing US/EU relations after Iraq*, European Union Institut for Security Studies, **Transatlantic Book 2003**, Paris, 2003, p. 21.

⁵ DUMOULIN, André, *L'OTAN: opportunités et incertitudes de la 'boite à outils'*, en BUFFOTOT, Patrice, **La défense en Europe, avancées et limites**, La



documentation française, Paris, 2005, p. 211.

⁶ Le cabinet de droite a Madrid, de la gauche traditionnelle a Londres et des post-communistes a Varsovie.

⁷ Le 15.02.2003 a Londres et le 15.02. resp. 15.03.2003 a Madrid sous les slogans: “non a la guerre, non a l’ Amérique”.

⁸ Jean-Jacques PATRY, Nicole VILBOUX, *Quatre ans de relations transatlantiques*, en BUFFOTOT, Patrice, **op. cit.**, p. 221.

⁹ ANDRÉANI Gilles, *The War on terror: Good Cause, Wrong Concept*, en *Survival*, vol.46, no.4, Winter 2004-05, p. 46.

¹⁰ BAILES, Alyson, *Global security governance : a of change and challenge*, dans **SIPRI Yearbook 2005**, p. 5.

¹¹ *Top U.S. General sees Lasting Insurgency*, www.reuters.com, 25 Februray 2005.

¹² POSCH, Walter, *A majority ignored: the Arabs in Iraq*, en **Looking in Iraq**, Chaillot Paper 79, ISS, Paris 2005, p. 41.

¹³ Pascal BONIFACE, **Vers la 4-eme guerre mondiale**, 172 stran. Armand Colin, Paris 2005.

¹⁴ Les résultats de la Stanley Foundation du janvier 2006 devraient être lus très attentivement. Ils montrent la montée du pourcentage des Iraquiens qui sont convaincus que la violence après l’invasion et l’occupation militaire ne cesse d’ accroître.

¹⁵ GARDNER, Hall, **American Global Strategy and the “War on Terrorism”**, Ashgate, 2005, pp. 161-182.

¹⁶ Alex CONTE, **Security in the 21st Century. The United Nations, Afghanistan and Iraq**, Ashgate, 2005.

¹⁷ Michael MANDELBAUM, *The Case for Goliath. How America Acts as the World’s Government in the Twenty-First Century*, New York, Public Affairs, 2006.

¹⁸ Ronald Asmus, Philip Everts et Pierangelo Isernia nous expliquent que les “faucons” sont convaincus que la guerre est de temps en temps nécessaire et la force militaire est plus importante que l’influence économique. Les pragmatiques sont d’accord avec eux dans le premier postulat pour avoir l’avis contraire dans le second. Les

“palombes” refusent les guerres, préférant l’ influence économique devant la force militaire et se prononcent en faveur du renforcement des compétences de l’ ONU. Voir *Power, War and Public Opinion en Transatlantic trends 2003*.

¹⁹ Roger COHEN, *U.S. Army in Iraq takes a radical look at itself*, *International Herald Tribune*, 31.01. 2006.

²⁰ KREPINEVICH, Andrew, *How to Win in Iraq*, *Foreign Affairs*, Sept./Oct. 2005, Vol. 84, Issue 5, pp. 87-104.

²¹ KRISTOL, William, KAGAN, Robert, *Toward a Neo-Reaganite Foreign Policy*, *International Affairs*, July-August 1996, pp. 18-32.

²² KRISTOL, William, KAGAN, Robert, *Foreign Policy and the Republican Future*, *The Weekly Standard*, 7. September 1998.

²³ KRAUTHAMMER, Charles, *In Defense of Democratic Realism*, *The National Interest*, Fall 2004, Iss. 77.

²⁴ WALT, Stephen, *Taming American Power*, in *Foreign Affairs*, September/ October 2005, vol. 84, Issue 5, pp. 105-120.

²⁵ FUKUYAMA, F., *The Neoconservative Moment*, *The National Interest*, Summer 2004, p. 60.

²⁶ *Ibidem*, p. 62.

²⁷ FREDMAN, *The new security equation*, in *Conflict, security and Development* Vol. 4, N. 3/2004, p. 256.

²⁸ BECK, Ulrich, *War Is Peace: On Post – National War*, in *Security Dialogue*, Vol. 36/1, p. 24.

²⁹ OJANEN Hanna, *Finlande, entre une défense nationale et une défense européenne*, en BUFFOTOT, Patrice, **op.cit.**, p. 66.

³⁰ STROMKIV, Maris, *Suede, une ouverture croissante a l’ action internationale*, en BUFFOTOT, Patrice, **op.cit.**, p. 179.

³¹ Au Pays-Bas 75% de la population se prononcent contre la participation de leur armées aux opérations militaires sans mandat du Conseil de sécurité de l’ONU, en Italie cet avis est aussi partagé par la plupart de la population, aussi comme en Norvège et dans les autres pays européens.

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TERRORISME INTERNATIONAL ET MASS MEDIA

Petre DUȚU, PhD

Le terrorisme international représente une d'entre menaces les plus sérieuses en matière de sécurité. Il fait connu son présence, dans le monde, par une large gamme de méthodes, tant violentes (attentats) que non violente (communiqués, revendications, jugements, exhortation au recrutement).

Les media, accomplissement ses rôles en société, implicitement, deviennent l'un d'entre vecteurs parmi lequel les actes terroristes sont connus d'un large public.

Ainsi, on peut parler d'un impact significatif du terrorisme international sur les mass media.

1. Succincte caractérisation du terrorisme international actuel

Aujourd'hui, l'humanité se confronte avec une multitude de périls, risques et menaces en matière de sécurité. Parmi eux un lieu central, par ses effets négatifs, qu'ils génèrent, l'occupe le terrorisme international ou global. Celui-ci a été défini de beaucoup des analystes politiques et militaires, des théoriciens et des praticiennes dans les différents manières. Le manque d'un point de vu commun, unanime reconnu et accepte en ce qui concerne la définition du terrorisme, au niveau international, fait comme beaucoup d'entre les mesures adoptées par les Nations Unies pour prévenir et combattre de ce flagelle d'être difficile de mettre en pratique.

La réalité est que le terrorisme ne représente pas une création de l'actuel siècle, mais il a des racines anciennes dans l'Histoire de l'humanité. Le terrorisme contemporain se distingue, parmi d'autres, de ses variantes antérieures par une palette large de *caractéristiques définitives*:

Le terrorisme est stratégique. Sa stratégie obéit du principe de la perturbation qui vise à paralyser la volonté ou la capacité adverse plus que sa destruction ou sa conquête. Cela implique dans certains cas le concept paradoxal de "non victoire" (lorsque son but est uniquement une affirmation

identitaire ou une vengeance symbolique, comme c'est peut-être le cas pour Ben Laden). Face à cela, il ne reste plus à son ennemi qu'à élaborer une stratégie d'annulation. Donc l'utopie d'un contrôle total¹. Le terrorisme se fonde sur une stratégie indirecte - basée sur terroir - utilisée par les groupes et les organisations terroristes dans la conception et dans le déploiement de leurs actes destructifs. Les actes terroristes, de règle, se produisent plus loin de siège ou de lieu de résidence de l'organisation terroriste, c'est-à-dire sur le territoire de l'Etat apprécié comme ennemi.

Les terroristes choisissent minutieusement les cibles qui seraient frappées. En essence, aujourd'hui, en tant que des importants cibles sont considérées les places, les gares, les hôpital, les moyennes de transport en commun, c'est-à-dire là-bas où se peuvent trouver concentrés des gens beaucoup dans une petite espace. Aussi sont visées comme cibles des objectives symboliques pour l'Etat victime - par exemple, le World Trade Center en l'Etats Unis, le 11 septembre 2001. Le choix comme des cibles des lieux agglomérées, comme sont les places, les gares etc., se fait afin de les effets de nature psychologique et psychosociale des attentats soit maximales. Parmi ces effets psychologiques se trouvent le peur, la panique et l'effroi de ces qui ont été dans la zone de l'attentat terroriste. Dans le même temps, ces attentats suivent de diminuer, considérablement et sur le long terme, la confiance de la population dans la capacité des institutions de l'Etat et des gouvernantes d'assurer la sécurité de l'individu et la sécurité collectifs de leurs citoyens. Au présent, ne sont pas visées, seulement, comme cibles les personnes publiques, les militaires ou les forces de sécurité, mais également les civils innocents, qui sont absolument au hasard dans le lieu de l'attentat.

D'autres part, un autre effet induit de possibilité d'un attentat terroriste sur le territoire d'un Etat démocratique est la restriction des droits du citoyen, par les mesures adoptées par ceux qui sont en



droit pour prévenir ou limiter les actes terroristes. Ainsi, après le 11 septembre 2001, des diverses lois qui portent atteinte des libertés ont été adoptées dans plus beaucoup des pays démocratiques. Dans les Etats-Unis, par exemple, ont adoptées de mesures législatives sous le nom Patriot Act (elles permettent aux institutions de l'Etat compétents en matière de sécurité d'intercepter les communications sans le contrôle d'un magistrat, d'arrêter les personnes étrangers arbitrairement etc.). La Russie est également passée maître dans l'art de réduire les libertés sous couvert de lutte contre le terrorisme. Début novembre 2002, une loi est votée qui restreint largement la liberté des médias de donner des informations sur les "opérations antiterroristes". Le Canada, l'Allemagne, l'Italie et bien d'autres pays ont aussi profité de "l'aubaine" que constituait le 11 septembre pour faire passer des lois portant atteintes aux libertés fondamentales. La "lutte contre le terrorisme étant en fait un prétexte pour mettre à mal la démocratie et les droits les plus élémentaires, il n'y a rien d'étonnant à ce que même la République islamique d'Iran ait, le 28 septembre 2001, décidé de rejoindre la prétendue coalition antiterroriste".²

La simplicité de moyennes utilisées pour réaliser concrètement l'attentat. Autrement dit, ces moyennes sont faciles de procurer, de préparer, de transporter et de placer dans le lieu de l'attentat. Parmi les plus fréquent utilisées sont les explosives, comme la voiture piège, l'homme bombe (kamikaze), bombe artisanale placée dans les moyennes de transports – voir l'attentat du 11 mars 2004 du Madrid ou celui du juillet 2005 du London. Le terrorisme, pour continuer de faire peur, il doit chercher toujours des effets plus spectaculaires. Les bombes sont les moyennes classiques du terrorisme, mais leur utilisation est toujours en croissance. Les organisations terroristes encore non appelées aux armes de destruction en masse pour effectuer leurs attentats. On semble qu'il y a des entraves dans la voie d'utiliser des telles moyennes pour accomplir leurs actions terroristes. Un obstacle semble d'être le contrôle rigoureux qu'il existe dans ce domaine, au niveau international et national. En même temps, le contrôle de l'entre des personnes et de leurs bagages dans un pays est strictement organisé ce qui pourrait en péril la réussite de l'acte terroriste par les moyennes de destruction en masse.

Les organisations terroristes internationales utilisent bel et bien l'Internet. Ainsi, Al-Qaïda, le plus connue organisation terroriste internationale, utilise fréquemment l'Internet pour annoncer ses intentions d'attaque d'unes cibles du pays considéré par le terroristes comme ennemie, soit pour poster sur leurs site les propres images de la lieu de l'attentat déjà commis ou d'autres produits sur le support électronique- des menaces, des films avec l'exécution des otages, des annonces pour recrutements de nouveaux adeptes à l'organisation terroriste. D'ailleurs, les organisations terroristes, dans le dernier temps, ont commencé de procurer des vecteurs informationnels pour transmettre leurs messages en éther.

Le recrutement et l'utilisation des personnes (de même ethnique ou religion comme les membres des organisations terroristes) qui habitent sur le territoire du pays chois comme cible des attentats. Autrement dite, il s'agit du recours accru à des groupements locaux qui agissent au nom d'une organisation terroriste internationale (par exemple, l'Al-Qaïda). L'Espagne en 2004 et le Royaume-Uni en 2005, par exemple, ont été dans cette situation. Ces personnes sont plus difficile de trouver par les responsables et les institutions de l'Etat compétents en matière de combatte contre le terrorisme.

L'intérêt major des terroristes pour atteindre les objectives proposes. Le terrorisme contemporain se caractérise également par le fait qu'il n'est plus intéressé explicitement de publicité comme autrefois, mais d'atteint des objectives établis. Parmi lesquelles se trouvent les suivants: de créer un climat de peur, de craindre, d'inquiétude dans les pays considérés par les organisations terroristes comme ennemie. "L'impression est d'être désarmé face à une menace invisible qui justifie tout les excès législatifs: amalgames faciles et alertes farfelues laissent des boulevards à ceux qui manient la peur comme une arme législative à double détente: national et international"³; l'induit des sentiments de méfiance des citoyens dans la capacité des gouvernants et des institutions de l'Etat compétentes en matière de lutte contre le terrorisme de les assure leurs sécurité individuelle et leurs sécurité collective; d'empêcher l'Etat d'assurer intégralement et non conditionné les droits et les libertés citoyennes ses habitants. "Le terrorisme se nourrit avec la démocratie, qui lui offre la liberté propice d'élaborer ses actions et lui offre une plateforme publicitaire, qui se développe



avec les mass media, avec la presse sur l'Internet. Car pour terroriser, l'action doit d'être connue. Par conséquent, il y a la tentation puissante de limiter le champ d'action des terroristes en limitant celle de la démocratie⁴; d'imposer au monde entier, par les moyennes primitives et brutales, des valeurs spécifiques de la civilisation que les organisations terroristes internationales soutiennent.

