

# STUDY GUIDE

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# European Council

1. Reasserting the Role and Status of EU Law
2. Maintaining Energy Security of the European Union



# European Council Study Guide

European Union Simulation in Ankara (EUROsimA) 2022  
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## Letter From the Secretary-General

Dear Participants,

My name is Batuhan Bera Karagüzel and I am a senior student of International Relations at the Middle East Technical University. As the Secretary-General of the EUROsimA 2022, it is my utmost pleasure to welcome you to the 18th annual session of our conference on behalf of our Director-General Ms. Beyza Güler, and the entire EUROsimA 2022 team.

The European Council, being the forum in which heads of state of the member states of the European Union meet in order to give political direction to the European Union, is one of the foundational bodies of the EU. In 2022, delegates of the European Council will have an opportunity to engage in debates that will hopefully enable them to understand the role of member states in the policy making of the European Union. These debates will be centered on the current energy crisis of the EU and the EU's role in a rules-based multilateral global order that faces many challenges today.

Under-Secretary-General of the European Council Mr. Canberk Kırmızı and the Academic Assistant Ms. Erva Gökbaş prepared an excellent study guide that is the fruit of months long hard work. I am truly grateful for their hard work during the preparation period of our conference.

I highly encourage participants of the European Council to carefully examine this study guide to become fully prepared for the conference.

Kindest Regards,

Batuhan Bera Karagüzel Secretary-General of EUROsimA 2022

## Letter from the Under-Secretary General

Esteemed Participants,

I am honored to welcome you to the 18th edition of European Union Simulation Ankara, The EUROsimA. My name is Canberk Kırmızı. Currently, I am studying International Relations and I'm a last year student in Middle East Technical University. As a person who had taken part in EUROsimA previously, I am so excited that our conference will welcome you after "a huge coffee break" because of the pandemic. The European Council, as it is proceeding, is basically happening with the participation of the head of states in the European Union Members. Leaders meet in order to gather together for sustaining the democratic order of policy making. In EUROsimA 2022, the European Union Committee will work on important problems that need to be solved such as energy, rule of law, populism and more within the perspective of the head of states and their ability to cooperate upon these issues.

Before ending my letter, I would like to thank our Secretary-General Batuhan Bera Karagüzel and our Director-General Beyza Güler, for the magnificent effort they put into making this conference happen. Also, I would like to thank my academic assistant Ms. Erva Gökbaş for her unbelievable and wonderful effort while preparing this committee for EUROsimA. I can sincerely say that her efforts were one of the most important factors and motivation in the whole preparation process, not only as an academic assistant, but also as a true friend.

Lastly, for any questions, you can contact me via [cnbrk177@gmail.com](mailto:cnbrk177@gmail.com) without any hesitation.

Sincerely,

Canberk Kırmızı, Under-Secretary-General responsible for the European Council

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## **A. Strengthening the Energy Security of the European Union**

### **Energy Policies of European Union**

The European Union is one of the most important institutions for the energy industry. Under the light of the facts like the intensity of industrial areas, and the existence of highly populated cities that have been set up in a modern structure are just a few reasons that emphasize the importance of energy security in this region. Although there are many challenges, have been faced by European Union, such as increasing import dependency, limited diversification, high and volatile energy prices, the increasing rate of the need for energy, security issues while transportation of the raw materials and energy resources, climate change and carbon emission problems, energy efficiency and how to rise it, renewables and the need for the rise of transparency, integration and interconnection between and in energy markets and industries.<sup>i</sup> The main policy of the EU towards the energy sector is being shaped by these factors with a goal to achieve an integrated energy market, sustaining the energy supply security and protecting the continuity of the energy sector.

