NATIONAL DEFENCE UNIVERSITY "CAROL I"
CENTER FOR DEFENCE AND SECURITY STRATEGIC STUDIES

STRATEGIC IMPACT

No.4[17]/2005

CONTENTS

GLOBALIZATION AND INSECURITY

Mircea MUREŞAN, PhD

Beyond the opportunities of globalization, there are some aspects connected to insecurity, because globalization also generates vulnerabilities that can lead to economic instability and social problems. The perspective of global insecurity in the next decades shows a reduced frequency of the interstates conflict and a predominance of the internal conflicts, caused by the negative effects of the globalization and by the multiple risks of insecurity. It is possible to do away with the latter using integration and solidarity, social warranties and adequate communitarian policies, good governance and the smooth functioning of the state institutions. It is need a adequate legislative frame, a strong partnership between the public and the private sectors, the financing and the implementation of the national and global projects, viable mechanisms to control and regulate the medium of cooperation, the common offensive of the international community and of each state.

1. Globalization between advantages and disadvantages

The present article is not intended to be an inventory of the negative characteristics, stated by the numerous opponents of the globalization, but an objective presentation of the aspects of insecurity brought about by globalization in the social and economic environment. On one hand, globalization creates biunivocal relationships (between states with the same level of development), and univocal relationships (between states with different levels of development), on the other. The univocal relationship is a passive one, while the biunivocal one is an active one, according to the political, economic, and cultural power of the states engaged in the process[1]. The aspects of the insecurity are the result of the passive globalization, of imposing the values of developed countries in underdeveloped states, a situation that gives birth to ethnic-nationalist and fundamentalist tendencies.

Kofi Annan explains that the benefits of globalization are not very well distributed, while the disadvantages belong to everybody. People's ac-

tions, sometimes unintentional, affect the life of the people living in other parts of the world. The advantages and the opportunities of globalization are concentrated in a small number of states and are uneven distributed. For a lot of people globalization brings more "vulnerability in front of unknown and invisible forces, which can quickly generate economic instability and social problems"[2].

If we consider globalization as a primordial extension of the economic, but from a politic and military perspective, we will discover that globalization reveals itself as a projection of the power, from geopolitical and geostrategic reasons, which do not exclude the armed conflicts, but include them, interstate, internal conflicts, conflicts between non-state actors and states (international terrorism). From the globalization point of view, the global insecurity perspective will be drastically modified for the decades to come. The military experts consider a reduced frequency of the conflicts between states, which are discouraged by the superiority of USA and their allies, the costs and the lethal effects of the weapons, the effects on regional and global plans. The conflicts will be reduced because of the anti-war attitude and the penalties that can be applied to the states that undergo such an adventure[3]. The internal conflicts will be predominant, and this predominance is connected to the negative effects of globalization - cultural conflicts as result of inefficient governing and the appearance of irredentist groups, while non-state actors (terrorists) are only added to the asymmetric threats.

Globalization cannot do away with fear, nationalism and insecurity. The world has to understand that it has to remain a unity in its diversity, ensuring peace, liberty and prosperity for everybody, democracy and the respect of human rights. There is a need for a real dialogue in order to defend the common values and to protect the national identity. The states that are part of the globalizing process are in a real progress, but, at the same time, they are to face multiple risks of insecurity: political, commercial, monetary, financial, competitive

and strategic ones. All of them can be avoided by a good government and by serious efforts made at national and international level in order to improve the risk management.

As security is concerned, the risks are to be found in the state that originated globalization - USA. The only superpower of the world is forced to reconsider its efforts to defend itself against terrorism: its own internal security is ensured from miles and miles away, from the other side of the globe (hence, the new positioning of American military bases), but, at the same time in their proximity, Latin America, which is the drugs empire, a constant source of immigrants and a true "Achilles' heel", already being taken into consideration by terrorists. Also Latin America offers 40 percent of the oil imports in USA.

The standards imposed by globalization - globalization that tries to do away with the multiple aspects of national and international insecurity - dictate the reform of institutions like UN, EU or NATO by making them more active and covering more space. Thus, globalization demonstrates as integration and solidarity, the defence of common interests, community policies can preserve the interests of a state. The old policy of isolation proved to be counterproductive. The success of EU in the international economic competition demonstrates the force of this unique institution, which has the ability to offer social warranties by means of correct community policies.

UN has a strategy to surpass the crises and the states of insecurity; this strategy is revealed when we look at the complex of its activities, at the resolutions adopted by the organization, including that one proposed by Romania in 2004 when it was proposed the dialogue between NATO and the regional organizations to be led by special institutions, in order to improve the coordination and the accomplishment of some actions needed to promote democracy, to consolidate the democratic institutions during UN peace operations, to use consultative mechanisms in order to prevent conflicts.

As for the economic and social security, UN makes special efforts to eradicate poverty and to ensure the human rights. The final document of the UN Summit, September 15, 2005, in New York, underlines the fact that peace, security, the progress and the human rights represent the pillars of UN and the basis for a collective security.

2. Social insecurity, one of the effects of globalization

One target, included in the Millennium Declaration, adopted on September 2000 by UN state members, is the eradication of extreme poverty and famine at global level by the end of 2015. The participants at the Summit stressed out the idea of a lasting development that takes into account the ecological factors. This objective can be obtained if the governments and the institutions really work, if there are a legal framework, public policies, efficient administrative practices, a real partnership between the public and the private sectors, as well as a good financing and implementation of national and global projects.

In the objectives that were named by the Millennium Declaration, we can find real opportunities, as well as risks, generated by globalization. Globalization is both a strong support for the economic, technologic and cultural development, but at the same time, it can generate injustice and insecurity.

Prosperity cannot be easily obtained at planetary level, because the complexity of the national economies and of the post-industrial societies, because of the failures of governments and of civil societies, because of the failures of financial, scientific, technique and social communities, which only make obvious the side effects of globalization.

Insecurity is not taken into account in the social plans and strategies, and it is regarded as an easy obstacle, which can be surpassed by means of democracy, law, productivity, by using policies that can ensure the fight against international crime, and a good management of the natural resources, having as a result a healthy economic growth.

When they mention the social insecurity, the researchers of the phenomenon[4] affirm that it is induced by several mechanisms like:

- The scarcity of jobs;
- The privatisation of social protection, which gives birth to a two speed system of social protection - the former is connected to the large public, and the latter is private and addressed to the rich;
- The problems connected to agriculture, which is a traditional economic sector, providing the means of subsistence in the Southern countries, but which cannot compete with the sustained agriculture from the Northern countries.

The development at global level produces huge social discrepancies: 1% of the richest people of the world have huge incomes, compared to 57% of the poorest people of this planet. Globalization seems to be a ferocious dragon, a utopia, for which they have to pay. The more extended the globalization, the deeper the gap between the rich and the poor countries.

The economic analysts have reached the conclusion that, even in the richest countries, the discrepancies between different social classes generate insecurity that is a threat to the social peace. This is one of the reasons the globalization is contested, because its effects, insufficient controlled, can lead the economic development to a dead end. Only the will and the common efforts of the most developed countries can solve this problem.

Unfortunately, insecurity is not mentioned on the international organisations agenda. An explanation can be represented by the lack of interest, as a former economist at the World Bank[5] explains. Both the World Bank and the International Trade Organisation have a policy dictated by the people that want to take advantages from globalisation, without discussing the sensitive aspects of trade, the negative impacts for Africa, but also for the poor people from Europe and USA.

Globalisation and the stability policies, as well as the structural adjustment have increased the insecurity and inequity, having as a background the growth of economic and social differences between the states and between the citizens belonging to the same country. UN admits that more than a billion and a half of persons live without the minimum necessary for a decent living and 840 million suffer of chronic malnutrition. The critics of globalization as means of social insecurity show that it is connected to the neoliberal policies: the financial liberalization, the privatisation, and the reforms on the labour market. Blame is found in the "market fundamentalism" of the economists and in the fact that public projects for the development of social protection are not encouraged.

The problems aroused by poverty and insecurity (violence, bad health, no rights) don't disappear by themselves, if they are not discussed. The model of economic growth cannot make a difference between the economic and social problems. The relationship between unemployment and violence must be analyzed. Forced liberalization is the engine that leads to insecurity all over the world.

3. Globalization and social insecurity

A report issued by International Labour Organisation[6] shows that the absence of social security comes from a feeling of insecurity given by the lack of payment of salaries, the reorganization of the social security systems and so on. Not always the rich countries ensure the best economic security. In the era of globalization, the economic shocks are very frequent and severe. The feeling of insecurity can influence mentalities.

The analysis demonstrates that, after the post 1980 phase of globalization, the economic crises were frequent and devastating, almost as devastating as the natural ones. It was noticed the aggravation of the systems risks, which cannot be solved by the efforts of the classical regimes of security. They call for government and international organizations intervention which have to ensure the human rights and a minimum of economic security.

On the other hand, the national representative institutions have to defend the legal interests of the population. Without the means of expressing themselves and without the security of a decent income, the planet population will have to face the economic insecurity.

The Millennium Declaration states that "internationalization must become a positive force for the whole humanity." At the Nice Summit, fifteen EU states have decided to prepare national action plans in order to fight against poverty and to promote social integration.

By the end of 2001, the European Commission has built up an Action Plan of the Community, having as operational objective reducing the gap between those who live in poverty from 18 to 15% in 2005 and up to 10% in 2010. Another objective is to reduce to half the number of children that live in poverty by the end of 2010.

The global security can be built up by every state contribution, respecting the principles included in the anti poverty, and social integration national plans. Such a plan was adopted by our country in July 2002. This plan includes seventeen principles that mirror the multitude of aspects that must be solved taking into account the wellbeing of the citizen, and also the conditions of world globalization.

Some of the principles are: the principle of activity (which excludes passivity and resignation and has as a main target family and community,

the development of the collective capacities, of public authorities, the identification and the correct diagnosis of the nature of the problems, as well as the risks by taking the most efficient measures); the principle of responsibility (the assuming of responsibility by each citizen as well as by collectivities); the principle of social support as an instrument of social integration; the principle of the diversification of the forms of support as complementary packages; the principle of the integrated system of social protection, as well as the principle of personalized support. All these principle underline the important role played by the state in order to do away with the social inequities.

Another important principle is that one of preventing rather than treating (the treatment can be costly and the problem can still persist, we refer here to insecurity; this is why the risks must be confronted, the most important sources of poverty as criminality, alcohol and drug addiction, the economic and sexual exploitation of human beings, and corruption must be eradicated).

We also can name other important principles: the inclusive approach; the avoiding of the discrimination of less poor people, in favour of the poor ones; the investment in the social and human development; the support for children; the elimination of the social and economic differences by offering equal chances; the mingling of economic and social policies; the solidarity with the people in difficult situations; a better use of the resources for development; the progressive development of the social support, as the necessary resources are built; the partnership/participation principle and the principle of promoting the value of labour.

Kofi Annan has proposed that the processes of globalization to be moral and legal. The great actors of the international economic stage must rethink their policies in order to better function in societies that are not yet prepared to accept the gains and the losses of globalization.

In 1997, EU[7] has launched the subsidiary principle. This principle states the fact that not the Union, but each member state must solve all the aspects connected with insecurity, by decisive actions, by promoting the development and security. Pierre Haser, the French political theoretician, says that globalization is a process where the national identity must be preserved for a better solving of the planetary problems.

4. Conclusions

The side effects of globalization, social and economic insecurity must be solved. This is a necessity and the international community as well as each state must take part in this offensive. A good governing will play an essential part in fighting against economic and social insecurity. A greater responsibility and social solidarity are needed. The institutions must be efficient and there is a need of transparency in managing the public affairs. The human rights must be observed and all the citizens must take part in decision making for those problems that can affect their lives.

The negative effects of globalization in social and economic domains must be diminished, by joint efforts in order to increase the economic cooperation, to build up better plans to solve the problem of poverty and of social integration.

The factors that generate insecurity (the financial, economic and crime related fields) force the states to develop real mechanisms to regulate and to control the medium of international cooperation.

It is vital for the states to reduce the social and economic vulnerabilities, but also the political, military and ecologic vulnerabilities that derive from globalization. But, at the same time, to gain access to the opportunities brought about by globalization.

The social policy must be quickly integrated in the strategies for a lasting development. The paradigm of a lasting development must be associated with other paradigms and methods that ensure the security of the world population.

The international organizations must play an active role in doing away with the negative effects of globalization. For this, they have to change themselves both in structure, as well as in their way of working.

UN must change itself and take a more active part in crisis management, in stopping civil wars, punishing the states which offer financial support to terrorist groups, and to drugs, weapons and persons trafficking. These are global phenomena which affect the existence and security of the individual and of communities. UN must also try to stop and eradicate poverty and human injustice.

Translated and abridged by Alexandrina VLAD

NOTES:

1 Daniel ŞANDRU proposes such a classification in one of his articles, *Globalization and identity from a post modernist perspective,* published in Symposium no.1, I tome, http://mail.phil.uaic.ro/~symposion/Sandru_Symposion_1.pdf.

2 The Report of the General Secretary of UN at the *Millennium Assembly of the United Nations Organization: Us, the peoples: the role of UN in the XXI century*, March 27 2000, A/54/2000.

3 **Strategic Tendencies - The Military Dimension**, the chapter called "the Future of Armed Conflicts", translated and published in "Military Observatory" no. 28 (2003), www.presamil.ro

4 We can mention here the opinions of the participants at the meeting organized by the World Social Forum, in January 2004, in Bombay, and gathered by Gerard Dumenil and Dominique Plihon in *Globalisation et insecurite sociale,* www.france.Attac.org/a2363.

5 Joseph STIGLITZ, apud. Gerard Dumenil and Dominique Plihon, *op. cit.*, www.france. Attac.org/a2363.

6 *Economic Security for a better worls, Programme sur la securite socio-ecanomique,* International Labour Organisation, www.ilo.org/ses

7 *Amsterdam Treaty,* http://www.europa.eu.int/eurlex/en/treaties/selected/livre546.html

General professor Mircea MUREŞAN, PhD, is the Commandant (rector) of the National Defence University "Carol I" and member of the Romanian Academy of Scientists. His consisting scientific and publicistic work approaches various domains like asymmetric conflicts, with complex and objective analyses on international terrorism and its effects as well as this contemporary phenomenon evolution trends and strategies to counterattack its actions.

MILESTONES OF WIDER BLACK SEA REGION IN THE MIDDLE OF THE FIRST DECADE OF THE XXIST CENTURY

Grigore ALEXANDRESCU, PhD

The Wider Black Sea Area and the dynamics of its security environment attract not only the interest of Europeans, who must solve the geopolitical dilemma related to it: integration and stability vs. disintegration and latent conflicts, but others specific questions. The article offers some milestones about this issue.

After the end of Cold War, a new model of interstate relationships emerged on the international stage, and the scholars have been noticing that map's world areas could get new valences in the new emerged security environment. Last decade geopolitical and geostrategical in the Eurasian region trends were pointed to the Black Sea area. Now, this area represents Europe South-East border, and in spite of the major zonal conflicts, significant national, ethnical and cultural gaps, it tends to assert as a gravity centre of the Old Continent.

It had become clearer that the status of the ancient Pontus Euxinus basin couldn't remain a conjectural one. In spite of various issues characterizing the region, mostly having historical roots, we might argue that this history itself provided the fundaments and also the motivations for a proactive, efficient and successful participation to global economy, security and stability.

This region is one that can not be avoided; there are east-west roads and north-south large communications. Here is the convergence point of the three major civilizations – European, Asian and Islamic – and two major world religions – Christianity and Islam – and, for that, the region must be quickly transformed with the co-operation of four significant entities (European Union, NATO, Russia and Caucasian states), from a confrontation area to a convergence, co-operation and collaboration one. Historical evidences prove that the Black Sea area was much prosperous in the periods of times when it wasn't isolated or the "lake" owned by a unique master. Its potential and capacity were best improved when it was integrated in the extended communities of Europe and Mediterranean Sea.

1. Political-military realities

2005 brought the Black Sea area subregion in the attention of major state and organizational actors. Their various interests – political, economic, social or military ones – crossed this area.

We must note that this year is the one on which the extended scene of Black Sea and the dynamics of its strategic environment becomes a stand-up subject, the predilection issue of outnumbered scientific researches and various domestic and international scientific activities organized in this region, but also an issue of big interest in the big chancelleries of the world.

Pentagon's idea to build up more efficient basis in order to protect and support forces in the fight against terrorism, and also Washington' need to overcome the emergent Asian centres of power – China and India –, which are apparently consolidating the co-operation with Russia, determined USA to increase interest and also the presence, by the end of the year, in the Black Sea area.

The West coast of the Black Sea becomes NATO east border, and soon, the EU one. States in the Wider Black Sea Area, assisted by UN, NATO, EU and USA, developed a series of activities in order to strengthen the security and stability in the area.

The figures and efforts of those involved in these activities do not lead to noticeable results. The entire region presents itself, by the end of 2005, as an heterogeneous one, although a series of risks, dangers and threats still remain, making it enough vulnerable and hardly predictable.

2. Strengths and vulnerabilities

The energetic resources and the infrastructure needed to be transported to the western consumers contribute in a small measure to the improvement of citizens' lives and civilization standards. Unequal access to resources and the economic potential gaps are the major sources of instability in the region. Thus, economic sanctions imposed by Russia to Moldova are not applied to Transdniester. By rising gas price, Moscow tries to convince Chisinau to give up the EU admission and resolve the issue with Transdniester according to its own interests[1]. In turn, Ukraine warns that will dismiss Russian naval structures in case of price rising[2].

Russia continued this year to retain the ex-Soviet states in its influence area. The unacknowledged states became tools for political influence. The last decision to liberalize gas price eliminated the strongest link between Kremlin, Georgia, Ukraine and Moldova, which, normally, will reorient their economic policies to the EU. There's an expectation that Russia will respond through a new approach to pro-Russian enclaves. It was already noted in media that an increased focus is oriented by Moscow to the „Kosovo" model, especially on the way an unacknowledged state began, progressively, a legalization process with the mutual acceptance of the international community.

The admission process for Romania and Bulgaria in NATO determined also the notable transformation in west and south coast of the Black Sea states' security and defence concepts. But, on the other side of the sea, due to a lack of vision and clear options after the USSR dissolution, the establishment of security and stability is far to an acceptable level. That's why the region offers an heterogeneous image of security and stability, with no close harmonization perspective.

3. Opportunities, initiatives and security tools

The involvement of new state and non-state actors in the area imposed an improvement for regional institutional co-operation with new co-operation projects meant to strengthen security. But the idea of an extended regional co-operation was not so rapidly concretized into actions. State actors, in order to fulfil their interests, abandoned the idea of a co-operation on all levels and with all states for other objectives like: gaining regional supremacy, getting access to certain markets, NATO and EU admission, solving internal conflicts, etc.

We must notice that the improvement of Pontic states' security tools is working according to the parameters of transformation process involving European institutions: „openness, transparency and participation"[3]. This way there may be accomplished the completion and strengthening the European build-up. The increased attraction for the EU and completing the levels where NATO manifests less its interest can stimulate the speeding-up of actual processes.

4. Military actions

The keyword for common military actions was constituted by the fight against terrorism. On this subject, with the exception of the issues involving juridical framework, the co-operation was good.

On the middle of August, there took place the fifth activation of the Naval Co-operation in the Black Sea Group (BLACKSEAFOR). On this occasion, Romanian Naval Forces took command from the Georgian Naval Forces for a year.

Regarding the status of military basis around Black Sea basin, this became more complex during 2005. Russia continues to maintain its military presence in Transdniester, in spite of breaking the Istanbul agreement. The OSCE meeting in Ljubljana, December 2005, emphasized the divergences between Moscow and Europe regarding solving out the Transdniester crisis. NATO countries elaborated a statement asking Russia to retreat its forces from Transdniester as soon as possible.

Meanwhile, Moscow seems to obstruct the dismissal of its own basis in Georgia, Batumi and Akhalkalaki, according to the engagement assumed on the OSCE summit in November 1999. It was stated that Vaziani and Gudauta bases began the process but, due to the heavy procedure of checking-up, there is the risk that the main forces to remain in location, being able to start military actions, like in Pankisi Valley, in the name of so-called fight against terrorism. The agreement between Russia and Ukraine on renting the naval base in Sevastopol and infrastructure supporting Russian Fleet in Black Sea[4] is also worth to mention. The rent is 98 millions $/year[5], contributing a lot to Ukraine's defence budget, difficult to be assured in the circumstances of a too large army.

USA marked their interest for the Wider Black Sea Area establishing their basis on the Romanian seashore. The talks between Romania and USA

had been finalized on the 6th of December 2005, the agreement being signed in Bucharest by the USA secretary of state and the Romanian foreign affairs ministry. There are also continuing the talks with Bulgaria on the same issue. The USA presence in those two countries concretizes a new geostrategical initiative in the Black Sea Area, which is probable to influence USA-Russia relationship, but also the EU enlargement, the West relationships with Middle East and the war on terrorism strategy. From this perspective, there were some reactions, Russian vice premier warning the Washington and Bucharest with an "adequate response"[6]. For the beginning, he promoted the idea that Russia will retreat from the Conventional Armed Forces (CFE) in Europe Treaty[7]. Moscow analysts warn that "Whatever will happen, Russia pretends that the perimeter around Caucasus to be its exclusive area of influence"[8]. In spite of that statement, this perspective seemed to be with no real perspectives. The USA presence on the territories of the Wider Black Sea Area states is considered by the locals to be the major factor that sustains security, wellness and national dignity. Under these circumstances, even if the USA military basis in Romania won't exert a direct influence on the democratic processes in Pontic-Caspian states, it becomes clear that the region is of a strategic interest for USA. And, in addition, this statement is sustained by the amount of USA investments in the area, and the assistance that the Pentagon specialists are according to diverse national armed forces in the same area

Concluding, the Black Sea Area is moving towards the configuration of a new power. The actual dynamics of the area, the USA penetration through former Russian influence space substitute EU incapacity to rapidly adapt to the new political configuration of the continent, offering the motivation for changing centres of power and the energetic fields generated by them in the Black Sea basin.

If the USA presence will be more and more significant in the area, the US government to maximize the focus on its citizens' security and securing the investments in the area, contributing to the security and stability process of the area.

If Russia understands and accepts its new status, to share its traditional fief with a much more powerful and agreed by the local players, it will concur to the establishment and maintaining a better status of the security environment. Otherwise, Russia risks to politically isolate from Europe, the actual economic links, very strong and efficient today, to be transformed to "pragmatic" ones. Strengthening relationships with China and India does not succeed to counterbalance the loss of European relations, but only moving the Kremlin centre of gravity to Asia, with all the consequences determined by the philosophical, social, and economic and any other nature differences.

Romania will have to increase the rhythm regarding involvement in accomplishing a strong regional co-operation, trying not to waste its forces in too many small significant initiatives, with no echoes in the region. It is necessary that our country uses its role, got it in the new NATO architecture, to construct "image aces" in Bruxelles. The brand of Romanian actions in 2005 will be completely honoured only by maintaining the engagement tempo in the coming years, for strengthening security and stability in the Black Sea.

NOTES:

1 http://www.rusialazi.ro/index.php?a=externe2005121203.xml
2 http://www.indiadailz.com/editorial/5885.asp
3 Renaud DEHOUSSE, *Les institutions européennes en quête de légitimité: nécessité d'une approche privilégiant la procédure*, Les cahiers de la cellule de prospective, vol. **Gouvernance dans l'Union Européenne**, ed. Européen Commission, 2004, p. 185.
4 *Ukraine to Fulfill its Commitments on Russian Black Sea Fleet*, http:// www.unian.net/eng/news/news-87708.html
5 http://www.interfax.ru/e/B/0/28.html?id_issue=11435471
6 Black Sea is no longer a „Russian lake", Press agency „Russia Today",13.12.2005.
7 http://www.rusialazi.ro/print.php!a=revista2005121302.xml
8 Idem.

Grigore ALEXANDRESCU, PhD, is the Chief of Research and Studies Section from the Center for Defence and Security Strategic Studies, from the National Defence University "Carol I". He has published more than 120 articles in national and international security and strategy magazines. He is author or co-author of more than 30 studies, monografies and specialised papers.
He was on missions in Bosnia and Herzegovina.

TO A GLOBAL SECURITY SYSTEM. UNITED NATIONS - A GLOBAL SECURITY ORGANIZATION

Constantin-Gheorghe BALABAN, PhD

The emergence of new security state actors with global ambitions and their implication in security environment at the global level could lead to an increase of the importance either of the certain states as world superpowers or of the role of middle sized states to the prejudice of international security bodies, whose solutions to the global problems proved to be more and more inefficient and whose mechanisms of implementation clumsier.

Within these circumstances, the re-thinking of the UN, NATO and EU role in providing international security and promoting the interests of the member states as challenges brought out to light by the military intervention in Iraq is eloquent.

Neither some other possible variants of association are excluded, determined by the unforeseeable yet global developments of phenomena as migration of the population or access to the vital resources, such as, in the case of terrorism, the Coalition of Will - a coalition of more than 35 national contingents engaged side by side with American troops in military and humanitarian operations in Afghanistan and Iraq and supported by other states diplomatically, with humanitarian actions or financially.

In these circumstances of deep confusion and vast search, the United States of America distinguishes more and more as the only global power able to impose the own values as "universal values" and to manage the big problems of the world.

At the same time, a revived Europe also tries to define its own identity by re-launching an old project aimed to build an unitary entity within which the nations are developing in the spirit of democratic principles of respect for human rights and provision of the social welfare.

The Establishment of the United Nations Organization

Goals, principles and institutional system

After World War II, the core of the international organizations is the *United Nations Organization* (*UNO*) that was founded in 1945.

Similar to the League of the Nations, the new organization has been conceived as an alliance of the victorious states in the War for the peace to come, but different from the Society of Nations Pact included in the Peace Treaty of Paris in 1919, the Charter of the United Nations - the founding document of UN has been elaborated apart from the peace treaties by the end of the second world conflagration. Its efficiency and durability have been provided on one side by the fact it succeeded in former enemies' reconciliation in a manner the League of Nations did not apply and, on the other side, by the fact its members' number tripled in 30 years after establishment, especially with small and middle underdeveloped and developing states, by providing them an international position the states of such kind never had before[1]. Obviously, the adoption of the Charter had the significance of an historical event in the sphere of the international relations allowing the triumph of the great values: peace, security, economic and social progress to the prejudice of force, domination and backwardness.

Although the UN initial nature has been decided on the basis of the initial purpose - peace and security guaranteed by the four big powers - new important elements have been added later on: the economic and social aspects of the organization. The organization has been created with the purpose to establish a new world order both in the line of provision of peace and elimination of force from the international relations framework and on the plan of economic, social, cultural and humanitarian development.

UN was and remains the most important international inter-governmental organization both by its universal character and its given goals and functions. It remains without doubt the organization with the largest experience in the field of peacekeeping.

The number of the member states considerably increased producing the universality of the UN institutions. Each year to the signatory states of the UN Charter joined new ones. Thus, if by the end of '60s you could find 100 UN member states, in 1982 their number increased to 157 and 10 years later, in 1991, to 169. At present, UN has 191 members.[2]

UN establishment and development opens large opportunities for affirmation and development of the international law as an instrument to prevent and solve conflicts and to maintain peace in the world.[3] It rests to be formed the specialized organizational institutional system. The international law principles have been acknowledged later on with the UN General Assembly Declaration in 1970 on the international law principles regarding friendly relations and co-operation among the states according to the UN Charter and some other subsequent documents.[4] After 1989 there has been recorded a new stage in the international law configuration marked by the end of the bipolar confrontations and by the radical transformations the international society characters suffered.

1. The United Nations Organization establishment

UN has been established with *UN Charter*[5] - the fundamental act of the organization - coming into force on 24th of October 1945. Since that date, the organization became operational.

Its core purpose was to protect the future generations from the scourge of war, to maintain international peace and security, to guarantee that use of force will take place only in the common interest.

The disastrous consequences of the World War II imposed the victorious states a unanimously accepted point of view on the war, its definitive exclusion from the international life.[6]

Article 2, point 4 of the UN Charter clearly states: "All members of the organization will refrain from resorting to the threat with force or its use against the territorial integrity or political in-dependence of states or in any other way inconsistent with UN goals".

Also, the Charter devoted an apart chapter to "actions in case of threat against peace, peace violations and acts of aggression" - Chapter VII - where it is conferred to Security Council the right to form, maintain and use the military force[7] provided by the member states[8] able to intervene in the conflicts to restore peace

2. Goals and principles of the organization

The goals are presented in the first article of the Charter as following:

− To maintain peace and international security and in this respect to take effective measures for preventing and removing threats against peace and repressing any act of aggression or other peace violation and to put in practice by peaceful means and according to the principles of justice and international law the settlement or solution of disputes or conflicts with international character which could lead to a peace violation

− To develop friendly relations among nations founded on observation of the principle of peoples' equality of rights and of the right to dispose and to take any other proper measures for world peace reinforcement

− To perform international co-operation in solving the economic, social, cultural or humanitarian international problems in promoting and enhancing observation of the human rights and fundamental liberties for all people without any race, sex, language or religious discrimination

− To be a centre harmonizing the efforts of the nations to achieve all these common goals.

Following the above mentioned goals, UN members have to act in accordance with the principles detailed in the Article 2, points 1 and 7 of the UN Charter which states:

1. The organization is founded on the principle of all its members' sovereign equality

2. All members of the organization must fulfil with good faith their assumed responsibilities according to the Charter

3. All members of the organization will solve their international disputes by peaceful means so that international peace and security as well as the justice not to be endangered[9]

4. All members of the organization will refrain in their international relations from resorting to the

threat with force or its use against the territorial integrity or political independence of any state, or to other ways inconsistent with UN goals

5. All members of the organization will entirely support in any action it initiates according with the provisions of the Charter and will refrain from helping the state against which the organization undertakes a preventing or compelling action

6. The organization will provide the states which are not UN members to act in accordance with these principles to the needed extent for maintaining peace and international security

7. No provision of the present Charter will authorize UN to intervene in matters essentially belonging to the domestic competence of a state either will compel its members to submit such issues to be solved on the basis of the present Charter's provisions. But this principle will not prevent from applying the compelling measures provided in the Chapter VII.

3. UN institutional system

The UN institutional structure is established by the founding document – UN Charter, Chapter III, (Bodies).

According to the Article 7 of this chapter the UN main established bodies are: a General Assembly, a Security Council, an Economic and Social Council, a Guardianship Council, an International Court of Justice and a Secretariat. Also, according to the Charter, some subsidiary bodies can be established.[10]

The issues regarding the composition, functions and powers, election proceedings, etc. are presented in the following chapters of the Charter: Chapter IV (General Assembly), Chapter V (Security Council), Chapter XIII (Guardianship Council), Chapter XIV (International Court of Justice), Chapter XV (Secretariat). From their content in the general framework of the topic we keep in mind that UN bodies on which the Charter confers on purpose the competence to peacefully solve disputes among the member states as well as the situations that could generate a dispute when their persistence could threaten the international security and peace are the Security Council and General Assembly. Consequently, in this article we will present details we consider minimal for understanding their competence.

3.1. Concerning the General Assembly

General Assembly is the UN deliberative body and includes all member states each having no more than five representatives in the General Assembly

The issues concerning composition, functions and powers, election, proceedings, etc. are detailed in the Chapter 4 of the Charter.[11]

Each member has at his disposal one vote and decision regarding the important problems – recommendations on peacekeeping and international security, the non-permanent Security Council members' election, the Economic and Social Council as well as the Guardianship Council members' election, admittance of the new members of the organization, etc. – is taken by two thirds of the present at the vote members' number.

For more details, see Chapter IV entitled "General Assembly", Article 8 (Voting), in the Annex no.3.

The General Assembly's regulations, established according to provisions of the Article 21 of the Charter – „The General Assembly will establish the own rules and proceedings. It will designate a president for each session" – is in force since the 1st of January 1948. But it has been amended several times in time.

The subsidiary bodies the General Assembly appreciates to be needed in exercising its functions can be created in several ways.

The first and most frequent one is the resolution adopted by a main body or provided in an intergovernmental agreement. Several examples:

− *International Law Committee* - created on the basis of General Assembly Resolution 174(II) from the 21st of November 1947

− *Special Committee for Decolonization* – known also as the Committee of 24 - has been founded on the 27th of November 1961 on the basis of the General Assembly Resolution 1654 (XVI), with the task to control how the Declaration on giving independence to colonial countries and peoples is applied.[12] It is worth to mention that within this Committee took place the contacts between the national liberation movements and UN. Since 1971, their representatives participated in UN works and even more since 1974, on the basis of the Resolution 3280(XXIX) the national liberation movements in the regions not autonomous yet have been accepted to regularly attend as observers all UN meetings.

– *Committee against Apartheid* – created on the basis of General Assembly Resolution 1761 (XVII) from the 6th of November 1962. Initially, the Committee in charge to study the Apartheid policy of the South-African Republic Government included 11 UN member states: five from Africa, three from Asia, two from Latin America and one from East Europe.