Le terrorisme international actuel est souvent une manière de communiquer. Au présent, pour le terrorisme international plus important est le message implicite transmis grâce aux attentats ou la démonstration de la faiblesse de l'adversaire que le nombre des victimes humaines ou des dommages matériels produits. Les attentats du 11 septembre 2001 des Etats-Unis, par exemple, ont transmis un message clair à tout le monde et à savoir: tout l'Etat, n'importe qu'il est puissant économique et militaire resterait vulnérable face des actes terroristes.

Il y a l'opinion que le terrorisme contemporain a deux dimensions très importantes. L'une est dimension culturelle et l'autre est la dimension sociologique.⁵ On semble que la force du terrorisme international, surtout cet islamique réside en dimension culturelle. Se faire déchiquer pour entraîner dans sa mort un maximum d'innocents est un acte qui ne peut pas rencontrer plus d'échos que dans les sociétés occidentales. Dans ces dernières, la culture s'uniformise, cependant que s'amenuisent l'acceptation d'autres modèles de société et d'autres formes de culture. Par conséquent, la retransmission en direct d'avions s'encadrant dans des tours, sur des millions de télévisions plus habituées à retransmettre des programmes de divertissement de masse, a les impressionnent profonde. Telles images ont eu le même effet qu'une apparition d'OVNI. L'attentat suicide surpasse la volonté d'occidentaux d'entendement culturel: c'est la première arme des nouveaux terroristes. Le phénomène terroriste revêt également une *dimension sociologique* plus traditionnelle: la nécessité de l'altérité. Du temps de la Guerre froide, l'Occident se définissait par son opposition avec le monde communiste. Cette altérité confortait le monde occidental dans la construction de son identité et surtout, elle permettait à l'ensemble des citoyens de relativiser les problèmes internes: chômage ou récession pesaient moins à l'ombre du conflit nucléaire. Dans ces conditions, les problèmes internes pesaient plus

moins dans l'ombre du péril d'un conflit nucléaire entre l'Occident et le monde communiste.

L'existence, au niveau global, d'un réseau bien articulée des organisations et des groupes terroristes. Autrement dite, le terrorisme a une topologie: celle des réseaux. La manière dans lequel il communique, se soutient financier et matériel les terroristes dans la conception, l'organisation et le déploiement de leurs actes criminels démontrent pleinement l'affirmation en haut. En fait, le terrorisme a une économie: il gère des ressources rares et tente de produire des plus-values considérables (plus-value publicitaire de l'action à moindres frais par exemple, ou encore gain dans la négociation). C'est cet enchaînement que tentent de freiner ses adversaires⁶.

2. Relation entre les mass media et terrorisme international

2.1. Le rôle des mass media dans la société démocratique

Dans une société démocratique les mass media jouent une série de rôle bien précisé tant formel qu'informel. Un rôle essentiel qui revient aux mass media d'informer prompt et véridique le public large sur les faits, les événements, les phénomènes et les activités sociales, économiques, culturelles, diplomatiques, politiques, militaires, écologiques et démographiques qui ont eu, ont ou auraient lieu sur le plan national et le plan international. De règle, sont réalisées des reportages, des interviews ou d'autres modalités journalistiques et qui s'apprécient qu'ils pressent l'intérêt pour le public large. Les mass media a aussi un rôle éducative, parmi laquelle se transmettent à la fois un message et une leçon de tolérance: apprendre à vivre ensemble, à régler pacifiquement les conflits, à participer au processus de décision, à agir pour les droits de l'homme, pour la démocratie, pour le dialogue et la paix.

D'habitude, le journaliste est la conscience morale de l'opinion publique et de la société civile. Il expose des faits susceptibles d'aider le public à accéder à la vérité. Pratiquement, les mass media, en totalité, doivent travailler pour le bien de la communauté et se posent dans le service d'elle. La condition essentielle d'exercer de ce type de journalisme est l'indépendance de mass media.

En essence, le rôle des mass media est bien de véhiculer des idées et des idéaux qui en valent la



peine et contribuent à bâtir un avenir meilleur. Les mass media sont les garants d'un droit fondamental, le droit à l'information, qu'il convient d'exercer en toute la liberté mais avec la responsabilité. Le droit à l'information n'est pas l'apanage des autorités politiques. Il n'appartient pas non plus aux propriétaires des médias, pas plus qu'il n'est le monopole des journalistes. C'est la communauté qui est détentrice du droit d'information: elle a le droit d'informer comme d'être informée. Liberté d'expression ne signifie pas liberté de dire et d'écrire tout ce qui nous passe par la tête, mais d'exprimer, avec responsabilité, ce qui peut contribuer au bien de nos communautés, voire de l'humanité.

Toutefois, il ne faut pas omettre le contexte dans lequel travaillent les mass media. Il s'agit d'un milieu caractérisé par la concurrence et la compétition dans lequel gagne celui qu'offre les produits/services les meilleurs à un prix acceptable. Ce contexte constitue la prémisse réelle de fonder les relations entre les mass media et le terrorisme. Les mass media doit informer le public sur les événements significatifs passés tant dans le pays que dans le monde, mais les actes terroristes sont la source des nouvelles qui captent l'attention du public. Par conséquent, les pages des journaux, les émissions de nouvelle de la radio et de la télévision relataient largement sur les attentats terroristes passés dans le pays et dans le monde. Mais, à la fois avec l'information du public sur les actes terroristes, les mass media font de publicité au terrorisme international, bien sur, involontairement.

D'autre part, le terrorisme contemporain est devenu pour les mass media une source de satisfaction professionnelle. Son développement de dernières années a fait les journalistes de devenir de professionnel de la question. Cette évolution répond, bien sur, à un besoin et à une conjecture. Mais l'attraction des mass media pour terroristes répond également d'une logique consciente et parfois inconsciente que Pierre Mannoni exprime dans ces termes: "Il n'est pas rare de constater en matière d'information sur le terrorisme, un glissement vers un discours hagiographique et apologétique. Tout se passe comme si les média étaient fascinés par ceux qui transgressent les interdits, bousculent les valeurs établies, méprisent le contrôle social et mettent en échec les forces de sécurité et les gouvernements. Aussi utilisent-

ils spontanément pour les désigner des formule qui servent d'habitude pour parler des héros et certains comptes-rendus de presse retrouvent spontanément pour les qualifier des expressions et images ordinairement réservées aux personnes légendaires"⁷.

Il y a des auteurs qui parlent même "de complicité" entre les mass media et le terrorisme. Le terme de complicité ne doit pas être pris ici dans son sens moral, comme un processus réfléchi et conscient de la part des acteurs dont l'aboutissement mesuré apparaîtrait comme condamnable, mais plutôt comme la convergence de deux logiques, comme la rencontre objective et non délibérée de deux exigences: celle des terroristes désireux d'un maximum de publicité que seules les caméras de télévision leur offrent, et celle des média qui, se prévalant de leur droit et devoir d'information, assurent une retransmission aux actions terroristes. Mais cette situation, en apparence "innocente", comporte une ambiguïté qui vicie la relation normale entre ceux qui font l'événement et ceux qui en rendent compte. Théoriquement, ce qui arrive par soi-même, indépendamment des comptes rendus qu'on pourra en donner par la suite: c'est l'événement qui commande l'information. Dans le cas du terrorisme, les circonstances sont différentes en ce sens que l'attentat est justement perpétré pour qu'on en parle: c'est l'information à venir, en fonction de laquelle on bâtit l'événement qui, d'une certaine manière, gouverne l'événement⁸. Et comme si les attentats ne suffisaient pas à provoquer et entretenir la détresse en question, les mass media, jouant comme une formidable caisse de résonance, viennent en multiplier les effets des actes terroristes. Fournissant aux terroristes le support psychologique nécessaire à leur propagande, les journalistes se font terroristes sans le savoir - naïveté bien regrettable - et assurent aux agents de la terreur une pérennité et même une existence qu'ils n'auraient pas sans eux. En somme, le terrorisme fait peur par lui-même, mais peut-être plus encore nous fait-on peur du terrorisme. De cette complicité les journalistes doivent prendre conscience pour qu'un terme y soit mis⁹.

2.2. L'impact des attentats terroristes sur les mass media

Les actes terroristes ont un impact significatif sur les mass media tant directement qu'indirectement. L'impact direct réside dans les actes terroristes,



c'est-à-dire les attentats commissent dans les différents lieux de pays considérés comme ennemis par les organisations terroristes. L'attentat lui-même représente un utile privilège de communication externe et interne: il permet s'exerce une pression sur l'Etat ou la société concernée et de susciter une certaine mobilisation des mass media. Au plan interne, il permet se montre aux militants que l'organisation va aller jusque but et il connaîtras le succès. Les stigmates inévitables de l'action terroriste – les gens morts ou blessés, des bâtiments démolis, des wagons contorsionnées – sont des objectes médiatiques. Les mass media sont celles qui donnent compte d'escalade de la confrontation entre un group et un Etat et des ostentations de démonstrations terroristes. Par la définition, un attentat attire les journalistes. Par exemple, les attentats du 11 septembre 2001 des Etats-Unis, ont bénéficiés de concentration des mass media, attirent de la première attaque sur le World Trade Center.

A cette époque, le rapport terrorisme et media est pense suivant deux catégories dominantes: d'abord, celle de *l'amplification*. C'est la logique du "plus que..": une mort spectaculaire compte pour plus qu'une mort, un message sur fond de bombe est mieux entendu. La dimension rhétorique et spectaculaire du terrorisme est évidente. Produire une crainte plus que proportionnelle au risque réel, exacerber la peur par la vision de l'horreur, ou obtenir une réception de son message plus forte que sa représentativité politique. C'est ce que résume très bien la phrase de Raymond Aron posant la distinction entre une action terroriste et une action militaire. La première recherche un "impact psychologique, hors de proportion avec les effets physiques produits et les moyens utilisés"¹⁰. Les mass média ferait donc chambre d'amplification du terroriste. Puis, la deuxième catégorie dominante se refera au fait que le terroriste "fait du judo" avec le medias, c'est-à-dire pour fait connaître ses demandes, ses raisons, ses revendications. Dans ce but, il utilise leur force, la faculté de fasciner les masses, comme une faiblesse pour leur imposer sa volonté. Tout se passe comme s'il y avait un contrat implicite: le terroriste fournit l'image, le média fournit l'impact. Au passage, le premier a gagné de l'audience – l'attentat c'est l'événement par excellence, toujours dramatique, imprévu et renouvelable en série. Le terroriste, à son tour, a gagné l'attention de nouveaux destinataires. Il

connaît la logique de notre système spectaculaire – en parler c'est l'encourager, l'ignorer c'est nourrir tous les fantasmes. Lui répondre en le réprimant, c'est le justifier aux yeux, d'une partie au moins, du public qu'il vise¹¹.

L'impact indirect du terrorisme sur les mass media se réalise par la télévision satellitaire et l'Internet. Dans ce sens, les organisations terroristes appellent a la cassettes vidéo et l'Internet. Déjà, avant le 11 Septembre, il y eut des signes annonceurs. Des cassettes circulaient sous le manteau à la fin des années 1990. On y voyait des combattants à 'entraînement ou des décapitations et égorgements face à la caméra par des islamistes tchéchènes ou des Algériens du GIA.

Dans le même temps, les organisations terroristes ont inventés de nouveaux **genres médiatiques**¹²:

- *Les sermons télévisés*. Ben Laden et Zawahiri se sont spécialisés dans ces "prêches" adressés tantôt aux croyants, tantôt aux chefs et peuples ennemis. Face à la caméra (parfois dans un décor qui évoque le Prophète et ses compagnons réfugiés dans une caverne) le prédicant utilise un langage littéraire, entrecoupé de citations coraniques ou de poèmes arabes classiques. Les métaphores fleurissent dans ce discours mystique. Il sera répandu dans notre monde profane, notamment par Al-Jazeera. Des millions de téléspectateurs ont réalisé le 6 octobre 2001 le pouvoir de cette chaîne qatarie arabophone à petit budget. À la minute même où CNN jouait un *remake* de la guerre du Golfe de 1990 (les avions US sur le pays des terroristes et les missiles filmés en contre-plongée comme dans un jeu vidéo), les télévisions du monde entier étaient obligées de reprendre et traduire à la hâte une cassette de Ben Laden. La force du *scoop* était telle que le chef islamiste paraissait répondre par un autre défi symbolique à la puissance matérielle de l'US Army. Depuis, les messages audio et vidéos parviennent régulièrement aux télévisions, soit via Al-Jazeera soit par Internet, renforçant le caractère mythique des deux personnages recherchés en vain par la première puissance du monde, ses satellites espions, sa technologie et ses milliards de dollars.