The Energy Union (2015) states principles for the energy policy of the European Union. One of these objectives is providing a suitable environment to distribute Europe's sources of energy and ensuring the solidarity and cooperative approach on the energy security between European Union countries. Also, sustaining an energy efficient environment and reducing dependence on imported energy and arranging the emission variables in different sectors. Moreover, it is also emphasizing the importance of reaching a fully integrated internal energy market and ensuring the energy and transmission of it in the EU within the necessary infrastructure and without any regulations or technical obstacles. Lastly, decarbonization of the economy and reaching to a low carbon economy under the Paris Agreement while creating jobs and sustaining the growth and increasing the amounts of the research on low-carbon and clean energy technologies and supporting these actions in order to improve a smooth energy transition and raise the competitive character of the market.<sup>ii</sup>

The European Council implemented a policy framework including the comprehensive integrated climate and energy policy, which is still in progress, on 24 October 2014 and revised in December 2018.<sup>iii</sup> These policies target important achievements by 2030. These achievements can be exemplified as a reduction of greenhouse gas emissions minimum 40% if it is compared with the levels in 1990, increasing the share of the renewable energies in the whole usage of energy in the rate of 32%, improving the energy efficiency, interconnection in minimum %15 of the electricity systems of the European Union. In 2019, Decision (EU)

2019/504 brought the subject of possible changes in the energy efficiency policy of the European Union and the governance of the Energy Union because of Brexit. On 14 July 2021, the European Commission adopted the “Delivering the European Green Deal” which contains lots of different proposals in different areas, with more projections beyond 2030. It is stating that the aim is reducing emissions by minimum 55% by 2030 and reaching a carbon-neutral stage by 2050. Also, the subject of continuation for the process of working for a fully integrated and properly functioning internal energy market is one of the most important topics that have been included to the agenda. Completion of the internal energy market is aiming to be a market that provides affordable energy prices and be a transition actor for renewable energy as facilitating the investments in green energy by giving the necessary price signals, providing security for the energy supplies and opens a way to climate neutrality.<sup>iv</sup> This legislation was placed in the Third Energy Package (2009-2014), which includes five different areas such as unbundling, national independent regulators, cooperation, ACER and fair retail markets.<sup>v</sup> Also, market integrity and transparency, Trans-European Networks for Energy (TEN-E) policy, based on Regulation (EU) No 347/2013 had been included in this package in order to be a guide for the infrastructure of trans-European energy lines.<sup>vi</sup> The Fourth Energy Package, named as Clean Energy for all Europeans, aims to do regulations on electricity market design, presenting new electricity codes for energy storage and incentives to contribute for the mechanism of the internal energy market and overcome the issue of Brexit process in the European Union.<sup>vii</sup> Lastly, the Fifth Energy Package named as Delivering the European Green Deal, was released on 14 July 2021 and it is still under discussion. It is in the process of including the new energy principles and aims of the target of carbon-neutral Europe by 2050. The main focuses are on renewable energy, efficiency, energy taxation, air and maritime transport and buildings.<sup>viii</sup> Also, the Commission has announced a new regulatory framework for competitive decarbonized gas markets. In February 2021, the consultation period was started by the Commission.<sup>ix</sup>

Energy efficiency and renewable energy are especially important and up-to-date subjects in the current agenda of the European Union. In Energy Efficiency, Directive 2012/27/EU puts lots of measures and new directives for rearranging the Energy Efficiency Policy of the EU in order to reach the 20% rate of efficiency by 2020. In December 2018, the revision of the previous directive puts a 32.5% overall EU energy efficiency target for 2030. In July 2021, a proposal for the revised Energy Efficiency Directive aimed to rearrange the energy efficiency target to 39% for primary and %36 for final energy consumption and determined on 1.5% of final energy consumption between 2024 to 2030 for Member States to

keep their annual energy savings obligations.<sup>x</sup> The amended Energy Performance of Buildings Directive has already set the predictions and necessary plans for the years of 2030, 2040 and 2050 and long-term roadmaps for Member States for acting on these principles with a productive and progressive manner.

Renewable Energy is placing an important place on energy strategies and policies of the European Union because supporting and providing a suitable ground for the improvement and production of the renewable energy are supporting the fact that the dependency on energy is getting decreased. At some point, the consumption in Europe might exceed the amount of energy that is being provided by energy markets and renewable energy is the best alternative to sustain these energy flows towards the final consumption step. In May 2013 European Council, it was emphasized that the improvement on the security of energy supplies and developing local energy sources in order to decrease the dependency on external energy resources. With different directives, goals of possible usage of renewable energy had been set as 20% in 2020 and 32% in 2030. As a further intention, a proposal in July 2021 tries to increase the renewable energy target directive from 32% to 40%. The Commission also emphasizes the importance of taking steps for the effort of providing a climate neutral EU until 2050.

