

TERRORISM AS A THREAT TO EUROPEAN SOCIO-POLITICAL STRUCTURES. SCHENGEN AREA AND THE RECENT DEVELOPMENTS

Marius N. GRAD¹
Claudiu MARIAN²

ABSTRACT:

BEING GIVEN THE CURRENT SITUATION AT EUROPEAN LEVEL, THE ARTICLE REPRESENTS AN EFFORT TO BETTER UNDERSTANDING THE INTERACTIONS BETWEEN TERRORISM AND THE EUROPEAN SOCIO-POLITICAL STRUCTURES. FOR THIS WE CHOSE THE SCHENGEN AREA AND WE ANALYZED ITS MAIN ISSUES ON THE ONGOING CONTEXT AND AFTERWARDS WE TRIED TO FIND THE BEST SUITABLE OPTION AVAILABLE (REFORM OR DISSOLUTION).

KEYWORDS: TERRORISM, EUROPEAN UNION, SCHENGEN AREA

INTRODUCTORY PERSPECTIVE

On an overall look, the complexity and dynamism of socio-political construction that actors of international system have established in recent decades are relatively easy to identify. Internationalization and globalization are just a few elements that contributed to the improvement of such entities and, simultaneously, have facilitated the emergence of new challenges to them.

When we refer to a socio-political construction, be it the one located within a State or one designed internationally, we must have under consideration the complexity and the dual nature that presents such a factor. Naturally, a socio-political structure is one that involves both political factors and social factors. Moreover, it is impossible to independently consider one of those two categories, given that within the entity, in terms of quality of construction that underlies entity, they are interdependent and can't exist without each other.

In the present paper we bring to the fore the Schengen area, in terms of socio-political role that it plays in Europe, and later to identify the main influences that contemporary terrorism manifested on it.

Thus, an overview of the Schengen Area we can see that this sociopolitical construction is the most tangible embodiment of the motto, "United in diversity" and a cornerstone of European construction. Moreover, at present, the area in question plays an important role in the process of deepening European integration. The signing of the Schengen Agreement in

¹PhD Candidate, Babeş-Bolyai University, Romania, marius_grad@yahoo.com.

²Lecturer, Babeş-Bolyai University, Romania, claudiu80075@yahoo.com.

1985 involved the gradual abandonment of the joint border control between the five signatory countries (Belgium, France, Germany, Luxembourg and the Netherlands) and the introduction of freedom of movement for citizens of signatory states. Even if in the beginning, Schengen was conceived as a useful tool in promoting tourism and temporary mobility over time, construction has grown in terms of quality and has become a staple in labor mobility, ideas, initiatives and goods, with direct impact on European economic development.

From another perspective, the construction is considered a success over the national state as the main core of the international system and that because it was the first time in history when states have pledged to give up control over their borders and give up to its control over a fundamental element of national sovereignty. However, the existence of Schengen involves a high degree of confidence between Member States and is an important step towards European federalization.

It is also important to consider the fact that, with time, Schengen has become more than a sociopolitical construction. It is, after all, a central element in building a European identity and, we think, an indispensable tool in the further development of the European Union from the perspective of the community building. Moreover, freedom of movement of individuals and opportunities within the community gave rise to a sense of belonging which is manifested more with the youth population behaviour. In other words, if two decades ago we talked about Schengen as an opportunity that can be tackled by individuals or not, today, it is part of the universe of many individual citizens. Personal development plans, social interactions, ways of building experience, access to knowledge, etc. are based in one way or another on the right to free movement materialized in the Schengen Area. As such, we deal increasingly more, not with a political and economic construction, but with a social structure which integrates / equalize (chances, not individuals) and brings together communities.

Overall, the essence of the Schengen area is shown in an inscription at the museum dedicated to this entity, namely: "The suppression of internal borders of the European Union is recognition that all the Citizens of the states Concerned belong to the same space, that they share a common identity."³

However, recent events have caused damage to idealism and optimism existing few years ago, replacing it with fear and insecurity. Contemporary realities have changed the outlook on the Schengen area, making it become from a driver of economic growth, social inclusion and a guardian of freedom on the European continent, a vulnerability which entails risks and threats to the signatory states. Increasingly often, the European political discourse is sprinkled with skepticism, criticism and negativism in regard of the strengths of Schengen space.