Later on, after its enlargement in 1965 with another six states, the General Assembly extended the attributions of the Committee to the entire South Africa and entitled it the Special Committee for Apartheid. Since 1974, it has the present-day denomination but the number of states increased again, so that it has been designated to receive and examine complaints, to have consultations with specialized institutions, regional organizations, NGOs and to be able to take measures and to assist the national liberation movements and oppressed persons in South Africa.

– *UN Committee for Namibia* - created on the basis of General Assembly Resolution 2248 from the 19th of May 1967 it was in charge with administration of Namibia's territory until the country became independent (21st of March, 1990). It has been dissolved on the 11th of September 1990, according to the Resolution 44/243 of the General Assembly.

– *Special Committee in charge with investigation the Israeli practices affecting the human rights in the occupied territories* – created by General Assembly Resolution 2443(XXIII) from the 19th of December 1968. To notice that the Israeli Government was against requested co-operation with this Committee.

– *Committee for exercising the inalienable rights of the Palestinian people* – created by General Assembly Resolution 3236(XXIX) from 1974 as a consequence of the international community concerns about the way the Palestinian people exercises the right to self-determination without any interference from abroad, the right to independence and national sovereignty or about the way the Palestinians exercise their right to come back to their homes and facilities from which they have been displaced and uprooted.

To notice that in the same year, 1974, by UN Resolution 3237(XXIX), the Palestine Liberation Organization was invited to attend both the General Assembly Sessions and the works on problems of interest and debates in Security Council.

3.2. Concerning the Security Council

The Security Council is a body with a permanent activity. Intended "to provide a rapid and effective action of the organization", its members confer the main responsibility in the field of peacekeeping and international security[13] and admit that "fulfilling the imposed responsibility duties, Security Council acts on their behalf".

Security Council has a limited number of members and continues to reflect the geopolitical balance specific to the period when the organization has been established. It comprises 15 members, five of them permanent with the right of veto - USA, Great Britain, France, China, and the Russian Federation. The other ten members are not permanent and do not have the right of veto. They are elected by the General Assembly from the 191 members of the organization for a period of two years. Election is performed paying attention to the equitable repartition from geographical point of view, but first of all to their contribution to peacekeeping and international security and fulfilment of the UN tasks. Romania was a member of Security Council for two years (2004-2005), having an active contribution in promoting peace and security being directly implied in the approach of major topics of global interest.

According to the Charter, Chapter V (Security Council), Article 27, each member of Security Council has one vote. The core decisions of Security Council must join the votes of nine members among them compulsory five permanent ones. The vote against or a refrain from vote by a permanent member is known as the right of veto and the achieved Resolution has no positive value because the formula used in the Charter refers to an affirmative vote.

The changes emerged after the end of the Cold War have been also noticed at the level of Security Council, where new relations appeared among its five permanent members.

There can be seen also a change of perception in the field of domestic conflicts – a domain more and more frequently in the sphere of Council's concerns. Along this line, the UN humanitarian intervention in the North of Iraq in 1991 – the first of such a kind after the Cold War or in Bosnia-Herzegovina (1992-1995), or in Kosovo (1998-1999) in the proximity of Romania are relevant. On the other side, the disputes on the Iraq crisis at the beginning of 2003[14] clearly emphasized the fundamental

differences in vision and options on the direction of evolution of the international security system and the need to re-organize both UN and Security Council so that to avoid the possibility of rejection a decision by veto.

Actually, even in 1993 there was the need for a strategy including the change in Council's composition, the change of decision-making mechanisms and methods, a change about which a lot of disagreements continue to exist, especially on the permanent members' status and the right of veto – in 2000, the leaders from Canada, France, Germany, Italy, Japan, Great Britain, Russia and United States re-affirmed the need for a substantial modification of the Council so that to be possible to face the new challenges confronting the humankind.

The present-day organization of the Security Council does not reflect any more the political realities and the capability for adaptation must be one of its basic features. The Security Council structure proved to be an old one and sometimes unable to act. The literature of speciality presents several attempts to re-organize the UN Security Council. Among them, Jeffrey Laurenti[15] proposed to define a new concept of "permanence" and considers that only this amendment to the Charter could bring a provisional arrangement adding few places with specific status; *British politicians* proposed to increase the number of the permanent members from five to ten but without giving to the newcomers Germany, Japan, India and by one country from Latin America and Africa the right of veto; or the *proposal that instead of individual countries to give certain places to the international organizations such as:* European Union, League of Arabian States, African Union, or even ASEAN – an idea of reform which, in some specialists' opinion could stress polarization in regional and ideological problems creating a strong opposition by the countries of the "third world" against the big powers of the world.[16] It seems the only way to rebirth the status and the role of the Security Council is the approach of reform in a new manner, specific to the 21st century. The radical decisions cannot be avoided, but they must be well conceived and prepared. New priorities and "musts" emerge quicker than we realize and the idea of a lack of future for UN and Security Council – the main actor of peace and international security – wondered over the world in 2003 – is more and more contrary to the real developments.

NOTES:

1 I. DRAGOMAN, C. MILITARU, C. PANDURU, **Relaţii internaţionale actuale: generarea securităţii, păcii şi războiului în secolul XXI, minimizarea dezordinii şi creşterea solidarităţii internaţionale, umanizarea afacerilor globale în mileniului al treilea**, Editura Intergraf, Reşiţa, 2004, pp. 140-144.

2 JURA, Cristian, **Rolul organizaţiilor non-guvernamentale pe plan internaţional**, Ed. All Beck, Bucureşti, 2003, p. 41.

3 For a long period of time the international law has the tendency to get out of law the wars of aggression and generally the use of force. The Sociey of Nations Pact made an important step forward into this direction. The Paris Pact (Briand-Kellog Pact of 1928) put a step further, but the decisive stage is the UN Charter.

4 Resolution 2625 from the 14th of October 1970. The Declaration establishes seven principles to which the Final Act CSCE in Helsinki (1975) adds another three: the inviolability of borders, the territorial integrity, the respect for fundamental human rights and liberties.

5 The UN Charter has been signed in San Francisco on the 26th of June 1945 by 50 nations. Later on, the Resolution 1991 (XVII) of the UN General Assembly adopted on the 17th of December 1963 was amended. These amendments have been ratified by Romania too in Decree no.876/1964, published in Monitorul Oficial no.5, 03.01.1965.

6 Till the Pact Briand-Kellog has been signed in Paris on the 27th of August 1928 the war was considered normal and legitimate in practice of the international law.

7 According to Article 42, Security Council can undertake with air, naval and ground forces any action considered to be needed for keeping or restoring peace and international security.

8 Despite the fact the UN Charter, Chapter 7, Article 43, p.1-3 is very clear, in fact, the UN armed forces have never been establised. The first attempt in 1948 failed, so that the solution was to resort to a more pragmatic way, close to that the signatory states had in view: peacekeeping operations.

9 Despite all assumed commitments, the conflict prevention needed from the very beginning efforts and a permanent concern where the preventive diplomacy had and has the crucial role.

10 Subsidiary bodies as UN parts are created

to the extent they are needed by the General Assembly. For example, the emergency forces or peacekeeping observing forces, or other specialized structures such as UN Conference for Trade and Development (UNCTAD), UN Programme for Development, etc.

11 See UN Charter, Chapter IV, Article 11. For the other functions with a special character, see Articles 10-17.

12 The Declaration proclaims that everyone has the right to free determination and that colonialism must be submitted to unconditional and quick liquidation.

13 Taking into account the Romania's new quality of a non-permanent member of the Security Council, we have to understand the process taking place within this forum concerning the important international security problems, to see which are the responsibilities we have along this line, the way we can join this complex effort from the point of view of our international status.

14 Resolution 1441 did not authorize explicitly the use of force but prevented on the serious consequences Iraq could suffer if it would continue to refuse the disarmament. Later on, when United States declared on 28th of February that the objective is not any more the disarmament but the change of regime in Iraq, France, Russia and China made public their intention to block any resolution authorizing the use of force against Saddam Hussein (The UN inspectors' Report of 14th of February 2003 shows that after 11 weeks of inspection no prove of WMD existence has been discovered in Iraq).

15 Reforming the United Nations Security Council: Will It Ever Come, United Nations Association of the United States of America (UNA-USA), 17th of March 2003.

16 For details, see Reforma organizaţională la nivel internaţional. ONU şi provocările secolului XXI, Alexandra SARCINSCHI, Impact Strategic nr. 2/2004, pp.73-81.

Professor Constantin - Gheorghe BALABAN, PhD, is a doctorate consultant within the National Defence University "Carol I".

THE PARTICIPATION OF THE ROMANIAN MILITARY STRUCTURES IN OPERATIONS UNDER NATO HEADQUARTERS COMMAND

Teodor FRUNZETI, PhD

The greatest challenges of the 21st century are closely related to terrorism, the global threat against civilized states, the possible use of weapons of mass destruction and the presence of certain instability areas around the world. These factors can lead to tension, crises and conflicts which, by their implications, can directly affect Romania's interests and, implicitly, the interests of the North Atlantic Alliance.

History has proved that during most of the modern wars conducted for the purpose of national defence, the Romanian Military conducted military operations, usually in cooperation with allied forces. As far as the national security assurance is concerned, Romania also relies, as a member of the North Atlantic Alliance, on the Allies force. "In case of any armed aggression, the Romanian Military will conduct operations meant to reject it, both supporting and receiving the support of the Allies, according to the Washington Treaty"[1]. This can be done based on the Article 5 provisions of the Washington Treaty, which states that: "any armed attack against a member state will be considered an attack against all the members of the Alliance"[2].

1. NATO Transformation – a process with major effects on modernizing Alliance's nations military forces

The security of Romania, as a European state, can be defined and promoted only within NATO and the European Union, according to the national interests harmonized with the specific policies of the two organizations.

Nowadays, NATO has become a global entity, undergoing a process of ascent, changing and modernization. The Allied Command for Transformation coordinates the process of transforming Alliance forces and capabilities by issuing, experiencing, substantiating and implementing the new doctrines and concepts meant to contribute to the increase of the Alliance military efficiency.

Global political and military changes that took place during the last decade, reshaping NATO and the accession of Romania to the North Atlantic structure have generated crucial changes in the national defence military doctrine.

The above mentioned led to significant changes in the concept of military conflict, because the typology of conducting military operations has become diverse, turning into asymmetrical conflicts, terrorist and guerrilla operations, preventive operations such as peace enforcement (peace keeping) operations and to a less (extreme) extent, decisive, forceful strikes.

According to these facts, the North-Atlantic Alliance is undergoing deep transformation both at the level of doctrine and of structure.

Generating the rapid reaction structures, especially the NATO Response Force, able to operate anywhere in the world, was a priority requirement imposed by the reality of the beginning of the millennium and it was put into practice after the Prague Summit in 2002. Generating and increasing the combat readiness of the NATO Response Force aim both at command structures (commands) and at support and combat forces, that the Alliance can use to intervene rapidly and efficiently in any threat or conflict area in order to accomplish both deployment missions meant to discourage the threat and collective defence (Article 5 type) or non-Article 5 missions. As a member of the Alliance, Romania committed for NRF-5 within which it participates with an NBC Protection Platoon within the Czech NBC Protection Battalion. It must be able to engage in the theatre in five days and it must also be able to self-sustain for 30 days. As for Romania's accession to the European Union and its contribution with capabilities meant for

the protection of its interests, our country will participate with structures designated in this respect, selected from the operational forces, assessed and assigned for NATO. NATO political leadership is provided by three bodies: the North Atlantic Council – NAC, Defence Planning Committee – NPC and the Nuclear Planning Group – NPG, assisted in substantiating their decisions by subordinated bodies such as departments, committees and work groups. Yet, it is NAC that remains NATO's main decision body.

NATO integrated military structure is subordinated to the political leadership and its role is to provide the organization framework for the defence of member countries facing the threats against their security and stability, according to the Article 5 in the Alliance Treaty. It includes the national forces rendered available to NATO, in accordance with certain pre-established specific criteria and conditions. NATO military leadership is provided by the Military Committee. Its subordinate bodies – the Allied Command for Operations (ACO) and the Allied Command for Transformation (ACT) – provide the Alliance strategic command.

NATO's integrated command structure is presented in the following chart:
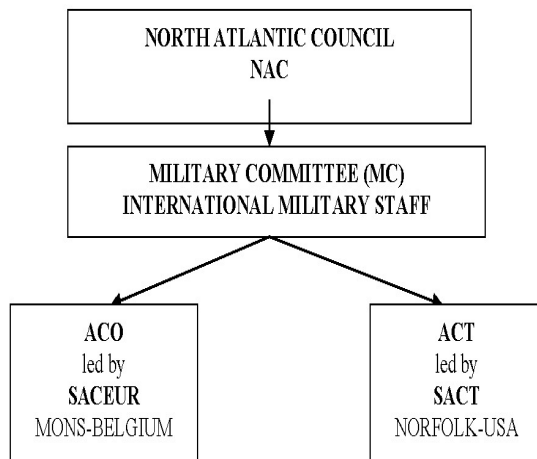
Romania is integrated into NATO's chain of command at strategic level by the Allied Command for Operations, which is responsible for planning and conducting defence operations and operations meant to restore the territorial integrity of Alliance states within the limits authorized by NATO political and military leadership (NAC), and at operational level by the Joint Force Command South

Europe (JFC 'S'), deployed to Naples - Italy.
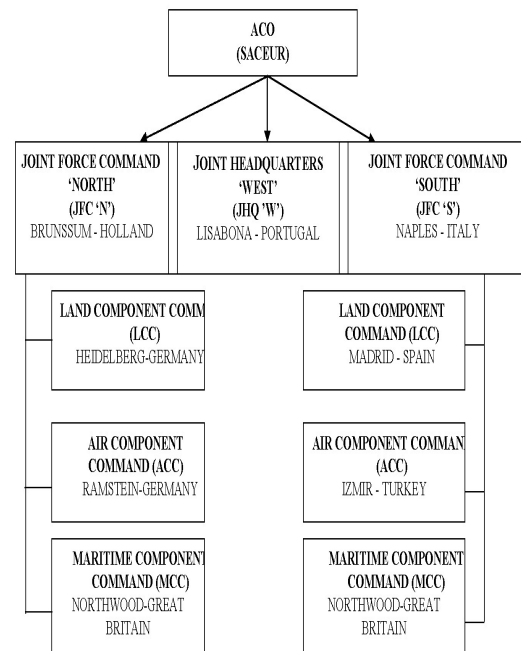
In their relationship with NATO, **Romanian military forces** can be:

a. under NATO command – those forces under a NATO commander OPCON (the Military Police Platoon within ISAF, which is an ongoing operation);

b. assigned to NATO – those forces that are going to be under a NATO commander OPCON, for a clearly defined period of time, determined by the accepted readiness category (RC), for example: a structure assigned to NRF (RC 1 or RC 2) or an RC 5 brigade that will be subsequently subordinated in order to participate in the development of the operation started by NRF;

c. available to NATO *(developing for NATO) – the forces that will be made available to NATO in the future, according to their operational status and to their affiliation to the Alliance Operation Plans;*

d. other forces for NATO – the forces that are going to be subordinated to the Alliance only under specific/exceptional circumstances or those forces that could cooperate with NATO forces during an operation;

e. generation/regeneration forces – can cooperate/come under NATO subordination only in the event of conducting an operation on the national

territory, and in this case they fall under the provisions of point **d.**

After the TOA, during a NATO collective operation, Romanian Armed Forces will be commanded by a Component Commander (LCC, ACC and MCC, or other subordinate commands) within the Joint Force Command assigned for the conduct of the operation.

2. The need to transform Romanian Armed Forces for a complete interoperability with NATO

In this context, the process of Romanian Armed Forces transformation is a logical necessity, derived from the Alliance's new orientation towards strategy and transformation. The reform of the Romanian Armed Forces has overcome the initial probing period, starting to define a wide range of missions and capabilities required by its position as a member of the North Atlantic Alliance.

This allows expanding the range of objectives and processes which include structuring and preparing forces to participate in the collective defence, improvement of capabilities for the entire range of crisis management operations, multinational operations or anti-terrorist operations.

The purpose of transforming Romanian Armed Forces is the complete interoperability with NATO member states military forces both in training, deployment and command of forces, and in equipment and logistic support.

This transformation aims at obtaining well structured forces, able to operate in a joint environment under NATO command, independently or as part of multinational task forces, with an interoperable command and control system that can ensure superiority in decision making and equipment suitable to the configuration of current military operations.

3. Rendering operational, assessing and certifying/affirming the Romanian military structures for NATO

Reshaping the Romanian Armed Forces and adopting NATO standards and procedures were the first measures included in the plans for the interoperability with the military forces of the other Alliance member states.

Modernizing and endowing our forces with military equipment up to the standard of West European armies is another guideline of the interoperability process which has started when Romania acceded to NATO and is still going on. We estimate that it will be completed in the following 12-15 years.

As a NATO member, Romania benefits from the advantages of collective defence. Besides them, this reality supposes the necessity of accomplishing duties and responsibilities within the Alliance at the required level.

Referring to these aspects, Romanian Armed Forces are completing the process of reshaping, rendering the institution more professional and revising the personnel training system. In this respect, the General Staff implements this responsibility by its specialized structures, both for rendering commands and forces operational (by the military Services Staffs) and for the operational command (by the Joint Operational Command).

At tactical level, the Romanian Armed Forces constituted commands organized upon NATO model, which meet the interoperability requirements of other Alliance states commands.

This aspect was practiced by subordinating certain Romanian military operational structures (OPCON) to some NATO multinational commands, during the peace enforcement and peacekeeping operations within various theatres of operations in Iraq, Afghanistan and in the Balkans.

The operational structures assessed and certified according to NATO procedures and to the criteria established by the Alliance leadership and the forces designated to the NATO Reaction Force (NRF) will be the only ones to operate under NATO command.

The combat readiness of NATO assigned forces is a national attribute, and their evaluation and certification/validation that establish their operational capacity will be conducted together with Alliance partners.

The order of the chief of General Staff No. S/SMG-12 (2005) details the schedule for rendering these forces operational and for their evaluation by the year 2012.

The evaluation of the structures is conducted in accordance with NATO specific evaluation instructions: for land forces – **CREVAL** (Combat Readiness Evaluation), for air forces – **TACEVAL** (Tactical Evaluation) and for navy forces – **MAREVAL** (Maritime Evaluation), taking place

during more phases, one of them being a DEMEX/ROMEX type of exercise.

The first NATO assigned structures of the Romanian Army (811 Inf Bn/81 Mech Bde; 1 Coy/265 MP Bn; 1 NBC Coy/202 NBC Defense Bn; 1 EW Coy/196 EW Bn) have been evaluated during DEMEX-05 in CINCU shooting range, by mixed teams of Romanian evaluators and Alliance representatives within NATO CC-Land Headquarters in Madrid.

The activity of preparing the combat readiness and evaluating military structures for NATO will further continue in accordance with the commitment and the schedule approved by the chief of the General Staff.

The personnel training will aim at establishing some structures (headquarters and forces) capable to be at Alliance's disposal for the years to come.

4. Forces' engagement concept on the national territory

The defence of the national territory in case of an armed aggression will be ensured by applying the NATO system for the operational planning. This is based on the advanced planning that requires the development, together with the General Staff, of the *Contingency Plans* – COPs and *Standing Defence Plans* – SDPs, as well as on crisis response planning.

NATO contingency plans are approved by the Alliance Military Committee and cover also the risks for Romania. Should unexpected events occur, affecting Romanian security, NATO develops a Standing Defence Plan having the role of counteracting a potential security risk, endorsed by the Military Committee and approved by the North Atlantic Council.

The Operational Plan – OPLAN - is issued after receiving the Initial Guideline of the North Atlantic Council; it is endorsed by the Military Committee and approved by the NAC.

All these plans are based on political-military assessments that significantly reduce the surprise element and ensure the freedom of action for the Alliance in the planning process.

In order to conduct the *operational plan* it is necessary to activate and deploy the forces required.

Forces activation is assigned to the corresponding strategic command and initiated through a *Forces Activation Directive* by the North Atlantic Council.

The decision at national level regarding the provision and engagement of Armed Forces is a political one and is made by the president of the National Defence Supreme Council with previous or subsequent approval of the Parliament, depending on each case.

The engagement of the Armed Forces will be selective and gradual, as the threat is shaping and on the phases of increasing the armed threat. Also, within the national planning process, the agreements on the host nation support, developed to facilitate joint multinational operations for Romania collective defence, play an important part.

The first structure of the Alliance to be engaged in the event that a crisis situation escalates is NATO Response Force – NRF. Romanian Armed Forces will be also part of this force, as the national forces assigned for NATO become operational.

The concept of engaging the forces on the national territory to counteract any type of aggression is complimentary with the NATO commitments, the national contribution to the Prague commitment, the EU contribution, as well as with the participation with forces deployed to NATO Response Force.

The process of transforming the force structure has to meet this request, ensuring as such the accomplishment of the mission to defend Romania and its allies.

In case of an armed aggression against Romania, NATO assigned forces, which are not deployed into the theatres of operations, are the first units to be engaged, in accordance with the plans issued by the Alliance together with the General Staff.

The other units, as a first emergency, are to provide the personnel and equipment required for the augmentation of NATO assigned units and to provide their logistic support.

As a second emergency, the other units are to pass successively to the alert states ordered by the national command authority, by applying peacetime issued plans.

The command of the military operations is conducted in accordance with the provisions of NATO documents for the force generation, planning and conduct of military operations. Similarly, the Armed Forces are to be engaged if any state member of the Alliance is attacked.

5. The command of forces engaged in military operations on Romanian territory within the collective defence

In the event of an armed aggression against Romania, state authorized institutions request the Alliance support in accordance with Art. 4 (aggression risk) and 5 (collective defence) of the North Atlantic Treaty.

The commander of the National Military Command Centre has the authority, granted by Romanian constitutional institutions, to participate, directly or by representatives, on the basis of the political mandate, in the development of the decisions of the Allied Command for Operations (ACO) regarding the planning and development of military operations at strategic level to strengthen the defence capacity or/and the defence of Romanian national territory.

The decisions made are acknowledged to the National Defence Supreme Council. The Joint Operational Command conducts the military operations in the area of responsibility established under the full command of CNMC and under the operational control of NATO Joint Force Command, until the NATO headquarters assigned to conduct military operations are fully operational.

The command of air forces available to NATO is conducted by the Joint Force Command (JFC) through the Multinational Centres of Air Operations Command (CAOC) assigned to NATO, and the command of friendly air forces in the area of responsibility is conducted by the Joint HQ, in accordance with NATINEADS Concept.

The command of navy forces available to NATO is conducted by the Joint Force Command (JFC) through the NATO Maritime Component assigned, and the command of friendly available navy forces in the area of responsibility is conducted by the Joint HQ, in cooperation with JFC.

The technical support required for the command is provided by the subordinated information and communications structure, supported - upon request- with elements of the strategic system.

6. Operating and command procedures for Romanian military structures, under OPCON/ OPCOM to NATO Headquarters

Assuming the principle that "an attack against one member of the Alliance means an attack against all members", on the basis of Art. 5 of the Washington Treaty in 1949, is equivalent to committing to engage a part of national forces in the territory where the aggression occurred and, consequently, the capacity of moving and deploying them in the conflict area.

In the situation of defending *Romanian territory*, as an inter-allied joint territory, friendly units have to be comprised in due time in the Plan of the Alliance for Joint Defence, so that, after they are rendered operational and certified/authorized, they should be available for operational commands and develop independently or jointly under NATO command operations in order to achieve the extensive strategic military end state of the Alliance.

The future military operations of the Alliance will have to take more and more into account not only the necessity to engage national forces in the first phases of operations, but also the request to coordinate and cooperate with international organizations and agencies in theatres, so that the common efforts should have the coherence and foundation necessary to meet the objectives.

In accordance with the concept of collective defence, Romania may develop military operations both on national territory and outside its borders, within NATO or other alliances (antiterrorist alliance type).

The planning and command of military operations are conducted only on the basis of NATO standards and work procedures. As a result, the training of the headquarters and troops is conducted through different forms (mostly exercises as MAPEX, CPX, CAX, FTX, LIVEX, etc.), that are stated in the **Exercise Planning Guidelines (EPG),** a basic methodological document in this field.

The *Operational Planning* is conducted in accordance with the provisions of the **Guidelines for Operational Planning (GOP)**, as a NATO planning document, and the *command of operations* is conducted in accordance with NATO C2 concept. Within the coalitions Romania is a part of, there may be used the procedures of the state that has the command role. For example, within the Operation Enduring Freedom there are used US regulations (FMs, The Targeting Process, etc.).

National procedures may be also used to command friendly forces within NATO operations, should only Romanian forces be engaged. At present, in the Romanian Military, the proce-

dures used during exercises are NATO specific ones, even if we talk about national procedures. The process of adjusting the Romanian doctrines, handbooks and regulations to the specific nature and requests of the Alliance is still under development and we consider that its completion is a priority for the future.

The military operations conducted by NATO in an area of responsibility (AOR) that includes Romanian territory may be conducted by NATO or Romanian headquarters. The latter may have Alliance personnel, engaging national forces or/and forces of the states that participate in the operation.

The work procedures will be the ones used within the Alliance, stated in the Guidelines for Operational Planning (GOP) as well as in the other NATO publications, and the documents will be developed in the operational language (English).

The Operational Planning Process establishes the phases in planning the operations, namely: the initial planning, the guidance, the concept development, the development of the action plan and the review of the specific annex plan. The extent to which these procedures can be applied is universal, for all types of operations, at all levels.

As far as the operation command and coordination are concerned, the chain of command is to be done accordingly: J, G, S, and the command of the military operations is accomplished in command posts established on a modular basis in centres of analysis and decision, of planning and conduct of joint operations (JOC).

The Land Forces may be used on the national territory in accordance with the type of NATO missions, both for classic military operations and for atypical operations, such as humanitarian or crisis.

If the scope of the crisis or the threat aim at the Alliance collective security or some military operations is carried out in accordance with Article 5, the operations may be led by NATO headquarters, and the Romanian forces act in any place within the area of operation (AOR) of the NATO headquarters to which they are subordinated.

The type of subordination of the national forces to the NATO headquarters is generally established by political-military agreements and it is usually operational control (OPCON).

For the smaller structures, of tactical level, the level of subordination may also be of tactical command (TACOM) or tactical control (TACON), since these units are able to carry out missions in the benefit of some other structures subordinated to the same headquarters. We appreciate that the level of subordination is important to be established, since it settles the way of using the force, respectively, whether the structures acts unitarily or dividedly, subordinated to a different structure.

On the national territory, there will be used not only forces assigned and evaluated for the subordination to some NATO headquarters, but also, in accordance with the level of threat and danger, of the entire reaction capability, thus ensuring the conditions necessary for the Allied forces intervention.

As far as the command and control relationship is concerned, the military operations carried out on Romanian's territory will be in accordance with the level of Alliance involvement in the operations undertaken on national territory.

Thus, if the military conflict has a great zonal or regional scope, and it is of general interest for the Alliance, these capabilities will be placed under the command of NATO headquarters, in accordance with the decision of the North Atlantic Council.

If the Alliance supports with its own forces the operations carried out by the Romanian Armed Forces in conflicts of national interest, in accordance with Article 5, the decision will belong to the national command structure, and the Allied forces will intervene to conduct some missions in the benefit of the Romanian Armed Forces.

7. The planning and conducting of collective defence operations for Romania's national defence

The modern military planning generally meets the USA and NATO standards. That is why, in the spirit of the western planning model, it will have to include: force planning, which the basis of defence is planning; weapon planning; consulting – command – control planning; civil emergencies planning; logistics and resources planning; NBC planning.

There are three types of strategic planning: the one *based on security threats* (fixed framework); the one *based on friendly military capabilities* (flexible framework); the one *based on counteracting the security risks and friendly vulnerabilities* (extended framework).

The security risks and vulnerabilities are identical and specified by strategies of various shades belonging to military analysts and planners. They are to be met in official documents, in long-term strategic visions, in national security strategies and military doctrines. Our country has drawn up this set of political-military documents which the strategic planning is based on, namely: The White Charter of Security and Government National Defence, The Strategic Vision 2010 – Romanian Armed Forces, the short term strategic evaluation of the security environment, the joint strategic capabilities planning, the defence planning directive, the strategic planning disposition, the Armed Forces joint operations doctrine, the joint multinational operations doctrine, the Services doctrine, the manuals and regulations for using different military structures in operations and in battle.

In planning and conducting the collective defence operations for Romania, any military structure that contributes to a multinational force is considered to be able to carry out military operations together with Allied partners. The conceptual preparation of the interoperability is compulsory in elaborating any type of doctrine, which will allow the accomplishment of the highest level of standardization with the Alliance.

The planning of Romania's national defence "… is the exclusive and inalienable responsibility of the national public authorities established by Romanian Constitution". With this end in view, it is necessary to assimilate the Alliance strategic foundations, stipulated by "NATO Strategic Concept", in 1999, completed by "The Agreement on Capabilities", adopted at the Prague Summit, in 2002.

As a NATO member, Romania must adopt the Alliance defensive planning process. The joint multinational operational planning for Romania's collective defense comprises: force generation planning; deployment planning; usage planning; support planning; redeployment planning.

The structures involved in Romania's collective defence planning process are based on the hierarchical system corresponding to the level of responsibility as it follows: The Security Strategic System (SSS); The Strategic Planning System (SPS); The Planning Budget, Programming and Evaluation System (PBPES); The Joint Operation Planning System (JOPS). At strategic level, in concordance with NATO, the public authorities

that are constitutionally assigned (the Parliament, the President of Romania, the Romanian Government, the Supreme National Defence Council and the Ministry of National Defence), as well as the chief of General Staff/the commander of the National Military Command Centre, together with the chiefs of staff of Services and the commanders of the operational commands (JOC, LFOC, AFOC, NOC), are responsible for the strategic planning in order to engage the armed forces in accomplishing the fundamental objectives of the national defence by collective defence, in an allied context.

The aim of NATO operational planning process is to prepare the Alliance for the future possible crises by elaborating – timely and together with the Allied national staff – some permanent and contingency defence plans, as well as by efficiently and timely ensuring operation plans, as a response to an existing crisis situation or to a crisis situation on the verge of bursting.

The Operational Plans Elaboration Process

Event	Responsible / Authority			Comments
	COP	SDP	OPLAN	
Political-military assessment	Not applicable	Not applicable	NAC[1,2]	1. May engage a request for OPLAN. 2. One might request certain analyses on operations planning for the chosen MRO.
Planning initiation[3]	MC	NAC/DPC or the initiating directive	NAC The initiation of the directive	3. Must provide a clear political definition of the mission.
Military assessment[4]	SC	SC	SC	4. Identifies the military courses of action and selects the options for CONOPS elaboration.
CONOPS elaboration	SC	SC	SC	
CONOPS approval	MC	NAC/DPC[5]	NAC[5]	5. Assumed by MC before its approval by NAC or DPC.
Force activation[6]	Not applicable	Force command is always applied.	NAC The force activation directive	6. Force activation may be done before the OPLAN approval and ideally would coincide with the CONOPS approval.
Plan elaboration	SC[7]	SC	SC	7. Threats/risk identification and a decrease in the warning time.
Plan approval	SC	NAC/DPC[8]	NAC[8]	8. Assumed by MC before its approval by NAC or DPC.
Plan execution	Not applicable[9]	The assigned military commander	NAC The execution directive	9. Should a predicted crisis develop into a military crisis, COP will be turned into an OPLAN.
Analysis / plan review initiation	MC/SC	NAC/DPC/ SC	NAC/SC[10]	10. The situation changes occurred between the approval and the execution of the OPLAN might require a revision.
The reviewed plan approval	MC	NAC/DPC	NAC	
Plan annulment	MC	NAC/DPC[11]	NAC	11. TOR/SC amendment

Notes:

CONOPS – Concept of Operation
COP – Contingency Plans
DPC – Defence Planning Committee
HNS – Host Nation Support
MC – Military Committee
MRO – Military Response Option
NAC – North Atlantic Council
OPLAN – Operational Plan
SC – Strategic Command
SDP – Standing Defence Plan
TOR – Terms of Reference

Within the Operational Planning System, there is a clear separation of the responsibilities concerning the operational plans initiation, development, approval, execution or cancellation.

These responsibilities are shared, depending on the situation, by the North Atlantic Council, the Defence Planning Committee, the Military Committee, the Strategic Commands and commanders of the NATO military command structures.

The process of elaborating all the types of operational plans generally follows a similar procedure on two stages: the first one contains the military assessment process; the second one supposes the plan elaboration (COP/SDP/OPLAN) and, when necessary, the elaboration of a campaign plan, based on the approved conception (CONOPS).

Conclusion

Rendering the NATO assigned forces operational is the main objective of Romania's Military force structures transformation process on short, medium and long term.

Accomplishing the process will prove the national military system's ability to meet the Alliance's requirements concerning the level of force preparation, training and usage at NATO standards.

At the same time, accomplishing this objective leads to a modern, flexible force structure, able to be available to the North Atlantic Alliance and which may ensure the accomplishment of all missions during its actions under the subordination of NATO or national commands.