In 2012, the European Union created a mechanism in order to ensure better and more effective coordination between countries from the EU and countries outside of the EU. As a related point of view, security understanding on energy supply is one of the most important subjects which became part of the daily agenda. “Clean energy for all Europeans package” includes various risk analyses and precautions in the industrial electricity sector. The cooperation between member states is very important because in a possible crisis, preparing the flow of resources into the points that need the most is very important. This regulation ensures a suitable environment for the member states in order to work transparently for getting ready for any kind of crisis and preparing their resources and tools to find solutions. On this subject, the European Union has adopted various regulations in order to indicate risks and set emergency plans for any circumstances. The security of Gas Supply Regulation in 2017, implied different points on possible crises in the gas sector, possible ways to prevent them, unity of Europe on that subject and mechanisms while struggling with these problems. The EU's Oil Stocks Directive emphasizes that member states have to have a certain minimum amount of oil stocks, depending on the country's capacity and need. Moreover, the EU Commission offered an extension for the Gas Directive in the aspects of pipelines between member states and third countries in general. There were amendments for the Gas

Directive in 2019, which includes regulations upon the Gas traffic between European Union member states and third countries. In addition, the Directive on Safety of Offshore Oil and Gas Operations has different special additions. Regulation (EU) 2017/1938 also made a declaration on the crisis in Ukraine and provides sufficient topics for improving regional cooperation, action and emergency plans and a strong mechanism for ensuring the security of the gas supply.<sup>xi</sup> In daily agenda, the Green Deal has an important place to be discussed and implemented in order to provide continuation of all regulations related with a carbon free, renewable energy based European Union in the future. On that basis, Just Transition Fund has been proposed in order to facilitate the transition from coal and carbon based energy to low-carbon energy. The infrastructure for the energy transmission is being included by the TEN-E policy, which includes 4 electricity, 4 gas and one oil corridor and thematic areas in order to improve EU energy networks.<sup>xii</sup>

The energy policy of the European Union has been supported by different funds, programs, researches and projects. The Horizon 2020 framework programme was one of the most important agenda for promoting researching on energy. It took place from 2014 to 2020 and it was very important to discuss energy security and efficient energy within the perspective of sustainability. Under the light of this program's success, the Horizon Europe framework program will take place from 2021 to 2027 as the successor. Also, the European strategic energy technology plan is another initiative which was taken by commission in order to achieve all the goals on energy, including climate neutral energy and carbon-free environment. This wholesome approach contains different aspects upon energy understanding of Europe, from accessibility to economic dimensions. Moreover, considering the key role of the batteries on electricity which affects the decarbonisation process in a positive way, the publication of Batteries Directive tries to prevent battery wasting and support sustainable and competitive industry of batteries.<sup>xiii</sup>

### **Introduction to Energy Security**

The resources and the existence of energy is one of the most crucial things for a country which wants to sustain its existence in a progressive way. Many countries, many nations desire to continue their progress on economy, production, businesses and service industry from institutions to households. This understanding can exist by a secured energy supply for today and the future. To ensure this, most of the governments form their energy policies and energy security principles in order to end this concern and replace it into a safe

zone.<sup>xiv</sup> O'Sullivan defines energy security from a traditional perception, saying that energy security is having access to sufficient supplies at a reasonable price. It was seen as a notion which is related with the consuming or net importing countries and accessibility, supply and affordability were key concepts of this understanding. This perception has started to become more comprehensive in different aspects. Instead of evaluating the topic as a customer-based perception, it is also including the countries who have rich resources. O'Sullivan underlines that the security of energy demand is also very important like the security of energy supply because of the countries who receive an important amount of income from the energy export. Also, the security of energy transit is very important. Infrastructure security and investments, transport lines are essential to provide affordable energy while completing all the progress while transferring the energy.<sup>xv</sup>

The question of energy security has been put into a place that can be seen as a part of the concept of energy supply. Main expectancy from the energy supply notion was the flow of uninterrupted energy. While providing this stream, countries also emphasized the notion of energy security, which had been seen as provided. This question has been extended in many meanings, because the dimensions of energy security started to become more complicated than providing a commercial relationship with another country which is ready to trade energy resources. Instead of possessing an amount of energy, the relationship between the countries who are the owners of the energy resource, and the countries who are dependent on other countries in the meaning of energy resources.<sup>xvi</sup>

