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PERSPECTIVES ON THE INTERNAL SECURITY STRATEGY OF THE EUROPEAN UNION AND THE ROLE PLAYED BY THE STANDING COMMITTEE ON OPERATIONAL COOPERATION ON INTERNAL SECURITY IN IT

Oana Elena GĂLĂȚEANU¹

Abstract:

In 2010, the Council of the European Union completed the external security strategy of the European Union with an internal security strategy aiming at analysing and preventing all important threats the European society has been facing, as well as other threats having direct effect on the security of life and welfare of its citizens.

One of the directions of the internal security strategy of the European Union is the operational cooperation. This cooperation is achieved through a complementary Union body named the Standing Committee on Operational Cooperation on Internal Security.

The purpose, the governing principles and directions of this internal security strategy of the European Union are presented in this study, as well as the role played in its execution by the Standing Committee on Operational Cooperation on Internal Security (officially abbreviated COSI).

Key words:

Internal security, strategy, Standing Committee

1. The European Internal Security Strategy – establishment, principles and directions

Out of the preoccupation existing at European level for guaranteeing security at Union level, the idea of a European internal security strategy emerged; this strategy was drawn starting from the external dimension of Europe's security, outlined in December 2003.

Accordingly, the Council of the European Union completed the external security strategy of the European Union with an internal security strategy in the year 2010, which was adopted in 25th – 26th of March in the same year.

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The emergence of this strategy was due to acknowledging the reality that unfortunately, at present, extremely dangerous actions such as terrorism, organised crime, severe forms of criminality, arms, drugs, human trafficking, cybercrime, cross-border criminality, sexual exploitation of minors and child pornography, corruption and economic criminality, adapt extremely quickly to the changes in science and technology and many times, manage to undermine the development and values of the present society².

As it is underlined in this strategy, the internal security idea must be interpreted in a wider sense, including many areas of the social life with the purpose of analysing all these important threats which the European society has been facing, as well as other threats which have a direct effect on the safety of life and welfare of its citizens (such as the disasters caused by human and natural activities).

In achieving the purpose of this strategy for European internal security, a series of actions and their continuous improvement are taken into consideration, actions referring to:

- Judicial cooperation in the matters of putting to application the legal provisions;
- Integrated border management for preventing illegal migration;
- Criminal justice systems – for preventing cross-border criminality forms.

This strategy highlights an European security type residing in, among others: using some joint tools in the cooperation and cohesion of the Member States; the contribution of all E.U. institutions; analysing the effects of the insecurity, as well as its causes; improving the prevention method and participation of all activity areas having a role in economic, social and political protection, proportionally with this role, as well as a greater inter-conditioning between internal and external security³.

Starting from the idea that security is *a fundamental right in itself*⁴, the following have been acknowledged as principles of the EU's internal security strategy, inspired by the values and principles established in the Treaties of the Union:

- Creation of policies in justice, freedom and security areas;
- Protection of all citizens and especially of those who have been victims of violence, trafficking in human beings or terrorism;

² See the E.U. Internal Security Strategy, Luxembourg, Publications Office of the European Union, 2010, ISBN 978-92-824-2690-6, p.7

³ Idem, p.12

⁴ Idem, p.19

- 'Transparency and accountability in security policies' area;
- Usage of dialogue as a way of removing the differences, based on the principles of tolerance and freedom of expression;
- Social inclusion, integration and the fight against discrimination – as basic elements of E.U. internal security;
- Solidarity between the Member States in the face of the challenges which cannot be solved individually by each Member State, or in the cases when a joint action is to the benefit of the Union as a whole;
- Development of mutual trust for successful cooperation.

Based on these principles, in order to ensure the internal security of the European Union in the future, 10 distinct guidelines for action were outlined:

- A large and global style of looking at internal security;
- Guaranteeing a concrete democratic and judicial supervision of security actions;
- Achieving crime prevention and foresight by using a predictive approach based on information and gathering those pieces of evidence required for their monitoring;
- Creating a model for exchanging information based on encouraging mutual trust between the authorities responsible for ensuring internal Union security;
- Operational cooperation;
- Judicial cooperation in criminal matters;
- Integrated border management in order to prevent illegal immigration and to maintain security;
- Committing to innovation and training, aiming at working together in order to create and promote new technologies through a common approach of the Member States so that to reduce the necessary costs and to increase efficiency, on one hand; on the other hand, a vocational training strategy in Europe is being pursued, so that law enforcement, judicial and border management authorities can enjoy advanced technologies and for facilitating cross-border cooperation.