BIBLIOGRAPHY:
− **Romania's Military Strategy (draft)**, Bucharest, 2004, p. 10.
− **Romania's Force Structure Transformation Strategy.**
− **The order of the Chief of General Staff S/SMG** – 12 in 2005 on rendering the force operational and assessing them for NATO.
− **NATO Handbook**, The NATO Bureau of Information and Press, Bruxelles, 1999.
− **NATO Handbook**, Bruxelles, 2001, chapter 11.
− **The Targeting Process** (USA).
− **FM 3-0** 2001.
− SOP 107, 108, 507, 109, 302, 111, 200, 201, 202, 205, 209 (NATO).

NOTES:
1 **Romanian Military Strategy** (draft), Bucharest, 2004, p. 10.
2 **NATO Handbook**, Bruxelles, 2001, page 527 (Washington Treaty, 1949, article 5).

Major general Teodor FRUNZETI, PhD, is the Commandant of the Second Joint Operational Command, Buzău.

THE RELATION BETWEEN SUPRASTATE AND EMPIRE, IN THE EUROPEAN UNION CASE

Mădălina-Virginia ANTONESCU

The article is recommending exploring a triple political relation that can be established between three distinct political concepts: empire, suprastate and the political system of European Union.

The European supranational tendency has accompanied the European construction still from its beginnings, marking both **institutional successes** *– as, for example, the creation of the High Authority within the European Community of Charcoal and Steel system/1952, an institution with clear supranational competences mentioned in the Paris treaty, and then transformed into the European Commission – equally, this institution being perceived as a genuine supranational executive; or the creation of the European Central Bank -,* **as failures***, as well: for example, the Defence European Community failure, due to the French Senate refusal to ratify, in 1954, the treaty. The European supranational tendency is not only present on* **the institutional stage** *(because it is thought that all political institutions entrusted, through the juridical compulsory effect of the European treaties, to the new created political system - the European Union, have all a clear supranational character), but it is also present* **in other elements** *contributing to the evolution of the European process of integration: the European citizenship, the unique market; the legal order of the European Union; the juridical characters of the European law: direct effect; direct applicability; pre-eminence in relation with national law.*

In the European Constitution draft, the D'Estaing variant, the supranational elements are not mentioned as such, but they are implicitly arising from the political nature of the European institutions and from their specific functions: the creation of the Unional Ministry of Foreign Affairs; a progressive increase of the exclusive competences of the EU; the EU aptitude to have express legal personality. These are proving a clear maintenance and even the evolution of the European supranational is, despite the failure moments or the crisis

happened during the European construction.

Secondly, the European supranationalism has recorded equally, a certain **progress,** *because* **new supranational elements** *have been added to the already existent supranational elements; in fact, it can be said that supranationality was a constant contribution to the European construction, which was be balanced by the states and limited though developments of so-called "intergovernmental" elements, pledging for a pre-eminent role of the states within the EU system and implicitly, for limitation of EU powers in sensible sectors.*

On the other hand, related to imperial idea, it must be noticed that empire is a profoundly flexible political concept, history recording different types of empires like those starting from a tribe, a clan, until the more elaborated empires- federation, empires based on a great state, confederations of cities or suprastate. Insomuch as the supranational elements are recognized as belonging to the Union, this political entity can be considered as a new type of postmodern empire, differing from others types of historical empires ; in this respect, EU can become a type of empire based on a specific European suprastate. But this is quite a limited vision, risking to neglect other elements specific to the federation, to the state, to the international intergovernmental organizations, to the confederation, that are characteristic to EU, but also, risking to neglect other original elements from this hybrid structure, that are equally contributing to the imperial idea about the European Union.

Supranational idea in the European construction until the project of European Constitution

From the conclusion of the European Community of Charcoal and Steel treaty[1] at Paris, at 18 April 1951, as a consequence of the Monnet vision to create a market of steel and charcoal based on the supranational method, as an original method

of integration, in comparison with the traditional intergovernmental forms of cooperation destined to build a specialized type of solidarity between European states in the economic field[2], the European Communities were been projected in order to correspond to an ambitious and supranational purpose: **the unceasing union between European peoples,** as a kind of distinct state association consecrated later by the Maastricht Treaty.

European construction is based, still from its origins, on the **idea of a close cooperation, something much closer than a simple intergovernmentalism,** a kind of **unprecedented cooperation**[3], in which the member states will progressively and irreversibly give competences – or, in other theories, even sovereign rights. The object of **the sovereign transfer from the member states of this integrationist organization to the receiving entity** is representing even nowadays the reason for theoretical debates[4], but, meantime, it is sure that **the core of Communities**, subsequently integrated in the EU framework, was **based still from the beginning, on a supranational idea, and not on communitarian type of political idea**[5].

The purpose of the whole European architecture, that is a supranational one, based on the creation and consolidation of a level superior to the states, with its own package of political institutions, a purpose distinct from the states national objectives, intending **to represent directly and exclusively the European citizens**, can be extracted from the flexible wording of art. A, align. 2/TUE - "the unceasingly close union between European peoples"[6] -, that cannot be confounded with the different methods used in order to make the whole European structure to evolve- the intergovernmental and communitarian methods.

When the Communities were not forming yet the first pillar of the Union, they were representing already a method of integration and a preliminary stage towards those political supranational projects that has became later the Union[7].

The finality of the Communities has yet been expressed from the EEC Treaty preamble, signed at 25 March 1957, together with the Convention regarding the common institutions. "The unceasingly closed Union between European peoples", existent in Preamble consecrates **the functionalist method of cooperation** between member states, as the first stage for materializing a supranationalist political project, still no called as such by the communitarian treaties.

European supranationalism is a theory related to the true finality that the European construction will be projected to have, but it cannot explain at present the hybrid nature of the Union, that also contains state, federal, confederal elements and others unique features, establishing the European construction to a level superior to the states.

Genuine supranationalism is based on definitive and irreversible cession of state functions, arising from the fact that **parts of sovereignty itself are given to a distinct entity** that uses these partial sovereignties in order to be identified as unitary, coherent political entity.

The supranational entity is superior to the states, endowed with a genuine political dimension without having to be reduced to it, disposing of its own competences equally on the legal, administrative, economic, social, political, cultural and technological levels.

Comparing with the federation based on the idea of two juxtaposed plans, which are cooperating in certain fields and in which the state entities reserve some powers, without renouncing to sovereignty –, the EU case is treating about a multi-level governance system that affects the national sovereignties[8].

The supranationalism does not permit to the component states to preserve the same political force as the superstate. The superstate must not be confounded with the federal state, which is the entity occupying the superior level in the federative hierarchy.

The federation and the superstate are different models of political organization; from both of them the Union is taking some elements, without grafting definitively and integrally on one of these traditional political patterns.

The Union, in the post-Nice stage, can be conceived as a European federation with some clear suprastate elements or, on a contrary, as a European suprastate with federal elements - depending on what type of political model will be triumphant for the official conception of the European constructors and that will represent the idea for a European political union.

European Union is not conceived for governments, it is not based on some pre-eminent relation **with member states**. It is different from the classical organization of cooperation, based **on the**

principal and primordial political relation between the EU and the European citizens, with the basic level.

Thus, the state becomes an intermediary between Union and its citizens, despite the derived and complementary character that the European citizenship has at present, in relation with the national citizenship.

In the European supranational vision, the state gives competences, without that subsequently it could take them back – even its withdrawal from the Union being at most a theoretical problem concerning the free exercise of sovereignty in the sense of UN Charter terms, excluding the reality that the state can withdraw from a classical organization of cooperation but not from one of integration; the reason is that the withdrawal could endanger the main purpose and the EU objectives as well, despite the express interdiction for the states not to infringe the EU objectives by their actions, interdiction pronounced in the European treaties.

The state competences are given **to an entity that creates an exclusive field of competences.** In fact, the state itself is not something else than a symbolic owner of popular sovereignty that can change its addressee – by national referendum concerning subjects as the state entrance in EU, and not through the agency of the state political organs, as parliaments. From this perspective, the state would give an attribute that, in fact, does not belong to it; the state would give the **exercise** of sovereignty detained in its quality as unique representative of its people. The people are the entity that decides through referendum and through the agency of national parliament, to take part to the European political project and to support the political decision taken by the supranational authorities. Once integrated in the EU political system, national citizens become individuals presenting a clear supranational link with EU – the European citizenship; thus, peoples of nations states are directly submitted to the supranational political system, and this is a feature equally favourable to the creation of an imperial entity.

However, the European supranationalism would signify the subordination not only of European peoples but equally of member states to an unique entity that had taken over their main functions, that had formed its own institutions in order to promote European interests and to operate on the European level of governance; an entity that is imposing its legal norms on European citizens without possibility of opposition from the member states[9].

The intergovernmental or the communitarian origins of the European process cannot be confounded with the supranational origins characterizing this complex political model, because the Union is based on the sovereign and free agreement of the states to offer their sovereignty in order to support a type of accelerated political integration in the European structures; on the other hand, European supranationalism must not be either confounded with intergovernmental organizations, or with the communitarian order[10].

European supranationalism, in order to be perceived exactly, must be submitted to a brief chronological approach and must be analyzed in conformity with its stages of evolution.

Proto-supranationalism in the EU evolution

The Treaty of Paris/1951 regarding the European Community of Charcoal and Steel has been created by free and sovereign agreement of the founding states, a political **institution with a clear supranational dimension named High Authority** and that must not be considered in an incorrect way as a "Communitarian executive", due to the fact that it belongs to a regional organization of integration named " Community", but as a true supranational institution disposing of powers that are not all reiterated by the communitarian treaties regarding its successor, the European Commission[11].

By signing, at a subsequent moment in the evolution of the European process, the other two treaties having as object the creation of other distinct two European Communities, treaties that came into force in 1957[12], there had been, at this moment of political evolution, three parallel and distinct institutional systems. This reality was an expression of the enforced supranational vision supporting **the idea of creating an institutional system distinct from the national one.** As a consequence, even if from 1958 it was a clear tendency to reunite the three institutional systems of the European Communities, this purpose became reality only in 1965, with Bruxelles treaty of institutional fusion. This instrument of state integration has instituted a unique executive named Commission and a unique Council representing the state interests in the Eu-

ropean political level of governance, enforcing thus the European supranationalism.

The expansion of Communities, by opening their structures and receiving new members, has not signified a return to the classical concept of creating an organization of cooperation; this expansion has not signified a regression of supranationalism, because no state that subsequently made its adhesion to the treaties had not discussed, in any form, the communitarian character of the treaties, nor the integrationist profile of the European Communities. In other words, **the states had known and accepted, even from the beginning, that do not become members of a simple organization of cooperation in which their sovereignty will be preserved, but they know they become participants of a complex form of European integration, unprecedented, combining political and economical reasons**[13].

Proto-supranationalism has appeared even from this phase, of creation of Communities, as materialized equally through the express finality to continue the integration between the peoples of Europe up to a level that was not named in the treaties; as well as in forming some supranational institutions as High Authority, the Court of Justice, the Parliamentary Assembly, all of them being guardant of European interests and European citizens. The role of the Ministry Council itself, as a body destined to represent the state interests, cannot be assimilated with the role of the body specific to the structure of some classical organization of cooperation; it cannot be reduced to a level of state multilateralism, **because it is projected to work within the framework of an organization of integration**, to represent the interests of member states as not exclusive possessors of sovereignty **but as political entities progressively giving their sovereignty to a superior and distinct level**, initially named "communitarian" because it was belonging to the Communities; only subsequently, through their absorption in the European Union, this level was converted in the "unional" political dimension.

Together with the appearance of the **European institutional system endowed with specific functions for an organization of integration**, a system distinct from the national institutional systems of the member states, **a new type of law begins to consolidate and form a supranational type of legal order: the communitarian law**. This order has at its base **the progressive cession of sovereign rights** by the states to the Communities and then, due to the evolution of the European integration process, this legal order **was endowed with a new dimension: the unional one**, once with the creation of the European Union; thus, the distinct legal order was surpassed by the communitarian period, in order to become a juridical dimension linked directly to the EU new formed system.

This supranational law is directly applicable - regarding some specific juridical acts as the regulations and the decisions, and in some aspects, the directives - in the territory of the member states and regarding the citizens of those states; it is also, immediately applicable and has pre-eminent effect in comparison with the national law. These **three characters** of the communitarian order also represent three **supranationalist treats** of the EU legal order, proving implicitly that EU is a coherent system, based on massive quantity of juridical acts regulating the three pillars of its inner architecture.

The "**communitarian** law"- if we refer to the commonly used qualification that has expressed, in our vision, **only a specific stage** in the evolution of this law -, was created only **partially and indirectly by the member states**, through the agency of one European institution, the Council of Ministries, as EU genuine legislator. But this law was also **the result of supranational EU institutions** participating to the decision-making process: the European Parliament and the European Commission – if we refer to specific norms emitted in the legislative area and pursuing specific European proceedings: for example, the delegated powers that Commission has in the legislative area or its true monopoly of the legislative initiative.

Proto-supranationalism was dominating the political purposes of European constructors even from the creation of the three Communities, as a **preliminary stage to the consolidation of the supranational method used later** for giving shape and objectives of the new phase, the communitarian one. Proto-supranationalism evokes **an implicit, hidden supranationalism, exercised by intergovernmental methods within a communitarian emergent political framework**, but not neglecting the **finality of integration,** more ambitious than the communitarian stage. **An ever closer Union between peoples of Europe** is the base for direct political relations between the Un-

ion and the European citizens, excluding the main and guiding role of the state, excluding also the level of classical cooperation based on the integral preservation of the sovereignty.

Even from the EEC treaty, this characteristic purpose of the unional system later developed has been defined with clarity, in order not to allow confusion between the unional political system and the intergovernmental or communitarian level[14].

At present, the Union is an original combination between two levels, intergovernmental and communitarian, as a consequence of the three pillars integrated in its complex structure; but the supranationalism continues to be conserved as finality[15] by all treaties modifying the disposals of the original communitarian treaties. The EU objective, based on taking decisions at the closest level from the citizen, is **designed to reduce the role of the state** from this political equation, in order to give a greater importance to the functions of the unional institutions, functions taken by the transfer of competences, from the member states.

The align. 2, art. A/ TUE does not completely eliminate states from this equation of political decision. Thus, the Union has as mission to organize in a coherent style and respect the solidarity principle, the political relations between the member states and their peoples. The Union is becoming, from the perspective of this article, an intermediary entity in the traditional relation state-citizens; meantime, it must remember the fact that, through the effect of the European construction **evolution**, **the intergovernmental level has been integrated - see the CFSP and HJA pillars -, as well as the communitarian level, within the complex and flexible system of the European Union**. This proves implicitly, that the two dimensions are absorbed by the supranational one, because the entire EU system may be considered a supranational one, from the perspective of the finality, legal nature of institutions and their prerogatives, as well, from the perspective of the European law characteristics.

European Union is based on a very powerful integrationist concept that makes **difficult to conceive the preservation of state sovereignty** as it was consecrated by the UN Charter in XX Century, conceiving sovereignty as an international legal principle endowed with a legal value of *ius cogens*[16]. Integrationist theories are linked with ideas supporting the general tendency of sover-

eignty relativity, as a reaction to the political vision pledging for absolutist type of sovereignty.

The EU institutions mission to organize the relations between the two subordinated levels of the Union, **the state** level and the basic level of the **peoples of Europe,** does not represent an argument for a potential EU federationism, due to the fact that the Union **is not regarded**, in conformity with the literal interpretation of the art. A, align. 2/ Maastricht Treaty, **as a level subordinated to the states**, but as a political dimension, superior and independent in relation with the state level.

The European level of political governance within EU political multileveled system has the mission to organize the relations between the lowest levels of governance. In fact, **the Union is a new entity that cannot be assimilated with the federal state**, because it cannot be resumed to this political pattern, in the real political nature of the EU existing also confederative, federative, suprastate elements, together with some original political and legal treaties.

Secondly, European Union **must not be confounded with its first pillar**, the Communities, because it represents **more than a communitarian order** in which the states are exercising in common their competences. The Union is a coherent political system with many levels of governance, and not an abstract entity without any legal personality and incapable of legal and political actions, without personal objectives and not disposing of a minimum package of appropriate instruments capable to materialize the European objectives. The existence itself **of European institutions**, that, in Maastricht treaty are entrusted specially **to the European Union**, **and not considered as belonging anymore to its first pillar, the European Communities,** reveals the implicit juridical personality of the Union, because an abstract entity incapable to produce legal effects cannot dispose of an entire set of institutions with express competences to take measures and to emit legal norms – like the European Parliament, the Council of Ministries or the European Commission.

Thirdly, European Union cannot be confounded with a federal state, at least at this moment of its evolution, because the European level of governance is not yet the exclusive level of decision in traditional fields of competences for a federation ; the European level of governance does not create a pre-eminent position in relation with the "fed-

eral states", but forms, without the contribution of the member states, a level of direct and exclusive jurisdiction over the national citizens of member states - considered as European citizens in the Maastricht treaty, once with the appearance of the European Union.

Suprastate political pattern has as main characteristic **to absorb the states in its structure,** to take from them any reminiscence of independency, sovereignty and political will. On the contrary, the federation prefers to stimulate cooperation in strictly delimitated fields, without absorbing the federal states, as it happens in the suprastate case[17].

"Organizing the relations between states and their peoples", but in the sense of **continuing an accelerated integration**, the Union is preparing to replace the state in many functions, not to resume itself at the traditional type of federal functions.

The future role of member states within the European suprastate framework still remains a mystery, due to the complex and dynamic character of the Union, as an entity without any precedent in the international relations.

The relation between proto-supranationalism and empire

As a flexible entity by its political nature, the empire can exist even in conditions when it cannot be conceivable a genuine European suprastate, built through definitive and irreversible transfer of sovereignty from the member states to the absorbing new entity. **In this stage of the European superstructure, there are only dissipated elements of suprastatalism,** mentioned in the initial communitarian treaties, and visible in the High Authority's attributions or in the first framework-decisions of the European Court of Justice about the edification of a new legal order, distinct from the national legal orders of the member states. Suprastatalism is equally visible in the creation of an institutional framework distinct from those of the member states or in the dynamic and integrationist profile of the Communities.

It is difficult to gather all these preliminary elements in a suprastate political and coherent skeleton, taking into account that even the communitarian stage of the European political integration was not sufficiently developed at that time. Nevertheless, **the appearance of a certain pattern specific to an European proto-suprastate** is

dependent of a new political context in which the member states **oscillate between** the objective of accelerating the level of integration through voluntary cession of competences serving to the purpose of constituting a new level of governance **and also, their fear** that, by doing this, their capacity to control the integration process will be considerably weakened.

The European Union political structure takes shape from these proto-suprastate dissipated elements that are not recognized as such by the treaties in a **general schema** on which the European constructors will be capable to build the next phases of EU political evolution. The Union **would have never appeared as an exclusive expression of the communitarian order nor of intergovernmentalism**. As a political distinct entity, the European Union is not longer a political dimension of the **interstate cooperation** but **illustrates the stage announcing the creation of a political supra-level that will subordinate the member states**.

The Union is the product of the **integrationist will** of the states, to surpass the communitarian level that can be **proved by the absorption process of the Community, as first pillar, in the structure of the Union**. At present, it can be noticed t**he consolidation of a complex system, called "unional"**[18]**, and not "communitarian", or "multilateral**, a level with its own political identity, irrespective of the fact that its integrationist profile can be recognized or not as being in conformity with the international law where states are seen as principal actors.

In the proto-supranational stage of the European construction, **the European empire begins to take shape**. Once with the declared objective of the "unceasing ever closer union between peoples of the Europe", the European empire can expand over new national state, can be identified from the **integrationist logic** itself that the three communitarian entities included in its structure are possessing. "The United Europe" is a continental vision suggesting to bring peace, stability and prosperity to Europe by a political and economical unification; the objective is **to create a political entity above the nation states**, that can be able to speak in their names, to represent them in the external relations and to exercise their jurisdiction over the European citizens - three main functions exerted traditionally by states.

In the proto-suprastate stage, a true **communitarian** political dimension that would **be added to the national one, and that could equally belong to the member states**, is not formed yet. **The position of the states is a strong one** within the institutional framework of the three Communities[19] and regarding the competences of the states, but the purpose of the integration remains a unitary, supranational one, because the Union expresses the idea of political unity by creating a single entity representing the states and the peoples of the Europe.

In the proto-suprastate stage, the empire is present not only as political idea but equally as a reality: an entire European political level is added to the national one, and this level is distinct from the national orders, non-subordinated to the states. The autonomy of this new level based on political European values of unity and solidarity cannot be contested. From this new level, as effect of the political will of the states participating to the project of the European integration, **a European empire having as political base an European suprastate that has previously dissolved the national level**, will progressively be created, pushing the European degree of integration further than any federative vision.

An empire, from the historical point of view, is easier identifiable if it is based on a suprastate type of structure, because **empire represents itself the idea of supremacy and uniqueness of its order** that cannot be contested or infringed by the nation-states. Between the imperial level and the absorbed state components, a clear relation of **hierarchy in the favour of the imperial dimension** is establishing in this stage. It is a **distinct type of hierarchy, in comparison with the federative hierarchy**, because the imperial hierarchy has as its base **the concept of dominance and exploitation** of the imperial subordinated entities. That is a classical vision about what should represent the main trait of identification for an empire, in its traditional meaning, even if today it finds subtler ways to manifest its power.

NOTES:

1 Despite the fact that the European Communities are seen as possessing the integrationist character, some academics consider supranationality is not still attaint because the lack, in the Communities case, of three elements: capacity to impose their decisions to the member states and to their populations; communitarian institutions capable to take these decisions and disposing of personal means of implementation; capacity to exert governmental functions, independently, without cooperation of the member states; the dissolution of the organisation must not be realised without the express consent of the supranational organs. See Raluca MIGA- BEŞTELIU, **International Intergovernmental Organisations**, Ed. All Beck, 2000, pp. 16-17. But we must regard the Communities as a phase of evolution in the process of creation and consolidation of the EU supranational system.

2 Augustin FUEREA, **The European Union Institutions**, Ed. Universul Juridic, Bucharest, 2002, pp. 16-18.

3 The supranational project on the United States of Europe, supported by its initiator, Jean Monnet, based on the integration of the charcoal and steel industries and with a supranational authority to lead it, was an idea advanced still from Coudenhove-Kalergi in 1920; but the Monnet project was not based on the unification of the French and German industries, supporting, on a contrary, the idea that all Western European countries must be submitted under the control of some supranational authority. In a memorandum wrote by Monnet in 1950 and addressed to the French government, the creation of a dynamic Europe is seen as the only guarantee for stability and peace; as consequence, we must abandon the forms of the past and open the road for transformation, by creating basic and common economical conditions, and also, by instituting authorities accepted by the sovereign nations. "Europe has never existed. Not the assembly of sovereign nations gathered in councils makes it an entity. We must to really create the Europe. It has to behave as such." See Christopher BOOKER and Richard NORTH, **The Great Deception: A Secret History of the European Union**, trad. Mihnea COLUMBEANU, Ed. Antet, pp.38-39.

4 For example, the neo-functionalist school admits the federalist school visions on the EU final objective: creation of a federal state. The intergovernmental school, on a contrary, perceives the three Communities as forms of the regional cooperation, limited to the economic sector, while the defence, security, the common values or the symbols, that are representing the essence of sovereignty, are remaining under the exclusive responsibility of the nation states that will not disappear as effect of European process of integration. See Loukas TSOUKALIS, **What kind of Europe?**, Ed. All, 2005, trad. Lena CĂLINOIU, Bucharest, p. 35.

5 In the vision of some authors, the communitarian stage and the EU stage in the political evolution of the European construction **are assimilated in an artificial manner**, without taking into consideration the particularities existent in any stage of EU evolution. The com-

munitarian method, in this opinion, "must not be confounded with the decision-making process of EC/EU". Or, the communitarian method can be used not only at the political decisions level, but equally on economic sector and on other fields – as the concurrence, covered by the Communitarian sector of competences; on the other hand, the Communities are not similar to the EU, despite the fact that EU institutions have specific competences in the communitarian pillar of the EU architecture. Also, it is specified that the communitarian method has its origins in the treaty of European Community of Charcoal and Steel, embodied by a **supranational** institution, the High Authority. See Loukas TSOUKALIS, **op.cit**. But we must not confound **the supranational dimension** of this treaty **with the communitarian method** preserving **sovereignty** of the states **at the superior level** where the **states** would jointly exert their transferred sovereignty.

6 Basic Documents of the Community and European Union, POLIROM, 1999.

7 On a contrary, other authors consider the European Communities, despite the fact of being international organisations with the most advanced degree of political integration, are not genuine **supranational organisations**, because their working depend on the interstate cooperation. The states are seen, in this vision, as the essential political forces in the European construction. See Raluca MIGA- BEŞTELIU, **op.cit.**, p. 18. Still, it is an **intergovernmental point of view**, specific to a part of the doctrine of international law, based on the characteristics of nation-states in the international law, as subjects of international law, original, typical, sovereign, with full juridical personality, that cannot be destroyed by the integration process, or assimilated to the supranational European state.

8 Some authors consider EU a kind of political system **very different** from any other political system encountered in a national European or non-European state, or in comparison with an intergovernmental international organisation, even of regional type. See Loukas TSOUKALIS, op. cit., p. 36.

9 For some authors, EU evolves towards a **supranational integrated government**, despite the difficulties of this road, because **the finality of European process of integration is unequivocal: the creation of a post-modern type of federation**. This European federation would promote a specific cultural, economic, social, political environment in order to give to the world civilisation new bases specific to the European spirit. See Pasquale BALDOCCI, *The possible road of the EU in the transition: main risks and positive developments*, in Millennium III Review, no. 12-13/ 2005, Bucharest, Black Sea University Foundation, p. 159.

10 The Union, defined as a "moving target", a structure with important **supranational features**, formed on the base of transfer of sovereignties from the member states to the Union, is analyzed in the chapter "European Union – a Supranational State?", chap.13, in Gerda FALKNER, Michael NENTWICH, *Enlarging the European Union*", in Jeremy RICHARDSON, ed., **European Union. Power and Policy-Making**, Routledge, 2001, London and New York, p. 261.

11 The High Authority was qualified as **supranational authority**, forerunner of the present Commission, but, meantime, it is considered that, through the Rome treaty, the supranational ambitious of this authority have been considerably diminished. See Loukas TOUKALIS, **op.cit.,** p. 35. **Supranationality of the European Commission** is considered, in the same vision, as serving as an engine for integration; **the final objective of the EU integration is that individual states will be subsumed in the future to a European federal state**. However, the European Commission was also considered a supranational government, despite the fact that it doesn't have the benefit of all powers that were specifically accorded to the former High Authority. For scholars claiming the federal finality of the European integration, the supranational character of European Commission is a clear argument in favour of federalist thesis in the academic debate on the future of Europe.

12 Some authors emphasize the symbolic importance of the place where the two others treaties were signed: Rome, as the town of the Papacy and of the Roman Empire, as a place representing a historical centre for the European evolution. The two treaties were representing in fact, genuine **constitutions, with a new type of political government, with their purposes and prerogatives, centred on the European Commission, as the most visible supranational institution**. See Cristopher BOOKER, Richard NORTH, **op.cit.**, p.62.

13 The ideas of the European project political unstopped evolution, the **federalist finality** of the united Europe were clearly and continuously expressed by Monet and by other political personalities: "Our Community is not an association of steel and charcoal producers. It is the beginning of Europe", said Monet in its **Memoirs**. See Cristopher BOOKER, Richard NORTH, **op. cit.**, pg. 45.

14 Some authors consider the role of the Union is diminished in its political importance, because this entity does not beneficiate of its own juridical capacity, or directly, neither implicitly, but only of the competences of the Communities, and through the agency of **communitarian organs**. Cf. Philippe MANIN, **Les Communautés Européennes**, Paris, Pédone, 1996, p. 39.

15 In a contrary point of view, EU system is considered a **super-decentralised system**, in which the representatives of the governments of member states are the main power agents. See Loukas TSOUKALIS, **op. cit.**, p. 36. This is a contradictory point of view, because, in general, the state structures are reflecting a certain

political centralisation; only a federal state would illustrate a certain decentralisation, but this is not the only political model existent in Europe, and, for the moment, is not the level of evolution attainted by EU.

16 *Ius cogens* being defined in the Vienna Convention/1969 regarding the law of the treaties, art. 53 as juridical norms accepted and recognised by the international community of the states, as a whole, as a juridical norms from which it is not accepted any derogation and that can only suffer modification through a juridical norm of general international law having similar character. See Raluca MIGA-BEŞTELIU, **International law. Introduction in the public international law**, Ed. All, 1998. p. 79. The art. 1/chapter I, UN Charter, referring to the **principle of sovereign equality** of the UN member states, that consecrates implicitly the juridical value of sovereignty in the international law as *ius cogens*, can be interpreted from this perspective. For this reason, it is very difficult for the same states that have participated to the regional integration experiences like EU, as a process supposing transfer of sovereignties, to respect, in the same time, this principle of international law conserving the true meaning of sovereignty, its juridical characters of being **inalienable and indivisible**. EU is reflecting implicitly, a paradoxical phenomenon **of surpassing the intergovernmental spirit of UN Charter, in fact, the spirit of XX Century.**

17 Although, from the perspective of the international law, only the federal state has a greater importance than the federative states, as the simple components of the federation, only the federal state has international juridical personality and not its components. In reality, there are many cases referring to the various types of federations that must be analyzed separately: for example, Soviet federalism or German federalism based on the 1949 Constitution. Cf. Nguyen Quoc DINH, Patrick DAILLIER, Alain PELET, **Droit international public**, LGDJ, Paris, 1999, p. 423.

18 Simon Hix, The Political System of the European Union, in **The European Union Series**, ed. Neill NUGENT, William E. PATERSON, Vincent WRIGHT, Palgrave, NY, 1999, pp. 2-5.

19 Some authors consider the Union has neither an institutional coherence, nor its own mission; the communitarian political institutions are reduced to "common organs" that were borrowed by the Union from the Communities. It is a limited vision treating the entire unional system **from the perspective of the first pillar**, considering implicitly that this pillar would be preeminent in comparison with the unional ensemble. It is a false vision, due to the fact that it is based on incomplete interpretation of the communitarian treaties, **neglecting the Maastricht disposals** that are integrating the first pillar within the EU architecture, a treaty that is conferring to the Union its own competences, in order to fulfill its objectives and to implement CFSP. Cf. Jean BOULOUIS, **Droit institutionnel de l'Union Européenne**, Ed. Montchrestien, Paris, 1995, p. 33.

Mădălina-Virginia ANTONESCU is an expert in international relations at the Romanian Diplomatic Institute and PhD candidate in European Law at the University of Bucharest, Department of Law. She has graduated with maximal qualifications the master "International relations and European integration" at the National School of Political and Administrative Studies. She also has graduated the Romanian –French Juridical College of European studies, with diploma of European University Paris I - Pantheon – Sorbonne. She is author of three books: " The Legal Regime of the Alien as Physical Person in Romania"; "European Union- an Empire of XXI Century- Towards an Unional Civilization"; " European Union- a Modern Empire? Comparative Study on Old and New Types of Empires".

U.S. GLOBAL POSTURE REVIEW AND THE JAPAN-U.S. NEGOTIATIONS OVER THE REALIGNMENT OF U.S. FORCES IN JAPAN

Takeshi FUKUDA

Since the summer of 2003, many news articles have reported the negotiations between Japan and the U.S. over the realignment of U.S. forces in Japan. This situation is not limited only to Japan. This realignment is part of a worldwide realignment of U.S. forces. The Bush administration declared to review the posture of the forward deployment forces in the Quadrennial Defense Review Report in 2001. This policy is called the Global Posture Review (GPR).

The present posture of the forward deployed U.S. forces is a legacy of the Cold War that was arranged for competing with the Soviet threat, although the number of the forward deployed forces was reduced considerably.[1] Given the changes of the strategic environment since the end of the Cold War, it is natural for the U.S. to review its posture. U.S. forces in Japan cannot be an exception. This article first describes the current posture of U.S. forces in Japan, then explains the objectives of the realignment of U.S. forces, and finally examines the trend and the agendas of the realignment of U.S. forces in Japan.

1. Main Units and Bases of U.S. forces in Japan

The U.S. Pacific Command (PACCOM) is the biggest regional Combatant Command whose Area of Responsibility covers more than half of the world. The number of forces that belong to PACCOM is more than 300,000.

A third of them are deployed abroad.[2] Table 1 shows the main units of PACCOM.

As of January 2001, the total number of U.S. forces in Japan was 51,578 (see table 2). This means that about half of the U.S. forward deployed forces in the Asia-Pacific region are located in Japan. About 75 percent of the area of the U.S. facilities is concentrated in Okinawa, the island which is located 1,500km southwest of Tokyo and 630km northeast of Taipei.