This creates long disruptions of agreements, contracts and a period of forming new or restored relationships between these two sides. Countries, which have natural energy resources, like fossil oil etc. can use their position to be a commercial preference among the countries who cannot reach their own energy due to lack of resources to sustain their development and economy. Both the energy resource-rich and resource-poor countries seek to have sustainable development without any interruption. The energy resource as a notion, is an irreplaceable part for this understanding in general. Because a secure resource for a country means that the investments toward industry, economy, security and social aspects of life require a guaranteed energy plan. According to Mouraviev and Koulouri, the resource-rich countries continue to keep buying new energy sources in order to sustain the relations between them and the countries which are dependent on them for energy trading.<sup>xvii</sup> This creates a disadvantage for these countries because their plan for sustaining this system makes the awareness and advantages on renewable energy notion decreased. While looking from two perceptions through energy security, Mouraviev and Koulouri also emphasize the

notions of utilization of renewable energy sources and resource use efficiency. According to them, enhancing the energy security globally needs to have two different actions, renewable energy production increase and efficient resource usage. In continuation, the critical approach toward traditional understanding of energy security contains a point where the countries, such as Russia, Kazakhstan, Saudi Arabia, United Arab Emirates; rely on finite resources like fossil fuels while determining their economic roadmap. Also, the beneficial points that have been taken from this commercial relationship is becoming an obstacle for taking progressive steps for renewable energy transition for these countries.<sup>xviii</sup> A possible step for adoption of the new concept of energy security requires a gradual reduction on fossil fuels dependency. The traditional approach is being lucrative for the countries who are using these resources as the main actor for economic issues. However, this consumption is getting higher since the population of the world is growing. Moreover, the finite resources will be extinct depending on the amount of usage from now to the future. Countries who stand for this approach, also believe that their main source for widening their economy is relying on fossil fuels. Mouraviev and Koulouri underline a new conceptualisation on energy security and energy policies in order to change the base idea on energy.<sup>xix</sup>

In that term, O'Sullivan believes that the relationship between energy and security is more complex and deeper. Besides energy security, the concept of energy geopolitics can be used to broaden the perception toward this subject and can create a unique understanding upon it. Most of the contemporary issues are related with the traditional approach to energy security. However, it does not mean that the importance of other sources or new approaches can be counted as irrelevant and unimportant.<sup>xx</sup>

In the aspect of Europe, the energy policies and the perception for energy security have been developed for years. Especially, considering climate change, low-carbon energy, green deals and more concepts are showing the fact that Europe started a transformation in its energy understanding. EU Energy Strategy 2020 and Energy Roadmap 2050 can show an important dedication to this change. As a start, the first oil crisis of 1973 showed a necessity to include the energy security concept as a subfield of international relations studies. Global political changes are changing the dynamics of the field rapidly, and the relations between countries can affect the supply-demand balance drastically. Dependency on fossil fuels for years is an important factor to put this subject under the energy security notion since the

country who provides the supply can determine every balance between this relation with different demands. Also, one of the common things that is being seen in International Relations is the dynamic structure of diplomatic attitude. Any change in the political stand on some point may put the energy security of a country in a vague state.<sup>xxi</sup> For example, the conflict between Russia and Ukraine in 2022 shows a clear statement for the importance of energy independence in the meaning of sanctions that have been implemented by the European Union against the Russian Federation. The understanding of traditional energy security has been damaged by this conflict since the agreements between the European Union and a third country, such as Russia, are affected by the political changes in the international relations. Furthermore, the European Union and the western world as a whole started to become aware of the fact that there must be alternative energy resources in order to sustain energy flow to the countries that haven't had natural sources in their borders. In that matter, the transition to low-carbon and green energy can be one of the best alternatives that would also affect the climate change crisis positively.<sup>xxii</sup>