We must remember that it is not the first time the existence of the building is put to the test, but the last decade has contributed to the conjugation of several factors that put unprecedented pressure on the future of Schengen. Thus, the decline in optimism related to the Schengen began with the economic recession in 2008 when the Euro - another pillar of European economic integration resulted in a successive deterioration of the economies of the old continent. However, bear in mind that the economic relationship between countries is not a given element of the Schengen area, and increasing interdependence has not occurred as a direct result of participation in this construction. Despite the importance that it has, globalization and internationalization were concerned more about the intense spread of the harmful effects of the economic crisis than the space itself. By the time mentioned above, we are dealing with another destructive factor, namely the emergence of nationalist political

³ Ian Traynor, „Is the Schengen dream of Europe without borders becoming a thing of the past?“, *The Guardian*, 5 ianuarie 2016, available at <http://www.theguardian.com/world/2016/jan/05/>.

parties and an increasingly more intense activity of the supporters of these principles. Then, following the security context within the proximity of the European Union, we started to deal with an exponentially stream of migrants or refugees who, heading towards community put an intensive pressure on external borders (eg in the case of Italy and Greece) and have aroused concern in the economically developed states such as France and Germany.

It is the first time when intense debates over the usefulness of the construction are born in the community, about how the external borders are managed and the measures taken by states that were in their care are criticized. However, it appears increasingly frequent a speech related to the suspension of the Schengen Agreement and closing the borders. We are dealing with the first such moments in EU history when national populism exercises, catalyzed by external challenges, prevail. It is the first time that supporters of closed communities gain ground in front of the open regimes, the liberal ones.⁴ Simultaneously there is a debate between the countries situated on major migratory routes and those that are intended country of destination, discourse that made criticisms of the lack of collaboration and communication between them. Moreover, additional resources are required to ensure forces to protect the borders, particularly from countries such as Greece and Italy. The debate continues between Schengen states and the non-member ones, given that migration flows have not been stopped at partenets` borders or territories. The best example is the dispute between France and Britain, on the situation in the port of Calais, where hundreds of immigrants stepped out of the Schengen area to the United Kingdom. At the Schengen states level and non-member states of U.E., the Hungarian initiative to build a fence on the border with Serbia and the possibility of launching possible militarization of the area gave birth to deep debates about the EU's ability to manage current challenges.

The problems mentioned above occurred in 2015, when migration flows have increased and diversified, and it continues until nowadays. Moreover, the issue of terrorism perpetrated by immigrants and the probability that among the great masses of people Islamic State fighters will infiltrate, have sparked controversy in the European dialogue polarizing Member States and giving rise to diametrically opposed solutions to problems. Terrorist attacks in Paris and Brussels confirmed the fears of Schengen-skeptics and contributed to find more easily arguments supporting radical measures, such as redeploying national borders.

SCHENGEN AREA ISSUES TODAY

If we look critically on the situation in the Schengen area which appears at the present time, we must focus our analysis on two levels. The first relates to pinpoint problems that occur within the community, and the second is focused on the challenges and threats of external nature. Thus, from external perspective, because it is more natural to analyze this level first, given that internal state is determined by external development, can be identified the following problematic elements:

- Migration from areas neighboring the European Union - especially those who come from areas of conflict or post-conflict - Syria, Afghanistan, Kosovo, Libya, Gambia, Senegal, Somalia. We believe that in the next period will signal the intensification of migration on the next routes: the Western Balkans (with the waiver route Serbia - Hungary and increases flow on the route Bulgaria-Romania) and Central Mediterranean (returning to a flow similar to that 2014 [170760 individuals⁵] on the deteriorating situation in Libya and Algeria⁶);

⁴ Ian Traynor, „Is the Schengen dream of Europe without borders becoming a thing of the past?“,

⁵ According to Frontex statistics, available at <http://frontex.europa.eu/trends-and-routes/central-mediterranean-route/>.

- International terrorism and potential similar events based on local disagreements in relation to international initiatives (eg NATO expansion and growth potential instability in the Balkan states based on qualitative deterioration of leadership⁷);
- A possible new recession in the US would affect the financial evolution of the European Union at the end of 2016;
- A Brexit that would cause economic imbalances on the European scene (especially on countries such as: Netherlands, Cyprus, Portugal, Greece, Sweden, Germany, Spain and the list goes on);
- The reorientation of Russia over the situation in Ukraine, due to reduced involvement in Syria could cause an escalation of the conflict and deterioration of security across Ukraine;

Internally, the Schengen Area must face, in our opinion the following challenges:

- Rethinking and adjusting immigration policy at European level - difficult element since it involves a consensus among Member States with divergent interests;
- Completion of the debate on the Dublin Regulation on processing asylum claims - while completing debate on the status of those within its territory en route to U.E. - immigrants or refugees;
- Reaching an agreement on quotas of immigrants and the countries that have the capacity to engage directly in managing the situation;
- Increase the human resources to manage the crisis and to ensure the security of immigrants citizens in the current context;
- The emergence of nationalist parties that are positioned in opposition vis-a-vis the reform of Schengen and existing tools useful in solving problems - both migration and the issue of terrorism;
- Border control or the introduction of these practices;
- Deficient cooperation of intelligence services and law enforcement organs;
- The limits on flows of European citizens, goods and capital as a result of restriction of freedom of movement;
- Lack of consensus and open dialogue on issues of common interest and national interests that prevail sometimes in relation to shared needs;
- The polarization of communities with respect to immigrant groups and use these positions to support public campaigns to obtain political capital;
- Lack of flexibility in terms of social mechanism that it involves political existence and functioning of the Schengen area;
- Failure to control and block illegal activities, or cross-border mobility of suspects wanted for illegal activities;
- Repatriation of European citizens who have joined forces with ISIS or Kurdish and supporting the radicals views or who criticize and challenge the organization and functioning of European society;

Analyzing from a rational perspective the relation between Schengen and terrorism in recent months, would be more than absurd to contend that recent events had as the main

⁶ The Algerian president, aged 79, controls increasingly difficult the power rivalries in the area and did not achieved a sustainable reconciliation after the civil war ended in 2002 and the riots in 2010-2011 (the Arab Spring).

⁷ Besnik P., „The Budding Autocrats of the Balkans”, *Foreign Policy*, 21.04.2016, available at <http://foreignpolicy.com/2016/04/15/>.

facilitator precisely the benefit of the European construction. Moreover, further research showed that behind the attacks were Europeans, in their second or third generation here, which, in our opinion, were not integrated properly. From another perspective, it is equally absurd to suppose that a waiver of the Schengen Agreement will stop or limit the mobility of terrorists. From our point of view, the Schengen area should be used as an indispensable tool in the fight against terrorism and that because such a phenomenon can be overcome only through joint efforts. We emphasize this in the following proposals regarding the future agreement.

SCHENGEN: REFORM OR DISSOLUTION?

Abolishing the Schengen area would be an irreversible blow to everything that the construction and European integration means. Efforts in recent decades would be for nothing and the feeling of belonging to the community would be irreparably damaged, both to individuals and to communities. Moreover, it would be an admission of powerlessness in the face of European external threats and a polarization of the Member States. Therefore, mini-Schengen areas is not a solution.

In our opinion and following the analysis that underlies this material, the only viable option is to reform the Schengen area, with the old principles but with new practices.

Thus, we believe that across the European community (both Member States and those non-States, but part of Schengen) structural reform have to be based on the following objectives (converted into solutions to solve current problems and further ones):

- Avoiding the acceptance of new members and the qualitative development of the partnership;
- Acceptance of new conditions of the application of border controls and facilitate collaboration between Member States;
- Develop concrete and specific legal frameworks for each border side (we refer here to the internal ones) and external border areas (both marine and terrestrial) regarding their management;
- Standardization of procedures and increased interoperability of forces;
- Assuming proportionate financial involvements in terms of managing external borders for all Member States;
- Creation of tools for direct communication between all Member States by institutions with attributions in border protection, law enforcement, etc. making able the direct dialogue and punctual non-formal problem solving;
- Application of Need-to-share at the expense of Need-to-know principle when it comes to cross-border intelligence sharing (valid for national intelligence services and for eventual supranational structure at European level);
- Reducing bureaucracy and streamline procedures;
- Application of CIRAM model (the model on which the FRONTEX analyzes the risk) on an extensive database involving all Member States and institutions with security;

In conclusion, it is easy to evaluate the usefulness of Schengen Area both for further argumentation of the European construction and also for deepening the European integration at the community level. It is also important to address the sustainability of socio-political construction in a general way, taking into account any external changes that may affect its durability and reliability. Furthermore, recent events have shown the need for an increase in pragmatism at European level, in terms of joint efforts between the Member States and not in terms of promoting national interests on the benefits of belonging to such a supranational structure.

Simultaneously to continue the European project, is required a transformation of how future socio-economic structures are designed and how further efforts related to increased individual participation are going to materialize the motto "United in diversity". It is imperative to be cultivated in Europe an evolved sense of belonging and communities have to recognize and assume the role they can play in the development of the European idea.

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