Okinawa is sometimes called the *keystone* in the Pacific because of its strategic importance. The outlines of each service are as follows:

Table 1 - Main Units of the U.S. Pacific Command

U.S. Army, Pacific HQ; Fort Shafter, Hawaii	Headquarters I Corps (Washington State) U.S. Army Alaska U.S. Army Hawaii U.S. Army Japan 8th U.S. Army (Korea)
Pacific Fleet HQ; Pearl Harbor, Hawaii	3rd Fleet (San Diego, California) 7th Fleet (Yokosuka, Sasebo, Guam)
U.S. Air Forces, Pacific HQ; Hickam Air Force base, Hawaii	5th Air Force (Japan) 7th Air Force (Korea) 11th Air Force (Hawaii) 13th Air Force (Guam)
U.S. Marine Forces, Pacific HQ; Camp Smith, Hawaii	I Marine Expeditionary Force (California) III Marine Expeditionary Force (Okinawa, Hawaii)

Source: U. S. Pacific Command, "About U. S. Pacific Command: PACOM Facts"

U.S. Army in Japan

Compared to the other services, U.S. Army in Japan is extremely small. The headquarters is located at Camp Zama in Kanagawa, with the 9th Theatre Support Command (TSC), the mission of which is the logistical support in the Asia-Pacific theatre and the management of the storage facilities such as Sagami Depot in Kanagawa and Akizuki Ammunition Depot in Hiroshima. The 9th TSC is also responsible for the logistical support for the augmentation forces from the continental United States (CONUS) in the outbreak of the second Korean War.[3] The only combat troops of the Army are the 400 Green Berets, 1st Battalion, 1st Special Forces Group (Airborne) located at Torii Station in Okinawa.

Table 2 - The Number of U.S. Forces in Japan, As of January 2001

	The Mainland	Okinawa	Total
Army	925	832	1,757
Navy	16,154	2,063	18,217
	(11,905 on the ocean)	(863 on the ocean)	(12,768 on the ocean)
	(4,249 on the ground)	(1,200 on the ground)	(5,449 on the ground)
Marines	2,712	15,500	18,212
Air Forces	6,584	6,808	13,392
Total	26,375	25,203	51,578

Source: Hiromichi Umebayashi, *U.S. Forces in Japan*, Iwanami Shoten, 2002, p.79.

U.S. Navy in Japan

7th Fleet is forward deployed to Japan. USS Blue Ridge (the command ship of 7th fleet), USS Kitty Hawk (the conventional carrier), two cruisers, five destroyers, and two frigates are home ported at Yokosuka in Kanagawa. The amphibious fleet composed of USS Essex (the Wasp Class amphibious assault ship) and six other ships are home ported at Sasebo in Nagasaki.[4] The ships at Yokosuka form the Kitty Hawk Carrier Strike Group that is the only forward deployed CSG, whereas the other 11 CSGs are home ported in CONUS. The main duty of the ships at Sasebo is to transport the Marines in Okinawa to a trouble spot.

About 70 carrier-based aircrafts including F/A-18E/F Super Hornet uses Atsugi Naval Air Facility in Kanagawa when the carrier returns to its port. The navy also deployed about 10 P3-Cs to the airfields at Kadena in Okinawa and at Misawa in Aomori,

U.S. Marine Force in Japan

U.S. Marine Force in Japan, which is called III Marine Expeditionary Forces (MEF), locates almost all of its forces (about 85%) in Okinawa. U.S. Marine Forces are composed of three MEFs, and III MEF is the only forward deployed MEF[5]. The main units of III MEF are the 3rd Marine Division (infantry and artillery troops, about 6,500 personnel), and the 1st Marine Air Wing (aviation troops, about 3,000 personnel). The 3rd Marine Division includes the 31st Marine Expeditionary Unit (MEU, about 2,200 personnel). 31 MEU is called a "miniature" of MEF because it is a small rapid reaction force that has both ground and aviation troops.

In Okinawa, there are 38 Marine facilities. The headquarters of III MEF is located at Camp Courtney. The Commander of III MEF is also the Commander of U.S. Marine Forces in Japan and the representative of all U.S. forces in Okinawa. The main bases of Marines' ground troops are Camp Hansen and Camp Schwab. 1st Marine Air Wing places its helicopters and tankers at Marine Corps Air Station Futenma in Okinawa and 24 F/A 18s and 20 AV-8B at Marine Corps Air Station Iwakuni in Yamaguchi.

U.S. Air Forces

U.S. Air Forces in Japan is called the 5th Air Force. The Commander of the 5th Air Force is also the Commander of U.S. forces in Japan and the Commander of U.S. air Forces in Japan. Yokota Air Base in Tokyo is the headquarters of the 5th Air Force and U.S. forces in Japan. The 5th Air Forces consist of the 374th Airlift Wing at Yokota Air Base, the 35th Fighter Wing at Misawa Air Base in Aomori, and the 18th Wing at Kadena Air Base in Okinawa. The 5th Air Force is the biggest Air Forces in U.S. air Force, to which more than 140 aircrafts belong.[6]

The main aircrafts in Yokota are 10 C-130. The 374th Airlift Wing is the only Airlift Wing in the Far East, and Yokota is used as the hub of airlifts[7]. At Misawa, the U.S. deploys 36 F-16 that can carry out the SEAD mission.[8] The 18th Wing at Kadena is the biggest U.S. air wing in Japan. It consists of 48 F-15, 15 KC-135, 2 E-3B AWACS and other airplanes.[9] About 6,500 personnel belong to 18th Wing. The population in Kadena including families of the soldiers, civilians and Japanese employees is more than 21,000.[10]

2. U.S. Force Transformation and Global Posture Review

The U.S. initiated the "Transformation" of its forces since the beginning of the Bush administration. In a narrow sense, the transformation means harnessing information technology to military fields, which is known as Revolution in Military Affairs (RMA).[11] However, the Bush administration considers it in a broader sense. "Transformation is not solely based on introducing new technologies into the force", as Andrew F. Krepinevich

testified in the Congress, "also requires changes in the way the force is employed through major changes in doctrine and force structure".[12] "We must transform", Secretary of Defense Donald H. Rumsfeld also stated in the Department guidance on the Transformation, "not only the capabilities at our disposal, but also the way we think, the way we train, the way we exercise and the way we fight".[13] He often admires the fusion of old technology and new one in precision strikes and close air support in the attack on Afghanistan — the U.S. special forces riding on horses detected locations of targets and transmitted that information to air crafts and headquarters through modern communication networks, then air crafts struck the targets by precision guided weapons — as a good example of war fighting by transformed forces.[14]

The Bush administration expressed officially its policy of the Transformation in *the Quadrennial Defense Review Report* (QDR) that was published immediately after the terrorist attacks on September 11, 2001.[15] The Transformation reflects the changing threat perception of the U.S. Whereas the main threats to the U.S. security in the Cold War era were large-scale wars between sovereign states, the current serious threats to it are asymmetric and unexpected attacks by "rogue-states" or non-state actors such as international terrorist groups. QDR 2001 admits that the U.S. "cannot know with confidence what nation, combination of nations, or non-state actor will pose threats to vital U.S. interest".[16] All the U.S. knows is the capabilities that an enemy will employ, for example, terrorism with weapons of mass destruction, ballistic missiles, and cyber warfare.

For coping with these kinds of threats, QDR 2001 urges to introduce a concept of a "capabilities-based approach" into the U.S. security strategy.[17] It means that the U.S. strategy should be constructed based not on specific *threats* but on *capabilities* which it has to deter and manage.

The Transformation is a project that reforms U.S. forces for responding these new threats. Because Washington sees it as "an imperative for the security environment of the information age and globalization"[18], this process would not be changed drastically if the Democratic Party would come into power. The keywords of the Transformation are, for example, high mobility, rapid response, expeditionary abilities, precise strikes, and joint operations. The U.S. invests its efforts and money to developments and procurements of precise weapons, stealthy weapons and UAVs, improvement of mobility including strengthening of the strategic transportation and lightening of ground forces, introducing advanced technology into C4ISR that enables sharing of information within forces, establishing new joint operation doctrines, and so on. The following passages illustrate the desirable abilities of future transformed forces as well:

"I'm committed to building a future force that is defined less by size and more by mobility and swiftness, one that is easier to deploy and sustain one that relies more heavily on stealth, precision weaponry and information technologies".[19]

"A pivotal tenet of the new defense strategy is the ability to respond quickly, and thus set the initial conditions for either deterrence or the swift defeat of an aggressor. We no longer plan to slowly build up overwhelming forces over time — a "go-slow" approach. . . Today we increasingly rely on forces that are capable of both symmetric and asymmetric responses to current and potential threats".[20]

The realignment of the forward deployed U.S. forces, which is called officially the *Global Posture Review*, is argued as a part of the Transformation. They share a fundamental objective that is to improve the mobility and the expeditionary capabilities of U.S. forces for coping with post Cold War threats. The U.S. considers that it should apply a "capabilities-based approach" to overseas deployment. In the Cold War period, former Under Secretary of Defense for Policy Douglas J. Feith said, "you had a sense that you knew where you were going to fight and so you positioned your forces where you thought you were going to fight", but in the post Cold War period "you have to move to the fight" to respond to new threats.[21]

This means that the main mission of forward deployed forces is not defending the countries to which they are deployed any more. They have to move to and fight in distant places from forward bases.

This also implies changes of the meaning of overseas bases for the U.S. Its bases in Europe and East Asia have been gradually reinforcing its character as footsteps to carry out the war on terrorism.

The U.S. bases were concentrated in Western Europe and North East Asia in the Cold War era,

because wars against the communist countries were prospected to break out in these regions. The forefronts of the conflicts were West Germany and South Korea. Therefore, the U.S. deployed its heavy army to these two countries. Since the mission of these forces was to stay there and to repel an aggression, they did not need mobility so much. The naval and air forces, which are more agile than army, were deployed in peripheral area such as Japan and the U.K.

However, Washington considers that in the present world it is impossible to expect locations of conflicts with confidence. To cope with such situation, the U.S. must have the ability to deploy its forces rapidly to any place, any time. However, although 15 years have passed since the end of the Cold War, the current posture of overseas bases and forces has been almost the same as that in the Cold War; the U.S. still deploys its heavy army in Germany and South Korea. The main objectives of GPR are reviewing this posture and improving the ability to respond rapidly to uncertain threats. The U.S. regards overseas deployment of heavy ground forces as obsolete. It considers that it is possible to respond emergencies by projecting its forces from remote areas or the ships on the sea, if the Transformation could reinforce the mobility of U.S. forces successfully.[22] Therefore, they are not bases for large and heavy army but "hub bases" which can be used as footsteps that transformed forces need.

GPR was officially announced also in QDR 2001, which states the "overseas presence posture, concentrated in Western Europe and Northeast Asia, is inadequate for the new strategic environment" and the U.S. have to develop "a basing system . . . in critical areas of the world, placing emphasis on additional bases and stations beyond Western Europe and Northeast Asia".[23] Although the U.S. "will maintain its critical bases in Western Europe and Northeast Asia", the importance of them lies in "the additional role of hubs for power projection in future contingencies in other areas of the world".[24]

President George W. Bush declared to start negotiations over GPR with the U.S. allies in the statement dated November 2003.[25] Then he made an outline of GPR publicly in his speech in August 2004. He stated, "Over the next 10 years, we will bring home about 60,000 to 70,000 uniformed personnel, and about 100,000 . . . family members

and civilian employees".[26] According to the testimony of Secretary Rumsfeld in September 2004, the U.S. will reserve main functions of the U.S. bases in Germany, Italy, Japan, South Korea, and the U.K. In Asia, the U.S. bases will be consolidated and "additional naval and air capabilities" will be deployed. In Europe, "lighter and more deployable ground capabilities", that means Stryker Brigade Combat Team will be deployed in Germany, whereas the 1st Infantry Division and the 1st Armored Division in Germany will come back to the U.S. In addition, the U.S. seeks small installations in Africa, Central Asia, Eastern Europe, and the Middle East, to which it will deploy rotational forces and preposition armaments and supplies.[27]

The most important aspect of GPR is that it is not limited in realignment of forces and bases. It has the potential to bring about a revolutionary change in the relationships and ways of cooperation between the U.S. and its allies, that is, Transformation of alliances. Under Secretary Feith stated:

Dean Acheson had a sense that his work was creating institutions that would last a long time and he made that point by entitling his memoirs "Present . . . [at] the Creation". President Bush and Secretary Rumsfeld likewise are thinking about the relatively distant future. In developing plans to realign our forces abroad they're not focused on the diplomatic issues of the moment but on the strategic requirements and opportunities of the coming decades.[28]

A reference to Acheson symbolizes the notion of the Bush administration that the present international environment is in a period of change as in the beginning of the Cold War.[29] From this perspective, GPR is a great attempt to re-create the framework of the U.S. alliance.

In June 2004, Under Secretary Feith testified in the House Committee that the aims of GPR include expanding allied roles and supporting the transformation of the allied forces that enables the smooth military cooperation with U.S. forces. At the same time, he testified that the U.S. wants to "reduce friction with host nations, the kind that results from accidents and other problems related to local sensitivities".[30] Although there is no reason to doubt sincerity of the U.S. hope of reducing friction, this also aims at building favorable circumstance to U.S. forces in order to ensure freedom of activities of U.S. forces. The same intention underlies arguments over legal arrangements with host nations

about the status of U.S. forces. Secretary Rumsfeld insists that the U.S. should deploy its forces to places that are "hospitable to their movements" and needs "international arrangements to be up-to-date . . . to permit operational flexibility"[31]. If host nations impose strict restrictions on U.S. forces' activities in emergencies, overseas bases will lose their strategic importance for the U.S.

GPR demands that the U.S. abandons Cold War strategies that divide the world into several regions and employs new global strategies. "We need to improve our ability", Under Secretary Feith stated, "to project power from one region to another and to manage forces on a global basis".[32] This means that even forward deployed forces would be projected into distant trouble spots beyond the regional Combatant Commands if necessary. In fact, U.S. forces in Germany and South Korea have been deployed to Iraq to compensate for the lack of forces there.

In addition, the Pentagon considers GPR should not focus on the number but on the capabilities of forward deployed forces. Secretary Rumsfeld harshly criticized the present U.S. posture that equates the number with capabilities and depends on deployments of massive forces as "the last century's industrial-age thinking". And he insisted that if ten old bombs are reduced to five smart bombs, it means not the decline of capabilities but increase of them.[33]

One of the objectives of this argument is to deny concerns in the U.S. and its allies about reduction of the U.S. presence. Besides it, this also implies the confidence of the U.S. in abilities of transformed forces. It is the Transformation that enables to employ global strategies and to focus on capabilities, that is to say the success of GPR depends on the success of the Transformation. Therefore, GPR is regarded as a part of the Transformation.

3. Japan-U.S. Negotiations

As stated above, the main objective of GPR is not merely realigning of forces and bases but increasing mobility, deployability, and flexibility of U.S. forces.

Thus the Pentagon will withdraw the army from Germany and South Korea, that is now regarded as useless, whereas it will maintain or strengthen the air bases in Germany and the U.K. that have been pivotal stations for maneuvers and transportations.

As for Japan, the U.S. has no desire to drastically reduce its presence in Japan. It may be, rather, strengthened. Even in the Cold War period, the most important mission of U.S. forces in Japan was not to defend Japan, but to preserve the stability in the Asia-Pacific region. This mission has been getting more and more important since the demise of direct threats of the Soviet Union against Japan and other U.S. allies. For example, the 1995 Pentagon's report, often called *1995 East Asia Strategy Report* (EASR), which reviewed the post-Cold War U.S. strategy in East Asia, stated that the Japan-U.S. security relationship "is fundamental for both our Pacific security policy and our global strategic objectives".[34] Furthermore, it continued as following:

United States bases in Japan are well located for rapid deployment to virtually any trouble spot in the region. Given the great distances associated with the Pacific theater, assured access to bases in Japan plays critical role in our ability to deter and defeat aggression.[35]

The force structure of U.S. forces in Japan clearly indicates their mission. The Pentagon withdrew almost all combat ground troops from the mainland of Japan under the Eisenhower administration. Yet it preserved Air Forces, Navy, and Marines in Japan. Today, the percentage of Army in Japan is only about 3 % (see Table 2). In fact, U.S. forces and bases in Japan have been used as hub bases for expeditionary operations for a long time. They played important roles in the Korean War and the Vietnam War. Since the end of the Cold War, activities of U.S. forces in Japan have expanded beyond the Asia-Pacific region. They participated in the 1991 Gulf War and the subsequent missions that watched the no-fly zones in Iraq. They have also engaged in the attacks on Afghanistan and Iraq after the September 11 attacks[36]. These facts indicate the importance of the forces and bases in Japan for expeditionary operations. In other words, the function of them exactly matches the principles of GPR.

In addition, there is another factor that influences the U.S. view about its forces and bases in Japan. It is the large host nation support of Japan to U.S. forces. According to the 2003 Pentagon's report about contributions of its allies, the total

amount of Japanese host nation support in 2001 was $4.6 billion. This was the largest contribution to U.S. forces; the second one was $862 millions of Germany, and the third was $850 millions of South Korea.[37] In the budget for the 2005 fiscal year, Japanese government appropriates about $1.25 billion for labor costs of Japanese civilian employees who work for U.S. forces, about $600 million for construction and improvement of the U.S. facilities in Japan, and about $217 million for utility costs of U.S. forces such as the charges for electricity and gas.[38] This support is an attractive factor for the U.S. to maintain its forces in Japan.

U.S. forces have contributed to Japanese security since the end of the World War II. Meantime, their presence has sometimes imposed burdens such as environmental pollution, noise or crimes committed by U.S. soldiers on local communities. These burdens are often called *the U.S. bases problems* in Japan. Since the U.S. bases are concentrated in Okinawa, such problems also are concentrated there. The suffering of the people in Okinawa has been considered as a dark side of Japan-U.S. alliance. A deeply regrettable crime in Okinawa in 1995, the rape of 12 years old girl by three Marines, magnified the protest of the people in the Okinawa against U.S. forces and brought a serious crisis in the alliance. This accident resulted in the establishment of Special Action Committee on Okinawa (SACO), at which the Japanese and U.S. governments talked about mitigation of Okinawa's burdens, and the SACO agreement in 1996 on relocations of more than 10 bases in Okinawa. Nevertheless, most Japanese recognize the importance of the U.S. presence for security of Japan, although small pacifist groups hope that U.S. forces would completely withdraw from Japan. They are concerned that Asia still holds the potential conflicts, such as the Taiwan Strait conflict and the nuclear problem of North Korea.

Therefore, the most important agenda of the ongoing Japan-U.S. negotiations over the realignment of U.S. forces in Japan is how to reduce the burdens of local communities while maintaining the deterrence of them. This is not an easy task. If the U.S. returns its bases to Japan, Japan may need to offer alternative bases to maintain abilities of U.S. forces. However, few local communities willingly accept the presence of U.S. forces in their own towns. There are plenty of past examples that construction of new U.S. bases or reinforcement

of U.S. forces brought about strong oppositions of local communities.[39] Although local communities tend to criticize the Japanese government for not addressing the problems caused by U.S. forces, it is very difficult for the Japanese government to coordinate its security needs and demands of the local authorities.

Japan and the U.S. started the realignment talks in late 2003. Washington presented several plans including relocation of some forces in Okinawa to the mainland of Japan and the deployment of the headquarters of the 1st Corps of U.S. Army in Washington State to Camp Zama in Kanagawa. However, Tokyo hesitated to negotiate the exact plans and to open them to the public because of the fears of public oppositions. In 2004, important security agendas for Japan were not the realignment talks, but the deployment of the Self-Defense Forces (SDF) to Iraq and discussions on a bill that prescribes measures to protect citizens in emergencies. In addition, Japan held the Upper House election in July 2004. Therefore, the ruling parties were also unwilling to talk about the realignment of U.S. forces concerning negative effects on them.

A visit of Deputy Secretary of State Richard L. Armitage to Japan in mid October 2004 was a turning point of the negotiations. At a press conference, he admitted that it was a mistake to start from talks about specific relocation plans, and asserted that both countries, first of all, should have "a philosophical discussion" of how the Japan-U.S. alliance should be in next 15 years or 20 years.[40] In late October, Secretary State Colin L. Powell also said the negotiations "have to be in a broader context" and a framework for discussions on the present strategic environment.[41] These remarks led Tokyo and Washington to the declaration of the Joint Statement of the Japan-U.S. Security Consultative Committee (SCC) about common strategic objectives in February 2005[42].

In this statement, Japan and the U.S. describe "international terrorism and proliferation of weapons of mass destruction" as "new and emerging threats" to both nations.[43] They demand that North Korea "commit[s] itself to complete dismantlement of all its nuclear programs". The most remarkable point is, however, a reference to China. The SCC statement calls for "the peaceful resolution of issues concerning the Taiwan Strait through dialogue" and transparency of Chinese military affairs, although it welcomes China to "play a re-

sponsible and constructive role regionally as well as globally".

As for the realignment of U.S. forces in Japan, both countries agreed to intensify the consultations and on the principle that is "to maintaining deterrence and capabilities of U.S. forces in Japan while reducing the burden on local communities, including those in Okinawa".

This statement, however, provides only broad strategic goals and never promises agreements on specific relocation plans.

In fact, at SCC, the U.S. insisted on reaching a settlement by next three months, but Japan opposed setting a time frame.[44] Tokyo and Washington had originally scheduled to announce an interim report in the summer of 2005, but the Japanese election interrupted the process again (this time, the Lower House election in September 2005).

On late October 2005, they have agreed on the outline of the realignment plan (See Table 3). They held SCC again at Washington on October 29 and issued an interim report, *U.S.-Japan Alliance: Transformation and Realignment for the Future*.[45] This report describes not only the realignment plan but also "roles, missions, and capabilities" of the future Japan-U.S. alliance. In order to strengthen bilateral security cooperation, this report emphasizes the importance of "close and continuous policy and operational coordination", "information sharing and intelligence cooperation", improving interoperability", "opportunities for bilateral training and exercises", and "shared-use of facilities between U.S. forces and the SDF".[46]

In fact, agreed realignment plan illustrates that the main objective of the ongoing realignment talks is not simply to relocate the U.S. bases and to reduce burdens of local communities, but to strengthen the alliance by reinforcing capabilities and flexibility of U.S. forces in Japan and developing closer military cooperation between the SDF and U.S. forces.

The most notable evidence is a plan for Camp Zama in Kanagawa. The U.S. has insisted to move the headquarters of the 1st Corps in Washington State to Camp Zama from the beginning of the consultations. The mission of this headquarters is to command augmentation forces from the U.S. homeland in emergences in the Asia-Pacific region. This request is linked to the reduction of U.S. ground forces in South Korea. It is reported that the Pentagon may grant the commander of the

1st Corps the authority to command combat operations in the Korean Peninsula. Moreover, this U.S. intention is based on its concern about rising Chinese military power. The interim report says that by this realignment, "capabilities of the U.S. Army Japan's command structure in Camp Zama will be modernized to a deployable, joint task force-capable operational headquarters element".[47]

Table 3 - Plans of Realignment of U.S. Forces in Japan

Okinawa	Review the original relocation plan of Futenma Marine Corps Air Station. Withdraw the non-combat troops such as headquarters of III MEF and logistical troops, about 7,000 personnel, to Guam and other places. Realign the forces that will remain in Okinawa to a Marine Expeditionary Brigade (MEB). Return several bases in the southern part of Okinawa.
Yokota Air Base	Relocate the Air Defense Command of the SDF to Yokota AB. Establish a bilateral and joint operations coordination center.
Camp Zama	Relocate the headquarters of the 1st Corps from Washington State to Camp Zama. Locate the Central Readiness Force Command of the SDF, which will be operational by March 2006.
Atsugi Naval Air Facility	Relocate part of aircrafts of Kitty Hawk Carrier Air Wing, about 60 aircrafts, to Iwakuni Marine Corps Air Station.
Others	Deploy a U.S. X-Band radar system (probably at a SDF base in Aomori).

Source: *U.S.-Japan Alliance: Transformation and Realignment for the Future*, October 29, 2005.

However, at the beginning, Japan hesitated to accept this proposal, because there was concern in Japanese public that the missions of the headquarters do not harmonize with principles of the Japan-U.S. security treaty; the article 6 prescribes the U.S. can use the bases in Japan only for "the maintenance and international peace and security in the *Far East*". Opposition parties accused this plan of increasing the possibility that Japan will be involved, or entrapped, into U.S. wars that are not critical for Japanese interests. This criticism made the Japanese government pledge that the ongoing realignment of U.S. forces will never surpass the current framework of the Japan-U.S. security treaty. The U.S. also has persuaded Japan with promising that the headquarters will not command the troops deployed in other than the Far East.[48] It is clear, however, that to impose the geographical limitation on activities of the U.S. forces in

Japan contradicts the U.S. global strategy beyond regional boundaries.[49] Tokyo and Washington may need further discussions on this matter in the near future.

Moreover, they reached an agreement that Japan will locate the Central Readiness Force Command of the Ground Self-Defense Forces (GSDF), which will be operational by March 2006, at Camp Zama. The Central Readiness Force will be a high readiness unit consisting of airborne troops, a helicopter unit, special forces, and an anti biological/chemical unit. This measure aims at reinforcing the ties between U.S. Army and the GSDF, which have been relatively weak compared to those ones between U.S. Navy and the Maritime Self-Defense Forces (MSDF) or between U.S. Air Forces and the Air Self-Defense Forces (ASDF) because of the small presence of U.S. Army in Japan.

A plan for Yokota Air Base has the same purpose. Japan considers relocating Air Defense Command of the ASDF at Fuchu in Tokyo, which is the highest headquarters of the ASDF, to Yokota Air Base. Besides it, Tokyo and Washington examine the establishment of "a bilateral and joint operations coordination center". According to the interim report, "this center will ensure constant connectivity, coordination, and interoperability among U.S. forces in Japan and the SDF".[50] Currently, Tokyo and Washington are making joint efforts to develop missile defense systems. This center is prospected to enable smooth sharing of information about ballistic missiles, in addition to coordination their transportation demand.[51] The U.S. also requests the deployment of a newly developed X-Band radar system, which is a component of the Missile Defense system, at a SDF base in Aomori.[52]

In addition, they agreed on the establishment of a committee studying how to improve the interoperability between the SDF and the U.S. forces on February 2005. The interim report reaffirms this effort, saying that "U.S. forces and the SDF will maintain regular consultations to maintain and strengthen interoperability".[53] They also plan to expand bilateral training and exercises "to improve interoperability, improve capabilities, enhance readiness, more equitably distribute training impacts among local communities, and advance the effectiveness of bilateral operations".[54] If these measures successfully strengthen the Japan-U.S. alliance, the U.S. may be able to withdraw part of its forces from Japan without concerning decline of deterrence.

For reducing the burdens of local communities, both governments focus on Atsugi Naval Air Facility in Kanagawa and the Marine bases in Okinawa. The former is located in the urban area in Kanagawa, which is the third largest prefecture in Japan. Japan and the U.S. are examining the possibility to move part of the carrier-based aircrafts themselves to Iwakuni Marine Corps Air Station in Yamaguchi. Besides the population of Iwakuni is smaller than that one of Atsugi, Japan is now constructing new runway at Iwakuni. Although they also discussed that the carrier-based aircrafts will conduct the Field Carrier Landing Practice at Iwakuni, this plan is abandoned. Probably the Japanese government judges it should minimize the burdens for persuading local communities to accept the relocation plan for the aircrafts.

Whenever Tokyo and Washington discuss the role of the U.S. bases in Japan, the most difficult task for them is the treatment of Okinawa bases. The people from Okinawa hope that the realignment talks will bring about reduction of their burdens that is a decrease of the forces and bases. At the early stage of the realignment talks, Tokyo and Washington examined the possibility to relocate combat troops of Marines to the mainland of Japan. Yet the U.S. changed its mind because of an increasing concern about Chinese military expansion. As the joint statement on common strategic objectives in February 2005 shows, Japan also shares this concern. They agree that the more Chinese military power expands, the larger the strategic importance of Okinawa will become.[55] It was reported that the Pentagon informed Japan that it had no intention to remove combat troops from Okinawa after February 2004 Security Consultative Committee.

After the 1996 SACO agreement, Futenma Marine Corps Air Station became a symbol of the stalemate of the agreement. Tokyo and Washington agreed to move Futenma to an alternative facility to be built on reclaimed land in waters off the northern Okinawa by the end of 2003 at SACO. This plan brought large disputes within Okinawa over where and how a new facility will be constructed. After long negotiations with the Japanese government, the local authorities finally accepted a basic construction plan in the summer of 2002. The Japanese government began an environmen-

tal assessment, which is a prerequisite for the construction, in 2004. However, the people who oppose the U.S. presence and concern about environmental destruction caused by the construction are interrupting the assessment with holding sit-in protest and taking ships to the construction site. Today, only a few people still believe this plan is feasible.

Futenma was not an agenda of the ongoing realignment talks at the beginning. The local communities hoped that the both governments will find the way to foster the process, but they considered that it should be treated according to the SACO agreement. However, a crash of a Futenma-based helicopter into a university near the base, in the summer of 2004, changed the situations. This accident revealed the risk of keeping Futenma air station, which locates at the midst of the urban district. Although the accident fortunately caused no casualty, Tokyo and Washington consider that if a serious accident happens again in Okinawa, it would collapse the alliance.

Prime Minister Junichiro Koizumi ordered to review the relocation plan of Futenma in February 2005.[56] After the election in the summer of 2005, Futenma suddenly becomes the focus of the realignment talks. Although Japan and the U.S. almost agreed other relocation plans, they harshly conflicted over details of a new plan of Futenma[57]. Japan proposed to build a new facility in Camp Schwab in Okinawa, but the U.S. strongly resisted it and insisted on making the size of a new facility smaller but not changing the construction site. Japan considers that construction in waters will inevitably cause objections, while the U.S. is afraid that if new facility is located in Camp Schwab, it may restrict activities of the other troops. The U.S. offers to return several bases in the southern part of Okinawa and withdraws the headquarters of III MEF and logistical troops to Guam, if Japan accepts the U.S. proposal.[58] Finally, they compromised to build a new facility on the shore of Camp Schwab, half on the ground and half on reclaimed land in waters.

So far, the attitude of the Japanese government toward the realignment talks seems to lack strategic thinking. As stated above, the U.S. *Global Posture Review* has broad strategic implications. If Japan expands its military contribution to peace and security in the Asia-Pacific region, the U.S. may be able to withdraw part of its forces from Japan without concerning decline of deterrence. Moreover, the increase of Japanese contribution will reinforce Japanese position in the Japan-U.S. security relationships. The realignment of U.S. forces in Japan will change not only locations of the U.S. bases, but also the means of Japan-U.S. military cooperation.

The Japanese government has not officially announced its strategy for this critically important issue. Because of fear that U.S. base realignment might invite oppositions of the public, particularly the citizens living near the U.S. bases, it had concealed details of the plans under the negotiations. The lack of accountability, however, makes public distrust of the government larger. After the agreement with the U.S. on late October, the Japanese government explain the agreed plans to the local communities which will be influenced by those plans and ask their cooperation, but almost all local communities are opposing them. In addition, not a few Japanese accuse the government of its passive attitude toward the ongoing talks. If the government wants to persuade local communities to accept the realignment plans, it should explain how they contribute to Japanese security. The realignment of U.S. forces should not be trivialized into mere relocations of the bases or remove of the local burdens.

It has to be remembered that the realignment of U.S. forces in Japan is linking to overall realignment in the Asia-Pacific region. For example, the U.S. is increasing the forces in Guam. It deployed 6 B-52 and 2 nuclear submarines to Guam after 2002. In addition, it plans to deploy 7 nuclear submarines, several B-2, and several F/A-22 there.[59] It also seeks to deploy one Carrier Strike Group into this region, perhaps at Guam or Hawaii. On October 2004, South Korea and the U.S. announced the withdrawal of 12,500 personnel from the Korean Peninsula by 2008.[60]

All these decisions have influenced situations in Japan. They indicate the U.S. policy to strengthen naval and air forces in stead of withdrawing less mobile ground forces from this region. These forces will carry out their missions in the whole Asia-Pacific region and, in some cases, in the Middle East. The U.S. views the realignment of U.S. forces in Japan from global perspective. The Japanese government should construct its own vision of the Japan-U.S. alliance and explain explicitly both to its citizens and the U.S. how it will contribute se-

curity in the Asia-Pacific region under the framework of Japan-U.S. alliance. Locations of bases of U.S. forces and the SDF should be decided by deliberation about strategic objectives of the alliance, *raison d'être* of U.S. forces in Japan, and the role of each nation's forces in emergency. Without such consideration, the ongoing realignment will end in mere minor adjustment. The Japanese government should deal with these agendas before March 2006, when Japan and the U.S. will issue a final report about the realignment of U.S. forces in Japan and the *Transformation* of the alliance.

NOTES:

1 For example, U.S. forces in Europe have been reduced from 381,200 in 1986 to 116,000 in 2003 (both including the forces deployed in the Mediterranean). However, the nucleus of their forces is still the army in Germany. About half of U.S. forces in Europe concentrated in Germany even after the Cold War. The International Institute for Strategic Studies, *The Military Balance 1986-1987*, London: The International Institute for Strategic Studies, 1986, p.30, The International Institute for Strategic Studies, *The Military Balance 2003-2004*, London: Oxford University Press, 2003, p.25.

2 U. S. Pacific Command, *About U. S. Pacific Command: PACOM Facts*., http://www.pacom.mil/about/pacom.shtml

3 Akihisa Nagashima, *The New Design of the Japan-U.S. Alliance*, Nihon Hyoron Sha, 2002, p.118, Hiromichi Umebayashi, *U.S. Forces in Japan*, Iwanami Shoten, 2002, pp.104-108.