- *Les clips de recrutement*. Ils montrent l'entraînement ou les actions des terroristes, dans un style très pompier avec musique tonitruante. Le tout ferait apparaître les productions du style "engagez-vous dans la légion, vous y trouverez de l'action". Certains de ces films disponibles



sur Internet se veulent des utiles montrant pour ceux qui désirent comment s'entraîner pour lutter contre des ennemis indiqués par les organisations terroristes.

- *Les testaments de kamikazes*. Enregistrés dans la tenue où ils subiront le martyre, et sur fond de banderoles ornées de slogans, ils expliquent la raison de leur acte futur et leur joie de rejoindre la cohorte des martyrs. Juste avant de transformer leur propre corps en arme et en message qui exprimera la quintessence du jihad, ils défient l'adversaire et de leur vivant et par leur mort. Ils laissent des icônes qu'admireront de futurs imitateurs. Un tel message peut avoir un puissant impact sur les téléspectateurs car le messager mort pour le délivrer.

- *Les exécutions filmées*. Ce peut être un égorgement rituel d'otage occidental face à la caméra précédé de la lecture d'une sentence et de versets coraniques). Parfois il s'agira de collaborateurs fusillés (des jeunes gens qui se sont engagés dans la police irakienne par exemple). Dans tous les cas, cette exécution judiciaire doit avoir la même vertu didactique qu'avaient autrefois les exécutions publiques chez nous.

Dans le même temps, les organisations terroristes internationales ne sont pas préoccupées seulement du contenu du le message transmis vers les mass media, mais elles ont passées à un niveau supérieur à savoir **le maîtrise des vecteurs informationnelles** (*station de la télévision, jeux vidéo, DVD, site et forums sur le Internet*). Ainsi, *Al-Jazeera* n'est certainement pas une télévision « terroriste », mais la *petite station qatarie d'information continue en arabe*. Elle est la rivale emblématique de CNN est souvent destinataire des messages vidéo ou audio des terroristes internationales. Cette chaîne offre à l'organisation terroriste Al-Qaida un point d'entrée vers le circuit des autres médias. Par exemple, le 10 septembre 2007, Osama Ben Laden a diffusé, à l'aide de cette chaîne, un message dans laquelle il fait d'éloges ceux qui ont réalisés les attentats du 11 septembre 2001 des Etats-Unis. Bien sur, que ce message a été pris immédiatement par toutes les chaînes nationales et internationales.

L'organisation Hezbollah libanais (chiite) a maintenant sa chaîne, Al-Manar. Elle s'est rendue célèbre en lançant, outre ses informations de tonalité très islamistes, des "jeux concours" exaltant le jihad ou des feuilletons antisémites inspirés du Protocole des Sages de Sion.

Le message islamiste aussi se propage par les jeux vidéo. En ce sens, on utilise des jeux vidéo dans lesquels le joueur se peut identifier, par exemple, avec un combattant de la résistance irakien qui tue une ennemie.

Un autre vecteur informationnel utilisé des organisations terroristes le représente le monde numérique. Maintenant, DVD circule ouvertement. Ils contiennent, par exemple, des anthologies d'exploits de moudjahiddines ou d'exécutions des otages occidentaux ou des personnes qui collaborent avec "l'ennemie" selon l'avis des organisations terroristes.

Les organisations terroristes contemporaines ont également créés une multitude de sites et forums sur Internet, où se trouve des informations qui sont diffusées par les organisations terroristes internationales.

3. Conclusions

Le terrorisme constitue une stratégie politique violente et asymétrique, sporadique et clandestine, au service des projets symbolique. L'acte terroriste est ambivalent. Sa force est destructive: un terrorisme sans ravages, c'est du bavardage. Mais il vise de produire du sens et de la signification. Si la valeur militaire de l'action pesait plus que sa réputation, ce serait une guérilla ou une guerre de partisans.

Du fait de son ambiguïté, le terrorisme oscille entre action et proclamation, "guerre du pauvre" et «propagande par le fait». Le "message" terroriste ne peut se réduire aux conséquences psychologiques qu'on lui prête: panique contagieuse, ou contrainte sur des autorités et la population. Ce n'est pas non plus une sanglante performance publicitaire» pour conférer un écho à des thèses préexistantes. A présent, son message est complexe, même quand il fait l'économie de toute explication (celle que fournit parfois le communiqué, accompagnant l'attentat), même quand il s'exprime par le choix d'une victime emblématique. La cible signifie nécessairement autre chose qu'elle-même. Selon la formule consacrée, en tuant un homme, le terroriste tue une idée.

Le terrorisme contemporain ne pourrait pas voir la lumière du jour sans le poids et les valeurs des mass media occidentaux. Le développement d'un journalisme cherchant une information spectacle, tant en forme esthétique que en sa signification,



c'est un facteur important. Le fine de XIX siècle a du attendre le développement de la presse moderne pour apprendre des bombes lancent par les anarchistes. Aujourd'hui, le principe c'est la même mais avec la différence face d'hier, qu'on peut demander- non sans imprudence- qui fait le jeux d'autres, les terroristes ou les mass media?

Que les terroristes se servent des médias afin de faire connaître leurs messages à un large public, cela n'a rien de nouveau. Ce qui est nouveau, c'est que des organisations terroristes qui jusqu'ici opéraient à un niveau local ou régional se soient développées en un réseau mondial. Leurs objectifs, leurs méthodes et leurs justifications ont atteint des sommets de cynisme.

Aujourd'hui, l'objectif de certains terroristes est, manifestement, de tuer le plus de personnes possibles d'un seul coup et de faire circuler autour du monde le plus rapidement possible les images des atrocités commises^m. Les attentats de Moscou, Madrid, Beslan et de nombreux autres endroits nous ont montré que la terreur ne connaît plus de frontières. La globalisation de la terreur n'aurait pas été possible sans le développement fulgurant des médias au cours de la dernière décennie. C'est au moyen d'une transmission rapide – dans certains cas même en temps réel – par satellite dans le monde entier que les terroristes ont pu transmettre à des millions de personnes partout sur la planète l'image de leurs actes barbares. En ce contexte, bien sur, ne s'impose pas une censure des mass media, mais une sélection et une présentation objective des informations sur les attentats terroristes, sans s'insister sur les aspects profondément génératrice de émotions négatives aux téléspectateurs.

Le terrorisme et ses effets psychosociaux, psychologiques, économiques, politiques, etc. sont de réalités qui ne peuvent être niés. Pourtant, l'actuelle perception du terrorisme est erronée. Ce n'est pas tant en Irak ou en Afghanistan qu'il faut traquer les racines du terrorisme que dans nos angoisses et dans les failles de notre modèle sociétal et culturel occidental.

Les mesures pour contrecarrer le terrorisme adopté jusque à présent se sont fondées sur la force militaire, ce qu'il semble qu'il n'a pas eu l'effet escompté. Probable, une perception plus réaliste du terrorisme international, fondée sur son analyse critique mais scientifique et aussi l'utilisation du dialogue s'avérait plus efficace à la diminution des actes violents des terroristes. Pour

promouvoir de la dialogue entre les représentants des organisations terroristes internationales et la communauté mondiale un rôle essentiel devaient avoir les mass media.

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THE RELATIONS BETWEEN ROMANIAN STATE AND STATE-OWNED COMMUNICATIONS

Marcel OPRIS

The Romanian society is nowadays subject to deep political, economic, social and cultural transformations, and this set of transformations obviously influences the everyday life.

The alteration of a social organization by means of changing political regime, i.e. the transition from a type of society ruled, coordinated and supervised in a totalitarian way, to one essentially based on self-government, freedom of speech and democratic organization, where the state, having a well-integrated separation of powers, has nothing but a coordinating and political role, the only means to intervene being its own coercion power which is to be applied in clearly-cut and defined situations, was a major social evolution process that did not occur all at once, as human society first had to learn how to apply the new 'rules of the game', i. e. new concepts, fundamentals and ideas.

According to its development level, objectives and difficulties of transition from a type of social organization to another, Romania has been focusing all this time on the essence of concerted reforms aimed at improving its stability, reform stage, and integration level required by the latest political, economic and social trends at international level.

At the same time, the inherent transformations of a society undergoing transition process have overlapped the structural changes in vision, regarding the way people communicate among themselves. Nowadays we can therefore talk about the so-called 'Information Science Society' which is a knowledge-based one.

In order to particularize Romania's case within the current context, this type of society will definitely depend upon the country's performances in terms of its critical infrastructures, such as its electric power production, transportation and distribution systems, telecommunication systems, banking system, its airline, naval, railway and road systems, that will be more and more available to wide access both within and outside national

borders, and will also have a paramount role in redefining Romania's national security doctrine.

The telecommunications area has been lying within these evolutions, this field being determined by an unprecedented development rhythm in Romania, with the fastest growth represented by IT. At present, the two concepts are in a clear interdependence and complementary stage, (in certain sub-domains the two are even about to overlap), as they have been created to cover one of our society's fundamental needs: the need for communication.

In this respect, state-owned communications hold an important role and a particular one - due to the concept developed.

The need for communication within the state framework

Ever since immemorial times, people have been aware of the need to communicate among themselves and to exchange ideas and useful information, even though they were sometimes separated by long distances, which made impossible communication by means of voice and signs.

In order to compensate the locomotion difficulties from a location to another, and in order to transmit news, warnings, war or peace messages, people resorted to methods of remote info communication.

Thus, ever since Ancient times, various means of transmitting information have been used and the great empires perfected news and correspondence ('mail') traffic systems meant to facilitate transportation of important information and documents from a place to another to a precise addressee (destination), rapidly and without altering the message quality.

The progressive development of inter-human relations and society as a whole led to intensifying efforts towards perfecting organizational structures as well as communication processes.



Any organization must communicate, in order to carry out its vital functions. In the same way the state, seen as an organization, must communicate at all its levels. If a few centuries ago, when nation-states were formed, communication was mostly verbal and occasionally written, it especially evolved more and more the moment when new techniques and technologies appeared.

The very organization of the Romanian modern state has permanently taken into account the level of development and the existing communication techniques at a certain moment in history. The various communication structures (signal corps) have always been present in the organization process of the Romanian state.

After the 1989 developments, for the first time ever, a self-standing institution, independent and able to provide the country with secure and modern means of communication was established. Thus, the relation between state and state-owned communications has reached other even more important attributes, which favoured the Romanian state's ability of being functional.

State-owned communications in Romania, seen as a component of the state, currently ensure the proper communication environment, necessary for the existence and work of all component elements of the state. The fact that these communication systems are screened ensures confidentiality, authenticity, integrity, availability and non-repudiation and thus enables the defence of Romania's public, economic, social and security interests. The previously mentioned screening (security) services are able to guarantee to the sender that their message (communication) will safely reach destination and that the addressee will be the only one to understand message contents, simultaneously confirming to the addressee the transmitter authenticity and message integrity. Consequently, the addressee will not be able to deny receiving the message, nor will he be able to claim receiving a message unsent through the network, and the sender, in his turn, will not be able to deny sending the message.

Over the years, together with the all-level development of the Romanian state, appearance of new major fields of national interest, the need for communication grew bigger and bigger and hence the state's *dependence* on communications. We can therefore assert that the very state would be impossible to exist outside the communication

environment. Nevertheless, due to the importance of state functions, we cannot talk about communications and communication means in their broad meaning, but we will refer to the state-owned communications. Moreover, when talking about Romania's national security, the importance of secure and screened state communications gains even deeper significance.

Generally, the information disseminated in the organizational environment called *state* is important and sometimes crucial to its further existence, and that is why this kind of info must travel in a secure environment only, which is continually and permanently adjustable to the changes occurring within the organization. Romania has permanently been concerned about providing itself with an appropriate communication environment.¹ The relationship between Romanian state and the state (-owned) communications is one of mutual determination. On the one hand, state communications existence and work determine and enable the state's working capability and even its existence as an organizational and functional entity. The contemporary Romanian state, as part of the European Union, cannot possibly exist without its own communication system, due to the tremendous complexity of its interest and responsibility fields, due to both the intense information flows that enter/ come out of its organizational system and the flows that travel within the system. The public communication operators are subject to market economy laws, hence their main interest in profit gaining and their development based on those fields where there is a market demand for a certain service. The availability of these operators depends upon many external factors, the confidentiality degree is relative, and thus they cannot fully grant maximal availability as far as the state's needs and interests are concerned.

On the other hand, state communications very much depend, this time, on the availability of the state in connection to its existential needs. In order to have very good communication systems at disposal, the state is supposed to ensure allotment of human, technical and financial resources necessary for exploiting, modernizing and constantly adapting and reconfiguring its own communications system.