### **Market Failures and Challenges of Energy Security In Europe**

As mentioned above, the conceptualization of energy security has not gone too far, even though the concept has an important place under the IR discipline. Since that, there is no common definition of energy security or global energy security. In the global aspect, there have been lots of different challenges, struggles on energy security. Most of the time, two types of energy have placed into the middle of the energy security challenges which are oil and natural gas. According to Fischer, these two are the most politicized goods of energy since coal is one of the most common energy resources in the world in general. Even if there is no expectancy on any problems since the demand and the supply are determined in a standard manner with high flexibility, there can be different challenges in the energy market as the examples that it can be seen in the past. Andreas Goldthau conceptualized the market failure notion with 4 different points which are imperfect competition, existence of externalities, incomplete information and public good characteristics. Briefly, imperfect competition can be explained as the overpowered structure of the demand and the supply side of the market which affects the price occasionally. Externalities are basically the factors that are not directly related with the specific topic but because of their existence, a possible effect is occurring to energy markets. For example, a problem in the economy, that causes a recession, might affect possible economic moves toward energy markets. The third

component, public goods can also create a wrong impression on pricing mechanisms. Unlike private goods, public goods are being produced by public actors and because of that, the costs and pricing mechanisms can be differentiated from the private good realm. Eventually, this situation causes an effect on markets, especially in the regulation of the prices. The last component is the lack of information. Generally, states have a tendency for preserving the information about their reserves to themselves because of their security. This leads to also creating speculations about the expectancy on demand and supply. As a consequence, this might affect the normal functioning of the market.<sup>xxiii</sup>

As a fact, the energy policy was one of the most important points that caused the process of integration after the World War. After that period, the establishment of the European Coal and Steel Community had affected the existence of an integrated body in Europe, but this action would not become a crucial step towards a unified Europe. Within the last decades' perspective, unification has been provided and energy unification is still an agenda that is being examined by the factors of the European Union. As a wholesome institution, the European Union puts the energy security agenda as one of the priorities that need to be discussed and solved. Fischer underlines the fact that there are a few major obstacles for the European Union to set an agreed policy. One of them is, as stated in the Article 194, paragraph 3 of the Treaty on the functioning of the European Union, the structure of national energy supply and the balance on the importance of national aspects towards this issue. In the past, some of the countries were showing an opposed attitude towards the general understanding of energy policy, because of their protective vision on their own domestic resources.<sup>xxiv</sup>

As a beginning of today's perception, energy security policies in the European Union started to become developed under the basic values and legal borders of the European Union and this led to an initiative on building a common EU energy market. Underlining the fact that establishing a body which can create a framework in order to define this unified body's purposes and targets on energy security, would also provide a suitable environment to be an institution which can detect problems and market failures.

International energy security for the European Union has been taking place for a certain amount of time. Besides non-renewable fuels such as oil and natural gas, there is an important focus on renewable resources as future agendas of European Union energy understanding.<sup>xxv</sup>

The Coal Miner's conflict has resulted in the creation of world democratic societies in the 19th and 20th centuries<sup>xxvi</sup>. Considering the main driver for the increasing Nazi domination was mainly resulted from the oil scarcity, the Western-European countries has searched for the absule solution, which can noth only prevent wars between states but mainly make the war unthinkable. Therefore, the European Coal and Steel Community, ancestor of today's European Union, was established to prepare regulations on the specific energy sources, which are coal and steel<sup>xxvii</sup>. Moreover, it should be recognized that the two of the three treaties (ECSC and Euratom) established the European Communities in history<sup>xxviii</sup>. Another treaty shaping the energy regulations and policies of the EU was Lisbon Treaty. Article 194 of the treaty covering the functioning dimensions of the European Union ensures the functioning of the EU considering energy efficiency and the security for the energy supply<sup>xxix</sup>. Apart from the treaties, the Council Directive has also established a general framework for the creation of energy independence of the EU considering the sources of energy. In this respect, Council Directive 2004/67/EC4 creates a general legal ground covering the safeguard of natural gas supply. Additionally, the regulation on gas, electricity and oil are covered as well. With the Directive 2005/89/EC it is aimed to establish a harmony with providing necessary actions for each member state on the subject of security of electricity supply<sup>xxx</sup>. Moreover, directives 2006/67/EC8 and 2009/119/EC9 have laid down the essential rules for the source of oil in terms of supply security<sup>xxxi</sup>.