4 United States Navy, Commander, Seventh Fleet, *Ships in Seventh Fleet*, http://www.c7f.navy.mil/New/Pages/ship%20page.htm.

5 Although III MEF also deploys 6,000 forces to Hawaii, the total number of III MEF, 24,000, is only the half of the other MEFs. In addition, a forth of the forces in Okinawa is 6 month rotational forces from CONUS or Hawaii. Nagashima, *op. cit*., pp.128-129.

6 *Ibid*., p.120.

7 Yokota Air Base Japan, *374th Airlift Wing, Yokota Air Base Japan: Fact Sheet*," http://www.yokota.af.mil/FactSheets/374AW_FactSheet.aspx.

8 Umebayashi, *op.cit*., p.101.

9 The Prefectural Office of Okinawa, Military Base Affairs Division, *The U.S. Bases in Okinawa*, March 2003, pp.303-304.

10 Speech of the Commander of 18th Wing at the Japan America Air Force Goodwill Association on 25 April, 2003, http://www.bouei.com/groups/jaaga/jremington.htm.

11 The first administration that used the term "Transformation" was not the Bush, but the Clinton one. It was mentioned first in *Joint Vision 2010* (1996), which argued the necessity to "transform" doctrines and military trainings for increasing abilities to carry out joint operations. The QDR in the next year devoted one section to urge the importance of the transformation, which referred to the acceleration of RMA, improvement of mobility, and strengthening of precision strike abilities, Department of Defense, Joint Chiefs of Staff, *Joint Vision 2010*, July 1996, p.2; Department of Defense, *Report of the Quadrennial Defense Review*, May 1997, sec.7.

12 *Defense Transformation, Testimony of Andrew F. Krepinevich, Executive Director, Center for Strategic and Budgetary Assessments, United States Senate, Committee on Armed Services*, April 9, 2002, p.2., http://armed-services.senate.gov/statemnt/2002/April/Krepinevich.pdf

13 Department of Defense, *Transformation Planning Guidance*, April 2003, p.1.

14 *Secretary Rumsfeld Speaks on "21st Century Transformation" of U.S. Armed Forces:* Remarks as Delivered by Secretary of Defense Donald Rumsfeld, National Defense University, Fort McNair, Washington, D.C." January 31, 2002, http://www.defenselink.mil/speeches/2002/s20020131-secdef.html

15 Department of Defense, *Quadrennial Defense Review Report*, September 30, 2001, ch.V.

16 *Ibid*., p.13.

17 *Ibid*., pp.13-14.

18 *Statement of Arthur K. Cebrowski, Director of Force Transformation, Office of the Secretary of Defense, Before the Subcommittee on Terrorism, Unconventional Threats and Capabilities, Armed Services Committee, United States House of Representatives*, February 26, 2004, p.2, http://www.house.gov/hasc/openingstatementsandpressreleases/108thcongress/04-02-26cebrowski.pdf.. Cebrowski is the director of Office of Force Transformation in the Department of Defense, that was established in 2001 to oversee the process of U.S. forces Transformation.

19 "Remarks by the President at U.S. Naval Academy Commencement, U.S. Naval Academy Stadium, Annapolis, Maryland," May 25, 2001. <http://www.whitehouse.gov/news/releases/2001/05/20010525-1.html>

20 Secretary of Defense, *Annual Report to the President and the Congress*, November 2003, p.42.

21 "U.S. May Halve Forces in Germany; Shift in Europe, Asia Is Aimed at Faster Deployment," *Washington Post*, March 25, 2004, p.A01.

22 *Statement of Arthur K. Cebrowski,* p.5.

23 *Quadrennial Defense Review Report*, pp.25-26.

24 *Ibid.*, p.27.

25 *Statement by the President*, November 25, 2003, http://www.whitehouse.gov/news/releases/2003/11/20031125-11.html

26 *President Speaks at VFW Convention: President's Remarks to Veterans of Foreign Wars Convention*, August 16, 2004, http://www.whitehouse.gov/news/releases/2004/08/20040816-12.html

27 *Prepared Testimony of U.S. Secretary of Defense Donald H. Rumsfeld before the Senate Armed Services Committee: Global Posture*, Sep. 23, 2004, pp.5-6, http://armed-services.senate.gov/statemnt/2004/September/Rumsfeld%209-23-04.pdf

28 Department of Defense, *News Transcript: Remarks by Undersecretary of Defense for Policy Douglas J. Feith to the Center for Strategic International Studies*, Dec. 3, 2003, http://www.defenselink.mil/transcripts/2003/tr20031203-0972.html

29 James Mann points out that after the terrorist attacks on September 11th, the Bush administration modeled Harry S. Truman, George F. Kennan, and Dean Acheson for establishing a new concept to manage new strategic milieu. James MANN, **Rise Of the Vulcans: The History of Bush's War Cabinet,** New York: Viking Penguin, pp.312-313.

30 *Statement of Douglas J. Feith, Under Secretary of Defense for Policy before the House Armed Services Committee*, June 23, 2004, p.3, http://www.house.gov/hasc/openingstatementsandpressreleases/108thcongress/04-06-23feith.pdf. Secretary Rumsfeld also admits that "in some cases, the presence and activities of our forces grate on local populations and have become an irritant for host governments", and insists that "our troops should be located in places where they are wanted, welcomed, and needed". *Prepared Testimony of U.S. Secretary of Defense Donald H. Rumsfeld*, Sep. 23, 2004, p.4.

31 *Ibid.*, p.5.

32 *Statement of Douglas J. Feith*, June 23, 2004, p.3.

33 *Prepared Testimony of U.S. Secretary of Defense Donald H. Rumsfeld*, Sep. 23, 2004, p.5.

34 Department of Defense, *United States Security Strategy for the East Asia-Pacific Region*, February 1995, p.10.

35 *Ibid.*, p.25.

36 In the Korean War, the U.S. bases in Japan played a critical role as logistical station. The demand for military supplies triggered the development of Japanese economy from the devastation by the World War II. In the Vietnam War, Marines in Okinawa engaged in ground operations (Okinawa was under the U.S. occupation until 1972), 7th Fleet, Marines in Okinawa and the transport airplanes at Yokota Air Base engaged in operations during the Gulf Crisis and War from 1990 to 1991. After the Gulf War, the fighters from Kadena and Misawa Air Bases took part in the two operations watching the no-fly zones that were set in the northern part and the southern part of Iraq, which were called the Operation Northern Watch and the Operation Southern Watch respectively. U.S. forces in Japan, particularly Kitty Hawk carrier group and Marines in Okinawa, have made a great contribution to the Operation Enduring Freedom in Afghanistan and the Operation Iraq Freedom in Iraq. Their engagements in these operations are discussed in detail in Masashi Shimakawa, *U.S. Wars and the Japan-U.S. Security Relationships, expanded ed.*, Shakai Hyouron Sha, 2003, Takashi Yamane and Iwao Ishikawa, *The Bases Sustaining Operations in Iraq*, Shin-Nihon Shuppan Sha, pp.29-36, 68-78.

37 Department of Defense, *Report on Allied Contributions to the Common Defense*, July 2003, p.II-6.

38 Japanese Defense Agency, *Defense of Japan 2004*, pp.147-148.

39 Indeed, this is the very problem of the SACO agreement. SACO decided to relocate some bases in Okinawa on condition that Japan expands existent bases or constructs new facilities within Okinawa. However, the Japanese government can't advance the process of this agreement yet because of the protest of the local communities against the agreement. If it would be fulfilled, the U.S. would have already returned at least seven bases to Japan. However, in reality, the bases returned are only two. See Takeshi Fukuda, "The Relocation of U.S. Bases in Okinawa", *The Reference*, 633, October 2003, pp.3-31.

40 *Press Conference in Tokyo: Richard L. Armitage, Deputy Secretary of State*, Oct. 13, 2004, http://www.state.gov/s/d/former/armitage/remarks/37049.htm

41 *Roundtable With Japanese Journalists: Secretary Colin L. Powell*, Oct. 24, 2004, http://www.state.gov/secretary/former/powell/remarks/37356.htm

42 The Japan - U.S. Security Consultative Committee is the highest framework of security talks between Japan and the U.S., at which the Ministers of Foreign Affairs and Defense of both states attend, often called "2+2".

43 *Joint Statement of the U.S.-Japan Security Consultative*, February 19, 2005, http://www.state.gov/r/pa/prs/ps/2005/42490.htm

44 *Asahi Shimbun*, February 21, 2005.

45 *U.S.-Japan Alliance: Transformation and Realignment for the Future*, October 29, 2005, http://www.defenselink.mil/news/Oct2005/d20051029document.pdf

46 *Joint Statement of the U.S.-Japan Security Consultative*, February 19, 2005, pp. 5-7.

47 *Ibid.*, p.9.

48 *Mainichi Shimbun*, December 19, 2004, S*ankei Shimbun*, January 17, 2005.

49 These arguments are not new at all for the Japan-U.S. alliance. Japanese opposition parties have frequently criticized the engagements of the U.S. forces in Japan in the operations in Iraq since 1991, but the government has justified them by the logic that the U.S. forces just move outside Japan. It means that their movement from the territory of Japan to the open seas is not included in military operations, and Japan has nothing to do with activities of them after they leave Japan. Not surprisingly, quite a few people fear that this logic allows the U.S. forces the right to conduct any operations freely.

50 *Joint Statement of the U.S.-Japan Security Consultative*, February 19, 2005, pp. 9.

51 *Sankei Shimbun*, January 9, 2005, *Okinawa Times*, September 25, 2005.

52 *Asahi Shimbun*, October 17, 2005.

53 *Joint Statement of the U.S.-Japan Security Consultative*, February 19, 2005, pp. 6.

54 *Ibid.*, p.6.

55 Some Japanese people think withdrawals of combat troops from Okinawa would not weaken deterrence, given that the U.S. force's transformation reinforces its rapid response and expeditionary abilities. However, this argument does not demand complete withdrawal of U.S. forces from Okinawa, unlike an argument of some pacifist groups. It admits that a certain level of the U.S. presence is necessary to preserve deterrence.

56 *Okinawa Times*, February 7, 2005, *Mainichi Shimbun*, March 10, 2005.

57 See *Mainichi Shimbun,* October 19, 2005, *Asahi Shimbun*, October 23 2005.

58 *Yomiuri Shimbun*, October 9, 2005, *Ryukyu Sinpou*, October 18, 2005.

59 "Guam May Get What It Asked For," *Stars & Stripes*, August 2, 2004, p.3.

60 U.S. Department of Defense, *News Release: U.S., Republic of Korea Reach Agreement on Troop Redeployment*", October 6, 2004, http://www.defenselink.mil/releases/2004/nr20041006-1356.html, "12,500 Troops to Leave S. Korea by 2008", *Stars and Stripes*, October 8, 2004.

Takeshi FUKUDA is researcher at the Foreign Affairs and National Defence Division, Research and Legislative Reference Bureau, National Diet Library, Japan.

MULTICULTURALISME ET SÉCURITÉ EUROPÉENNE

Petre DUȚU, PhD

Le multiculturalisme représente une réalité dynamique et complexe avec qui, à l'avenir, tous les Etats européens se confronteront, y compris ces qui sont membres de l'Union. Il a un impact significatif sur l'évolution de la sécurité de l'individu, des groupes et des communautés humaines. C'est pourquoi la présence du multiculturalisme et ses possibles effets dans tous les domaines d'activité –social, économique, politique, culturel et autres- doivent constituer une préoccupation majeur tant pour les gouvernements nationaux que pour le direction de l'Union Européenne.

1. Qu'est-ce que le multiculturalisme?

Le concept de multiculturalisme est appréhendé en Europe et en Amérique du Nord dans des termes différents[1]. En Europe de l'Ouest, il renvoie à la façon dont les minorités ethniques doivent être intégrées dans l'État -nation établie de longue date.

Contrairement aux modèles exclusiviste des pays germanophones et assimilationniste à la française, le multiculturalisme a été adopté en Suède, en Hollande et en Grande-Bretagne. Aux États-Unis, cela inclut non seulement les politiques à l'endroit des minorités ethniques, mais aussi les politiques de discrimination positive, les politiques motivées par des considérations liées au féminisme, les politiques à l'égard du cursus d'enseignement qui vont tenir compte des différents groupes religieux, etc.

Toutefois, sur le Vieux Continent, la notion renvoie à des situations contrastées, selon les traditions politiques et culturelles des États. Si certains pays (Italie, Espagne) l'ont institutionnalisée en créant des régions dotées de pouvoirs propres ou en instaurant une diversité linguistique (Belgique, Suisse), d'autres (France, Allemagne, Grande – Bretagne, Pays – Bas) continuent de l'assimiler, comme outre-Atlantique,

à une forme de revendication communautaire émanant des populations issues de l'immigration[2].

Le concept a trouvé une légitimité politique au Canada, sous la forme du multiculturalisme constitutionnel. Cependant, les avis restent partagés dans les milieux universitaires et parmi les intellectuels. Pour certains, qui dit multiculturalisme dit "tribalisme", fragmentation de la société en micro - communautés repliées sur elles-mêmes, et menace chaque fois que la pluralité sécrète des expressions identitaires particularistes envahissant la sphère publique et remettant en cause l'intégrité du lien social. D'aucuns, a contrario, y voient une garantie du respect des identités culturelles, de l'égalité des droits et des chances, un garde-fou contre le prurit nationaliste et la consolidation des fondations de la démocratie.

Par la suite, le multiculturalisme peut être percevoir comme: *une attitude en ce qui concerne les minorités ethniques ou nationales*; *une modalité d'intégration complète* (sociale, psychosociale, économique, culturelle, administrative, normative) de la minorité dans la société où celui-la vive; *une forme d'organisation d'une société pluriethnique*; *la manière de vivre au sein d'un Etat ou d'unions des Etats* des groupes humaines d'ethnies différentes; *une politique de respect de la diversité culturelle.*

2. Le multiculturalisme en l'Europe

Le multiculturalisme est, sans doute, un sujet à la mode. Il est devenu un grand sujet de discussion, au niveau européen, une fois avec les immigrations massives des dernières décennies qui ont transformés l'unes zones européens dans les territoires en effet multiethniques. Cependant, la situation n'est guère inédite. L'Europe Centrale est historiquement une zone multiethnique, qui a toujours incluse le multiculturalisme.

Parfois, même dans l'Europe, l'idée du multiculturalisme est posée sous le signe

d'interrogation. Les avocats du multiculturalisme affirment que la diversité ethnique il faut préserve à tout prix, même au moyen de la discrimination positive. Leurs adversaires disent que une telle position part de la prémisse, que les entités ethniques auraient une existence quasi-biologique qui doit protégée. D'ici, la nécessité d'introduction des certaines lois spéciales, qui se substituent à l'Etat uniforme, égal, du citoyenneté, ce qui est équivalent avec le retour dans la période passée.

L'élargissement d'UE donnera à l'Europe le poids économique et le potentiel politique de quelle a besoin pour faire entendre sa voix sur l'échelle internationale. Mais cette voix n'écoutera que la condition d'être la porteuse d'une volonté forte et si se fait l'écho des décisions importantes et des actions cohérentes.

L'Union Européenne, comme espace, ne se définit pas seulement par sa dimension économique-le marché unique et le monnaie unique- même politique, mais aussi en avant de toute chose comme une espace des valeurs et d'histoire partagée, un destin commun qui liera, sur une base volontaire, presque un demie de million de citoyens. A présent, ces citoyens appartiennent de vingt cinq pays, chacun avec son histoire, ses traditions, ses habitudes et ses mentalités, avec son économie et sa culture, avec son administration et son armée etc. Autrement dite l'Union Européenne est une Union volontaire d'États ayant leur propre histoire, leurs propres structures politiques, économiques et sociales, leur propre patrimoine culturel, leur langue ou plutôt, le plus souvent, leurs langues, au pluriel.

Il est vrai que l'UE, a crée les conditions afin que chaque pays se peut manifester et s'actionner sur deux palier-*le spécifique national* (c'est-à-dire *la diversité*) et *la caractéristique d'union* (c'est-à- dire *l'unité*). Au sein de l'Union Européenne tous les citoyens des Etats membres, qui en même temps sont des citoyens de l'UE, ils viendraient en contact les uns avec les autres, ils lieraient et communiqueraient, bien sur, sur fondement des valeurs démocratiques communs qu'ils acceptent.

Pour autant, l'Europe unie, en tant qu'espace de citoyenneté, d'appartenance régionale et nationale, même ethnique et religieuse, propose un nouvel élément à la définition identitaire des individus : *la référence européenne*. Dans ces conditions, rien n'empêche d'imaginer que le multiculturalisme sera capable de répondre à ces problèmes d'allégeance,

en permettant de penser l'Union non à partir de bâtir sur le modèle de l'Etat- nation, mais d'une réflexion sur la coexistence des identités qui la constituent. Mais, pour créer un espace européen où chaque citoyen peut trouver sa place et s'épanouir, le dialogue entre les peuples et les cultures est essentiel. Le domaine de l'éducation est par définition le plus apte à favoriser et à encourager la tolérance, la compréhension et la démocratie. Toutes les écoles doivent promouvoir le respect et pratiquer l'ouverture aux autres. Les autres institutions habilitées peuvent également actionner dans la même direction, c'est- à- dire, pour créer et maintenir un espace européen favorable à chacun de ses citoyens.

3. Le multiculturalisme en Roumanie

L'analyse du multiculturalisme en Roumanie doit tenir compte de : en conformité au recensement de l'année 2002, la population de la Roumanie était de 21.680.974 des habitants et elle avait la structure suivant : les Roumains -19.399.597(89,47%); les Hongrois-1.431.807 (6,6%) ; les Rromi (Bohémiens)-537.140 (2,47%) et les autres nationalité – 314.430 (1,46%)[3]. Par la suite, la Roumanie n'a pas de nombreuse minorité nationale ; la Constitution de la Roumanie affirme que le pays " est un Etat national " et " l'Etat reconnaît et garantis aux personnes qui appartient aux minorités nationales le droit à la garde, au développement et à la expression de leur identité ethnique, culturelle, linguistique et religieuse "[4].

D'ailleurs, les minorités nationales ont des représentants dans le Parlement du pays, c'est-à dire des députés et des sénateurs. De plus, les Hongrois ont même leur parti politique, qui est un parti parlementaire et qui participe à la gouvernance de la Roumanie. Les minorités nationales ont aussi d'enseignement, des émissions de radio et des télévisions, des livres dans leurs langue maternelle; chez nous, comme les autres pays de l'Europe de Est, on fait la distinction entre citoyenneté et nationalité, à l'échelon du national et du local; la Roumanie ne se confronte pas avec l'immigration comme les pays occidentaux (la France, l'Italie, l'Espagne, l'Allemagne etc.).

Notre pays représente un corridor de passage pour les immigrants qui désirent arriver dans les pays riches de l'Europe de Ouest; le processus de formation de la nation Roumaine a beaucoup

de particularités; chez nous il y a une législation adéquate en ce qui concerne les minorités ethniques.

Par la suite, on peut affirmer que le multiculturalisme en Roumanie ne représente pas un problème spécifique. Pourtant, chez nous existe la préoccupation constante d'harmoniser la législation autochtone en ce qui concerne les minorités nationales avec la législation similaire de l'Union Européenne.

De plus, chez nous les chercheurs font de recherches sur le multiculturalisme en Roumanie. Ainsi, dans la littérature de spécialité, comme résultat des recherches, se sont dessinées deux manières d'aborder ce phénomène: l'une est *le multiculturalisme civique* et *l'autre est le multiculturalisme normatif*[5].

Le multiculturalisme civique doit tenir compte de réalité que la Roumanie est un Etat national, où se fait la distinction entre majorité, jamais nommée en conséquent, les Roumains, et les autres citoyens nommés les minorités. Mais les relations entre les majorités et les minorités, sur tous échelons d'activité et de vie, ne sont pas exclues, mais elles sont suivis systématiques et développées adéquates.

„Les sociétés aujourd'hui vivent sous la tension de deux déterminations qui sont, d'un part, la norme de droit international et, d'autre parte, la réalité pratique de l'Etat national"[6]. La réalité reflète non seulement le fait que les Etats actuels se sont formés, comme manifestation du sentiment national, mais le fait pratique que la langue et la culture de la majorité assure celui-ci un ascendant en rapport d'autres identités ethno- culturelles. Cette différence est aujourd'hui équilibrée d'une autre composante du droit international, parmi lequel se sont codifiés les droits et la protection d'identités culturelles des minorités. La frontière des Etats nationaux actuels „découpent" un territoire parmi lequel, d'un part, se détermine une certaine majorité nationale et certaines minorités et, d'autre part, s'établit une juridiction des autorités publiques obligées de préserver les principes d'un Etat civique.

L'équilibre d'entre ces deux types de détermination est gardé à un niveau décent, par tous les moyens, parce que le déséquilibre d'entre eux peut générer des forts conflits inter- ethniques. Les mesures que l'Etat Roumain les adoptées en ce qui concerne les droits de minorités ont

permis de créer les conditions nécessaires pour garantir l'égalité de tous citoyens du pays sans discrimination ethnique.

L'étude citée estime que la solution des problèmes ethniques le représente l'Etat civique, qui est l'opposé de l'Etat ethnique. Ainsi, l'Etat civique réalise la solidarité d'individus en dépassant les frontières de culture par la promotion du multiculturalisme vu comme coexistence des communautés culturelles, mais comme seulement une cohabitation culturelle.

A présent, chaque Etat faudrait être responsable, en tant qu'acteur principal au niveau de sa juridiction territoriale, pour garder le multiculturalisme civique. La diversité culturelle signifie la richesse et la pérennité. Elle faudrait la garder. Mais cette diversité culturelle ne doit pas affecter les chances d'une vie civique dans le sein d'une civilisation cohérent, consolidée par la solidarité de ses membres.

Le multiculturalisme normatif tiens compte des suivantes considérations: dans le cas de sociétés où existe une majorité large, le multiculturalisme signifie aussi *l'intégration des minorités dans le sein d'une société dominée par la majorité* ; *le refus de l'autodétermination intérieur, la ségrégation ou l'enclavement des minorités.*

Le multiculturalisme, comme forme de légitimer des droits collectifs, pose l'accent sur l'idée de cohabiter et présuppose qu'un certain degré d'intégration des minorités est indispensable. Dans le même temps, un certain degré de séparation, de ségrégation se prouve aussi nécessaire.

C'est pourquoi le concept de " multiculturalisme " de type normatif qui a comme postulat le triple convergent : *axiologique* (de l'équilibre et de la correction de relations interethniques), *des méthodes* (des stratégies intégratives et des formules d'autonomie de minorités) et de *la téléologie* (le développement simultané d'intégration et de la privatité communautaire, considéré possible)[7].

Le multiculturalisme exprime l'attitude qui affirme que l'équilibre et la correction des relations interethniques supposent reconnaître du besoin d'intégration, à côté de besoin de séparation des communautés ethno- culturelles et soutenait leurs développements mutuels, qu'il considère aussi possible.

Dans ce contexte, un problème délicate le représente "la séparation" ou "la ségrégation"

de minorités. En contexte central- est européen, surtout, dans le cas de Roumanie, "la séparation" a un profond sens négatif. Ce concept possède le sens tant de négatif que aucune leader hongrois de Roumanie affirment, dans leurs discours, qu'ils ne désirent pas une vie communautaire séparée.

Comme idéologie de la diversité, le multiculturalisme est destiné offrir un cadre pour affirmer les identités de groupe. Ainsi, l'horizon idéologique pour cultiver la diversité peut promouvoir la pluralité comme échange de paradigme du rapport minorité/majorité, comme limite imaginée des constructions identitaires. En conséquence, le multiculturalisme semble répondre aux nécessites d'un monde en échange dans lequel l'expression des divers identités prendre la forme d'une réponse face a la défis d'intégration régionale et de globalisation.

4. L'impact du multiculturalisme sur la sécurité européenne

L'intégration européenne (l'édification d'une Europe unie) est une épreuve vitale destinée d'offrir une sécurité et une stabilité durable pour le continent entière. La principale voie vers l'établie de la sécurité est l'utilisation de pouvoir pour l'export de propre model de vie. Autrement dite, il s'agit de bâtir une identité commune pour „la Grande Europe" fondée sur un set unique des valeurs et sur les institutions compatibles intégrées d'un système de gestion unitaire conçu à l'échelon du continent. Le processus européen est une question de pouvoir et de culture. Celui qui a la puissance de transférer aux autres le propre paradigme culturel identitaire augmente sa force nécessaire pour consolider sa sécurité.

C'est pourquoi, l'acceptation de tous les Etats membres et aussi de ses citoyens du multiculturalisme européen représente un pas significatif par la voie d'assurer leurs sécurités. Les uns parlent d'un nouveau concept : *la sécurité par le multiculturalisme.* D'abord, il s'agit du multiculturalisme réalisé à l'échelon de national et puis, à l'échelon du multiculturalisme européen.

Le multiculturalisme pourrait accorder à l'Europe la stabilité, permettant à tout le monde et à chaque personne de toucher la satisfaction entière d'avoir la possibilité de vivre, en même temps, dans le sein d'une civilisation et de plusieurs milles de cultures. Ici, il s'agit du multiculturalisme

vu comme l'intégration de l'individu et de sa communauté tant à l'échelon de l'Etat national (c'est-à-dire, l'intégration des minorités) qu'à l'échelon de l'Union Européenne.

Mais le multiculturalisme ne peut pas être réduire à la problématique de l'intégration des minorités. Nécessairement, il est besoin de un concept complémentaire, qui doit orienter vers la minorité. Ce concept doit poser en valeur les intérêts spécifiques de minorités et leur besoin de se proposer des thèmes seulement pour eux et non spécifiques pour la société entière. Trop souvent, la problématique énoncée est décrue en termes d'autonomie, d'autodétermination intérieur, de ségrégation ou d'enclaver des minorités. Ces termes sont déjà plus difficiles de légitimé, mais les derniers, même définitivement compromis dans le contexte culturel de la région central et est-européenne. Les problèmes que ces responsables doivent poser ne sont pas seulement d'ordre culturel, mais de nature politique et économique. L'Etats qui composent l'Union Européenne ont des degrés différents, et d'ici leur contribution au budget de l'Union est similaire avec leurs degrés de développement. Toutefois, en plan politique, il y a de différences. Les uns Etats ont une tradition démocratique depuis longtemps, les autres n'ont pas une tradition pareille (voir les pays ex-socialiste membres de l'UE). Cette situation peut générer des tensions, qui, à leur tour, affectent la sécurité locale de la communauté et même la sécurité de l'Union. Notre avenir commun s'impose bâtir, par des efforts concertés de tous les Etats membres de l'Union, ayant comme pivot l'assimilation et le respect unanime des valeurs démocratiques.

Comme presque toujours dans l'histoire, des peuples, des nations ou des unions ont promus des idées généreuses pour les transformer en mécanismes implacables d'augmenter leur influence et leur force à échelle régionale ou internationale. C'est le cas de l'Union Européenne qui veut augmenter son influence et son rôle de résoudre des conflits régionaux et globaux. On peut considérer cela comme une modalité efficiente de croître sa sécurité. Naturellement, il peut apparaître des obstacles dans une telle démarche. Par exemple, l'Union Européenne se compose, à présent, de 25 Etats, chacun ayant son histoire, sa culture, sa langue, ses traditions, ses habitudes, ses mentalités, des degrés de développement économique différents, des organisations sociales

relatives semblables, mais des intérêts nationaux divers. Il est possible que *le multiculturalisme* propre à l'Union, mais cela de chacun Etat membre peut être tant un *atout* dans la consolidation de la sécurité qu'un *obstacle*. La manière dans laquelle se manifestent les effets du multiculturalisme dépend de capacité des institutions responsables de l'Union de trouver les solutions optimales aux éventuelles non – concordances entre la réalité de la vie communautaire et les attentes /les espérances des citoyens européens.

5. Conclusions

Enfin, on peut dire que le multiculturalisme représente un concept controversé et dont le contenu est perçu différant, en rapport de spécifique national, des traditions de constitution et de consolidation de l'Etat national. De fait, l'attitude des citoyens d'un Etat face au multiculturalisme est différant, elle allant de l'accord total jusqu'au refus total, en rapport d'une série de facteurs qui regarde les traditions, les mentalités, les habitudes. Chaque pays décide l'attitude qu'il adopte envers du multiculturalisme tant sur l'aspect théorique que l'aspect pratique.

En même temps, le multiculturalisme exprime une réalité dynamique et complexe avec qui, à l'avenir, tous les Etats européens se confronteront, y compris ces qui sont membres de l'Union. Dans ce contexte, on peut apprécier que le multiculturalisme a un impact significatif sur l'évolution de la sécurité de l'individu, des groupes et des communautés humaines. C'est pourquoi la présence du multiculturalisme et ses possibles effets dans tous les domaines d'activité –social, économique, politique, culturel et autres- doivent constituer une préoccupation majeur tant pour les gouvernements nationaux que pour le direction de l'Union Européenne. Une harmonisation des législations en ce qui concerne les minorités

nationales, une institutionnalisation des rapport entre les citoyens européens, comme citoyens des Etats nationaux, représentants d'une mémoire collective, des traditions et des mentalités, des intérêts individuelles et des groupes, elles se demandent accompagner d'amples mesures éducatives, tant à l'échelle nationale qu'à l'échelle de l'Union.

BIBLIOGRAPHIE:

1. Pascal BRINDEAU, *La nation-contrat. L'indispensable conciliation entre nation et pluralité*,http://www.action-nationale.qc.ca/9911/brindeau.html

2. Constituția României, Bucureşti, Editura Monitorul Oficial, ediția a II-a, 2003.

3. Interculturalitate, http://www.intercultural.ro/cărți

4. Multiculturalisme: une identité pour l'Europe?, http://www.ceri-sciences-po.org/

5. John REX, *La réponse des sciences sociales en Europe au concept de multiculturalisme*, http://www.ant.ulaval.ca/anthropologieetsocietes.html

6. Statistica teritorială, Bucureşti, INS, 2004.

NOTES:

1 John REX, *La réponse des sciences sociales en Europe au concept de multiculturalisme*, http://www.ant.ulaval.ca/anthropologieetsocietes.html

2 Voir *Multiculturalisme: une identité pour l'Europe?,* http://www.ceri-sciences-po.org/

3 Voir **Statistica teritorială**, Bucureşti, INS, 2004, pp.28-40.

4 Voir **Constitutia Romaniei**, Bucureşti, Editura Monitorul Oficial, editia a II-a, 2003, pp. 7-9.

5 Voir *Interculturalitate*, http://www.intercultural.ro/cărți, pp. 7-32.

6 *Ibidem*, p. 12.

7 *Ibidem* p. 21.

Petre DUȚU, PhD, est chercheur dans le Centre d'Etudes Strategique de Defense et Sécurité de l'Université Nationale de Defense "Carol I". En tant de sociolog militaire, il est l'auteur des nombreuses volumes, études et articles sur themes de sécurité zonale, regionale et globale et de sociologie.

BUILDING PARTNERSHIPS WITH MOLDOVA'S NEIGHBOURS AND STRATEGIC INTERNATIONAL PLAYERS

Radu GORINCIOI, PhD

The article reviews the state of regional security affairs from the perspective of the Republic of Moldova relations with its neighbours and strategic international players: UN, EU, OSCE, NATO, GUAM, USA, Russia, Ukraine and Romania. Within this research, the author's objective is to identify the favourable and discouraging factors in the process of the assertion of the Republic of Moldova on the international arena.

The author does not present only from historical and narrative point of view the relations of the Republic of Moldova with the most important international and regional players.

The comparative and behaviouristic analysis of the Chisinau Government's actions in the field of foreign and domestic affairs, offers a new perspective on the past, present and future evolution of the Republic of Moldova within the post-Cold War geopolitics.

By summing-up the main developments during the contemporaneous history of the Republic of Moldova, the author underlines the biggest weaknesses of its foreign and security policy, as well the huge influence played both by the integration and de-fragmentation movements at regional and global level.

It's not surprising therefore that the author characterises the security dilemma of the Republic of Moldova (between East and West) by the interaction between the revenge and reactionary forces, and the nationalistic, pro-European and pro-Atlantic policies.

Within this paper, the author made his own conclusions and gives recommendations for further development of the Republic of Moldova's relationship with the neighbouring states, other main actors and international organizations.

Every state willing to be a player on the international arena must establish three levels of cooperation and partnership: international, regional and bilateral. Within this research, at the international level there will be examined the relationships of Republic of Moldova with the United Nations (UN), at regional – with European Union (EU), North Atlantic Treaty Organization (NATO), Organization for Security and Cooperation in Europe (OSCE) and GUAM; and at bilateral level - with its neighbours and key actors – Ukraine, Romania, Russia, USA.

Transformed after 1991 into a periphery of the former Soviet Empire, Moldova tried to overcome its status by developing a broad network of relations with various states and international and regional organizations. Following Wallerstein developmental theory, Moldovan diplomacy has focussed on transforming it from a periphery at least into a semi-periphery by lightening its relations with the former centre. For a country in transition that used to be almost all the time on one or another border of different Empires, it was crucial to be recognized as a new international player. In this respect, the new independent state pursued quite a complex foreign policy to diversify its relations with Western countries, at the same time following the track of other former soviet republics towards a deeper integration into the Commonwealth of Independent States (CIS).