As regards HR, the state must also make sure of the presence of top specialists in the structures of state-owned communications and grant them



constant training, according to current and prospective needs.

The two systems, the state and the state-owned communications, mutually influence each other. The Romanian state can induce changes in its communications depending on its needs, the way to allot resources, as well as the necessity of complying with certain European and international communication standards.

Due to their existing nationwide infrastructure and to the more and more secure and high-performance services provided, state-owned communication systems can impose changes on the state-level, and can induce the appearance of some new functions.

Consequently to a certain inherited and existing situation in our country, there is still some dependence of state communications on those public private-owned ones.

As a result of the financial resources made available, state-owned communications are currently tending to gain infrastructure independence, though permanently providing interconnection with public private-owned communication networks.

State-owned communications committed to covering Romanian state's functions

Never should we regard the state-owned communications system as a closed one whose function be meant for the state's existence only.

This system must be seen, from all respects, as a 'central nervous system' of that organizational system called *state*.

This 'nervous system' makes it possible that information enter, be transmitted, travel, be processed and stored. From the national security point of view, seen as one of the state's paramount functions, the state-owned communications system is the nervous system of the national system of defence, public order and national security.

An important role of the state is the permanent analysis of risks it is or can be subject to. The structural transformations having occurred in the current international environment, both on a general European scale and in our country's geopolitical and strategic area, have caused maintaining of high risk factors that are up for consideration and that have been brought about by outside pressure and interferences, overlapping certain home problems.

Basically, crisis supervision and management is in principle carried out through the activity assembly performed by people and institutions authorized with and responsible for state leadership: The Parliament, The President's Administration, The Supreme Country's Defence Council, The Government, Ministries, and Administrative Authorities.

The information exchange that takes place among the above-mentioned institutions, in case of crisis supervision and management, is mainly performed via the state-owned communications system, the communication subsystems specific for the various institutions contributing to this process.

The rationale for state communications is also to provide communication services which include transmission of classified information which regards national security among the previously mentioned users, everything in strictly secure conditions, according to national laws on protection of classified information.

Since the special and specific state-owned communication networks are highly vulnerable, critical infrastructure elements, as a rule, being the first target in case of destabilizing or even destroying a system or a process of national interest, their full security is therefore a must. The critical infrastructure security implies elaborating unitary protection strategies, its guard and protection so as to be capable of granting continuity, coherence, methodological and procedural unity as well as real antiterrorist effectiveness.

These protection strategies refer to both counteracting the risks generated by hostile activities and to those produced by accidents or natural phenomena. They must also stipulate the measures of rapid restoration of activities in case of destroying or damaging the infrastructure elements.

According to the provisions of Romania's National Security Strategy, "the interior security regards the citizens' and public security, the security of the national borders and transportation systems, *protection of critical infrastructure* and of the systems of vital resource supplying."²

Besides these provisions, the above-mentioned strategy includes "social security and granting legal enforcement, counteracting organized crime and ensuring security of financial and banking activities, *security of IT and communication*



systems, and protection of environment and against disasters.”

As a critical infrastructure provider, the state-owned communications are responsible for covering the communication services required by leading and coordinating processes of those institutions and agencies with relevant attributions in accomplishing Romania’s home security: public administration and public order structures, civil protection, border safety, intelligence, counterintelligence and security structures, the bodies involved in money-laundering prevention and strategic import-export control, military structures, service and industrial operators that carry out activities of vital importance.

Once the foreseen and recommended measures on border security and person travelling are implemented by introducing the electronic passport (e-passport), the state-owned communications will be able to provide the (logistic) support to safely transmit and fully confidentially store the personal data included in those passports.³

Therefore, the communications infrastructure in general and the state-owned one in particular, are one of the domains of major concern within Romania’s National Security Strategy, as well as EU Security Strategy.

From the home security demands perspective, increasing the protection degree of national interest objectives involves activities run nationwide, and they must be regarded both as a public security issue and citizens’ safety to be solved through specific means of law enforcement, and as a problem to be solved by means of intelligence, counterintelligence and security activities, or through military-like approaches. As they offer protection to transmitted information, the state-owned communications have a determinant role within these actions.

Romania is currently undergoing an ample process towards intensifying its efforts of connecting itself to EU security structures and of developing and consolidating transatlantic cooperation. Within this process, the state has carried out the integration requirements regarding state-owned communications, these now being viable and in accordance with the demanded parameters level.

In our country, the Special Telecommunications Service (STS) helps enable the decision-making act on strategic level through upholding it with

a complex telecommunications and IT system, hereby named ‘special telecommunications system’ as part of state-owned telecommunications.

This system provides voice - data - video integrated communications, confidential, secure, screened, stable, flexible and continual, and available both in normal conditions and in crisis situations, mobilization and wartime.

The communications provided by STS using the critical infrastructure under its administration cover all the state’s needs:

- services to legislative activities;
- services to central and local administration;
- services to the national security system and intelligence community;
- services to law and law enforcement;
- services in case of crisis (emergency) situations.

All of them have a status of critical character services and they are part of the state’s wider critical infrastructures.

The STS is the only empowered authority in Romania to protect special communications, as well as that part of state communications meant for institutional cooperation, the protection mechanisms being under administration by the STS personnel and by beneficiaries according to the preset procedures. The security activity has a prevailing role, the special telecommunications being oriented towards covering the connection needs of all Romanian fundamental institutions, and thus being an essential instrument of state leadership.

The STS is, from this perspective, the security authority initiating, carrying out, and implementing the security policy of the special communications and cooperation system among those authorities having relevant attributions in the field of Romania’s national security.

State telecommunications are internationally regulated by the provisions of International Communications Union Constitution, ratified by Romania through Law no. 76/ Nov. 8th, 1993, this law regarding ratification of the Constitution and Convention of the International Telecommunications Union, where, within Annex 1, point 1014, it is stipulated that “state telecommunications are those telecommunications issued by: the head of state, the head of government or government members, the Commander-in-chief

of the armed forces, diplomats and consulate agents, the UN Secretary General, UN main organizations' chiefs, and The International Court of Justice..."²⁴

To conclude all previously-mentioned aspects regarding Romanian state's relations to the state-owned communications, we can fully-heartedly assert that there is a full interdependence between them, this interdependence increasing as the society is developing, with a special stress on scientific research. The more the society evolves, the more complex and varied state functions become, and so the need for communication (paradoxically) increases. Through service diversification and increased service quality, state-owned communications are also capable of setting the state's function. The state and state communications are a whole, able to influence the very development of Romanian society in general. State communications can thus be considered part of the great rally of Romanian society evolution.

Conclusion

Through the assertions presented in this paper we tried to emphasize, as realistic as possible, the role and place of state-owned communications in Romania, correlated to the relevant experience gained in the field and to the satisfaction of real needs, current and prospective.

Thus, starting with state definition, form and its various ways of manifestation, we have been motivating and underlining the importance of state communications that enable the state to cover its needs and demands of communication among its constitutive elements. It is very well-known that information per se has gained special power in any field of interest. That is why all systems and organizations make tremendous efforts to protect and transmit information through secure communication channels. On the other hand, when it comes to security information/ intelligence and the need to protect it, these connotations change dramatically and the effort in the field is a hundredfold as intense, to say the least. We consider that state communications system with all

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its components is the only one able to ensure proper screening of security information/ intelligence.

Romania's construction as a European and Euro-Atlantic state is a course of action towards which all political, financial and organization efforts of public authorities and security institutions must be oriented. In this respect, secure and viable state-owned communications successfully contribute to carrying out Romania's prerogatives as a European and Euro-Atlantic state.

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IS THERE A VIABLE SOLUTION FOR KOSOVO?

Constantin-Gheorghe BALABAN, PhD

Two years of negotiations didn't allow to find a solution for the final status of Kosovo, a Serbian province with a majority Albanian population under UN administration since 1999.

The Albanians in Kosovo have given notice of declaring their independence immediately after the 10th of December, a solution encouraged by the United States and the most of the EU states. The officials in Belgrade contest the idea of granting the independence to Kosovo promoted by the United States, and the Serbian arguments are based on the international law principles, sanctioned in the UN Charter. Russia, as the traditional ally of Serbia, supports it on its attempt to keep control over this province. However, there are increasingly more signals according to which Serbia actually is focusing on the actions it must undertake if Kosovo will unilaterally declare its independence, with the support of some Western powers.

The European Ministers of Foreign Affairs are in course of assessing, at Brussels, the situation after the legislative elections in Kosovo, and requesting the leaders from Pristina not to hasten in giving an unilateral independence declaration.

The last round, considered as decisive, having taken place at Baden, close to Vienna, under mediation of the troika composed of the USA, Russia and EU representatives, brought no great hopes on the future of the province.

1. Actual context. The Kosovo status was to be solved out till the 10th of December this year – when the negotiation troika would inform the UN Secretary General, Ban Ki-moon, of the results have been reached -, but the disputes concerning Kosovo are going on¹.

The international troika mediated negotiations have not succeeded in filling up the abyss between the attitudes taken up by Belgrade and Pristina towards independence – a compromise solution being hardly likely after Kosovo elections winning by a former rebellious leader². This is also the

opinion of the 27 European Ministers of Foreign Affairs, who, within the meeting in Brussels³, asked the leaders from Pristina not to hasten in giving a unilateral independence declaration – the acknowledgement of an unilateral independence declaration being, as the Russian ambassador at Brussels, Evgheni Cizov, affirmed it, “a global size strategic mistake”.

The officials from Belgrade are going on in contesting the idea of granting Kosovo independence promoted by the United States. Even after Serbia has come with a new proposal to New York, to the Contact Group's meeting. A proposal, through which it was offered a “maximum autonomy”⁴ unheard of in our days' world – as Kosovo Serbian minister, Slobodan Samardzic declared it. On one condition: formally, Kosovo should remain part of Serbia.

“Belgrade is ready to allow Kosovo to dispose both of its own fiscal and monetary policy, access to international financial institutions and its own representations abroad in the economic and cultural field, and the opportunity to begin EU joining negotiations. These are the constructive elements we have proposed”⁵.

In their turn, the Albanians have been always stated they are ready for unilaterally declaring the independence, immediately after the 10th of December, as the Kosovar premier Agim Ceku stated that the way towards independence is unavoidable by the end of this year.

That, partially, justifies the negative reaction of both parties upon the proposal formulated for the province of Kosovo by the European Union negotiator, Wolfgang Ischinger, to have granted, at first, the “neutral status”⁶.

The United States and European Union promise the independence of Kosovo, and can resort to a unilateral recognition of the new Kosovo status, the population of which, in an Albanian majority, would be satisfied, according to the opinion polls⁷, with an independence out of the UN general



support, as long as it would be sustained by the United States and the great European powers.

For the time being, Russia, the most important ally of Serbia within UN Security Council, withstands the Kosovo independence idea, and doesn't seem to care to meet half-ways on matters that could be prejudicial to international security and order. Russia pleads for extending the negotiations by the time of coming to an accord of the parties and, according to the accounts of an Euro-Observer, contends that the Western states could postpone the decision on Kosovo. Otherwise, Berlin and Paris have appreciated during the last days that "it is hardly likely for an accord on the province status to be found before the 19th of December"⁸. Romania, as well as Greece, Spain, Slovakia and Cyprus, is one of the European countries withstanding the unilateral independence proclaimed by Kosovo. Romania comes out in favour of the Serbian territorial integrity.

Therefore, the divergences between Russia, United States - coming out without reserve in favour of the independence of Kosovo - and EU must be surmounted as quickly as possible. The future and the key of the region are found in Serbia⁹, justified, otherwise, by much of the international community support and steps taken in favour of the Serbian government, led by the "moderate" Vojislav Kostunica.

The negotiations between the EU, Russia and USA could led to an "amiable" outcome, as the US Secretary of State Condoleezza Rice affirms it, even if some diplomatic sources declare that the Western states have modified the draft resolution on Kosovo, for satisfying Russia. However, the negotiations cannot be endlessly delayed. Kosovo needs a very clear decision and struggles, as Serbia too, for joining EU. Both have agreed to participate in a last round of negotiations in Vienna, on November 26th, although the chances of a compromise are considered to be more limited.

2. Baden and the destiny of Kosovo. The negotiation process has reached to his highest point nowadays. The discussions in order to find an "acceptable compromise" for Belgrade and Pristina have continued with a new and, likely, a last round of negotiations between the Serbian and Kosovo Albanian people, at Baden, Austria, from the 26th to the 28th of November, mediated by the international troika of the USA, EU and Russia.

In the analysts' opinions, the three days' meeting in Austria was the "last chance" for the negotiations on the future status of Kosovo. But, because both parts have kept up their irreconcilable standpoints, the representatives of the international troika consider that it is hard to come to an agreement on this conflict¹⁰.

