



European Round Table

“Security Threats in the 21st Century: Policy and Remedy in the Post-EU Lisbon Treaty Era“

3 February 2011,

European Parliament, Brussels

*This Roundtable was the sixth in the series of events organised by the Centre for European and International Policy (CEIPA) in cooperation with the Belgian Ministry for Foreign Affairs. As the CEIPA Executive **Director Mr. Peter von Bethlenfalvy** pointed out in his welcome address, the round table was conveyed in order to promote debate and reflection on security threats in a broader sense. It was aimed at promoting horizontal thinking in which issues of justice, security and freedom are analysed in a larger context of EU foreign common and security policy and external border control, with the objective to reach out to the policy makers at European and national level.*

With the entry into Force of the Lisbon Treaty, the rules governing the Area of Security, Freedom and Justice have been changed. With qualified majority voting as a rule at the Council level and co-decision as the rule rather than the exception in the areas of security and migration, the European Parliaments role has been considerably strengthened. By abolishing the “pillar structure” and the either recast or new legal bases for the Agencies active in the field of justice, security and freedom, namely Eurojust, Europol, Frontex and EASO, inter-agency cooperation also across the well-guarded border of mandates will be ever more important. The newly created European External Action Service is taking up its role in the field of security and migration enforcing its representations outside the European Union and also inside in the various committees and working groups active in the field of security such as the COSI.

On the balancing, i.e. the respect of fundamental rights, side, the Lisbon Treaty attributes to the Charter of Fundamental Rights of the EU the same binding legal force as the Treaties, applying it to all institutions and bodies of the EU. Future accession of the EU to the European Convention for the Protection of Human Rights and Fundamental Freedoms is foreseen as well. This will make the European Court of Human Rights competent to review EU acts. The ECJ meanwhile also became fully competent to revise the legality or provide interpretation to guide all actions of EU Bodies.

*Among prominent speakers CEIPA was delighted to welcome **Mr. Ilkka Laitinen**, Executive Director of European Agency for the Management of Operational Cooperation at the External Borders of the EU Member States-FRONTEx, **Mr. Graham Watson**, MEP, Member of the ALDE Bureau, Chairman of the Delegation for relations with India, Editor of the EP Magazine and former Chairman of the EP Committee on Justice and Home Affairs and leader of ALDE parliamentary group, **Mr. Robert Zeldenrust**, Ambassador and Special Envoy for Security matters at the Ministry of Foreign Affairs in the Netherlands, and **Mr. Frank Felix**, Director of Asylum, Migration and Anti trafficking Department at the Ministry of Foreign Affairs, Belgium.*

Below is the short summary and main conclusions of the Round table.

Mr. Ilkka Laitinen started his intervention by pointing out to the changing nature of security, where the old style security environment is giving way to the new security paradigm characterised by blurring frontiers between external and internal security. As a consequence, the individual level of security becomes central, notwithstanding whether the threats come from within or outside EU/national borders. With the Lisbon Treaty and the Stockholm programme the EU internal security policy field has been given more prominence which is now underpinned with the identification of concrete actions. Among priorities, border management is one of the prime topics to be developed further. As a multifunctional instrument it encompasses migration, terrorism, serious organised crime, but also issues such as petty crime. The EU Agency Frontex has been strengthened following the entry into force of the Lisbon Treaty, especially in view of the migration management and crime prevention. The role of Frontex to coordinate the work of EU member states is now extended to 40 national authorities from the EU and 3 associated countries from Norway, Switzerland and Iceland. In the field of improved European security Frontex has a potential to: 1) raise awareness by providing risk analyses and situation monitoring by Frontex alone or/and in cooperation with Europol and Eurojust; 2) carry out joint operations on a regional level (i.e. actions undertaken at the EU airports to combat trafficking of minors) ; 3) provide training in order to strengthen capacity building and thus contribute to the further standardisation and harmonisation of EU member states approaches.

But in order to fight better organised crime and protect victims Frontex should be able to process personal data, as they are crucial to identify and track perpetrators of crime. Frontex has already equipped EU member states with training modules for both trafficking and smuggling in human beings. 400 000 border guards are reached every year, whereas curricula are provided for basic and middle MS officials.

Mr. Laitinen concluded his address by underlying the importance of human rights in all law enforcement operations. Law enforcement action should never be compromised on human rights, as they represent principle values on which Frontex is building trust with citizens and its partners.