But after more that ten years of balancing between East and West, the Republic of Moldova could acknowledge the failure of its foreign policy in preserving independency, sovereignty, territorial integrity and social security. Neither the Transdniester conflict was solved nor got Moldova integrated into the Euro-Atlantic institutions.

As a result, the domestic socio-political and economic situation dramatically decreased, as well

the social security and foreign investments, what lead to poorness, unemployment and high corruption, which favoured a deep gap between rich and poor people and a very high migration of population.

In the framework of globalization processes, Moldova's liberal policies proved to be inconsistent and ineffective in assuring economic security and people prosperity. Its domestic policy lacked to fulfil the expectation of population also because of the weak support of Moldavian diplomacy in promoting the new country image abroad, in attracting foreign investments and in building fruitful partnerships with the neighbours and other strategic actors within the new geopolitical order. On the contrary, the ambiguous character of Moldova's foreign policy had raised many obstacles in the relations both with Euro-Atlantic and CIS states. Because of this unpredictable policy, many of them couldn't understand what are the national interests of Moldova, and its geopolitical role. Lacking any strategic partner[1], Moldova confronted all this time with the false dilemma of belonging to two geopolitical areas – Eastern and South Eastern Europe. Looking forward to become a link node between East and West, Moldova's political elite from the middle of 1990s tried to develop the model of a small and open country mainly due to the historical background, old mentality and complex ethnic situation within the country.

The United Nations and Republic of Moldova

The United Nations (UN) has been created in order to ensure the stability of international environment by preventing main powers to act one against each other. According to the UN Charter, United Nations represents mainly a security organization, which has the duty to react to any type of conflicts[2]. But one could not speak so far about any UN involvement in the Transnistrian conflict resolution and post-conflict building process. There is a general UN policy not to intervene in intra-states conflicts, excepting the cases when that conflicts become a threat to international security.

Starting from this point, the main task of Moldovan authorities should have been the internationalization of the conflict. Moldova should have designed its arguments in order to convince the international community that Transnistrian case represents a threat to international peace because of the big stocks of weapons on this uncontrolled separatist region.

Following international law, internationalisation of the conflict could be crucial for Moldova to have at least the UN Committee for Disarmament and International Security more involved in dealing with this security threat at the stage when conflict erupted. Cooperation with individual states and regional organisation in this view was indispensable for putting this new type of conflicts on the UN General Assembly and Security Council Agenda. Another possible option may be to build strategic relationships with France, United Kingdom and, especially, with the USA – permanent members of the Security Council, which are to some extent already involved in the Transnistrian conflict resolution process through other regional organizations. Romania membership of the UN Security Council may be a new opportunity for making use of this important international forum.

If a necessary number of UN General Assembly's members would be convinced about the regional security benefits of addressing post-soviet frozen conflicts, a set of conflict resolution measure could be implemented and financed through the UN system mechanisms.

But what is even more important, any UN Resolution on Transnistrian issue would offer the legal bases for taking more active actions by other regional organizations.

At this stage, it is still necessary that Moldova pays more efforts on getting international community support for affirming, first of all, its sovereignty, territorial integrity and economic independence. UN membership offers the Moldovan diplomacy the necessary framework to present its vision on the way of solving out the Transnistrian issue. The only fact that finally, Moldovan Ministry of Foreign Affairs succeeded to address the Transnistrian military threat on the UN General Assembly is emblematic for the effectiveness of UN-Moldova cooperation in the security field.

Because of the unilateral approach of its foreign policy, Moldovan authorities failed to take the necessary measures to place the country in a more favourable framework by taking into account the international context.

They have concentrated more on preservation the existing regional relations rather than on building new strategic partnerships with the international players.

Different approaches of the Transnistrian issue

Taking into account the fact that the Transnistrian conflict represents the Achilles' heel of the Moldovan statehood, when addressing Moldovan foreign policy, one should keep in mind the role of each international actor and neighbouring country on this particular issue. Retrospectively looking, the contradictory foreign policy of Moldova may be explained as well by the weak impact of the Transnistrian issue on the international and regional security agenda. Being well-known as a key actor in the Transnistrian problem, Russian Federation was allowed to play a very active role in this respect, and this is how it succeeded regularly to stimulate the rivalries between Chisinau and Tiraspol, by backing officially and unofficially the latter. As a result, instead of promoting international involvement in conflict resolution, Moldovan diplomacy looked forward to get the support of Russian Federation for putting pressure on Tiraspol secessionist leaders. Due to the close cultural, linguistic and economic ties, that some of the orthodox pro-Russian elites preserved into Moldovan society, Chisinau has tried all this time to improve its relations with this huge regional neighbour through various ways of reconciliation.

For example, after the Parliament of Moldova elected the communist leader, Vladimir Voronin, as the new president of Republic of Moldova on the 4th of April 2001, the pro-Russian government of Moldova set out, as main tasks to end the Transnistrian conflict and to re-establish the economic and political relations with Russia. In this respect, joining the Russian-Belarusian Union, giving to the Russian language an official status in Moldova, deepening economic relations with CIS partners and reconciliation with the separatist region of Transnistria have been promoted as the key slogans of the new ruling party electoral platform. Due to this huge "progress" in the Moldovan-Russian relations, Russian President agreed to guarantee a smooth solution of the Transnistrian issue and to repeat that Chisinau has become the Moscow's "strategic partner".

As a result, a big shift in solving the Transnistrian problem was noticed, on the 16th of May 2001 being announced the official signing of four important cooperation agreements between the conflicting parts: concerning the economic cooperation; free access for journalists to cover news on both banks of the Dniester river; coordination of taxation, removal of customs checkpoints, guarantees for foreign investors and mutual recognition of official documents. But, when at the end of May 2001, the Russian State Duma proposed the Presidents of Russia, Belarus, Moldova and the separatist Transnistrian republic holding multilateral consultations and studying the conditions for the accession of both Chisinau and Tiraspol to the Russian-Belarusian Union, its negative echoes in Moldovan society and abroad seemed to dismiss local politicians from theirs mind. Though the proposal was discussed earlier during the talks between the Russian and the Moldovan presidents, this idea being shared also by the former Russian prime minister, Evgeniy Primakov, chairman of the Russian Federal Commission for the regulation of the Transnistrian issue, the social-political situation inside the country started to deteriorate rapidly. During 2001-2003, Moldova became periodically the arena of mass demonstrations and joint movements of both civil society and political opposition striking against the Russian sphere of influence.

Meantime, Moldova had been accepted as a full member of the Stability Pact for South Eastern Europe and of the World Trade Organization, which favoured a more specific approach of the Moldovan authorities towards the regional integration of their country into global community. Both the events have been characterized as a big success of the Moldovan diplomacy. Starting from this point, one may note that the Western/European vector of Moldovan foreign policy is being developed as its second pillar. At the beginning of 2002 a new Concept of Foreign Policy was launched by a group of young diplomats from the Ministry of Foreign Affairs of Moldova. Although it could not be officially approved due to the opposition of the Communist ruling party, in fact this document became the unofficial Concept of the Moldovan foreign policy, establishing its new priorities and directions for the coming years. In such a way, 2001-2003 represented a period of big contradictions of the Moldovan foreign policy, similar to 1994-1998, which undermined the national interests of the country, its independence and sovereignty and favoured its further isolation from the regional trends of integration into EU and NATO. Consequently, promoting national interests within the traditional policies and the actual priorities of

Moldovan Concept of Foreign Policy proved to be disastrous.

Only when Russia, Belarus, Ukraine and Kazakhstan refused Moldova's accession to the Eastern Common Economic Space in the late 2003, it became clear (for the Moldovan Communist ruling party, in particular) that the *progressive* integration of Republic of Moldova into the EU represents the best solution for assuring the stability, security, territorial integrity and a progressive transformation of the society. Having noticed the huge impact this regional trend on many neighbours and on other countries with similar past, until 2005 parliamentarian elections, Moldovan politicians couldn't understand that promoting the European integration as such can not bring much success.

Addressing more thoroughly the main security issues Moldova confronts with in the new geopolitical realities, the diplomats started to promote more actively its interests within the EU, NATO, OSCE, UN and other regional organization. The case of Russian military forces and stockpile munitions from the Transnistrian region has been addressed more regularly both on bilateral and multilateral levels. Though important progresses have been done during the last years, Moldovan diplomacy failed yet to find any important players as supporters of this idea within the NATO and EU. Romania solely is not likely to play a significant role in this regard, both in NATO, OSCE or UN. But if Romania joins the EU in 2007, as planned, the problem will become a more pressing one for the EU. This means that, in the next few years, the European Union would have a common border with Moldova, which still represents a major source of insecurity because of the uncontrolled trafficking of arms and human beings. The illegal trade in this area often has its epicentre in Transnistria. It is not a casual matter that EU lunched its first initiative towards Transnistria by sending a civilian monitoring mission at the Moldovan-Ukrainian border. If successful, it may become a key instrument in encouraging a more cooperative behaviour of the Transnistrian leadership towards Chisinau proposals. One would admit that the unexpected change of attitude of both Tiraspol and Moscow proves theirs weakness in preserving any more the existing status-quo.

Following the geopolitical landscape changes after both NATO and EU enlargements, it may be stated, using one of the Primakov' famous sayings, that "the process of political settlement has come to a point in time when the monopolization of peace-making efforts by any single side does not create favourable conditions for progress"[3]. That's why, after more than 13 years of "mediation and conflict resolution's efforts", Russian peacekeeping operation came to a fatal end, showing its unwillingness to solve the existing conflicts on its "near abroad" area of interest.

Moldova and European Union: from partnership to neighbourhood policy

Moldova had signed a bilateral Partnership and Cooperation Agreement (PCA) with EU in 1994, applicable only from 1998[4], which formed until the beginning of 2005 the juridical framework of cooperation with European institutions and their member states. But even before PCA started to be implemented, Moldovan authorities become keen on arguing that EU should change its approach towards Moldova by offering it a chance of "association to EU" as it happened in the case of other Central and South-East European countries. Starting the 13th of December 1996, Moldovan President repeatedly addressed to the European Commission the request to start the negotiations for signing, up to 2000, an Association Agreement.

After 1998 parliamentary elections, when the new political establishment of Moldova more clearly expressed the European integration objective of the Republic of Moldova, European Commission managed to convince the most reluctant European states to finally ratify the PCA. At that time, European officers only stated that the future of EU-Moldova relations will depend very much on the successful implementation of the PCA. Meantime, the launch of the Stability Pact for South-Eastern Europe was perceived by Moldovan diplomacy as a new chance for a faster integration into European initiatives.

The National Strategy for South East Europe, written in 1999 both by some representatives of civil society and the Moldovan Ministry of Foreign Affairs, promoted the idea of deepening regional cooperation in South-Eastern Europe as one of the best ways for lessening the dependence of the CIS states. Strengthening regional cooperation within the Black Sea Economic Cooperation, the South-Eastern Europe Cooperation Initiative, the Stability Pact for South-Eastern Europe and other

regional initiatives was seen also as a way of backing Moldova's economic interests in South-Eastern Europe. This kind of organizations included actual and prospective EU and NATO members that could offer their support for Moldova's integration into EU and solving out other domestic issues.

But as far as Moldova has been included in the Stability Pact for South-Eastern Europe only in June 2001, when many important regional projects started to be implemented, our country wasn't ready to be involved fully in all three roundtables. Even the huge sums of money allocated for important projects, within "Gender", "Human Rights and National Minorities", "Media" and "Education and Youth" Task Force Programs didn't bring any foreseeable result in Moldova.

Moldova has been also involved in four regional Quick Start Projects, for which has been allocated 600.420 ECU and in two other projects for building Moldova's infrastructure, for which have been secured other 36.27 million ECU[5]. Finally, many of these projects failed to be implemented, compromising the image of Moldovan state. Although other 299.500 US$ have been allocated in 2001 for implementing ***Moldova's Action Plan to Fight Corruption***, the level of corruption dramatically increased in the last years.

In such a way, one may notice that the effect of ethnic and development assistance offered through the Stability Pact to Moldova wasn't that officially expected by the Moldovan authorities. The irresponsibility and lack of transparency allowed some active NGOs and lobby groups with close links in the Government to benefit peculiarly from the offered assistance.

Though Moldova's European integration was proclaimed as the cornerstone of its domestic and foreign policy, the effectiveness of this policy may be proved by the set of policies the country is willing and able to undertake in various fields. Both the foreign and domestic policies of the state shall be adjusted to the European values and standards, in order to provide the necessary framework for progressive implementation of *Acquis Communitaire*.

The impact of EU policies on Moldova became more obvious as a result of the accession of ten new countries to the EU from 1 May 2004 and signing by Bulgaria and Romania of the EU Adhesion treaties one year later. The EU policy towards Moldova will increase more, as soon as it will become a direct neighbour of the EU, most probably in 2007. Therefore, it is the core interest of the EU to have an independent, politically stable and economically strong Moldova as a neighbour. This is even a key condition for a lasting peace and stability at the EU borders.

As it was stated already in March 2003, when Brussels presented a new policy of cooperation with whose 14 direct and indirect neighbours from East and South, the EU created through the New Neighbourhood Policy an opportunity to bring these states closer to the integration process that takes place in Europe, at the same time avoiding new dividing lines. The Conception of European Integration of Moldova, presented in September 2003 to the Brussels, clearly mentioned the importance of making a principle difference between that two concepts lunched within the Wider Europe EU policy: *"enlarged Europe"* and *"neighbourhood policy"*. However, in the process of issuing "action plans" for seven partners - Ukraine and Moldova, as well as EU Mediterranean neighbours Tunisia, Israel, Morocco, Jordan, and the Palestinian Authority -, all these states were treated almost similar. Looking forward to escape from being treated at the same level with Jordan and Palestinian Authority or even with Russia and Belarus, the Conception of European Integration of Moldova emphasised a specific way of integration into EU, by accepting Moldova as part of the Stabilization and Association Process signed with some Balkan countries. Because of this main focus it put on the regional integration within the Process of Cooperation in South-Eastern Europe and other European initiatives, the Conception missed to fulfil the expectations of Moldovan authorities.

One shall notice that due to the misperception of the geopolitical realities and of its regional role, Moldovan diplomacy failed again to promote the national interests. This may be concluded from the fact that the EU-Moldova Action Plan refers very broadly to the EU support for the participation of Moldova within the Process of Cooperation in South-Eastern Europe. The Action Plan as such does not offer any perspective for Moldova integration into EU. As clearly was mentioned by the EU Commissioner, Ferrero-Waldner, *no EU neighbour is being offered the prospect of membership in the bloc*[6].

Consequently, the Action Plans represent solely a key policy strategy of EU over the next five years,

as Brussels seeks to extend the zone of "peace, stability, and prosperity" to countries around the EU. By these plans, the European Union's wish is to gain the benefits of a stable neighbourhood. It offers the necessary framework for providing necessary assistance and support for these countries to pursue with their own economic and policy reforms, to spread "the benefits of prosperity and democracy". To fulfil the European integration perspective, Moldovan authorities shall look beyond this Action Plan and take into account the following recommendations:

1. To promote a new thinking into society and approach of all governmental-related bodies regarding the meaning and ways of achieving European integration.

2. The visa regime policy of Moldova shall be made less burdensome in order to allow, at least unilaterally, a more flexible European flow in the movement of people and capitals.

3. There should be opened some new embassies in other European capitals, and especially, new consulates in the biggest industrial and commercial centres.

4. Moldovan diplomacy shall promote a better image of the state and attract foreign support and investments in various fields.

5. To start urgently the process of harmonization of national legislation to Acquis and the redirection of theirs policies towards European standards, as Croatia did, without having any European perspective.

6. To provide a stable, predicable and an open market-oriented policy, as well as affordable facilities for improving domestic investment climate.

7. To ask EU for applying the Most Favourable Nation clause into practice, by opening European market to Moldovan goods, and meantime to waive from some of the CIS free trade agreements.

Finally, Moldova should remember that in order to reach its ambitions of European integration, the EU should be understood from two levels: as a *unitary actor* (both as an economical and political body) and as a *conglomerate of actors,* with their own interests, problems and fears.

Moldova – Russia relations: beyond the "near abroad" doctrine

On foreign, defence and security affairs, EU relations with Moldova could not be developed without taking into account that stability and security in the region rely on the abilities of both sides to manage their ties with Russia. If EU and Russia are ready to share a co-decision making role in this part of Europe, as it was already stated[7], Transnistrian problem may become in the near future a testing area for a common crisis management operation mission. One shall not forget that in the EU-Russia relations the Ukrainian factor count very much.

The recent evolutions regarding the Transnistrian conflict proved that Russian interests in the region depend entirely on EU-Ukraine, EU-Moldova and Ukraine-Moldova relationships. In order to preserve its future status as a military power, Russia needs to maintain its former military base from Transnistrian region (similar to that from Kaliningrad, Georgia, Armenia, etc.) as an effective instrument of political persuasion of former soviet republics. While we are speaking in terms of geostrategic arrangements, it's obvious that Russian military capabilities are too weak to influence the behaviour of other geopolitical players in the region. Neither NATO nor EU enlargement could be blocked because of the political harassment of Russia in the case of Baltic States, but also of new course of Georgia and Ukraine towards NATO.

Though it seems Russia and EU (backed by USA) have reached an agreement on the Transnistrian issue, as USA succeeded in the case of Russian bases from Georgia, it is far enough until the Russian imperial ambitions in these two regions will decrease. Moreover, Russia had to accept the EU and USA involvement into existing five-side format of negotiations, after a series of commercial sanctions have been imposed to Moldova. In the aftermath of the most rigid Moldovan-Russian relations form their recent history, the Russian oil monopolist, GAZPROM, announced that starting 2006 the exported gas to Moldova will be sold at the world prices. By this new treatment, Russia is still trying to keep the former soviet republics on its foreign policy track.

While building its new relationships with Russia, Moldovan officials shall try to persuade it to distinguish between the cultural, economic, political and security issues they have to deal with on the mutual benefits of both sides. A common approach of the cultural and economic bilateral relations may offer Russia the necessary framework for preserving its historical role as protector of

Russian-speaking Diaspora from Moldova. Meantime, linking the economical influence that Russian minority is still benefiting in Moldova with theirs traditional ties on Eastern market, may help to maintain the necessary level of trade balance and labour migration with Russia. Meanwhile, the economic relations with South-Eastern, Central European and other countries shall develop progressively, securing the strategic economic independence of the country.

If one would analyze Moldova-Russia relations from the perspective of the EU-NATO and US-Russia set of relations, it may become clear the complexity of international relations because of new factors, the international players shall consider in their foreign policies. Due to the traditional US-Russia rivalry, since the inception of the European Security and Defence Policy (ESDP), Moscow has pressed for a greater involvement, viewing EU military development as a mean of diluting NATO's primacy in Europe. At the same time, because of EU-US rows over European defence abating and the threat of regional instability moving up the agenda, the EU now looks ready to grant Moscow its wish, in return for more flexibility[8].

As a result, EU-Russian relations may develop in the near future with much more willingness than many politicians from their neighbouring countries would like to admit. Especially, this is the case of small states, like Moldova or Georgia, which lack strong supporters in Europe and this change may bring negative consequences on theirs national interests.

As mentioned before, this move could offer Russia to play a co-decision making role in EU crisis management operations and post-conflict stabilization. Transnistrian case may serve as a significant input for testing a new co-operation strategy together with OSCE – a setting that Moscow has repeatedly called for.

Though this common EU-USA offer to take part in the negotiation process on the settlement of Transnistrian conflict could move beyond the EU monitoring mission of the illegal traffic on the Moldovan-Ukrainian border within the separatist republic of Transnistria and pave the way for a multinational stabilization mission in Transnistria - led probably by OSCE – it might prove soon its inefficiency in reintegrating both parts of the Dniester river into a democratic and viable state.

For the EU and USA is much more important to prompt Russia to withdraw its 2,500 troops from the area and to push the Transnistrian separatist leaders to respect the international law and democratic values. As soon as these goals will be formally achieved, EU and, perhaps, USA would diminish their role in this region, unless new tensions will disturb the regional stability and security.

Taking into account that the issue of energy supplies represent a special topic on Russian-EU Agenda, since Russia provides 21 per cent of the EU's oil and 41 per cent of its gas imports, the recurrence of internal instability in neighbouring countries like Moldova, Ukraine and Belarus, because of Russia, could hardly influence the European structures to put pressure on Russian Federation. Moreover, the EU might face big problems in the process of adapting to the need to take decisions at 25, because of the differences in attitude between the "old" and "new" European members, especially in what it concerns Russia.

Meantime, Russian Foreign Policy new doctrine has recently revised its policy in the post-Soviet space, as well the mechanisms of its implementation. As general principle of the "near abroad" doctrine, it has been stated that "any country that would promote the doctrine of Russia's rollback will certainly create a conflict in the relations with this country"[9].

This might be perceived as a great threat to the national security of many former soviet republics, although it doesn't affect the new EU and NATO members. The conclusion that arises from these statements leads to a new dividing line and new spheres of influence across Eastern Europe, Caucasus and Central Asia.

As far as a more radical leader would succeed V. Putin, this policy may include also the Baltic States within its area of interests, particularly on such issues as transit or the status of the Russian language and Russian community.

As pointed out by G. Pavlovski, the tactic might consist of introducing those issues on the agenda of Russia's discussions with the EU, NATO, and some major West European capitals. The Russian foreign policy towards Moldova, Georgia and other disobedient neighbours could be more unpredictable. Would then EU and NATO try to tackle with the issues on which Moscow seeks to regain a voice, or will encourage its neighbours to

deal alone with that range of "bilateral affairs"? While the Republic of Moldova tries to identify its new place on the regional landscape, it has to look upon how to face its security dilemma. Being at the same time a small neutral country and facing very huge foreign influences and internal disintegration trends, Moldovan policymakers have to find new alternatives to the actual mechanisms of preserving national interests.

Moldova - OSCE cooperation: unfulfilled commitments

Starting 1992, the partnership built with OSCE represents a peculiar way of solving out the Transnistrian conflict. Because of the narrow mandate offered to the OSCE mission by Moldova and to the consensus character of this organization, it could not perform an effective role in settlement of Transnistrian issue.

Until the 1999, the relations developed by the OSCE with Republic of Moldova hardly can prove a coherent policy approach on how this specific conflict issue should be addressed.

After 1999 Istanbul Summit, Russia has played redundant diplomatic efforts to overwhelm its counterparts from the OSCE. In order to misuse the Summit Declaration, which clearly stated Russian commitments to withdraw its military forces and munitions both from Moldova and Georgia, the Moscow diplomacy succeeded to persuade and even to block the following OSCE Summits at which Russian interests were affected. The most recent Washington Summit of the OSCE proved once again that Russia may use efficiently its lobby and diplomatic means for vetoing any decision that could harm its geopolitical interests.

As V. Socor pointed out[10], some of the rejected amendments at the Washington Summit of the OSCE, proving that this organization has lost its potential to deal with frozen conflicts in post-soviet area, were:

- to urge Russia to withdraw its troops from Moldova's territory;

- to define the Transnistrian conflict as an international one, between Russia and Moldova, rather than an intra-Moldovan conflict;

- to require democratization efforts and civil-society building in Transnistria, as a prerequisite to hold any internationally-supervised elections there and anywhere else.

To reveal its credibility on the international arena, instead of losing efforts on conflict resolution, OSCE could better concentrate on monitoring the elections, enforcing human rights and democratic freedoms on the black-sides and separatist regions of Europe.

The OSCE failures in dealing with such frozen conflicts as Transnistria, South Ossetia, Abkhazia and Northern Karabah may be easily explained if we take in consideration Russian's right to veto any decision of the Committee of Ministries. Even the OSCE Parliamentarian Assembly may be threatened in the process of voting its Resolutions because of the Russian pressure to block the budget financing and adoption procedure and the pro-Russian lobby in the Political and Security Committees. As result, during the last years, inside the OSCE started a complex process of revising its statutory mission and prospective role. On one hand, Russia and other few CIS members are pledging for reaffirming OSCE role in conflict resolution and taking away from its mandate such functions as: monitoring elections, evaluating the respect for human and minorities rights and other democratic freedoms.

On other side, USA and some other European powers stand for offering to OSCE a more active or even an exclusive role in promotion of human and minorities' rights, of electoral standards, etc. Moreover, this group of states mentions the role of other international organizations in conflict resolution and post-conflict stabilization, offering to the OSCE a minimal role in this field. Like UN, OSCE represents an institution from Cold War times, which still tries to find its new place on international affairs.

The "dynamic" and controversial policies the OSCE Mission to Moldova promoted during the last few years on the Transnistrian problem proved that it lacks a viable vision and the necessary will and capacities for solving out this conflict.

Meantime, the strong opposition from many political parties and civil society representatives confronted with almost continuously proved the old-fashion and unilateral character of this organization. Instead of bringing together the representatives of both governmental bodies and civil society from conflicting sides and show its readiness to accept all the proposals, sometimes, the OSCE mission from acted against the will of the main civil society groups.

Finally, it succeeded to change its methods of work, promoting a new strategy through development of civil society cooperation in the conflicting region.

Despite this, unfolding elections in the Eastern part of Moldova require much more efforts in order to promote democratic values, freedom of media, independent political parties and nongovernmental organizations. It's very unlikely OSCE may perform this task due to few funds available for civil society development.

A more realistic alternative could be to allow the Council of Europe and European Union to get involved directly in the process of post-conflict stabilization and rehabilitation measures, while preserving its mandate for the future monitoring of elections as soon as the necessary conditions will appear. Otherwise, a common OSCE-EU stabilization and/or monitoring mission would mean more bureaucracy, less efficiency and better interference of other interested players in the Transnistrian region.

Moldova cooperation with NATO and GUAM: achievements and perspectives

While speaking about NATO and GUAM cooperation, one should address these organizations in geopolitical terms. Although NATO and GUAM represent quite different perspectives for securing regional security, in the sense of this study, they are treated together, because of the specific set of relations Moldavian authorities promoted in this respect.

Starting 1994, when Moldova joined Partnership for Peace Program (PfP) and was invited to take a seat in the Euro-Atlantic Council, it has repeatedly stated that this type of cooperation represents one of the most suitable ways of maintaining its military capabilities. Moldova security dilemma, closely related to its neutrality status, was perceived more obvious after 2001, when Russia refused to fulfil its Istanbul commitments. Neither OSCE nor Pfp cooperation could help Moldovan authorities to persuade Russia on this issue. It became clear that the neutrality status was good enough for keeping Moldova away from CIS militaries structures and securities affairs, but represents the worst possible mean for ensuring its national security.

Having a foreign military base located on its separatist region, controlled both by foreign security forces and the local military elite, Moldovan neutrality could prove its usefulness if an international organization or some great powers would agree to guarantee the independence, sovereignty and territorial integrity of the country. Instead, Moldova was (is still) belonging both to the Russian sphere of influence, and partly to the Balkan region, where is quite difficult to speak about stability.

But after the persisting domestic conflicts from this area have threatened international security, the South Eastern Europe succeeded to become one of the most dynamic regions where the accession to the EU and the process of approaching NATO membership represent the dominant political tendencies of almost all these countries.

The case of Croatia, but also of the neighbouring states, are quite emblematic for understanding the role of NATO and EU in promoting stability, security and prosperity in the region. If there were no NATO and EU involvement, one could hardly imagine how many of the Balkan region countries would become NATO and EU members. The Black Sea regional cooperation, Stability Pact, South Eastern Cooperation Initiatives and others couldn't solve so far the security, political and economic issues of their members.

Therefore, the Republic of Moldova shall realize that, within the actual geopolitical order, its neutrality may not guarantee the fulfilment of its national interests. As soon as one would recognize this, a fruitful integration in NATO may bring Moldova better perspectives for Transnistrian settlement and, as a result, a further integration into EU.

In political terms, as a prospective new NATO member, Moldova shall[11]:

- Demonstrate its commitment and respect for OSCE norms and principles, including the resolution of ethnic disputes and external territorial disputes or internal jurisdictional disputes by peaceful means;

- Show its commitment to promote stability and well-being, economic freedom, social justice and environment responsibility;

- Establish an appropriate democratic and civilian control of their defence forces;

- Undertake its commitment to ensure that adequate resources will be devoted to achieving the obligations expected from a future NATO mem-

ber, according to the principles stated in the Washington Treaty.

From military point of view, as a prospective new member, Moldova is expected:

- To accept, as a minimum, the NATO doctrine and policies aiming achieving a sufficient level of training and interoperability with Allied Forces;

- To participate actively in Partnership for Peace (PfP) activities and within the Individual Partnership Actions Plan (IPAP), including Planning and Review Process of common operations;

- To be prepared to bring its contribution to the common security and collective defence and to pursue the objectives of standardization, essential to Alliance strategy and operational effectiveness;

- To establish a permanent political and military representation at Brussels and SHAPE HQs.

- To train and provide qualified personnel for participating in multinational and international missions, etc.

If we analyze what Moldova managed to undertake during its participation within PfP, it's surprising to note that many of the above mentioned requests have been or are going to be fulfilled. But, as far as Moldovan people stay on further supporting the neutral constitutional provision, the national security strategy should take into considerations other means for ensuring national interests.

Although the PfP activities are enough limited in scope, until now Moldova's cooperation with NATO was focused mainly on providing and training available forces for participating in peacekeeping, humanitarian and SAR missions and exercises. This is why some experts argue that Moldova didn't succeed to use the entire PfP potential, lacking the necessary political will to identify the final goal of such cooperation. Assuming that the neutral status offers enough space for manoeuvres, the Moldovan Supreme Security Council failed to adopt a military strategy at the national level. In this regard, the existing military doctrine formulates quite general the actual means and capabilities for addressing the main threats and challenges Moldova faces with. On the other side, as a neutral country, one could say that Moldova does not need any military strategy and even any national army to secure its interests. And it may prove right if Moldova is in the case of Canada or Switzerland. But unlike them, Moldova confronts both with internal and external threats on its national integrity and security.

This is why in 2005 Moldova started high-level consultations with NATO officials to sign an Individual Partnership Actions Plan (IPAP). Current bilateral and multilateral negotiations on elaboration of the IPAP provide Republic of Moldova the minimal framework to define its basic interests and prospective fields of cooperation with NATO (economic, political, security, military, environment, etc.). As far as a more sincere dialogue with NATO and its member states will be developed, the IPAP may prove its effectiveness in addressing the most stringent security and military issues, Moldova confronts with.

Finally, one should keep in mind the existing rivalries within NATO because of the leading role USA maintains in the main decision-making structures despite the EU ambition to reach parity. After Russia had adopted a more positive stance towards NATO enlargement, it's more probably that EU may pledge for offering Russia a clearer format of involvement in both EU and NATO crisis management missions.

As it concerns the cooperation within GUAM countries, there shall be discussed first of all, USA and also the Ukrainian role in the region. Depending on the level of US-Ukraine relations, the other states from the region may plan both their contributions and benefits. Between 1997 and 2001, when it may be stressed that GUAM appeared as an organization, with its stated goals (GUAM Charter), the evolution of this regional initiatives didn't inspire any hopes. There was clear that at that time USA supported this forum of some of the Western CIS head of states to warn Russia against any imperial evolution in the post-soviet area. It was a symbolic way to show Russia that US strategic interests lay beyond the former USSR borders. From the other side, the basic interests of GU(U)AM members were economic and financial ones. Some of the GUAM participants (Ukraine and Moldova) were mainly interested in signing a free trade agreement, for the others – building of the necessary infrastructure, but for each of them the biggest challenge remains theirs effective participation in the construction of the new "Silk Road" Europe-Asia transport corridor. Indirectly, those countries interests were to obtain more independence by balancing the Russian sphere of influence.

When the Orange Revolutions in Georgia and Ukraine brought to power pro-Western politi-

cians, the role of GUAM started to be revaluated by both its members-states and the American diplomacy. At the Chisinau Summit, participants openly addressed a large spectrum of problems, ranging form promotion of democracy, strengthening regional security and stability, regulation of "frozen conflicts", up to combating the terrorism and transnational organized crime, stepping up an intra-GUUAM trade - economic cooperation[12]. Moreover, Romania and Lithuania have been invited to participate as observers, while the Ukraine affirmed its new role of regional actor by proposing a plan of Transnistrian settlement. It was a significant step that positively improved the regional security environment and challenged the future development of its relations with Russia, the EU and NATO. Beyond these positive input in launching a new agenda of this organization, GUAM's potential is quite limited due both to its consisting elements and the regional environment dominated by Russia.

Trying to preserve its geopolitical role in the region and to the diminished significance of the GUAM community of states, the Russian Federation still can use the economic, gasoline and pipeline levers to deter many of the GUAM unfriendly actions. The hasten measure both Ukraine and Georgia take to ensure their domestic electricity and fuel security demonstrate that GUAM is far from fulfilling its regional role. Moreover, a closer economic cooperation between EU and Russia will definitely have an impact on the Black Sea-Caspian Sea regions as well. At the same time, the process of "Europeanization" for NATO is being reflected in continuing "its persistent campaign of clearing the relations with Russia from the 'threat perception' to their countries' security"[13]. This huge competition among the main international actors may affect both positively and negatively the further evolution of GUAM.