Apart from regulations, treaties and directives considering energy security, there was a need for an union that specifically deals with the essential strategic decision-making on this subject. Therefore, the idea of establishing the European Energy Union Strategy has been first taken up by Minister Donald Tusk, gotten the priority with the attempts of Jean-Claude Juncker, founded of its body on 25 February 2015 with the establishment of the "Energy Union Framework Strategy by the European Commission<sup>xxxii</sup>". According to Jean-Claude Juncker, the relieness of the EU on fuel and gas imports shows the need for a diverse energy source so that Europe can shift to another source when import countries use this privilege to accomplish political and economical aims<sup>xxxiii</sup>. From this perspective, the general aims of the Energy Union show loyalty to the objectives determined in the 1990s and 2000s, which can be classified as liberalizing the European energy sector, building an internal energy market considering gas and electricity, and providing a competitive energy market EU-wide<sup>xxxiv</sup>.

Considering the pathway of the Energy Union, it can be said that it is created according to the five dimensions, classified as energy security, solidarity and trust,

establishment of an European level energy market, energy efficiency, decarbonising the economy, and innovation and competitiveness<sup>xxxv</sup>. The first dimension of all deals with the necessities for the ensuring of energy security. In this perspective, the transparency on gas supply contracts has an essential role since this is the main beginning point for upcoming regulations and actions<sup>xxxvi</sup>. Along with this, the cooperation among the member states on the diversification of energy sources, suppliers, and routes is an objective under the first pile of the Energy Union since it can create the general framework for the establishment of the Internal Energy Market<sup>xxxvii</sup>. With the second dimension, it is aimed to establish future strategic goals, such as an EU-wide energy market, together with the repair of past inadequacies<sup>xxxviii</sup>. Therefore, increasing and completing the implications of the Internal Energy Market Package by strengthening the regulatory framework creates the main borders of the second pillar. After this recovery process of the past regulations, the way for the European Internal Market will be opened by upgrading trans-border networks<sup>xxxix</sup>. The third dimension covers the energy supply and efficiency. In order to ensure the energy supply, the moderation of the demands plays a crucial role for this strategy<sup>xl</sup>. By moderation, less extreme and easier demand to deal with is meant. Along with the energy supply, the energy efficiency is also covered in this dimension. Energy efficiency, determined as an energy source in its own right, is suggested for member states to put it in their prior strategic plans<sup>xli</sup>. The fourth dimension is the one following the climate policy of the European Union. Under this pillar, it is encouraged to carry the EU at the top level in the usage of renewable energy sources, along with the other climate targets, through preparing markets, and grids for carbon neutral energy sources<sup>xlii</sup>. The fifth, and the last dimension is mostly associated with the structural implementation of the energy market. In this perspective, the competitiveness and efficiency in the energy market, especially in renewables, and storage, is aimed<sup>xliii</sup>. Moreover, consumer participation in the market, sustainable transport systems creating the main obstacles for the transition to renewables, and building energy neutral systems draw the main schematic of the final pillar<sup>xliv</sup>.

After determining the dimensions of the Energy Union, the execution of each pillar should be observed. For this reason, The European Commission publishes reports considering the state of the Energy Union to take the stock of process in the implementation of the EU's climate targets, and energy<sup>xlv</sup>. This action provides the Commission to intensify its relationship with other European institutions, EU countries, and international partners. In this respect, the last State of Energy Union Report, published in 2021, bears a torch in the way of monitoring the progress made by member states<sup>xlvi</sup>. According to the report, the effect of the

Covid-19 on the consumption rates has led to a decrease in the Greenhouse Gas Emissions by 39% compared to the 1990s<sup>xlvii</sup>. Moreover, increase in the usage of cheaper fuels, small demand, and rapidly expanding renewable generation trend has paved the way for energy prices to fall sharply in 2019<sup>xlviii</sup>. On the other hand, due to the drastic increase after the pandemic, the downtrend in the energy prices has bearishly reversed in 2020, which caused the electricity prices to increase by 230%<sup>xlix</sup>. Another major factor determined by the European Commission is that the dependency of the EU to the import countries reached 60.6% in 2019. When it is considered the fact that the dependency rate was 56% in 2000, it can be understood that it is the highest level in the past 30 years<sup>l</sup>. Therefore, considering the Commission' report, although there are improvements in terms of implementation of the necessary 5 pillars to reach the climate targets, there are still shortcomings of what is expected to be realized. An acceleration is required not merely to accomplish a fair transition to green energy by 2050, but additionally to stabilize the fluctuations of the energy prices faced by the EU<sup>li</sup>.