Cooperation with third party countries - in the external sphere of internal security of the E.U., considering that internal security is more and more dependent on external security. For this reason it is considered that in order to guarantee the security and protection of European citizens' rights, to promote security and to observe their rights abroad, the international cooperation of both the EU and the Member States of the Union is absolutely necessary.

An appropriate approach so that to be possible to adapt to the difficult issues that might emerge in the future.

2. The Standing Committee on Operational Cooperation on Internal Security (COSI)

One of the directions of the internal security strategy of the European Union is the one of operational cooperation on internal security.

This cooperation is carried out through the Standing Committee on Operational Cooperation on Internal Security, whose official denomination on short is COSI. This Committee was established through the Treaty of Lisbon and has the role of facilitating, promoting and strengthening the direction of the concrete activities of the Member States in the EU's internal security matters.

The Treaty on the Functioning of the European Union presents in art. 71 the role and contents of this Standing Committee: "A standing committee shall be set up within the Council in order to ensure that operational cooperation on internal security is promoted and strengthened within the Union. (...) The Committee shall facilitate coordination of the action of Member States' competent authorities. Representatives of the bodies, offices and agencies of the Union concerned may be involved in the proceedings of this committee. The European Parliament and national Parliaments shall be kept informed of the proceedings".

COSI consists of high-level officials from each EU member state's Ministry of Home Affairs and/or Justice, as well as European Commission and European External Action Service (EEAS) representatives. Europol⁵, Eurojust, Frontex, CEPOL and other relevant bodies may be invited to attend the meetings as observers.

As provided in the Internal Security Strategy of the European Union, COSI must develop methodological cooperation between Union's agencies and bodies involved in the internal security of the Union, which are: Europol, Frontex⁶, Eurojust⁷, Cepol⁸, SitCen⁹. This way, it must encourage

⁵ The European Agency for Law Enforcement Cooperation

⁶ The European Agency for Operative Cooperation Management at the External Borders of the Member States of the European Union

⁷ Agency of the European Union dealing with judicial co-operation in criminal matters

⁸ Agency of the European Union promoting european and international cooperation in Law Enforcement through Training

⁹ EU Joint centre of situations/ Mixed Assessment Centre

the increase of the coordination, integration and efficiency degree of the operations in this security area.

COSI was created to ensure effective cooperation between law enforcement authorities and the authorities performing border management, as well as judicial cooperation in criminal matters related to operational cooperation.

This Committee will establish its activity mainly on the estimates and key issues related to the current threats, the latter being priorities established at Member States and Union level.

By implementing the strategy which we refer to, it is desired to make progresses in creating a framework for cooperation in the interest of developing the Union's security and internal safety on the occasion of international large and mass events¹⁰.

Conclusions

In conclusion, at the level of the European Union, an internal security strategy has been outlined to guarantee the existence at the Union level of a safety area for all European citizens by taking actions to analyse, foresee and prevent transnational crime and through methods of ensuring the fight against clandestine immigration at borders.

In order to achieve this strategy, joint actions of the Member States have been encouraged and developed through the collaboration of their competent authorities in the field of judicial cooperation in criminal matters and of those managing state borders. At the same time, increasing the mutual trust level between these authorities of the Member States has been encouraged and supported.

Also, in order to fulfil the purpose of this strategy, the involvement of Union agencies and bodies such as Europol, Eurojust, Frontex, Cepot and SitCen was considered as being urgently needed.

Obviously, given the involvement of so many institutions - both national and at Union level - in fulfilling the EU's internal security strategy, their coordination and cooperation is needed in order to achieve the common E.U. objective. For this coordination, the Standing Committee on Operational Security Cooperation (COSI) was established as a complementary body at EU level.

In fulfilling the purpose of the above strategy, it is considered at E.U. level that this Committee has an important role in outlining the

¹⁰ Idem, p.26

development, monitoring and implementation of the strategy, outline which must become one of its most important tasks, having a priority role¹¹.

In our opinion, the creation and performance of this internal security strategy of the E.U. aim at protecting the core values of the Union: respect for human rights and for fundamental freedoms, tolerance, transparency, democracy, dialogue and solidarity.

References:

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¹¹ Idem, p.31