The United States' interests in the region

After 1991, the United States of America represents the most important player on international arena that, actually, didn't pursue any strategic interests in its cooperation with the Republic of Moldova. Moreover, the US diplomacy allowed Russia to maintain its military influence in the region, and avoided to focus on Transnistrian conflict resolution.

The main achievement of American diplomacy regarding Moldova was to make pressure on the Russia to sign the Istanbul Summit Declaration from 2001 and to link up the fulfilment of the Russian commitments in this respect with the ratification of the adapted Conventional Forces in Europe Treaty (CFE)[14]. Though the CFE treaty was signed in the last days of the Cold War (November 1990), and might look obsolete, it still represents an useful mechanism that limits the number of battle tanks, heavy artillery, combat aircraft and attack helicopters deployed and stored between the Atlantic Ocean and Russia's Ural mountains.

Fearing that USA or NATO may transform some of the former Soviet republics into the outposts for nuclear arms or army bases, it is still interested in its ratification by all these countries. But as 2002 and 2003 deadlines have not been fulfilled, while the international environment was changed very much, the importance of CFE significantly decreased. It became more an instrument of persuasion between the USA and Russia.

At political and economic level, the role played by the US in Moldova proved to be crucial for domestic democratic and market-oriented reforms. The different kind of assistance US offered during all this time lead to important changes in forming a new political establishment in Moldova. The symbolic messages of different US Ambassadors in Moldova had a big political and economic impact on its internal and external policies. Despite of this, US focused on the regional stability, security and development. The main idea of this policy was to support a democratic transition in these countries in order to threaten Russian authoritarian influences in the region.

As far as the regional environment radically improved during the last few years as the result of NATO enlargement to East, new security options started to be considered in the US State Department. That does suppose to enhance the regional role of Ukraine in order to balance Russian interests. Building a strategic alliance with Ukraine offered the USA some strong reasons for becoming a more active player in the region. This may be noticed in the Ukrainian track toward GUAM, NATO and EU.

Moldova can definitely benefit from these geostrategic changes if it undertakes more active diplomatic efforts towards the Euro-Atlantic integration. Nevertheless, this may lead to new tensions

with the neighbouring NATO members, and especially with Romania.

The new threats the USA is facing around the world in its fight against terrorism represent another significant challenge for getting it more involved in the regional security politics. This might be also the case for being invited together with the EU to address the Transnistrian issue more directly. It is not yet clear the role USA will be willing to play in this perspective. But it is obvious that a more US involvement in the Transnistrian settlement will have a positive impact as it might diminish the Russian influence in the region.

The Moldovan-Ukrainian relations

There should be mentioned from the very beginning that Ukrainian neighbourhood represents both advantages and disadvantages for Moldova. This is why Moldovan-Ukrainian relations varied from one extreme to another. If Kucima's involvement in conserving the Transnistrian conflict proved to be disastrous for securing Moldovan interests, Yuscenko's recent plan marked a more pragmatic approach that stresses on the positive potential of bilateral relations. But despite of the existing political willing in both Chisinau and Kiev to solve the common-border issues, the separatist leaders may succeed to preserve their power in the region. The financial, technical and logistic support EU offers both to Moldova and Ukraine in securing theirs borders may be insufficient to enforce the expected democratic changes in the region. Especially if the Ukrainian political and lobby groups will manage to save their lasting relations with Tiraspol local elites.

While analyzing the perspectives of Moldovan-Ukrainian cooperation, one should remember that Russia still supplies around 80 per cent of the required natural gas to Ukraine, as well as 67 per cent of its oil and 100 per cent of its nuclear fuel. According to Russian figures, Ukraine owes more than 2 billion US$ for gas and preserved quite dependent economic relations with Russia, mainly in the Eastern Ukraine.

From this point of view, both countries seek ways of moving out from Russia's sphere of influence. In this context, many Western politicians and diplomats underlined the importance of a stable and prosperous Ukraine, oriented towards Europe and the Atlantic community. These regional trends give impetus for a more fruitful cooperation between those two neighbours. If the Euro-Atlantic integration will remain the main goal of new political elite from Ukraine, both countries will have to bring closer their bilateral policies, to share common values and to pursuit similar interests. The success of one of them will give more opportunities to another. Meantime, it might be easier for NATO and EU to develop their new strategies for the whole region, rather than separately for each country. In this case, the costs would be higher, because even if Ukraine succeeds in its aspiration of joining the NATO and EU on the long term, the social, infrastructure and economic ties will still remain strong dependent on Russia.

This supposes to promote quite a contradictory policy for assuring both the economic growth and social-political stability. One of the perspective solutions could be establishment of a regional free trade area, consisting of Moldova, Ukraine and Georgia, similar to CEFTA. This type of regional cooperation may strengthen their capacities to meet EU standards.

The expected economic growth and a clearer EU and NATO membership perspective will ensure that they will not return to their political or economic past. On the contrary, their social-political stability and economic growth may represent a model for Russia, Belarus, and other developing countries, as it happened in the case of Balkan region[15].

Otherwise, the lack of political will of Ukrainian elites to solve the Transnistrian conflict may offer Russia new ways for enforcing its "new abroad" strategy as soon as the economical situation will allow. The economic reckless, nostalgic political behaviour and pro-Russian movements in the Eastern part of the Ukraine and Moldova could give the way to radical fragmentation trends, political instability and insecurity in the whole region. This black-side and separatist perspective of one of the key geopolitical region of Eastern Europe justify the special interest US, NATO and UE are paying to integrate Ukraine within the West.

Moldova – Romania case:
a special relationship?

The relationships built by Romania and Moldova should always have a privileged character, due to the common culture, language and their histori-

cal past.

But actually, since Moldova got its independence in 1991, their level of interaction varied in intensity from romantic and close cooperation to much tensioned relations in the period of 2001-2002, when a huge diplomatic crisis was hardly overcome. As a result, real pragmatic relations could not be established and the existing potential has not been developed so far.

Instead of taking mutual benefits from the existing emotional relations, Moldovan politicians tried to politicize the cultural and linguistic values for their own benefits. On the other side, Romanian leadership didn't succeed to build a pragmatic relation with their Moldovan counterparts. The failure to manage professionally the complex set of bilateral relationships paved the way for an inadequate and arrogant treatment by media.

Meantime, Moldova failed to understand that good relations with Romania are important at least for two important reasons: the Euro-Atlantic integration and the Transnistrian issue.

One should recognize that since Romania decided to follow the way of the Euro-Atlantic integration it behaves as an advocator for lobbying Moldova's further integrations in the same structures. Building special relations with Romania shall be the crucial task for all Moldovan politicians, as Romania has to be seen as a 'long term ally'. Even if we have to admit that Romania's advocating role in the regional and international forums did not always bring the expected benefits, it can not be underestimated.

After Romania will be accepted as a full member of the EU (as estimated - in 2007) it would have a key role in strengthening the regional stability and economic prosperity.

As a messenger of Moldovan interests in the EU structures, Romania might try to advocate new proposals in European Commission and European Parliament for a better treatment of its citizens from Republic of Moldova. It may also pledge for a quicker solution of the Transnistrian problem and Moldova's progressive integration into European structures[16]. But getting European Union involved in post-conflict stabilization requires fostering the level of cooperation between Moldova, Romania and other European Union's members. Even if in the current situation, when Romania itself is hardly struggling to be accepted in the EU, it can not do so much for Moldova; there are still certain ways to support Moldova's European integration.

One of the main tools could be to engage both sides in a cooperative partnership starting from the experience, Romania acquired as a candidate EU member. There is a large scale for cooperation, including sharing the experience of translating and implementing the *Acquis communitare*, organizing trainings and trans-border activities, institutional management, legislative reforms, etc. The common language, common problems and geographic proximity represent the main advantages to be taken into consideration during the adaptation period of Moldova to the EU standards.

As a NATO member, security management and conflict resolution measures may represent other significant fields, where Bucharest could share its experience to its Chisinau counterparts. There is also a vast area of cooperation within the negotiation and implementation of the Individual Partnership Actions Plan (IPAP). So far, Romania failed to propose within NATO any initiatives for a better involvement of international community in post-conflict stabilization, small arms and light weapons, environment and "border security" fields. IPAP may offer such an opportunity as Ukraine's and Georgia's efforts towards NATO became more visible.One would mention that until now that there is no real success of Romanian diplomacy for finding its track of involvement in increasing regional stability and trans-border security.

Nevertheless, bilateral relation should be developed in terms of real strategic partnership, which implies both sides commitment to deal with the full range of issues. As soon as Romania will join EU, it could certainly play a key role in Moldova's integration, stabilization and conflict resolution processes and that is why the Romanian perspective regional impact should not be ignored by any Moldovan government.

In conclusion, it may be stressed that there is a stringent need for establishing priorities of the Moldovan foreign policy. The actual Concept of Foreign Policy shall be radically modified, by defining and developing more clearly its strategic goals. Taking into account the above mentioned factors and the regional and global challenges Moldova faces with, promoting an active, efficient and realist diplomacy may prove to be more useful than continuing to build its military capacities.

Translated by Ina TCACI

NOTES:

1 Though, according to the Foreign Policy Concept of the Republic of Moldova, priority was given to the bilateral relations with Russia, Ukraine and Belarus, taking into account the historical and geopolitical situation. Upon **Concepţia politicii externe a Republicii Moldova, Chişinău, 2 februarie 1995, Nr. 355-XIII**.

2 There are four ways of the UN peacekeeping management – so called "four generations of peacekeeping": (1) *Traditional peacekeeping*, typical of the first forty years of UN peacekeeping; (2) *'second generation'*- multifunctional operations have been associated with the end of proxy Cold War conflicts through negotiated settlements; (3) *'third generation'*, *'middle ground'* or *'humanitarian interventions'* operations started after the success of the 'second generation' interventions, when UN decided to intervene more, especially in human rights issues; (4) *'forth generation'*, *'task-sharing'* or *'wider peacekeeping'*, when UN peacekeeping role is to enforce global security on the base of regional complementarities.

3 After Washington brokered the now-famous 1993 Israeli-Palestinian handshake on the White House lawn and the signing of both Oslo Agreements, Russia subsequently renewed its interest in the region, in opposition to U.S. efforts. Upon: Itar-TASS (Moscow), October 21, 1997.

4 The long period of time since PCA was signed and ratified in 1998 by all EU member states and entered into force is due also to the failure of Moldovan diplomacy to promote its image abroad and to persuade European states about the will of Moldovan authorities to promote market-oriented reforms.

5 *The Stability Pact and Moldova. Press Handout, www.stabilitypact.org.*

6 Ferrero-Waldner: "Let me be clear about what the ENP is and what it is not. It is not an enlargement policy. It does not prejudge prospects for European countries that may at some future point wish to apply for membership, but it does not provide for a specific accession prospect either. What is it [then]? It is an offer. It's a substantial offer, it's a real concrete offer: the offer of much deeper cooperation, and a progressive integration - this is important - a progressive integration into certain EU policies and programs, depending, of course, on the fulfillment of commitments", Ahto LOBJAKAS, *EU: Brussels Unveils 'Action Plans' For Ukraine, Moldova, Mediterranean Neighbors*, http://www.rferl.org/featuresarticle/2004/12/59bb8c0e-008c-4440-81ff-11bba9b5b92d.html

7 BEATTY, Andrew, *Russia may be offered bigger say in European security*, http://www.eurojournal.org.

8 Idem, *Russia faces Europe,* http://www.euobserver.com/index.phtml?aid=14592

9 *Russia: Kremlin redefining Policy in Post-Soviet Space, fednews.ru, RIA-Novosti, February 3, 2005.*

10 SOCOR, Vladimir, *OSCE Parliamentary Resolution Sets Stage for Recognition of Transnistria*, Eurasia Daily Monitor, Monday, July 11, 2005 -- Volume 2, Issue 133.

11 *Romania's Westernization and NATO Membership: a Historical Approach*, (coord. Br.gen. IONESCU, M.E), Chapter 5: Study on NATO Enlargement, Occasional papers, No.3 (I)/2002, pp.50-51.

12 *Common Declaration of the Heads of states from: Azerbaijan, Georgia, Lithuania, Moldova, Romania and Ukraine,* www.mfa.md

13 Black Sea Basin Regional Profile: The Security Situation and The Region –Building Opportunities, Research Study 10 (April - June 2001), Institute for Security and International Studies (ISIS), Sofia.

14 After the Kozak Memorandum was presented to Moldovan authorities, Stephen Rademaker, Assistant Secretary of State for Arms Control "underscored the position of the United States and NATO alliance that the adapted CFE (Conventional Forces in Europe) Treaty cannot be ratified until Russia fulfils its Istanbul commitments, including the withdrawal of munitions and troops from Moldova", in TAILGUNNER, Joe, *Russia must remove Moldova troops for treaty – US, www.FreeRepublic.com*

15 Commonwealth Conference National Intelligence Council 2020 Project – Scenario, p.4.

16 Transnistria – evoluţia unui conflict îngheţat şi perspective de soluţionare, "Ovidiu Şincai" Institute, Bucharest, www.fisd.ro

Radu GORINCIOI, PhD, is a lecturer at the Faculty of International Relations, Political and Administrative Sciences of the Estate University from the Republic of Moldova, executive director of the CAPTES Centre. He owns a doctorate in Political Sciences and he is a master candidate at the National School of Political Studies and Public Administration from Bucharest.

TENSIONS AND TENDENCIES IN THE AREA OF CENTRAL ASIA WITH EXTENSION TOWARDS THE MIDDLE EAST

Aurelian RAȚIU

Democracy, the Western recipe, means a pluralist political life and free elections, which should involve as many candidates as possible. Taking into consideration the democratic exercise, within a limited period of time in Central Asia' states, a change of political regime, in the case of free elections, is very likely to involve a massive division of the spheres of influence, rather than a civilized retreat in the opposition. Democracy needs certain homogeneity of the politicians and a certain degree of safety for the people that did not support the party in power. The main "political" alternative is in fact represented by the radical Islamists who are thus allowed to become legal and, from another perspective; there exists the risk of the authoritarian rules becoming general in some states (e.g. Uzbekistan and lately Azerbaijan) with negative consequences for the security environment of an area.

The end of the Cold War and the disintegration of the USSR led to a significant change of the parameters of foreign policy and of the international relations. The only alternative to communism appeared to be the liberal democracy and the "fall" of the former would have produced the universality of the latter. However, this dissolution of the socialist socio-political system did not exclude the idea of competition and the conflicts of various natures from the international life.

The end of the last century was marked by renewing events and changes which had an overwhelming importance for the evolution of the political life and Moscow was no longer in the situation of playing the role of an ideological adversary for the US. Under these conditions, there are several options: Huntington's theory of the *clash of civilizations*, neoliberal Anthony Lake's theory of *globalization*, the theory of the *political realism* makes a come back (N. Kissinger

and Henry Morgenthau), the theory of the *pivot zone,* (Zbigniew Brzezinski) or Mahan's theory of the *Anaconda policy*.

The first was about the possibility of the emergence of a new potential enemy and Huntington infers that *the Islam* could play, in the future, quite an important role. Even in 1992 there were published articles in famous newspapers like *Washington Post*, where the Islamic fundamentalism is considered a hostile revolutionary movement, characterized by violence stronger than the Bolshevik, Fascist or Nazi movements, an antidemocratic movement against the secular systems.

The author of *The Clash of Civilizations* tries to present certain scenarios of some future conflicts, starting from the assumption that the disputes of another nature will lead to cultural confrontations and, as we have seen, he was right in certain respects.

Globalization, the second alternative of A. Lake, refers to a political framework without "*blocks"*, without antagonistic ideologies, a society that would be supported by two pillars: democracy and free exchange.[1] One could notice the clear option of the ex-socialist states for a capitalist development.

The theory of the *political realism* got stronger and stronger under various pretexts, giving first priority to political decisions, according to national interests (the foreign policy objectives of every state) and neglecting the interests of other players (states) on the international stage. The political realism, says G. Soroş in *About Globalization*, is inadequate today within the framework of the asymmetrical threats, because this is based on the relation between states and not on the relations that take place within them.[2]

9/11 shook the political classes, convinced of the infallibility of the system, of the efficacy of the defence mechanisms and of the impossibility

to take into account internal enemies. In order to eliminate or stop this enemy, which at that moment was no longer called "the terrorism", in a generic way, but in a more concrete one *the Islamic terrorism*, there started the fight between *Good and Evil – the crusade* against the Islamic fanaticism, as well as the campaign for a global democracy (considered a solution) – the democratization of states like Afghanistan and Iraq.

The scenario included the implementation of this model, via various strategies, throughout the whole Middle East, as well as supporting the "fragile democracies" in the states of Central Asia and in the extended area of the Black Sea. After the implosion of the USSR, five ex-republics of this colossus – Tajikistan, Kazakhstan, Uzbekistan, Kyrgyzstan and Turkmenistan – entered the public view as a distinct area under the generic name of Central Asia.

As it can be noticed, the objectives of these plans were not totally accomplished.

During the preparations for Enduring Freedom operation whose objective was capturing Osama Bin Laden, the total annihilation of the infrastructure of Al-Qaeda and the overthrow of the Taliban regime, the USA had the unconditional support of the NATO allies invoking the stipulations of article V from the North Atlantic Treaty. This had not happened before the intervention in Iraq when the purpose was to overthrow Saddam's regime.

The blows given to Al-Qaeda's network and infrastructure (it is estimated that between 70,000 up to 120,000 warriors were trained in the training camps in Afghanistan) meant a dissemination of the terrorists and even of some small terrorist groups (cells) and, of course, the Jihad spreading all over the world, especially in the adjacent areas (Pakistan, Iran, Iraq, Uzbekistan, Kazakhstan, Tajikistan, Kyrgyzstan, Turkmenistan) as well as in the South-East Asia.

According to some specialists, Al-Qaeda is structured on three levels: the first one is formed by specialists with a lot of experience, capable of planning and accomplishing actions as powerful as those ones dated 9/11; the second level is represented by the armed movements (Islamic parties) with a previous experience and which joined Al-Qaeda: The Liberation Army of Aden, Hizb-ut Tahrir al-Islami (The Islamic Liberation Party - Uzbekistan), The Islamic Movement of Uzbekistan, Hezbollah, Hamas or the Uygur Separatist Movement from Xingjian (China), which have a strong infiltration within the population and act in their own theatres, and the third level includes the assembly of the isolated small groups which elude control, including the control of Al-Qaeda.[3]

The visible results in the *antiterrorist war* seem to be the disorganizing of the planning system of the terrorist actions and the destruction of the training camps but the entities in the second level have been little affected and even encouraged by the arrival of new warriors who had run away from the Afghan territory. These are the origins of the attacks from Turkey, Morocco, Iraq and even of those ones from Madrid, London.

Democracy, the Western recipe, means a pluralist political life and free elections, which should involve as many candidates as possible. This is the model that the United States and the EU want to develop in certain countries. European Union asks Turkey to respect this condition, and the USA tries to impose this by using force in Afghanistan and Iraq, by using political pressures in Lebanon and Egypt or by means of other strategies (financing certain projects, supporting thus a democratic government). The last situation is encountered in the new independent states of Central Asia, like Kyrgyzstan and Uzbekistan, where NATO and the USA have military bases. Uzbekistan is one of the 11 republics that signed the founding act of the Commonwealth of Independent States (CIS) in 1991, but the Russia's decline encouraged the infiltration of other players in the region. Turkey played an important role in the remaking of the Muslim ex-Soviet space having the support of the White House. In 1999 when Uzbekistan joined GUUAM – the alliance of the republics that refused the hegemony of Moscow – that was the moment when they developed better relations with Washington, and after 11th of September 2001 the authorities from Tashkent allowed the United States to use a military base in the Southern part of the country in the fight against the Talibans.

It is not out of the question, as we have shown before, that the bombardments in Afghanistan to have determined many Mujahideens to look for a functional opposition system even in the Islamic Liberation Party from Uzbekistan. This party evolved from a radical Islamic organization, which was virtually unknown, to the group with the largest number of sympathizing members, and more than that, to the organization with the

highest destabilizing potential for the countries in the region. The Islamic Party as well as the Islamic Movement of Uzbekistan has range of action that comprises the territories of the other countries in Central Asia: Tajikistan, Kyrgyzstan, Turkmenistan, Kazakhstan.

In the USA there are many voices considering the Liberation Islamic Party represents a threat in the long and medium run for the Central Asia.

Taking into account the precarious socio-economic conditions (poverty, illiteracy, restraint of human rights), the increase of the social tensions (the revolt from Andijan), the message of this movement receives more and more support urging to radical-extremist actions.[4]

Another factor that should be taken into account is the increasing rate of the young population (between 15 and 24) which in the decade of 2000-2010 is at its highest in some countries in Central Asia: Kyrgyzstan, Tajikistan, Turkmenistan and Afghanistan.[5]

Young people have always represented the potential recruits for the Islamic organizations and for political movements. Probably it is not a mere coincidence, as S. Huntington says, that the ratio of young people in the Iranian population has increased dramatically in the '70s, bearing in mind that the Islamic Revolution took place in 1979.

Taking into consideration the democratic exercise, within a limited period of time in these independent states, a change of political regime, in the case of free elections, is very likely to involve a massive division of the spheres of influence, rather than a civilized retreat in the opposition. Democracy needs certain homogeneity of the politicians and a certain degree of safety for the people that did not support the party in power. The main "political" alternative is in fact represented by the radical Islamists who are thus allowed to become legal and from another perspective, there is the risk of the authoritarian rules becoming general in some states (e.g., Uzbekistan and lately Azerbaijan) with negative consequences for the security environment of an area. In these countries the values of democracy either are not known or damaged by the way they are enforced.

The ruling elites or the new magnates from Azerbaijan and Kazakhstan restrict or forbid the public voicing of discontents, relying on the repressive system of the state in order to crush the opposing movements. Faced with these interdictions and with the impossibility to express itself in a democratic way, the opposition will resort to the only available solutions: terrorism or rebellion that usually change into persistent ethnic or religious conflicts.

It is estimated that after 2001, when the Uzbek governmental regime worsened and after the president Karimov's orientation towards the "Moscow-Beijing axis", which gives it „green light" in the confrontation with the opposition (thus, there are no more pressures from the Western countries for free elections), the majority of the sympathizers of the Islamic Party fled to Kyrgyzstan, this country becoming a paradise for the proliferation of the radical Islamic fundamentalism. Here the incrimination of terrorists is made in a more lenient way (they are often only fined) even than in Tajikistan, where only in the last three years over 200 members of this religious party were convicted.[6]

In Kazakhstan there is also a worrying intensification of the activities of this Islamic movement. The difficult socio-economic situation encouraged and made its message more attractive, especially in the southern part of the country where most of the Uzbek population is concentrated.

Of a great importance for the evolution of the situation in the area is the attitude of the great players - Russia, USA, China. Zbigniew Brzezinski was not the only one to observe that the present geostrategy in Eurasia relies on five players and on five important pivots. The five players are Russia, China, India, Germany and France, and the five pivots are Ukraine, Azerbaijan, Turkey, Iran and South Korea.[7] Uzbekistan froze its GUUAM member status and acts as an observer within the framework of the Shanghai Cooperation Organization. The unofficial leaders of this organization are Russia and China.

The United States are interested in keeping and consolidating the geopolitical pluralism in this region in the short run. In the medium run, they look for partners to help building of a security system. In the long run, the Americans wish to create in Eurasia a nucleus of political stability[8], that is a pillar around which a lasting stability should be achieved and we tend to believe that Georgia may become such a pillar. Georgia's orientation towards the western democracy represented an example for large strata of population from its neighbouring countries. Washington continues to be interested

in maintaining relations with Uzbekistan and Kyrgyzstan for the military bases in Kananabad (the American forces are to be taken out of this base), Ganci, considered essential, up to this date, for carrying on Iraq and Afghanistan operations.

Azerbaijan is also a territory on which there were, and probably still are, not only camps for training the Mujahideen mercenaries, but also numerous routes on which weapons and narcotics are sent to areas as Chechnya or Nagorno-Karabakh. Such activities, associated to terrorism, are omnipresent in the Caspian Sea too, the transport being made by ships. During 1992-1994, terrorist entities related to Osama bin Laden were paid to fight against the Armenians in Nagorno-Karabakh.[9]

In states as Georgia, Armenia, Ukraine, Azerbaijan there is a reorientation (which is slower in Kazakhstan) towards USA and EU. Kiev as well as Tbilisi "knocks" with the same impatience on NATO's doors.

The liberalization of the political regimes from the countries in this area can become a dangerous boomerang for West. Insisting on this approach, the Islamist Party came to power in Turkey, which turned, seemingly, its back to the United States. In Turkey, just like in other regions, democracy finally strengthened the return to "something familiar" – religion.

Thus, they unwillingly contribute to the development of an Islamic movement as an alternative to the old political power.

After the US and its allies' intervention, Iraq was taken out from that „axis of evil", but after the elections, the second political regime dominated by the Shiites was born (the first being the one in Iran).

If until 2003 there was no connection between Iraq and Iran, except mutual hatred, today we can talk about a "Shiite axis" which could dominate the Persian Golf in the future.

In Kuwait there appeared the first group of Islamists who demand their recognition as a party. They want to ask Washington to take out the forces billeted on the territory of the country.

In Pakistan, the extremist Islamists and Al-Qaeda's sympathizers control the provinces from Afghan border. Hezbollah, Hamas, the Muslim Brotherhood and other Islamist parties, considered by the USA terrorist organizations, register important successes in Lebanon, the Palestinian territories and Egypt.

The space around the Caspian Sea is at present facing complex challenges in which terrorism, political extremism, nationalism, weapons and drugs trafficking, illegal migration, organized crime, the danger of the outburst of civil conflicts will be a major threat in the future for the region's states stability.[10]

Although it contributes to the improvement of the economic situation of some countries[11], the drilling for hydrocarbons in this region will also become the source of some disputes between the states, due to the discontents regarding the "Eurasian energy corridor".

The United States as well as the EU are interested in protecting the young democracies from the external pressures (Russia), but they area also interested in solving the regional problems, the "frozen conflicts" from the area of the Caspian Sea and from Central Asia because these regions are considered of an exceptional geopolitical importance, not only due to the strategic deposits of oil and gases that they own, but also for their value as "bridgeheads", for the contact with the potential Asian markets or the promising markets. Moreover, after 2001, Central Asia became a buffer-zone and a support area for the fight against international terrorism.

Maintaining uncertain situations in these territories, like the territorial disputes between Russia and Ukraine, those between Azerbaijanis and Armenians (Nagorno-Karabakh), the fight of the Chechens and of other Muslim peoples for their independence from Russia, and up to the self-proclaimed republics from Georgia, Abkhazia and Ossetia or from Moldavia-Transdniester would lead to the accumulation of negative tensions and conflicts if they are not solved by the help of Russia.

In close connection with the Caspian region, the Black Sea becomes a perimeter of major importance for NATO, thus, starting 2006, the antiterrorist operation *Active Endeavour* from the Mediterranean Sea will be also extended to the Black Sea.

The BLACKSEAFOR members, including Russia, could also cooperate with NATO in this operation, developing a clearer and a more articulate security policy regarding the extended area of the Black Sea, Central Asia and the Middle East.

NOTES:

1 Mac Limon, A., **Haosul care vine**, Bucureşti, Editura Maşina de Scris, 2004, p.60.

2 SOROŞ, G., **Despre globalizare**, Editura Polirom, 2002, p.136.

3 MORARU, D., Moştenirea Al-Qaeda, in *Lumea*, Nr.9/2005, p.18-19

4 *"Muslims! Don't sleep, react. Get rid of the rulers who do not take into consideration the Shahriat of Allah. Start the Jihad. There may appear victims, but you will have the opportunity to become shahizes (martyrs). The present leaders will be replaced by people who will support Shari'a and will spread the teachings of Islam throughout the whole world."* – the text was printed on fliers spread throughout the republics of Central Asia.

5 HUNTINGTON, S., **Ciocnirea civilizaţiilor**, Bucureşti, Editura Antet, p.173.

6 ILIE, C., Terorismul cu faţă umană, in *Lumea*, Nr.1/2004, p.33.

7 BRZEZINSKI, Z., cited by MUREŞAN, M., VĂDUVA, Gh., in **Războiul viitorului, viitorul războiului**, Editura Universităţii Naţionale de Apărare, 2004, p.85.

8 Idem, p. 88-89.

9 www.cilicia.com/Azeriterrorism

10 NICOLAESCU, Gh., *www.presamil.ro*

11 The oil pipe Baku-Tbilisi-Ceyhan was inaugurated this year. It transports hydrocarbons extracted from Azerbaijan through Georgia and up to Turkey. The president of Kazakhstan announced he was interested in sending their oil by the same pipe.

Captain Aurelian RAŢIU is a teaching assistant at the Land Forces Academy from Sibiu and he owns a master in diplomacy and politics in international affairs.

MARITIME TERRORISM. THE "STEALTH" THREAT FOR INTERNATIONAL SECURITY

Krzysztof KUBIAK, PhD

In spite of a relatively large number of criminal acts that have occurred at sea after World War II, violence in this area has been marginalized and equated with piracy. In a prevailing view, this experience has been associated with poor countries challenged by domestic conflicts, underdeveloped and unable to exercise effective control over coastal areas. According to the majority of opinions, unlawful activities at sea have had only a small impact on international security, global sea trade and the economic situation of the leading countries in the world. Even the often reappearing information about the acquisition of ever more advanced technical capabilities by organizations engaged in this activity could not alter this view. It was only a suicide bomb attack on the modern American destroyer Cole re-fuelling at the port of Aden plus the events of 11 September 2001 that forced a verification of these reassuring assessments incompatible with reality.

In the wake of the terrorist attack on the United States, analytical centres began to piece together hitherto scattered elements of the global "maritime puzzle." An attack on the destroyer *Cole* was linked to the activities at sea of the Tamil separatists and the attacks launched by various Palestinian factions.[1] And attention was turned again to the fact that the South American drug cartels have been using remotely controlled vessels steered via wires.[2] Analysis focused once again on the reports about attempts by extremist movements and criminal organizations to build midget submarines.[3] All these efforts resulted in new, highly alarming assessments and predictions regarding security on the world's high seas. It was recognized in particular that in front of the increasing efforts towards improving the security of key installations, ground structures as well as civil aviation, **terrorists may concentrate on attacking the "soft underbelly" of the richest countries of the world, which is sea trade and shipping**.

Pirates versus Seafaring Terrorists

For many years all unlawful acts of violence at sea were embraced by a common term of piracy. In 1961, when those responsible for hijacking a passenger ship were not recognized as pirates and were given political asylum in Brazil, it came to be seen that a classic definition of piracy does not include all unlawful acts of violence that may take place at sea.

For the purpose of this article, simplifying the problem somewhat, it may be assumed that the pirates are distinguished from maritime terrorists by motivations guiding their actions and consequently their attitude towards anonymity. Modern pirates are motivated by profit, so they try to avoid publicity in media and strive to leave no traces. Their essential goal is to capture loot (either the outfit of the cabins, clothes and sailors' money, which is the domain of the so-called boat piracy, or the whole freighter with cargo, which is often done by Asian pirate syndicates).[4]

In turn, one of the basic aims of the terrorists is to attract media attention (which enables them to make statements, issue proclamations and appeals) and to make the most of the so-called theatre effect.

Now, in the context of September 11, the above theatre effect might be attained by other means: not by hostage-taking and protracted negotiations, but by undertaking activities with disastrous consequences, including a high number of casualties and material losses that are difficult to assess. Thereby terrorism, regarded in accordance with a 19th-century anarchist paradigm as a kind of propaganda through action, has been transformed into an instrument of a new global civil war with all the attributes of an **asymmetric conflict**.

The so-called transformation of terrorism from an instrument of exerting pressure and attracting attention into a tool of total destruction relates well to potential terrorist activities at sea. It also

indicates a fundamental parting of ways between piracy and terrorism at sea.

The above assumption indicates another difference between piracy and terrorism at sea. This first one will probably continue to be territorially-limited. The fact that this type of criminal activity is strongly related to the situation in countries located on the shore makes it rather unlikely that the geographic frontiers of an intensive pirate activity will be extended. And so piracy is and will probably remain an activity that is predictable to a considerable degree, while the risk associated therewith will affect shipping only in certain waters.

The perpetrators of acts of terrorists at sea in turn exercise full freedom of choice regarding the place, time, target and way to carry out the attack. Their only constraints are organizational capabilities, availability of personnel and finances. Hence it is practically impossible to make any specific predictions about regions suffering from an acute risk of acts of sea terrorism. This threat has, and in the foreseeable future will continue to have, a global range, and will affect both vessels and shipping infrastructure in the broad sense (canals, navigational marking, stevedoring infrastructure).

Why at Sea?