Mr. Graham Watson started by listing the security threats in the 21st century of which terrorism, cyber crime and nuclear proliferation are the most serious ones. But he equally stressed the need to strengthen fundamental freedoms and quoted Karl Popper who said that we must plan for freedom and not only for security. Terrorist attacks which in the last ten years dominated the EU and US thinking are decreasing in numbers since 2001, but seem to be more lethal in their nature. However, Europe committed a fundamental mistake when following the US example it militarised its response to the threat of terrorism. In spite of the significant headway made since 2001 in intelligence gathering on terrorism we should look more in depth into its causes. The US journalist Thomas Friedman noticed that it is a desperate act of a small number of people. To rob terrorists of their sources we should therefore deal with how the terrorism spreads while promoting jobs for the unemployed, empowering women etc. The EU has made important strides since 2001 by harmonising the definition of terrorism, adopting the European Arrest Warrant, setting up the Joint Situation Centre and establishing the Eurojust. In addition, the EU Anti Terrorism Coordinator was nominated in 2005, while more than 1,5 million police officers around Europe received appropriate training. However, Europe should become more open society, open to trade and dialogue with people from different countries, but also promoting its own values. This should be underpinned by the policy which doesn't allow authoritarian regimes to benefit from EU money (like China or Egypt).

Cyber crime is a new type of crime but not less dangerous, given the dependence of the modern society on the internet. We are still missing a legal framework, a legally binding consensus and a new lexicon of terminology in order to deal with it appropriately. Organisations such as International Telecommunication Union should be reinforced. Although the Council of Europe's Budapest Convention provides some useful elements more should be done in this respect.

Regarding nuclear threat and proliferation, nuclear security should be built through the promotion of nuclear culture, including regulations and binding rules as part of the internationally accepted system.

Mr. Robert Zeldenrust began his address by stressing the relative character of security –referring to current events in Europe's neighbourhood- and stated that the issue is increasingly complex, transnational and diffuse. Our open societies and open borders offer opportunities to malicious people too and citizens call for

action from their governments to protect them from threats and to ensure their personal security. In order to respond to this, the new Netherlands government transformed its Ministry of Justice into a Ministry of Security and Justice, where the internal concept of security is emphasised. Nevertheless, it is clear that internal and external security are more than ever closely connected, with most important threats coming from non state actors. Modern forms of organised crime such as drugs and human trafficking are all largely transnational in nature. This is why international cooperation should aim at prevention, defence, reduction of vulnerability and active sanction policy. The best way to achieve this is to combine economic and political means, while broadening the foreign policy agenda. International and national security policy should be coordinated in order to strengthen relations between partners and international organisations, such as the EU, OSCE and NATO. Third countries which are often the source of instability should be helped through development cooperation so that they can better address the root causes which generate instability. The Lisbon Treaty has improved and simplified decision making in the field of freedom, security and justice, but whereas law enforcement is important, the prevention of crime and terrorism is equally relevant. The EU external policy should integrate migration and asylum policy further in order to avoid a big influx of migrants with little or no perspective in the EU. It should also enable us to better fight terrorism, cyber crime, illegal arms trade, while paying due attention to the respect of human rights.

Mr. Frank Felix reminded of the insecurity we are facing in the less certain world. He pointed to terrorism, cyber crime, human trafficking and other forms of organised crime. He recalled in this context the importance of the Lisbon Treaty provisions that facilitate decision making in the area of freedom and security. New instruments such as the President of the Council, the High Representative for CFSP, the European External Action Service and empowered EU delegations are certainly providing more opportunities, but are also creating confusion about who does what in the EU mayhem. There are still a number of pending issues such as how will the EU member states national diplomats that will form 40% of EU delegation staff be dealt with and whom are they going to be loyal. It is certainly going to take at least two years before the system becomes fully operational. Mr. Felix went on by emphasising the importance of human rights embodied in the 6 chapters of EU Fundamental Rights Charter, namely dignity, freedom, equality, solidarity and justice as examples. He concluded by suggesting more coherence of EU action in the realm of foreign policy towards Middle East and Russia.

The ensuing discussion touched upon the situation in the Middle East, the EU Neighbourhood policy, Wikileaks phenomena and migration/development nexus. Accent was put again on EU values and support to the civil society as the best way to deal with totalitarian regimes. Importance of continued dialogue was underlined, albeit the fact that there are still too much double standards applied.

Ms. Patsy Sörensen, Payoke Director, Belgium concluded the discussion by stressing the need for the EU voice in the world. Human rights violations, still abounding in the world are unfortunately too often overlooked. She reiterated the importance of democracy, but acknowledged the difficulty of decision making amid plurality of views. In depth discussion is needed in a society that respects freedom of expression.

Mr. Peter von Bethlenfalvy winded up the Round table by thanking the speakers and all the participants for their valuable input and lively discussion.