If there is no agreement, Kosovo – it was emphasized within the standpoints represented by their leaders, on the day when this article is written - will unilaterally declare its independence, in spite of the opposition shown by Russia and other EU member states. A clear message to the Western diplomatic people and decisional centres, through which it is claimed for the independence of Kosovo to be "recognized"¹¹ – the independence of the province being the "only acceptable solution", as it was stated by Agim Ceku, the Kosovar Premier, arrived in Austria for the debates in Baden, on the last minute of negotiations. Kosovo cannot have a neutral status. A partisan of the province independence was also the designated Premier of Kosovo, Hashim Thaci, winner of the recent elections. The independence of Kosovo only "will bring peace and stability in the whole region"¹².

Although it is willing to make efforts towards finding a "compromise", the Serbian part, led by President Boris Tadić and Premier Vojislav Kostunica, doesn't accept the independence of Kosovo. In spite of the fact that the Serbian part offers an increased autonomy, the Belgrade insists upon the province to continue to be part of Serbia. "The ball – President Tadić has reaffirmed it – is in the Kosovo a playing field /.../ we will not accept the independence of Kosovo"¹³. In his turn, Premier Vojislav Kostunica from Serbia reaffirmed that Belgrade will never recognize an independent Kosovo "unlawfully created" and insisted upon the fact that a "recognition of an independent Kosovo by America or every other country can change in no way and cannot transform an unlawful fact into a normal thing"¹⁴.

However, in the absence of a compromise at Baden, it was expected from the Kosovar Parliament to proclaim the independence of the province after the 10th of December, and from the Belgrade authorities to be ready and to take "the most sombre scenario" into account: an unilateral declaration of independence of the province of Kosovo¹⁵.



3. Possible consequences of granting the independence to province. A solution dictated from abroad will be beneficial neither for the Serbians nor for the Albanians. Serbia runs the risk of entering a crisis and could be confronted with violence acts, in case the Kosovo Albanians unilaterally proclaim the province's independence.

Serbia rejects and considers as "unlawful" any unilateral independence proclamation for Kosovo - a province, which, according to the Serbian Premier's statements, "will never get its independence". Keeping both Kosovo and Srpska Republic¹⁶ are now the "main priorities of the state and national policy"¹⁷.

Also, the Kosovo independence, even if under the international control, could start a "dynamics of the events"¹⁸ whose end-state would start new conflicts and new violence in the region. Such an action, the Serbian president Boris Tadić warns, would entail an "immediate instability". Moreover that Serbia warned, in its turn, of aiming at disintegrating Bosnia, as a riposte on a possible independence of Kosovo¹⁹. If the independence of Kosovo is recognized, "that will not be the end phase of the disintegration of the former Yugoslavia - Slobodan Samardžić, the Serbian minister for Kosovo, states -, but the stage of a new disintegration and a new secession on the Balkans"²⁰. A warning coming from Belgrade that aims, according to analysts, Bosnia-Herzegovina, where there is population split into three large ethnic and religious groups.

Because, as for the European Union, the prevention of every threat to the regional stability is on the priority list, the actual challenge is constituted by finding a solution to raise dissatisfactions. This is also the reason the Hellenic government has pleaded for a "united attitude" of the European Union on the Kosovo dossier and a "lasting" solution, based on a compromise, but without "humiliating" any of the parties²¹. Because "this matter is a European one" and "a united attitude of EU on this dossier" is required, especially now, when the Union is given a new start through the agreement on the Reform Treaty from Lisbon. Or, "an European divergence would be negative".

As well, a series of experts state that the European leaders still "have to find an alternative legal basis"²² for "justifying" a UE mission in Kosovo and, at the same time, "to convince the

countries being opposed" to the independence of Kosovo "to obstruct" no European mission in Pristina, by using the veto.

Even if the United States and the European institutions have given assurances to Russia that the independence given to Kosovo "cannot be considered as a precedent for Chechnya"²³, the independence for Kosovo could stimulate the separatism in other European countries. The Russian president Vladimir Putin gives as an example Romania, Belgium and Spain, as well as areas from the former Soviet space²⁴, countries reserved as for accepting the province's autonomy, in case it will not be sanctioned through a UN resolution. Or, the unilateral declaration of Kosovo independence would represent a real opening of the "Pandora's box"²⁵, and we could expect an "immediate instability" in all the countries where there are similar problems concerning the ethnical minorities.

Instead of conclusions. The final status of Kosovo, the last dossier not clarified after Yugoslavia was divided, is one of the most acute issues on the international community's agenda.

The United States state the case for the province independence, a solution rejected by Russia. Russia's position is that no decision concerning Kosovo "will be legitimate" without the consent of both parties²⁶. In his turn, the EU representative within the international troika, Wolfgang Ischinger, affirmed that the European Union "tries to avoid a splitting of the opinions of the member states", as the one related with the Iraqi war, by intending, at the same time, to "prove its ability in solving the European issues on its own account", reasons for which the Kosovo dossier is now a main Union's concern²⁷.

Kosovo issue remains a touchstone within the relationships established between the West and Russia.

The international community must be more actively involved in the region, by a continuous long-term action. Now that the legislative elections in Kosovo, dated November, were won by the Democratic Party led by Hashim Thaci, a former leader of the UCK Albanian separatist guerrilla -, a new situation and, we think, correctly assessed, at Bruxelles, by the European ministers of foreign affairs. That's because the future status of Kosovo will be very important for the region's security.

Even if the independence of Kosovo is, as the US Secretary of State Condoleezza Rice states, the “only alternative”, able to create the “Balkans’ stability”²⁸, some possible consequences for other areas shouldn’t be totally minimized as well²⁹. Moreover, as the decision on Kosovo issue is coming, the tensed expectation is increasing as well in the conflict areas on the territory of the former Soviet Union and, as some analysts affirm it, Kosovo could be a model for settling all post-Soviet conflicts.

Continuing the dialogue, in order to find a “durable” solution, founded on a compromise “which will satisfy no one to the extent of 100%, but will allow a peaceful coexistence”³⁰, becomes increasingly necessary.

The negotiations having taken place under the mediation between USA, EU and Russia, had their final term by 10th of December, without using the extremes: coming back under the authority of Belgrade or the absolute independence of the province. But it will be necessary a better coordination in Kosovo, and not only between NATO and the European Union, but also by some “civilian developments” of the European Union, to be able to assume a part of the actual civilian tasks of ONU mission in Kosovo (UNMIK).

Therefore, the issue of the Kosovo province will remain opened and it will probably depend on the diplomatic art and, especially, on the evolution of the relations between Washington and Moscow, as well, the EU integration option, as an instrument of Europe to stabilize the crisis areas and to persuade the politicians to “implement” democratic reforms. Only that this European perspective seems to be “not enough” for “extinguishing” the Balkans’ conflicts, especially “then when nationalism has the final say”³¹.

Consequently, the fears remain. Since the war of 1999, Kosovo has continued to be, formally and officially, part of Serbia³² – a status established by the UN Resolution no. 1244.

NOTES:

¹[http://www.balkan-info.com/cocoon/setimes/xhtml/ro/features/setimes/articles/2007/1...=.](http://www.balkan-info.com/cocoon/setimes/xhtml/ro/features/setimes/articles/2007/1...)

² The November elections in Kosovo were won by the Democratic Party, led by Hashim Thaci, former leader of UCK Albanian separatist guerrilla.

³ The 27 have tried to find a common solution on

Kosovo status, if considered the “reticences” of Romania, Greece, Cyprus, Slovenia and Spain concerning declaring the independence of the province.

⁴ There are talks regarding several proposals on extended autonomy. Even a “Hong Kong pattern” or one suggested by the Aaland Islands, an autonomous Swedish speaking province of Finland. Also, like the two German states in the seventies, when West Germany had to recognize, more or less, the constituted DDR ([http://www.balkan-info.com/cocoon/setimes/xhtml/ro/features/setimes/articles/2007/1...=](http://www.balkan-info.com/cocoon/setimes/xhtml/ro/features/setimes/articles/2007/1...)).

⁵ The Serbian deputy Premier, Boris Djelic, Berlin, 25 October 2007 (<http://www.dw-world.de/dw/article/0,2144,2846272,00html>).

⁶ The aim of this proposal, the province’s “neutral status”, would be constituted, according to Wolfgang Ischinger’s statement dated the 14th of November, by the normalization of the relationships between Serbia and Kosovo, as a result of the ending negotiation, on the 10th of December. See in detail <http://www.dw-orld.de/dw/article/0,2144,2959719,00html>, <http://www.balkan.info.com/cocoon/setimes/xhtml/ro/newsbriefs/setimes/newsbriefs/...>

⁷<http://www.balkan-info.com/cocoon/setimes/xhtml/ro/features/setimes/articles/2007/1...>

⁸ *Independența Kosovo neliniștește Uniunea Europeană*, *Gardianul*, November, 10, 2007.

⁹ See also, in detail, professor dr. Roy Stanford’s (United States) and dr. Nicolae Dolghin’s comments during the 5th International Scientific Session, November, 21-22, 2005, organized by the Centre for Defence and Security Strategic Studies, **Security and Stability in the Black Sea Area**, Editura Universității Naționale de Apărare „Carol I”, București, pp. 342-344.

¹⁰ <http://www.adevarul.ro/index.php?section=articole&screen=index&rss=1&id=333055>

¹¹ Kosovo, which geographically belongs to Europe, “aspires after joining the European Union”, and the “Russian diplomacy has to comply with the local reality”. See the press statements made by Milaim Ziberi, one of the organizers of the late demonstration in Brussels for the independence of Kosovo.

¹² *Statutul Kosovo: Încă o rundă de negocieri reușită*, <http://www.dw-world.de/dw/article/0,2144,2959719,00html>

¹³ <http://www.adevarul.ro/articole/dosarul-kosovo-a-ajuns-la-ultima-negociere/333235> and <http://www.antena3.ro/Negocieri-finale-In-Austria-se-decide-soarta-provinciei-Kosovo...>

¹⁴ <http://www.basarabeni.ro/stiri.php?action=read&pagina=1257>

¹⁵ Vice-Premier Bozidar Djelic, quoted by the Associated Press, stated that there are signs that a number of states would recognize an independent Kosovo, and that is why the authorities from Belgrade have to be ready for this sombre scenario. For details,



see <http://www.europafm.ro/stiri/externe/detalii.html?showStiri=11443>

¹⁶ The press agencies have already registered the reaction of the Premier of Srpska Republic to: debates round declaring its independence of Bosnia-Herzegovina.

¹⁷ The Serbian Prime Minister, Voislav Kostunita. See *Independența Kosovo aduce haos în Balcani*, Cotidianul, 21 noiembrie (<http://www.cotidianul.ro/index.php?id=15780&art=39193&cHash=52b6761689>).

¹⁸ The European Commissioner responsible for Enlargement, Olli Rehn, appealed to the Serbian Prime Minister, Vojislav Kostunita, to clarify the statement made by the Serb Secretary of State that is responsible for Kosovo, Dusan Prorokovic, that stated his government will send troops in the Province. (AFP, B92, International Herald Tribune, Reuters, AP, BBC – 07/09/07).

¹⁹ Serbia warned the West right after the Kosovo elections that declaring the independence by the new govern from Pristina will determine the disintegration of the former Yugoslav republics, http://www.ziare.com/Independenta_Kosovo_aduce_haos_in_Balcani-179181.html

²⁰ Slobodan Samardzici, the Serb minister for Kosovo, November, 18, 2007, <http://www.cotidianul.ro/index.php?id=15780&art=39193&cHash=52b6761689>.

²¹ Giorgios Koumoutsakos, the spokesman of the Greek Foreign Affairs.

²² <http://www.adevarul.ro/articole/uniunea-europeana-grabeste-independenta-kosovo/32...>

²³ <http://www.romanalibera.ro/a101341/de-ce-se-opune-rusia-independentei-kosovo.html>

²⁴ Știri ROL.ro, *Putin, despre efectul Kosovo asupra României*, <http://stiri.rol.ro/content/view/88620/10/>

²⁵ Statement made at NATO HQ from Brussels by Vuk Jeremici, the Serbian Foreign Affairs Minister.

²⁶ http://www.romania-politica.ro/online/index.php?option=com_content&task=view&id...

²⁷ <http://www.dw-world.de/dw/article/0,2144,2846272,00html>

²⁸ http://www.zf.ro/articol_142511/rice_crede_ca_independenta_kosovo_ar_aduce_stabi...

²⁹ Supporting his statement, dr. Nicolae Dolghin, from the Centre for Defence and Security Strategic Studies, even called in “Kosovo trap”.

³⁰ Giorgios Koumoutsakos, the spokesman of the Greek Foreign Affairs, http://www.gardianul.ro/2007/11/10/externe-c3/independenta_kosovo_nelinisteste_un...

³¹ <http://www.dw-world.de/dw/article/0,2144,2861308,00.html>

³² By referendum, Serbia approved the new Constitution, stating its sovereignty over Kosovo.