From the point of view of terrorist organizations and groups, a number of factors determine the attractiveness of maritime areas. The first is undoubtedly the fact that merchant shipping and global maritime trade play a key role in the functioning of the global economy, while at the same time being extremely sensitive to various kinds of terrorist activities. As already mentioned, the threat of terrorism at sea has never been taken into seriously. Consequently, countries have devoted much attention to the protection of ground and civil aviation installations, treating merchant shipping unfairly. At the moment, practically, none of the maritime states has plans and procedures for extending anti-terrorist protection to its shipping. Insofar as such plans can be implemented relatively fast in coastal regions, their implementation on the high seas is unlikely. It must be emphasized that apart from convoy experiences in wartime as well as the conclusions resulting from the American protection of tankers in the Persian Gulf in 1986-1988, there are no historic models that could serve as a basis for organising the protection of shipping.

The status of maritime areas is also to the advantage of the perpetrators of potential terrorist attacks on merchant shipping. Principles of the "freedom of the seas" and "freedom of shipping" apply to sea areas beyond the coastal state's territorial waters. No state can extend its control over the open sea (with the exception of strictly defined powers resulting from the existence of exclusive economic zones) or restrict shipping. In contrast to land-based areas, the open sea thus remains outside the jurisdiction of any state, while the executive authority with regard to sea vessels remains strictly the domain of the state whose flag the ship flies.

The law of the sea (the 1982 Convention on the Law of the Sea) provides for only a few departures from the above general rule. The first is the so-called right of pursuit, which allows authorized craft (aircraft and other air units) in the service of the state to pursue a foreign ship that has breached the regulations in force on inland and territorial waters. The pursuit must be launched, however, when the foreign ship or one of its boats are still on the inland or territorial waters of the state launching the pursuit. The right of pursuit ceases to apply when the chased ship enters the territorial waters of its own state or a third country. In addition to the above, the exclusive sovereignty of the flag country can be restricted (the so-called right of visit and search applying to a vessel in national service) in the following cases: combating piracy; fighting slave trade; fighting drug trafficking and trade in mind-altering substances; preventing illegal broadcasting from open seas; and whenever a suspicion arises that the ship flies the same flag as a vessel in national service, but refuses to admit it.

Yet it should be noted that the use of the above-mentioned regulations is subject to a number of restrictions that seriously undermine their effectiveness. In practice, a visit aboard a foreign vessel can take place only when there are reasonable grounds to suspect that the vessel is implicated in one of the above activities. In the case of an unjustified visit, the inspected vessel is entitled to compensation. This provision successfully undermines the effectiveness of regulations concerning the right of visit and use thereof in combating terrorism at sea.

In fighting unlawful activities undermining the safety of shipping and in fighting drug trafficking, the coastal state (a vessel in government service)

has the right to take over a pirate ship/a ship seized by pirates or one used for transporting drugs, arrest the persons onboard and seize the property. In addition, the court of the state making the arrest can administer justice and decide on actions to be taken in regard to persons and property.

The 1988 Rome Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation together with the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf provide new instruments in the fight against criminal acts extending beyond the classic definition of piracy.

In essence, the Rome Convention is similar to already existing and universally recognized international conventions:

a) the 1963 Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft;

b) the 1970 Hague Convention for the Unlawful Seizure of Aircraft;

c) the 1971 Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation;

d) the 1973 UN Convention on Internationally Protected Persons;

e) the UN 1979 Convention Against the Taking of Hostages;

f) the 1985 UN Convention Against Torture.

The Rome Convention consists of a preamble and 22 articles. The preamble states the purpose of the Convention is to create a coherent system of international rules and measures for preventing acts of terror at sea. Article 1 defines the scope of the Convention's application regarding the sea vessels. It states that the provisions of the Convention apply to all vessels that are not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or any other floating craft. Such a definition should attenuate interpretation problems. The following are not covered by the Convention: warships; ships owned or operated by a state when used as a naval auxiliary or for customs or police purposes; and ships withdrawn from navigation or laid up.[5]

The scope of activities covered by the Convention is listed in Article 3. It should be underlined that in the absence of a universally-accepted definition of terrorism, the architects of the Convention used a considerably less controversial term "offence" in an attempt to prevent possible disputes over the qualification of certain activities. It is a move that conforms to international practice; the terms "offence" and "unlawful act" are also used in the conventions mentioned above. On account of the importance of this Article, it seems worthwhile to quote it in full:

1. Any person commits an offence if that person unlawfully and intentionally:

a. seizes or exercises control over a ship by force or threat thereof or any other form of intimidation;

b. performs an act of violence against a person on board a ship if that act is likely to endanger the safe navigation of that ship;

c. destroys a ship or causes damage to a ship or to its cargo which is likely to endanger the safe navigation of that ship;

d. places or causes to be placed on a ship, by any means whatsoever, a device or substance which is likely to destroy that ship, or cause damage to that ship or its cargo which endangers or is likely to endanger the safe navigation of that ship;

e. destroys or seriously damages maritime navigational facilities or seriously interferes with their operation, if any such act is likely to endanger the safe navigation of a ship;

f. communicates information which he knows to be false, thereby endangering the safe navigation of a ship;

g. injures or kills any person, in connection with the commission or the attempted commission of any of the offences set forth in subparagraphs (a) to (f).

2. Any person also commits an offence if that person:

a. attempts to commit any of the offences set forth in paragraph 1;

b. abets the commission of any of the offences set forth in paragraph 1 perpetrated by any person or is otherwise an accomplice of a person who commits such an offence;

c. threatens, with or without a condition, as is provided for under national law, aimed at compelling a physical or juridical person to do or refrain from doing any act, to commit any of the offences set forth in paragraph 1, subparagraphs (b), (c) and (e), if that threat is likely to endanger the safe navigation of the ship in question.[6]

It is symptomatic that the expressions used by architects of the Convention are very broad. Hence it is to be hoped that they embrace offences that

have already taken place as well as those that might occur regardless the manner in which they are committed or their nature (direct action, attempt, threat to commit, instigation and complicity).

The state is obliged to establish its jurisdiction over the above offences when they are committed:

a. against or on board a ship flying the flag of the state at the time the offence is committed;

b. in the territory of that state, including its territorial sea;

c. by a national of that state;

d. when the alleged offender is present in its territory and it does not extradite him to any of the States Parties which have established their jurisdiction in accordance with Articles 6.1 and 6.2.

and also when:

a. the offence is committed by a stateless person whose habitual residence is in that State;

b. during its commission a national of that state is seized, threatened, injured or killed;

c. it is committed in an attempt to compel that state to do or abstain from doing any act (in this case the Convention gives the state the right to extend its jurisdiction over offences, but does not impose such an obligation thereon).

The regulations concerning fixed platforms were contained in a separate document (Protocol). The definition of a fixed platform accepted is undoubtedly a shortcoming of the Protocol. In the reading of Article 1.3, it is "an artificial island, installation or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes."[7] Hence it can be seen the definition leaves outside the Protocol various installations used for non-economic purposes and provides ground for interpretation conflicts. Limiting the scope of the Protocol to the continental shelf without supplying a definition of the latter (or indicating one of the several known definitions of the shelf) is another crucial problem. In view of the parallel existence of the definition of the shelf under Article 1 of the 1958 Geneva Convention on the Continental Shelf, its definition under Article 76 of the 1982 Convention on the Law of the Sea, and definitions accepted by individual states[8], the decision to extend (or withhold) the force of the Protocol when a platform is attacked could be arbitrary. In its substantive dimension the Protocol applies to platforms practically the same regulations the Convention does to ships.

The Rome Convention together with its Protocol is the last and most precise attempt to regulate international co-operation in the sphere of fighting acts of violence at sea. It lists precisely the activities that should be subject to international repression as well as the measures the state is authorized to launch. A strong point of the document is its departure from the practice of taking into account the motivations of the criminals in classifying acts of violence, building all legal regulations instead on the nature and consequences of these acts. The omission of the motives of the perpetrators is in conformity with the current direction of international law development with regard to fighting and preventing international crime.

There is no doubt that the Rome Convention lays out the right line of action, but its regulations do not resolve the fundamental problems restricting effective use of state formations, particularly those associated with prevention in the broad sense and the so-called pre-emptive defence. Regrettably, it should be ascertained that the freedom of the seas, which had for centuries remained one of the pillars of Western civilization, can be exploited most ruthlessly today by diverse political extremists.

A successful fight against terrorism can be even more difficult in offshore waters, particularly when the perpetrator conducts his activities from the territorial waters of a state that has no effective control over them and refuses to engage in an international co-operation towards eradicating maritime terrorism. It is now possible to name several coastal and archipelago states that exercise but purely formal jurisdiction over territorial waters and yet sternly refuse to accept aid from abroad, for instance for fighting piracy. A certain over-sensitivity of many countries in regard to their sovereignty as well as elaborate corruption networks among the local administration and the police render the fight against piracy in many maritime regions all but impossible.

Even though the current laws make a successful fight against terrorism at sea difficult, it is unlikely that they will be changed in the predictable future. States conducting anti-terrorist operations at sea will thus be forced to accept the fact that these regulations reduce the effectiveness of operations launched. This situation is favourable to the perpetrators of terrorist attacks and might have a negative impact on the way anti-terrorist operations at sea are perceived by the global audience.

The fact that a considerable part of the equipment needed to carry out terrorist activities can be purchased in regular commercial trade, with no restrictions, is also to the advantage of the perpetrators of terrorist activities at sea. In developed countries, fast motorboats and motor yachts, water scooters, diving equipment and similar equipment are treated as sports/recreational items. Meanwhile, every motorboat or diving equipment is a classic dual-use item and can be used by terrorists planning activities at sea with no major adjustments. The same can be said of helmsmen as well as divers' training.

Another factor facilitating terrorist activities at sea is the fact that it is relatively easy to purchase a large vessel (with the intention of using it as a platform vessel for maritime subversion, as a weapons platform for a brief attack against selected targets, as a mine-layer) due to liberal laws governing the shipping market (particularly in the so-called flag of convenience or cheap flag countries) and a market of second-hand vessels. Hence the purchase and registration of a vessel (in fact its legalization) is in practice a financial issue only. The prices of used general cargo ships of about 7,500 DWT built in the years 1980-1985 range from $2.5 to $3.5 million, and the cost of registering a ship-operating company in Panama, the Bahamas or in Cyprus does not exceed $40,000.

Possible Ways of Conducting Terrorists Attacks against Maritime Trade and Shipping

An analysis of the acts of terrorism targeted against maritime shipping in the last 50 years enables us to predict the possible methods of attack to be employed by perpetrators of similar violent acts in the future. The following terrorist activities are considered likely:

1) attacks in ports or at sea with the use of explosives brought aboard a ship together with freight;

2) attacks in ports or at sea with the use of explosives brought aboard a ship by a member (members) of a terrorist organization;

3) hijacking merchant ships by persons on board;

4) hijacking merchant ships carried out with the assistance of other vessels;

5) firing at merchant ships manoeuvring in off-shore areas or inland water lanes;

6) attacks with the use of explosives-ridden vessels that are remotely controlled or manned by suicide bombers;

7) attacks by armed divers;

8) attacks with the use of mines.

Attacks with the use of explosives brought aboard a vessel together with freight should be regarded as the easiest to organize and carry out. The explosive material can be put into any freight during its transportation and provided with a time fuse to set off detonation. The basic shortcoming of such a method is the inability to predict precisely the place of the explosion and estimate the destructive impact of an explosion on the vessel (port infrastructure). The impact of an explosion may be enhanced or reduced, depending on where the cargo containing explosives is hidden on the ship. Taking into account the above considerations, the purpose of attacks thus carried out is to generate a sense of threat, a psychosis of fear, rather than to destroy or damage selected targets.

From the terrorists' point of view, the advantages of such an attack are the difficulties in identifying the perpetrator (perpetrators), a relative ease of getting the charge on the ship, a low level of risk to the perpetrator (perpetrators), a very limited possibility of organising effective counteraction[9], and the possibility of carrying out an assault without having detailed information concerning the operation of the port, the dates of departure and entry of ships, the destination of cargo, etc. Moreover, it should be underlined that such a method (its idea being akin to the oft-employed mailing of letter bombs) can be used by groups that are small, possess a relatively primitive equipment easy to procure, and are active beyond offshore areas, both within a country and abroad.

The terrorist acts (bomb attacks) with the use of explosives brought on a ship by a member (members) of a terrorist organization make possible attacks on selected, carefully screened targets, and thus enhance the impact of the explosion by proper positioning explosives aboard. Meantime, in what appears to be an important aspect, the scale of threat can be enhanced by destroying or damaging a vessel transporting hazardous cargo. In order to organize such an attack one must obtain detailed information regarding the movement of ships in a selected port (ports), the type of cargo transported,

the system of port security, the system of watch duty on a targeted ship and the ship's construction (in particular the layout of its compartments as well as the traffic arteries). It can be assumed that planning the attack would require carrying out long-term observation of the ship or port, or, more likely, obtaining information from a recruited member of the crew or employee of the port or shipyard where the vessel had been constructed. In addition, information from open sources may play a considerable role (press publications, Internet sites, advertising materials of the shipping companies and shipyards). In contrast to the methods described above, the perpetrators of such an attack must have some knowledge of ship-building; they also face considerable risks, as their activities in the port, and especially on board the ship, could attract attention. All vessels are potential targets for hijacking. One should regard the following vessels the most likely targets for this type of attack:

a.) passenger ships (passenger and passenger/cargo ferries, cruise liners). From the perpetrators' point of view, the attractiveness of these ships arises from the possibility of capturing and exercising effective control over a large number of people[10] with the intention of either holding them hostage or executing them;

b.) ships transporting hazardous cargo (tankers, LNG and LPG carriers, chemical cargo carriers). Their attractiveness results from the possibility of taking over cargo for the purpose of gaining a strong negotiating position or destroying the ship and thus effecting catastrophic results.

An analysis of terrorist attacks carried out to date with the aim of taking over passenger ships as well as targeting frigates and fishing boats makes it possible to formulate a thesis that the perpetrators may get aboard a ship:

a.) in port, secretly, with the intention of attacking once the ship is at sea;

b.) in port, openly and legally (with a purchased ticket), along with passengers, with the intention of carrying out an attack once the ship leaves port[11];

c.) in port, by force, with the intention of seizing control over the ship and then forcing the crew to leave port[12];

d.) while riding at a roadstead or at anchor[13];

e.) at sea, by secretly getting on board[14] and forcing the ship to stop with the help of machine gun fire (small-calibre artillery) from fast motorboats.[15]

In examining the threat to passenger ships from hijacking, it should be noted that the fundamental element taken into account by perpetrators while selecting a target for the attack and planning it is the nationality (citizenship) of the passengers to be held as a consequence. The flag of the ship is of practically no importance.

The threat to passenger ferries servicing the same routes and always ferrying passengers from the same two or three countries may arise whenever one of these countries engages in conflict (direct or indirect) with terrorist groups or a state sponsoring them.

The threat to cruise liners depends predominantly on the number of passengers of specific nationality embarked on a given cruise and it rises together with the increase in the number of passengers from countries that are currently in conflict with a terrorist organization or are undergoing an international crisis.

A ship may become a target of a terrorist attack by receiving ground fire when it manoeuvres along coastal or interior water lanes, awaits entry into port or when lying in harbour. So far, mortars, guided missile launchers and grenade launchers of various kinds have been used in such attacks (both in terrorist attacks and in local conflicts).

Now the use of armour-piercing guided missiles, automatic grenade launchers and multiple-calibre sniper rifles cannot be ruled out. The need to acquire these weapons plus ammunition, ship them to an operational area and position them for combat seriously limits the possibility of such attacks launched by weak organizations without the support of states or terrorist groups linked thereto.

Mortars and guided missile launchers can be used mainly against ships manoeuvring relatively slowly or immobile.[16] A flaw of such an attack is a relatively low accuracy of fire.

Several dozen ships came under fire from other vessels, especially fast, armed motorboats[17] (called also speedboats or Boghammers[18]), in the post-war period.

These vessels have been used as weapon platforms or as the so-called exploding boats (filled with explosives and guided on target, including by suicide bombers).

Boats with at least displacement about 1-3 metric tonnes, armed with machine guns, grenade launchers, armour-piercing guided missile launchers, unguided rocket missile launchers, and even

mobile anti-aircraft systems have been used in operations and have reached a speed of up to 40 knots (at calm seas).

The parameters of the weapon systems installed on fast motorboats (first of all an effective range of fire from a platform of little stability, which a motorboat is) determine the choice of tactics.

Effective use of machine guns, grenade launchers and unguided rocket missile launchers requires approaching the target at no more than 300-400 metres, with the accuracy of gunfire increasing as the distance closes.

We can thus assume that an attack by armed fast motorboats against a merchant ship would amount to the following:

a.) a swift and insofar as possible secret approach of one or more boats towards the target;

b.) continuous gunfire lasting from a few to over 10 minutes (it would more likely be aimed at surfaces, i.e. the deckhouse and the hull, concentrating on the upper storeys of the superstructure, rather than precise gunfire aimed at specific elements of the ship's construction);

c.) a retreat.

The types of weapons fast motorboats can be armed with do not pose a serious direct threat to the buoyancy of a mid-sized merchant ship.

However, there is likelihood of inflicting losses among the crew, causing damage to the plating above the water line, the freight or the deckhouse, and also of fires that might lead to the loss of the vessel.

It should be recognized that in countries pursuing a liberal policy in regard to shipping, registering a shipping activity and purchasing a boat is limited solely by the financial resources of a group planning terrorist activities.[19]

It may thus be assumed that a legal purchase of a boat with the aim of converting it to a mother ship for fast motorboats is within reach of terrorist groups.

In the post-war period there have been several attacks against maritime shipping carried out by armed divers trained and equipped by non-state actors.

Organization of such an attack is facilitated by the fact that the training of scuba-divers, at least at the basic level, is in most developed countries an element of recreation in the broad sense, with basic equipment offered for sale on a regular commercial basis.

Whilst it is certain that a terrorist with a few days of recreational training and equipment purchased from a sports store presents a military potential that is inferior by far to that of a member of naval special forces, he still remains a dangerous adversary, particularly when he launches a surprise attack.

Thus, even organizations that are relatively weak and do not have significant financial resources at their disposal may be able to field "amateur frogmen," but this is the only danger. Strong and affluent organizations can afford to organize and train fully professional teams of underwater subversion even when they do not enjoy state support (it is worth mentioning that the Palestinians were the first to organize a group of combat divers with the support of Yugoslavia).

An example here are the combat divers of the Tamil Tigers equipped with closed circuit oxygen diving apparatus (rebreather), called also Dräger[20] (purchased from Netherlands), that the naval units of many countries would take pride in.

A weapon that is particularly useful in terrorist attacks against shipping is mines.[21]

On the basis of post-war experiences[22] use of this weapon can be expected in terrorist attacks against merchant ships riding at the roadstead or anchorage, against vessels approaching ports or upon water lanes leading to/from ports of the state attacked. Its use in a way that would jeopardize the interests of third states should be considered less likely.

Use of temporarily adapted vessels made to look like merchant ships, recreational or fishing boats in the role of minelayers should be regarded as feasible.

It follows from an analysis of the methods employed for carrying out terrorist attacks against shipping that the perpetrators of such attacks have at their disposal a broad range of combat means.

Hence not only strong organizations with considerable financial resources and hundreds of members and sympathizers (sometimes also enjoying state support) may pose a threat to a merchant ship; weak organizations with limited resources in terms of personnel, finances and equipment can be dangerous as well.

Selected Acts of Terrorism at Sea

22 January 1958 - opponents of Salazar hijack Portuguese passenger ship *Santa Maria*;

1971 - crew members protesting against the war in Vietnam hijack the American transport ship Military Sealift Command *Columbia Eagle;*

1971 - Venezuelan opposition group hijacks vessel *Anzoteque;*

1971 - Palestinian fighters attack Israeli tanker in the strait of Bab el Mandeb;

1971 - IRA attempts to blow up cruise liner *Queen Elizabeth II;*

1972-1980 - IRA attacks ferries *Ulster Queen* and *Duke of Agryll*;

1973 - Palestinian organization Black September sinks ship *Sanya*;

31 January 1974 - passenger ferry *Laju* is hijacked;

1974 - Greek ship *Karachi* is hijacked;

1975 - separatist movements from the southern Philippines launch guerrilla warfare at sea;

1975 - Argentine opposition movement Monteneros damages destroyer *Santisima Trinidad* at shipyard;

1975 - bomb explodes on Soviet ship *Maxim Gorky* mooring in Puerto Rico;

1979 - IRA plants a bomb on Lord Mountbatten's yacht *Shadow V*;

1979 - Iranian monarchists seize the rocket boat *Tabarzin* built in France;

1979-1980 - radical environmentalists destroy and damage several countries' whaling boats;

1980-1986 - Polisario Front for the Liberation of Western Sahara destroys Spanish trawlers *Garmomar* and *Costa de Terranova* as well as Portuguese freighter *Rio Vouga*;

1981-1983 - IRA destroys British freighters *Nellie M* and *Saint Bedan*;

1982 - bomb explodes on Philippine ferry *Santa Lucia;*

1982-1984 - Nicaraguan Contras launch guerrilla warfare at sea, including mining the entry to main ports in the country;

1984 - Libyan ship *Ghat* lays mines on the Red Sea at the exit of the Suez Canal;

7 October 1986 - Palestinian terrorists hijack Italian passenger liner *Achille Lauro*;

1988 - terrorists attack the Greek ship *City of Poros*;

1989- 1994 - Eritrean separatists launch guerrilla warfare at sea, with three Polish vessels among the ships destroyed or damaged: *Bolesław Krzywousty, Adam Asnyk, Władysław Łokietek*;

1990 - IRA damages supply ship *For Victoria* built for the Royal Navy;

1994 - Algerian islamists murder the crew of Italian merchant ship *Lucina*;

1996 - Chechen terrorists take over Turkish ferry *Avrasya*;

2000 - Islamic fundamentalists damage American destroyer Cole in Yemen;

2002 – French tanker *Limburg* is damaged by suicide explosive boat near to Yemen coast.

2004 – Oil terminal in Iraq were attacked by suicide explosive boats.

What's Next?

It seems that a threat to merchant shipping from terrorist activities will be growing. So far, at least three attempts by non-state structures to buy midget submarines have been aborted. Two illegal shipyard works were discovered in Colombia (in the regions of Bogota and Cartagena), and a third was uncovered by the security service of Malaysia near the town of Pukhet. Colombian drug cartels were interested in purchasing vessels, probably with the intention of using them for drug trafficking. It is also possible that the midget submarines built in secret shipyards of the drug cartel bosses might after a while surface on the black market for weaponry. In Malaysia, work on midget submarines was in all certainty pursued on orders from the Tamil Tigers.

Grave consequences could be expected if extremist organizations were to gain access to the technologies for sea mines production. The Tamil Tigers have already mastered this skill. This poses a very serious threat considering that it is a fully autonomous movement and no direct or indirect control over it by any external actor is possible. In effect, sea mines produced by the Tamils could end up in other regions of the world[23]. Moreover, information that has surfaced in recent months indicates

that other extremist organizations, for instance the Revolutionary Forces of Columbia (FARC), have also acquired naval mines.

This gives a new dimension to security at sea, with mines possibly available for purchase outside the control of state security services.

If above arguments indicate that intensive terrorist activities can be conducted on a large scale in coastal areas, both those lying within the jurisdiction of states and in the high seas.

The international community is currently unprepared to face this threat, as it is confirmed by the rising number of pirate attacks on ships signalled above. Let us then not wait until the next spectacular act of politically-motivated terrorism before launching effective countermeasures against a threat that is already visible today.

NOTES:

1 The last reported instance took place on 7 November 2000. The crew of an Israeli patrol boat detected a fishing boat off the shore of the Gaza strip, approaching from the Egyptian territorial waters. When the steersman was asked to stop the boat, it raced at full speed towards the Israeli vessel, but the explosives detonated prematurely around 100 meters from it. The Islamic organization Hamas claimed responsibility for the attempt.

2 Generally, these are cigar-shaped vessels 6-8 metres long, capable of transporting around a tone of cargo. In an overwhelming majority of reported instances, they were connected by a bundle of wires around 150-200 metres long with the base vessel (usually a big engine-powered yacht), which controlled their steering and supplied power to their electrical engines.

3 The midget submarines armed with 1-2 torpedoes or mines. Their displacement is about 100 metric tonnes. An example of a vessel of this class may be the North Korean *Yugo* type submarine, which was cast ashore in South Korea on 18 June 1998 due to a failure of the vessel. Its crew numbered four men. In addition, it can take 6-7 combat divers.

4 While discussing terrorism at sea, it is worth noting a significant rise in the number of acts of piracy reported recently. Whereas in 1991 just over 100 pirate attacks on ships had been reported, in 2000 there were 469 such attacks. Most (57%) attacks took place in seashore areas and the archipelagos of South Asia. P. CHALK, Piracy Re-emerges as a Modern-day Threat, *Jane's Navy International*, (4) 2002, pp. 12-16.

5 K. KUBIAK, "Prawa i obowiązki państwa w zakresie zwalczania aktów przemocy na morzu w świetle postanowień konwencji rzymskiej," *Przegląd Morsk*i,

(3) 1999, p. 40.

6 www.undcp.org/odccp/terrorism_convention_maritime_navigation.html.

7 www.undcp.org/odccp/terrorism_convention_platforms.html.

8 J. SYMONIDES, *Nowe prawo morza*, Warszawa, 1986, pp. 181-193.

9 The problem of inspecting cargo in ports is often perceived in the aspect of baggage checks at airports. Meanwhile, it concerns an issue of a totally different scale. In 2000, Polish ferry terminals alone (hence this data does not refer to the total volume in Polish ports) handled 2,157,914 tons of cargo, 18,671 train carriages, 125,095 trucks, 162,716 passenger vehicles, and 919,389 passengers crossing the sea border on ferries. Cf. P. BAUER, "Żegluga promowa na fali," *Gazeta Wyborcza*, 26 March 2002, p. 6. Insofar as a careful inspection of passengers is possible, from the point of view of the threats examined a careful inspection of cargo would boost shipment charges and paralyze ferry terminals.

10 Four terrorists maintained full control over more than 1,000 passengers and members of the crew during the hijacking of the Italian passenger ship *Achille Lauro.*

11 This is what the terrorists did during the already-mentioned hijacking of the Portuguese passenger ship *Santa Maria* on 22 January 1961, the Italian ship *Achille Lauro* on 7 October 1986, the attempt to hijack the Greek vessel *City of Poros* on 11 June 1988, the hijacking of the Turkish ferry *Avrasya* on 13 January 1996. Cf. K. KUBIAK, "Terroryzm morski zagrożenie dla żeglugi" *Morze*, (5) 1990, "Groźba wysadzenia promu," *Rzeczpospolita*, 18 January 1996.

12 An example here was the hijacking of the ferry *Laju* in Singapore on 3 January 1974, when four terrorists from the People's Front for the Liberation of Palestine and the Japanese Red Army captured a vessel and took five people hostage following an attempted attack on the Shell Oil installations.

13 In 1994 Islamic fundamentalists murdered the sleeping crew of the Italian merchant ship *Lucina* in the Algerian port of Iyel.

14 It is a method employed primarily by contemporary pirates. Documents of the International Maritime Organisation describe two rubber pontoons (without angular fenders and hence practically invisible to radars) linked by a floating rope that are used to get secretly on board a moving ship at night. They are positioned at a ship's bow. The vessel hooked to the rope pulls the pontoons to its sides. Cf. K. KUBIAK, "Piraci czy terroryści," *Komandos*, (3) 1996.

15 The aforementioned method is used by pirates primarily in regions without intensive activities of police and military units, or where the littoral states do not exercise effective control over their shorelines. Among

others, it was employed by Eritrean groups close to the Bab el Mandeb strait.

16 It was a method typical of North Vietnamese guerrillas in attacks on merchant ships moving along the inland water route linking Saigon with the sea. Cf. R. L. Schreadley, "Sea Lords," *USNI Proceedings,* (8) 1970, "The Naval War in Vietnam 1950-1970," *USNI Proceedings*, (5) 1971, p. 66.

17 In the post-World War II period armed motor-boats have been used by Cuban anti-Castro groups, Arab terrorists targeting Israel's shipping and sea-coast, the Nicaraguan Contras fighting the Sandinistas, Iranian navy irregulars during the Iraqi-Iranian war, Croatian forces during the civil war in Yugoslavia and the Tamils in the domestic conflict in Sri Lanka.

18 The name of Swedish company which provided the fast motor boats to Iran during the war against Iraq. They were used by Iranian Revolutionary Guard for attacking tankers.

19 This opinion is confirmed by the ease with which organized criminal groups involved in human trafficking acquire ships. Cf. Z. KUSOVAC, "Stemming the Flow of People - Smuggling at Sea," *Jane's Navy International*, (4) 2002, pp. 18-20.

20 The name of German firm, the world leader in the field of military diving equipment.

21 According to Jane's Underwater Weapon System, the following countries manufacture sea mines: Brazil, Chile, People's Republic of China, Denmark, Germany, Iraq, Italy, North Korea, Poland, Russia, Spain, Sweden, Republic of China (Taiwan), United Kingdom, United States, Yugoslavia. Between 250,000 and 450,000 mines of all types and uses (according to American estimates) were to be found in the arsenals of the former Soviet Navy alone. Cf. F. B. KELSO II, "Building Blocks of Naval Power," *USNI Proceedings*, (11) 1992, p. 40. The deployment of mines by the Tamil rebels attests the proliferation of mine ordnance. This is also confirmed by the damage done on 29 May 1987 by an underwater explosion to a Greek vessel of 29,423 d.w.t. approaching the post of Trinkomali. Cf. "Shipping News," *BIMCO Weekly News,* (26) 1997, p. 3.

22 Since World War II mines were laid for terrorist purposes by the Contras in the fight against the Sandinista government in Nicaragua, by UNITA in the civil war in Angola (mainly on the approaches to Luanda), by Iranian irregular formations in attacks on shipping in the Persian Gulf, during the Iraqi-Iranian war, by Libyan naval forces and special services in the Suez Gulf in 1984, by Tamil separatists.

23 The peace process has just started in Sri Lanka. If the war finishes, it will likely decrease the probability of sending sea mines by Tamil Tigers.

Commander Krzysytof KUBIAK, PhD, is Assistant Professor at the National Defence University, Warsaw, Poland.

THE ACTIVITIES OF THE CENTRE FOR DEFENCE AND SECURITY STRATEGIC STUDIES

OCTOBER-DECEMBER 2005

*The last term of 2005 was the densest period of the year. The most important activity for the Center for Defence and Security Strategic Studies from National Defence University „Carol I" was the V*th *international annual scientific session on "Security and Stability in the Black Sea Area", organised between November 21-22. The very actual problems, especially the ones of the riparian and NATO member states were approached by specialists from NATO, USA, Turkey, Bulgaria, Poland, Slovakia, Pakistan and Romania, representatives from the General Staff, the Department for Euro-Atlantic Integration and Defence Policy Department, Services Staffs, National Defence University "Carol I" and civilian educational and research institutions. Marius Bălu, Secretary of State from the National Defence Ministry, presented the Romanian Defence Minister's message.*

The event was the frame for an active dialogue on the Black Sea Area issues and the occasion to get familiar with the latest. There were discussed topics as the security environment, risks, threats, the armed forces, the stability and co-operation in the Black Sea Area. On this occasion there was issued a volume, both in English and Romanian, comprising the presented papers.

On November, 17, there was organised a meeting with Mr. Takeshi Fukuda, at the Centre's premises. Mr. Fukuda is a Japanese researcher, working for the National Diet Library. He was interested in Romania's public opinion reaction on achieving the responsabilities we have as a NATO member and as a US ally, especially the one regarding our troops' participation in military operations. Another topic had to do with the public opinion's attitude on the possible consequences of the US military bases presence in Romania.

On November, 23, there was organized a meeting with Mr. Alexander Hersi, director of the Institute for Security and Defence Studies from Slovakia. During the discussions on regional co-operation and security, a main focus was on the responsabilities as a NATO member.

*In this period there were ellaborated and published some reference works for the field by the Studies and Research Section: "Military power in the XXI*st *century. Ways for achieving and expressing the military power in the Romanian democratic society", "Collective defence - a necessity for maintaining the national state integrity. The Romania's Army action within NATO", "The globalisation implications on the national security", "The nonmilitary dimensions of security".*

Among the activies planned for 2006 we remind: the Scientific Session organised by the National Defence University "Carol I", "Strategies XXI" (April, 13 - 14). The CDSSS will be responsible for organising the section on "National defence and security"; the seminar on "Romania's army Participation in Collective Defence under NATO and EU leadership" (May, 25) and the annual session of scientific papers, "Security and defence strategies on the East border of NATO and EU" (November, 23 - 24).

Irina CUCU

The Strategic Impact magazine has come to the 17th issue. Each of them is the result of a fruitful collaboration between the Center for Defence and Security Strategic Studies researchers and numerous authors from the Ministry of National Defence "Carol I", from the General Staff, the National Defence University, the Services' Staffs, the Services' Academies, from university teaching system, from different ministerial, scientific research, military units structures, from NGOs, different companies and media. It is a privilege for our publication to host a large and competent debate on actual issues such as the military strategy, the national security. This debate has proved to be useful and necessary for stimulating the military Romanian thinking in concordance with the new coordinates determined by the status of a NATO member and a future EU one. We remark with pleasure the valuable contributions of the authors for the success of this debate and we warmly thank them.