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NEW TENSIONS IN THE MIDDLE EAST

Vasile POPA

The last quarter of this year has been marked, in the military and political analysts' and think-tanks' developments, specialized in Middle East issues, discovering that the threats on security in the Middle East have increased. The region, full of drama, entered through the vibrant disputed problem of Iran's nuclear arming (a nuclear weapon development under its civil nuclear program 'umbrella') and, nevertheless, in a new tensions phase that are able to generate another war that can inflame the Islamic world and the entire world, too.

Now, the region's tensed past seems to be more a game – and we invoke in the context, Kofi Annan's opinion, the former UN General Secretary, that compared that time situation, when all was about the Israeli-Arab conflict with the nowadays situation when there are added the Iraq issue, Iran's nuclear problem, the tensions between Israel and Syria, Israel and Lebanon, between Lebanese and also between the Palestinian factions.

Focused over the hardest threats against peace, the former German Foreign Affairs Minister Joschka Fischer remarked, since last year, worryingly, the fact that the Middle East is defined, at present, mainly, *“by three conflictual situations: the Israeli-Arab conflict, Iraq and Iran. The Iranian nuclear program (and the Tehran's hegemonic ambitions), combined with the situation from Iran and the Lebanese Hezbollah group”*, he appreciated, *“will lead to the creation of a New Middle East which, after all the probabilities, will provoke a big confrontation, attracting other actors than the regional ones, otherwise, supposing other conflicts”*.

The actual developments from the security environment confirm these views and the fact that the Near East and the Middle East emphasize as the most dangerous and, consequently, the most important region from EU's neighbourhood. It generates the entire main threats on the European security at the beginning of this century: we meet

here, coagulated, regional conflicts, totalitarian religious ideologies, terrorism, nuclear programs, and blockades against the modernization, unstable regimes and hegemonic ambitions.

Regarding Iraq, the American Senate resolution concerning the plan to divide the Iraqi state in three provinces, according to the three existing communities – Kurd, Sunni and Shiite -, adopted last September - seemed to start an age where the violence is ceased and, finally, the peace restored in these territories and the coalition's military forces may come back home. Over this optimistic view, there overlap the Kurd rebels' actions from the North of Iraq, generating a new problem in the relation with Turkey.

On the other hand, by the end of September, in the Israeli-Palestinian matter, the American diplomacy obtained the Quartet's agreement (USA, Russian Federation, EU and UN) for an international conference project over the Near East planned for the end of November, which should lead to the creation of a Palestinian state in West Bank and Gaza, unifying all the Palestinians. The conference had to have as an objective the creation of a political frame to hasten the Palestinian state creation even if, now, it doesn't have frontiers or a capital city, or the effective control over the territory. The Quartet plan supposed that the conflict's parts come to an agreement, until the conference, at least to the principles level over the central problems which divide them for decades: borders, Jerusalem status, the refugees' fate, the future state's viability. It is thought that the idea of a Palestinian state will represent an unification factor because both territories – West Bank and Gaza – will be an integrant part of the future state. The success of the conference must base upon the wide stately representation accomplished even by Syria's invitation and also the reaffirmation of the UN resolutions that require the “land for peace” and also “the road map” dated April 2003 that remains, as the American Secretary of State,



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Condoleezza Rice, underlined, *“a guide also sustained by the international community ensemble. It won't be possible to create a Palestinian state without an engagement to end the terrorism and stop the colonization”*. It is about the Palestinian terrorism and the Israeli colonization. Creating the Palestinian state will solve out one of the oldest and hardest problems of the Near East and Middle East and this could be, in its successful end situation, one of the actual American presidency biggest accomplishments

For the same matter, Paris pleads for re-launching the negotiated process, the only way to come to a just and lasting conflict regulation, based on UN Resolutions. Meantime, President Sarkozy sustains strengthening the regional security, by efforts for launching his project on creating the Mediterranean Union, a project for partnership between Europe and Maghreb countries that has as pillars, besides, security, the cultural dialogue and the economic growth.

Iran is the most important issue these months for the international community, being under a totalitarian, proselyte, Islamist regime that wants to set up Koran by force, everywhere in the world. Practically, if it finishes its nuclear program and acquires the nuclear weapon (because the hundred of nuclear facilities detained work for enriching the uranium), it will be a major danger for region's world's peace. Its warily intentions, hidden under a necessity arming screen, were best shown on September, 22nd, during a military parade for the commemoration of the war between Iran and Iraq, where the Iranians presented a new ballistic missile model, that shot to 1.800 kilometres (able to hit Israel, as any American military base from the region) but also a new very sophisticated fighter.

Beyond its nuclear ambitions, still, Iran is a state where human rights are inflicted without a reason. The human rights organizations state that in this country there are public executions, including children, amputations and other punishments as lapidating are practiced, there are arrested representatives of the civil society and supporters of the women rights, teachers, students, syndicate members, professors and journalists exercising their right to the freedom of expression. They are the targets of the constant intimidations, men and women are forced to use certain dressing codes and the offices of some non-governmental organizations are closed.

Today, the political leaders from the continent and over the ocean find out that the Iran's and, generally, Middle East situation evolution can have a strong impact over the Europe's and world's peace and stability, on risks and challenges. The European security will decisively depend on the way the control over this situation will be accomplished, how the regional conflicts will be solved out.

In this regard, from the beginning, US adopted a position to balance tensions about the Iran's nuclear program in the promising context of dialogue between Iran and IAEA. The Iranian problem was also approached by the negative vote spectre of the American Congress regarding the Iraq situation and the attitude against Iran. The US position is also connected with the French one, as stated by the French Foreign Affairs Minister, on a possible war in Iran but also from its turn to the mentioned declaration (referring to the “hardest situation” and the specification that “France doesn't threat Iran”).

Afterwards, USA and France reached an agreement regarding the means to force Iran to renounce to its nuclear ambitions at the end of September, by the American Secretary of State, Condoleezza Rice. To a common press conference, the American chief of diplomacy and her French counterpart Bernard Kouchner underlined the necessity to adopt new sanctions against Iran. *“I think there is no essential difference in the way we are seeing the Iran's situation and the measures the international community should adopt in this case”*, stated Condoleezza Rice. Both diplomats gave the signal for a new UN Security Council resolution, during a Washington meeting of the political leaders from the six great powers making diplomatic efforts in Iran's issue – USA, France, Russia, China, the Great Britain and Germany. There were three UN Security Council Resolutions that did not impress the Iranian leaders. There is an attitude nourished from the lack of unanimity of views in the international forums regarding solutions needed to be adopted in the Iranian issue.

The Russian Federation had always an inflexible position about an eventual American military intervention in Iran, sustaining that this would be “a political error” and the consequences would be “catastrophic” (we quote the Russian Foreign Affairs vice-minister, Aleksandr Lussiukov). This



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orientation is motivated by Russia's economic interests, knowing that it builds a nuclear power station in Iran at Bushehr. The Russian official stated one time that Moscow is convinced that there is no military solution for the Iranian problem as for the Iraqi problem doesn't exist such resolution and "*in Iran's case, everything would be even more complicated*". In the same context, the Russian vice-minister considered that in the event of using the force, "*there could be seen a very negative reaction from the Muslim world*".

The new tensions deepening in the region come also from the threat which Tehran addresses to Israel bringing to attention a possible air riposte that doesn't have coverage in aerial means (the Iranian 287 F-14, F-4, F-5, Mirage, Chinese airplanes and MiGs made in the '70s). Military experts appreciate that this old park doesn't have the capacity to accomplish such mission. On the other side, the Israelis, that hit the nuclear power station from Osirak in 1981, have modern F-15 and F-16 and air fuelling systems assuring a wide range of action. The Iranians (as from some American positions result that USA doesn't exclude a military intervention if Iran doesn't give up its nuclear program) retorted they can hit the entire American contingent situated around Iran (in Iraq, Afghanistan, Central Asia, Saudi Arabia) with their means.

Beyond Tehran's proud feedbacks, there is a fact that USA has in the area considerable forces with the most modern endowment they can use each time in order to intervene militarily against Ahmadinejad regime. A certain option, in military analysts' vision, would involve the American use of air strikes against the Iranian WMD and their ballistic facilities. There are aimed over 20 suspect nuclear facilities, 1.000 megawatts nuclear power station from Bushehr being among them. It consumes a big quantity of fuel, able, according to some sources, to produce 50-77 bombs, but also the nuclear bases from Natanz and Arak estimated as dangerous.

It is believed that the air strikes on Iran will be superior in force and intensity than the Israeli attack from 1981 over the nuclear centre Osirak (Iraq) using B-2 bombardiers, F-117 fight airplanes, Tomahawk cruise missiles from the battleships, destroyers and submarines, etc.

However, the military engagement still rises fears related to the anti-American Muslim

attitude, the radical Islamism support growth, the multiplication of the terrorist-fundamentalist attacks over the American embassies and military bases in the world, the cease of oil and natural gases deliveries from the region, the social disorder deepening, etc.

The great tensions, older or newer, existent in the Middle East region, should disappear. It will be difficult as long as here accumulated territorial disputes, interests to preferential access to natural resources and ethnical, ideological and cultural intolerances. The Iranian file, the main issue preoccupying the European chancelleries, made France to adopt a stronger position asking its EU partners to prepare economic and financial sanctions against Iran, consequently with the dialogue continuation. The new European measures proposed by France wanted to show "the EU's determination" to raise pressure over Iran responding to UN Security Council requests. The argument for taking such a decision was that time works against Europe because with every passing day Iran improves technology for enriching uranium. Also, the French Foreign Affairs minister showed, in a letter addressed to his EU partners, other measures: in the banking field, regarding the interdictions to give visas, etc. Some partners were surprised by the proposal viewing the fact that the sixth agreed before to wait until November, in order to propose new UN sanctions against Iran in a third resolution of the world's organization, idea representing a compromise between USA pressuring for a third resolution, tougher than the previous ones and Russia and China wishing to give IAEA time, so that they could get some answers to their questions addressed to Tehran.

Although Washington hoped that the Russian president will succeed in convincing Iran, during his visit to Tehran, to apply measures comprised in the UN Security Council Resolutions, this didn't happened, Putin preserving, as expected, by the way the discussions went on with Ahmadinejad, the Russian nuclear interests in Iran.

The EU member states' foreign ministers decision to establish supplementary sanctions for Iran didn't exclude, a single moment, the negotiation way. Also, EU continues to promote its multilateral strategy for the Middle East seeking, we believe, as other analysts, to decisively point out, if possible in all the big files – the Iranian one, the Israeli-Palestinian, the Iraqi and, since October,



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the one related to PKK organization actions from the Turkish-Iraqi border. On the PKK trans-border attacks, it is considered by EU a terrorist organizations, the European Commission agrees, according to Associated Press, that Ankara must protect its citizens but insist it to “act prudently”, by cooperation and “in the respect of international law” not by armed attacks.

Regarding the Iranian regime aggressiveness, the North-Atlantic Treaty Organization itself seems to take into account to build an anti-missile shield designed to protect the member-states out the range of action of the ten interceptors to be by USA in Poland and the radar facility in the Czech Republic. This prolongs the statement made by the American President in October, underlining in a speech addressed to militaries, the fact that the Tehran’s long range ballistic missiles can strike NATO

member-states from the South-Eastern Europe as: Romania, Bulgaria, Greece, Hungary, Poland and Slovakia. The new risks and threats profiling from the Middle East give credibility to such a NATO option, confirmed by the NATO Secretary General Jaap de Hoop Scheffer during his visit to Bucharest, which is appreciated as completing the American anti-missile project, giving away for the future all the vulnerabilities of the member-states. Also, US advanced to the Russian Federation the idea of maintaining in stand-by some elements of the anti-missile shield until the signals of a real threat for removing Moscow’s fears. Any solution still must be directly related to the Iranian nuclear issue because the Middle East peace and stability represent the key of security and stability in the Euro-Atlantic and European space.

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THE IMPLICATIONS OF RUSSIA'S MORATORIUM OF THE CFE TREATY

Federico BORDONARO, PhD

In November 7, Russia's lower house of Parliament - the State Duma - unanimously approved President Vladimir Putin's bill to suspend Moscow's participation in the Conventional Forces in Europe (CFE) Treaty, although neither the original nor the amended version of the accord allows for suspension. According to a November 13 report from RIA-Novosti, "The moratorium is set to come into effect on December 12, after final approval by the upper house of parliament, expected to vote on the issue on November 16, and President Vladimir Putin".

Russia has, therefore, put into practice what it had threatened to do on April 26, 2007. On that day, during the annual state-of-the-nation address, Putin announced that Russia would impose a "moratorium" on the CFE Treaty if all NATO members failed to ratify the Treaty's modified 1999 version. Moscow points out the fact that Russia is one of the few countries that have ratified the revised accords, together with Kazakhstan, Belarus, and Ukraine. It also stresses the fact that Estonia, Latvia, and Lithuania -- now NATO members -- still have not ratified either versions of the CFE Treaty.

Since the CFE Treaty is considered to be a key element of the post-Cold War military balance in Europe, Russia's decision has been greeted with worries and irritation by the United States and by NATO. Moreover, commentators in Europe, the United States, and Russia have repeatedly evoked the spectre of a "new Cold War" between NATO and Russia.

Despite such alarms, there are signs of intense diplomatic work by both Western powers and Russia in order to avoid the worsening of ongoing political tensions. Nevertheless, the picture is fairly complex at the moment.

On one hand, Russian and US domestic policies are increasingly influencing the game since both countries face crucial presidential elections in

2008. On the other hand, broader geostrategic imperatives push Moscow to reconsider its own role in Europe's security architecture for at least two reasons: first, Russia feels that the current European security arrangements have become too advantageous for the enlarged NATO; second, Moscow perceives that its struggle to recover global power status is dependent on its capability to play a great power role in the European strategic and political theatre.

As a result, NATO's eastward enlargements, the U.S. anti-ballistic missile defence project, and the CFE Treaty have become intertwined issues.

Background: The CFE Treaty and its Discontents

The origins of the CFE Treaty date back to the early 1970s. Between 1972 and 1975, the U.S.-USSR political-strategic relationship improved as the two superpowers agreed to a series of political and military negotiations, with the final result being the crucial 1975 Helsinki Conference on Security and Cooperation in Europe (CSCE).

After a decade, in the 1986-89, both parties agreed to negotiate precise measures for military balance and stability in Europe under the very framework of the CSCE. These diplomatic efforts produced the CFE, whose official negotiations began in Vienna on March 9, 1989 and ended in Paris on November 19, 1990.

The Paris Treaty established a military balance between NATO and Warsaw Pact states by providing equal ceilings for major conventional weapons and equipment systems. In the area that extends from the Atlantic to the Urals, each group agreed to cap out after 20,000 tanks, 20,000 artillery pieces, 30,000 armoured combat vehicles, 6,800 combat aircraft, and 2,000 attack helicopters.

However, as the Warsaw Pact dissolved, the Treaty was amended at the OSCE Istanbul Conference in 1999. The revised version



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established that group ceilings would translate into national limits for each individual state party to the Treaty. Moreover, the text identified several sub-regions of the Atlantic-to-the-Ural region where both groups would be allowed to maintain equal numbers of the weapons systems. It even specified how many items could be kept in active units.

The CFE introduced the so-called “sufficiency rule”, according to which each country was allowed to hold a proportion of armaments limited to one-third of the total numbers. This meant that each side should have no more than 16,500 tanks, 17,000 artillery pieces and 27,300 armoured combat vehicles in active units.

Of particular importance is that the Treaty’s members have the obligation to destroy arms or equipment beyond the agreed limits within 40 months from the CFE entering into force. The accord also aims at improving mutual transparency, by in-depth on-site inspections and the monitoring of weapons elimination. In order to help the cooperation efforts, the 1990 Treaty established the Joint Consultative Group (JCG), composed of all the CFE members, whose rationale is to function as a forum for further consultations.

Already in 1999, however, Russia’s military presence in Georgia’s breakaway region of Abkhazia and in Moldova’s separatist Transdniestrian region set the stage for diplomatic complications since it was considered by NATO members an obstacle to the ratification of the amended treaty. At present, Russia maintains an estimated 2,000 troops in Transdniestria and a military base in Gudauta, Abkhazia, whereas it agreed in 1999 to completely withdraw from the two areas (by 2002 from Moldova and by 2008 from Georgia). However, Russia claims that troops and bases are kept in the two separatist regions for peacekeeping purposes, and that peacekeeping is not included in the CFE agreements.

Tbilisi accuses Moscow of using “peacekeeping” as a pretext to militarily support Abkhazian separatists in order to destabilize Georgia’s pro-Western course. Some Moldovan parties share the same view regarding the Transdniestrian region, since they maintain that Moldova’s geographic position encourages Moscow to put an irritant into NATO’s expansion into South-Eastern Europe and could constitute an obstacle to Ukraine’s and Moldova’s integration into Euro-Atlantic security institutions.

The Kremlin, however, has replied that Georgia’s inability to control Abkhazia causes the latter’s territory to be infiltrated by Chechen militants and the whole region to be threatened by war, since Tbilisi’s ambitions to recover full sovereignty over its separatist areas are pursued in an allegedly heavy-handed way. Moscow also maintains that its uninterrupted military presence in Transdniestria has helped stabilize Moldova’s weak state.

While the actors’ official declarations contain elements of the truth, it is evident that such regional crises have broader significance. Moscow has not concealed its preoccupations about NATO’s enlargement toward areas that are of particular strategic importance to Russia, namely the Baltic Sea, the Black Sea, Ukraine, and the Transcaucasus.

On April 27, 2007, after Putin’s state-of-the-nation address, Russian Foreign Minister Sergei Lavrov declared in Oslo that Russia “cannot be unconcerned by the fact that the NATO military infrastructure is drawing closer to our borders”. Ukraine’s and Georgia’s strategic dialogue with NATO has worried Russia especially, and Moscow has not concealed its displeasure about such developments.

Indeed, while NATO-Russian strategic relations had experienced remarkable improvements during the 1990s and culminated in the 1997 partnership act, Moscow became suspicious of US intentions regarding NATO expansion after former Soviet countries (the Baltic states) joined the Atlantic organization. Russia remembered that former President George Bush promised Mikhail Gorbachev that NATO would not integrate former Soviet states. Furthermore, Moscow reacted negatively to the U.S. decision to withdraw from the Anti-Ballistic Missile (ABM) Treaty in 2001.

Putin’s strategic goal of rebuilding solid Russian military power was pursued in recent years in a changing diplomatic and cultural atmosphere, in which more pro-Western elements were replaced by more nationalistic ones in various key posts in Moscow.

In particular, Russia reacted harshly in early 2007 to Washington’s plans to build an anti-ballistic missile defence (BMD) system in central Europe (Poland and the Czech Republic). After Warsaw and Prague signalled their willingness to accept their participation in the US project,



Moscow upped its anti-US rhetoric and announced its intentions to suspend its adherence to the CFE Treaty.¹

Even the Chief of the General Staff, Yuri Baluyevsky, has declared recently, and not for the first time, that the United States is a threat to global security. After the November 7 decision of suspending the CFE Treaty, Baluyevsky significantly declared that an increase in Russian conventional military forces is “not imminent”, thus signalling implicitly that it is more likely to happen in the future.

Recent diplomatic efforts to stop Russia from suspending its participation in the CFE have been unsuccessful. On June 15, 2007, an extraordinary conference on the Treaty ended in Vienna, where the participants failed to agree on a final joint statement. Washington is, therefore, trying to end the diplomatic impasse. The United States has recently proposed that the Russian peacekeeping mission in Transdnister could become an international peacekeeping one, thus diluting Russia’s military presence into a multilateral corps and setting the stage for NATO members’ ratifications of the 1999 Treaty. Washington also lately appeared more favourable to bilateral Russo-Georgian negotiations on the Abkhazian issue, notwithstanding fears of Russia’s intentions to leave the question unresolved in order to maintain a military presence in Georgia.

Additionally, Washington appears willing to engage Russia in the new BMD projects, even after Russia’s proposal to use a former Soviet radar base in Azerbaijan was deemed unpractical (for technical reasons) by the US military.

As a consequence, it appears that the current phase in US-Russian strategic relations may end up in a new series of comprehensive negotiations, and that increasing tensions which caused some commentators to speak about a “new Cold War” could instead be the prologue of a new act of NATO-Russian strategic dialogue.

Obstacles to Russo-American Strategic Dialogue

There are, however, some obstacles for that strategic dialogue to happen, and there are, therefore, dangers of a period of poor Russo-American relations that could endanger stability in some Eurasian regions.

For one, geostrategic imperatives are not the only factor involved. Domestic policy plays a strong role in the issue, since Russia and the United States will hold presidential elections next year. Complicated political games are being played in Russia at the moment, with President Putin firmly in control of the situation but at the same time due to leave office in the spring. At the moment, the prevalent political atmosphere in Russia is one of commitment to Russia’s complete recovery from the big crises of the 1980s and 1990s.

Nationalist policies receive consensus in Russia, and the successful candidate will be one that guarantees to continue Putin’s assertive course in foreign affairs.

Obviously, it can be argued that the interrelation between demographic crisis and economic performance, as well as Islamist terrorism and unaccomplished democracy, are the real crucial needs of Russian society in the coming decade, and that military will not help solving such issues.

However, Moscow is determined to re-assert itself as a world power, and its decision-makers perceive such a goal as paramount for increasing internal stability. More international power prestige will result in more external security, as well as in more ability to control key energy and defence markets. Thus, it will help accumulate more economic means for the ambitious demographic and economic policies that Putin’s party announced last year.

The US presidential campaign will also impact Washington’s diplomacy. US candidates cannot afford to be perceived as weak, and since Russia’s stance on BMD and CFE is officially rigid, presidential runners will have a hard time trying to conciliate diplomatic overtures and rigor.

Yet another big obstacle to diplomatic rapprochement between the two sides is Russia’s support of Iran’s (officially civilian) nuclear ambitions. However, Moscow is certainly not unaware that Iran’s political elite has ambitious plans for enhancing Tehran’s influence in the Middle East and in the Caspian region. For this reason, Russo-American dialogue on the Iranian issue has an objective basis for its continuation. It cannot be ruled out that Washington and Moscow may be discussing a sort of trade-off for a halt of US/NATO penetration of the Transcaucasian region for Moscow’s support for the U.S. stance on Iran. Such arrangements, however, appear difficult.



Washington also needs to take into consideration that the European Union, and Germany in particular, consider good diplomatic relations with Moscow to be a strategic priority because of Europe's increasing energy dependence upon Moscow and because of Europe's needs of stabilizing the Western Balkans region (where Moscow supports Serbia's rigid stance on Kosovo) and the wider Black Sea region (where the Transdniester, Abkhazia, South Ossetia, and Nagorno-Karabakh "frozen conflicts" all strongly depended upon Moscow's willingness to engage in diplomatic cooperation).

Military and Strategic Implications

Immediately after Putin's state-of-the-nation speech last April, the military-strategic implications of Russia's moratorium on the CFE became a debated issue.

With Russia on the path toward military modernization, its decision to impose a moratorium on the Treaty has worried U.S., European, and NATO headquarters. Since November 7, Russia is virtually free to build up conventional forces in the areas covered by the CFE agreements, as it is not bound by the ceilings and active-units limitations discussed above.

However, it is unclear whether Moscow's move will be actually translated into military actions or if it will remain instead chiefly a diplomatic tool. Militarily, Russia could build up forces in its Caucasian regions, in Kaliningrad, and in its Western areas, although Gen. Baluyevsky has ruled out such a possibility in the short term.

What is certain is that strategic history is not only about the actual use of force for political reasons; it is also about the threat of the use of force. New NATO members, such as Romania, for instance, appear to be considerably concerned

about Moscow's decision because of its possible consequences on Moldovan security.

While it is almost unthinkable that Russia could use military force against NATO's members, the context in the southern Caucasian region and especially in Georgia is more complicated. With the United States still deeply involved in Iraq and Afghanistan, Russia perceives that it has space for action in its once Transcaucasian province.

Conclusion

Moscow's decision to impose a moratorium on the CFE Treaty must be understood in a broader framework. From an international and geostrategic point of view, Moscow's move suggests that Russia is determined to bring the United States and NATO to the negotiation table as it thinks that the Western strategic position has weakened in the last five to six years. Therefore, Moscow hopes to stop NATO's expansion and to maintain a strong strategic influence in Ukraine, Moldova, and Georgia. In this sense, it seems clear that the B.M.D. and CFE issues are diplomatically intertwined.

However, domestic policy concerns in the United States and in Russia will make diplomatic relations between Washington and Moscow more difficult in the short term. While it is likely that Moscow's suspension of the CFE will not translate into overtly aggressive moves and a massive military build-up, the current crisis may bring serious political implications, especially because it risks causing divisions within NATO about what policy should be adopted toward Moscow.

NOTES:

¹ See Dr. Federico BORDONARO, "B.M.D. Debate Heats Up in Europe", www.pinr.com/report.php?ac=view_report&report_id=628

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CRISIS, CONFLICT, WAR



The project entitled “The security of military and civil-military systems and actions in crises and armed conflicts management” is part of the Excellency Research Program of the Ministry of Education, Research and Youth. This program is the result of the need to strengthen the Romanian Area of Scientific Research. The main goal of the grant is to theoretically underline some models for securitizing forces structures and actions that are specific to crises and armed conflicts management. The research team is as follows: the Center for Defence and Security Strategic Studies (CDSSS) from the National Defence University “Carol I” (NDU), the Technical Military Academy (TMA), the Academy of Economic Studies (AES), and the University of Suceava “Ștefan cel Mare” (USv). The Project Coordinator is NDU and the Project Director is Mr. Brigadier General (Ret.) Gheorghe Văduva, Ph.D., Senior Researcher at the CDSSS.

Crisis, armed conflict and war are part of human social life. Crisis is not necessarily a fatality but a social, political, economic, informational, military reality that is possible to be controlled, meliorated and even prevented.

The four tomes are brought together under the title of “Crisis, Conflict, War”. They offer pertinent answers to this complex challenge that are the result of a laborious scientific activity of the three partners.

The first tome – “Defining crises and armed conflicts in the new framework of network national and international philosophy and physiognomy”

– is coordinated by General Professor Mircea MUREȘAN, Ph. D., and General (Ret.) Senior Researcher Gheorghe VĂDUVA, Ph. D. It explores a broad area of crises, conflicts, and wars aspects at the end of 20th Century and the beginning of the 21st. The authors start with “Network philosophy and physiognomy” and continue with important issues: “Crisis and armed conflict at the beginning of the Century”; “Typology of crises and armed conflicts”; “Crisis and war”. The study emphasizes the “Analysis of main types of crises and armed conflicts”, from the ones in the ex-Yugoslav space to the armed conflict in Iraq. Also, in order to complete the image, there are analyzed the most important challenges, dangers, and threats that are generating social, economic, political, military crises and armed conflicts, and the practical approaches of the national and international answer to crises and armed conflicts. The seven annexes reflect graphically and support by data the analysis’ assertions and conclusions.

The second tome is written by the research teams of MTA, AES, and USv. It is structured on three parts: “Instability of the non-linearly systems, critical points, unforeseeable and chaotic evolutions”; “Managerial approaches of the crises starting with economic and political risk elements” and “Theoretical studies and empirical analysis on economic-financial crises management”.

The first part analyses the sources of system tensions and conflicts, the mathematic modeling of the processes that are far from equilibrium and the interesting introduction into non-linear dynamic systems.

The second part is devoted to the managerial approach of crises from the economic-financial crises management to the description of the methodology and algorithms for statistical data analysis, the concrete data analysis, the elaboration of statistical hypotheses on the basis of stage and dynamic indicators, the process of testing the statistical hypotheses by specific methods and the elaboration of the documents correlated with mathematical modeling of crisis situations.

The third part of this tome is about the present stage of fundamental research on economic-financial crises management, the integrated framework for analyzing their effects, and the management of financial-currency crises.

The third tome – “Military and civil-military systems that are used in crises and conflicts management. The evaluation of actions” – is written by CDSSS-NDU and MTA. It describes both theoretically and practically the “Analysis and evaluation of the types of military and civil-military structures that are used in crises and armed conflicts management” and the “Security of communications systems as a support in crises management”.

The first part of the study starts with the idea that the management of crises and armed conflicts is the most difficult and complex engagement of military and civil-military structures. There is analyzed the “Process of crises and armed conflicts management” both on conceptual and decisional level, and effective management level. The next step is the “Analysis of military and civil-military structures’ typology” and the “Analysis of media structures’ typology” that are used and can be used in managing crises and armed conflicts. Also, the authors analyze the national policies and strategies, the political-military decision and the case studies on Western Balkans and Africa. The six annexes are destined to support the framework of researching the world’s crises and conflicts.

Finally, the fourth tome – “Military and civil-military systems used in managing crises and conflicts. Dangers, threats, risks. Criteria and methodologies for evaluation and testing” –, written by researchers from CDSSS-NDU, USV and AES, represents a complex approach of challenges, dangers, risks, threats and vulnerabilities and offers scientific instruments for measuring the efficiency of managing actions.

In the first part of this tome – “Identification and evaluation of various types of dangers and threats to the security of military and civil-military structures used in crises and armed conflicts management” –, the authors are identifying, describing, and evaluating the main challenges, dangers, threats, and vulnerabilities to/of the military and civil-military structures (national, NATO and EU, etc.) that are employed under UN aegis or some other aegis in managing global and zonal crises and conflicts. There is an important

attention to their typology from social and psycho-social ones to the economic-financial and geospatial ones. Also, a broad part of the research is devoted to the law and judicial dimension of identifying, analyzing, monitoring, and evaluation of challenges, dangers, threats, vulnerabilities and risks.

The second part of the study – “Criteria for evaluating the efficiency of crises and armed conflicts management; the framing of an adequate methodology for research and test” – develops a potential methodology for testing and evaluating on political, economic, financial, geopolitical, geostrategical, socio-human, socio-military, psychological, humanitarian, judicial or national and host-nation’s point of view.

The third section of the tome – “Identifying the characteristics of various types of crises and armed conflicts and of the impact elements on the security of military and civil-military systems and actions that are used on managing the crises and armed conflicts” – underlines rigorously the scientific principles and methods for analyzing general, political, economic and/or financial, international relations, socio-military, humanitarian or psychological crises, and their impact elements on military and civil-military systems’ security. Also, there are presented the juridical characteristics of the present and future crises and of the national or host-nation crises.

The fourth part of the tome – “Managerial approaches of crises starting with the methods of extreme risk modeling” – introduce pragmatically some measurable means to manage crises by using the method of risk value, the theory of extreme value or the method of dynamic financial analysis. Moreover, the authors argue on principles for resolving interdependent security problems with applications in extreme risk events’ management.

The last part of the tome – “Descriptions, evaluations, analyses, remodeling” – completes the practical dimension of the analysis and underlines the requirement for data basis’ remodeling in correlation with the need for measuring the efficiency of security structures. Also, there are described the following: the software instruments and their use in measuring efficiency; the criterion for evaluating and computing the efficiency score in the area of crises and armed conflicts; the efficiency of the military and civil-military systems in managing new types of crises and conflicts.



REVIEWS

Based on these elements, the authors underline a mathematic model for managing crises and armed conflicts.

These tomes constitute an important part of scientific steps for understanding, inquiring,

analyzing, and controlling the phenomena of crises and conflicts. They are very useful for the ones who are interested in such issues, even if they are military or civilians. **(C.B.)**



THE ACTIVITIES OF THE CENTRE FOR DEFENCE AND SECURITY STRATEGIC STUDIES

OCTOBER-DECEMBER 2007

The end of 2007 has been a very rich period in scientific activities, as a prove of the national and international acknowledgement of our Centre as an important scientific research institutions.

Based on our collaboration memorandum between The Centre for Defence and Security Strategic Studies from the National Defence University "Carol I" and the International Committee of the Red Cross - Regional Delegation for Central Europe, on October, 18, there was organised at NDU's premises an international seminar on "Fostering International Humanitarian Law. The contribution of the military scientific research and education". On this event there were invited representatives – specialists in International Humanitarian Law (IHL) – from most of the structures within the Ministry of Defence, and also from other military and civilian national institutions, ICRC, Bulgaria, the Republic of Moldova and Turkey.

The seminar had two sections: The norms of the International Humanitarian Law – reality of the military conflicts and Shaping the military conduct on supporting the IHL. During the communications and the following debates there was insisted on the role of the education and military scientific research on disseminating IHL and on the obligations the militaries have for protecting the civilians and their goods during wartime, there have been discussed topics regarding applying the international legislation and the specific training of the militaries, especially of the ones participating in missions in theatres of operations. It has been stressed out the Romanian experience and also other states' in theatres of operations.

The most important scientific activity organised by the Centre for Defence and Security Strategic Studies this year was the Annual International Scientific Papers Session on "The dynamics of the European security environment", that took place in November, 22-23. There were invited specialists in this field from Romania, Poland, Bulgaria and Ukraine.

The topics debated allowed discussions on stressing out the effects of certain phenomena (migration flows, turning energy into a political matter, the ongoing NATO and EU enlargements, Kosovo issue, frozen conflicts) on the European security environment, etc. the quality of the papers presented and the debates reflect a good knowledge of events, a certain interest for the evolution of the European politico-military phenomenon and the neighbouring areas, subtleties on emphasizing the interdependencies of this evolution on Romania's security. The presented materials were published on CD format and they can be freely accessed from the Centre's website, <http://cssas.unap.ro>.

Another important international activity was the visit of the Director of the Institute for Research and Development of Defence Systems (IROS), accompanied by the director of the "Ivo Pillar" Institute from Croatia, November, 27 – 29. The guests were especially interested in the Romanian Army experience in the process before joining NATO and the concrete aspects related with the transformation of the military institution and their efficiency on finalising the integration. It has been established to continue the efforts related with the scientific research between these



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three institutions and to analyse the possibility of certain common research projects.

Between 27th and 29th November, the chief of the section for studies and researches, dr. Grigore Alexandrescu, participated in Brussels, Belgium, on the training seminar on "IP in FP7". The seminar was about the training of the persons involved in scientific research, defence and promoting the respect towards the intellectual property in research and innovation programs.

In the beginning of December, CDSSS organised a workshop on "Managing crises for stability and security in the European", together with a delegation of researchers from the Institute for Strategic Studies from the National Defence Academy "Marshall Andrej Hadik" from Slovakia. Our guests have expressed their will to diversify and intensify the scientific dialogue between our institutions' researchers.

A delegation of researchers from The Centre for Defence and Security Strategic Studies from the National Defence University "Carol I" participated at the "Military Power Seminar 2007. Nuclear weapons in the 21st century: old players, new game - new players, old game" organised in Oslo by the Norwegian Defence Command and Staff College and the Norwegian Institute of International Affairs in December, 5-8. The conference approached a special topic for the international community. Its importance is derived from the fact that the risk of using the nuclear weapon has not ever been as higher as now.

From the 5th to the 18th December, a researcher from the CDSSS participated at a course of national security on "The threat of terrorism", organised by Galilee College from Israel. The participation to this course was a good opportunity from refreshing the knowledge and information on the trends within the security environment from the Middle East area and also a beneficial way for sharing experiences between the Romanian academic environment and the Israeli one.

There have been published the following studies: **"National and collective on Romania's defence"**, **"The energy weapon in the international relations context of the 21st century beginning"**, **"The security of the interest space: actors, instruments and trends"**, **"The influence of the ethnic and religious factors on the dynamics of the security environment"**, **"The operational requirements in the network-centric warfare"**, **"The management of differences on achieving security within the Black Sea Area"** and **"Optimizing the regeneration of the Romanian Army's structures employed in military actions outside the national territory"**.

Irina CUCU



INSTRUCTIONS FOR AUTHORS

On selecting the articles there are taken into consideration: the area of the subjects presented in the magazine, the actuality of the topic, its novelty and originality, its scientific content and the adequacy to the editorial norms adopted by the magazine.

The paper sent to be published should not have been published (print or online) or simultaneously submitted to another publication. The article should not contain any party political connotations.

The papers' scientific evaluation is done by two scientific experts that are either professors or senior fellow researchers.

The article, written both in Romanian and other foreign language (English, French) may have maximum 10-12 pages (6.000 – 7.000 words) and has to be sent both in print and paper, using Times New Roman font, size 12, one line, and the tables and schemes have to be printed separately.

The text has to be preceded by an abstract which is not to exceed 250 words, both in Romanian and English. The papers have to be signed adding the authors's scientific degree, name, first name, name and have to end with a short curriculum vitae, 60 words maximum, specifying the professional qualification, the institution he comes from and other information considered necessary, including the e-mail address.

The footnotes are to be included by the end of the article and have to respect the international regulations. Authors can publish only one article by issue.

The text has to present an easy structure, using titles (subtitles). The abbreviations will be marked on the text only at their first mention on the text. It is likely to end the papers with some important conclusions regarding the importance of the research.

The articles will not use classified information.

As the magazine does not have a profitable purpose, the articles cannot be paid.

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After six years since its first edition, STRATEGIC IMPACT magazine, edited by the Centre for Defence and Security Strategic Studies from the National Defence University “Carol I” is a quarterly scientific magazine acknowledged locally and internationally for the wide area of topics - the political-military present, security strategy and military security, NATO and EU actions, informational society, strategic synthesis and evaluations, a special column “Strategic Event” that studies the strategic impact of the dynamics of the actions undertaken nationally, regionally and globally.

STRATEGIC IMPACT has as collaborators important researchers and personalities within the scientific research area and from the civilian and military university system, both national and international, from the Ministry of Defence, General Staff, services’ staffs, the Ministry of Interior and Administration Reform, Ministry of Foreign Affairs, military units and other state’s organizations, NGOs, companies, etc.

The international acknowledgement of the magazine’s quality is confirmed by its editions presented on sites belonging to prestigious foreign institutions (The International Relations and Security Network of the Swiss Federal Institute of Technology Zürich; Defence Guide, in collaboration with the Hellenic Institute of Strategic Studies – HEL.I.S.S.), The Institute for Development and Social Initiatives – IDIS from the Republic of Moldova – the virtual library for political and security studies, etc.

The magazine is accredited by the National University Research Council and acknowledged as a B+ magazine that demonstrates the potential to become an international acknowledged magazine.

STRATEGIC IMPACT is a representative forum for reflection and debates on topics related to strategy and security for the scientific, academic, national and international community.

At present, STRATEGIC IMPACT magazine is issued separately in two editions, Romanian and English, and disseminated in the domestic and international scientific environment and also to the main institutions involved in security and defence.

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