## INTERNAL ENERGY MARKET

From the historical point of view, the idea of the establishment of an internal energy market aiming at liberalization is not a brand-new concept. According to Radostina Primova, the improvement of this institution can be divided into two categories which are the early days from 1980s, along with the first and second energy market packages in the 1990s, and the publication of the third energy market package in 2000s<sup>liii</sup>. In each category, it is seen that the attempts of liberalization of the energy market has been tried to be accomplished by applying certain types of “unbundling”, referring to the separation of network assets, such as generation and supply activities from transmission and distribution actions, and being paramount for the establishment of a free and competitive market<sup>liiii</sup>. As far as the first time period is concerned, keeping in mind the fact that main roots of the idea of an internal energy market traced back to the Single Market Initiative 1985, it can be said that deep-rooted framework is created with the first and second energy packages specified as Gas and Electricity Directives (Directive 98/30/EC; Directive 96/92/EC) in 1990s<sup>liv</sup>. However, the foremost objectives of these directives were to achieve a free and competitive internal market providing each member state access, rather than extend the decarbonization trend among the EU market infrastructure. Moreover, considering the first energy directive, it is seen that there is an attempt to stipulate requirements for legal bundling, meaning that the utmost

importance is given to set up a distinctive legal undertaking for the purpose of carrying out the activities of the network company. The second package issued a non-discriminatory access to the transmission and distribution systems for third parties. Moreover, the regulatory character of the energy sector has been increased with the establishment of the European Regulators Group of Electricity and Gas (EREG) <sup>lv</sup>. In general, it is seen that both packages contributed to the standardization of the structures, institutions, and rules in the framework of the national electricity market.

When it comes to the late 2000s, the seeds of the first time-period began to be seen. Further barriers in electricity trade have substantially been removed due to the improvement of the regulatory environment, which resulted in the creation of incentives for making investments <sup>lvi</sup>. However, according to the reports of the Commission in 2006, the first two packages were not so enough that there still exist contradictory interests arising from the vertical integration, market distortions, barriers for the free and competitive market <sup>lvii</sup>. For the purpose of increasing the efficiency of the first time-period packages, and for also filling in the gap from the previous attempts, EU adopted a third package of liberalization in 2009 <sup>lviii</sup>. Therefore, different unbundling techniques, called legal, functional, and accounting, are used in this framework. In general, the third package covers three main dimensions in itself, which are full ownership unbundling meaning a fully separated supply and transmission activities, allowing vertical integrated companies to keep their network assets while departing the transmission system operation from these companies, and finally letting the vertical operated companies to hold their transmission system in return to give their operator system to one another independent body with a number of provisions <sup>lix</sup>. The package has also created the EU Agency for the Cooperation of Energy Regulators (ACER) to provide the ground for the harmonization between regulatory forces in the gas and electricity sector <sup>lx</sup>. Considering the three dimensions and the ACER, it can be concluded that this provision contributed to the regulatory forces improvement by separating national energy regulators from the companies and governments.

The main idea proposed by the EU internal energy market is that an increase in the welfare, lower and more stable prices for the consumers, and large efficiency gains will be ensured by the establishing free and competitive market infrastructure across the European Community <sup>lxi</sup>. In this explanation, free competition refers to the ability of the consumers to choose their service from companies across Europe while the concept of fair competition indicates the market structure free from dominant players. The general framework of the EU internal energy market consists of two main ideas, which are tariff and non-tariff or

regulatory barriers. The latter is the determinant factor creating the incentives for the improvement of the energy market. In this respect, regulatory barriers refer to the obstacles for producers to sell their product to another country. This is because although they have met all the requirements proposed by their own country, they cannot sell them to one another country wanting different regulatory processes to be applied on productions<sup>lxii</sup>. Therefore, there is a need for a set of regulations to protect producers, consumers, and public interest. Moreover, regulatory strategies in the single market can be classified as limited harmonization and mutual recognition<sup>lxiii</sup>. As far as the former concept is considered, it refers to the coverage of the public interests by the member states to create common principles for the purpose of governing the interests. Under this strategy, member states harmonize their legal framework or national rules on these specific contents<sup>lxiv</sup>. The latter one is the payoff of the limited harmonization. Under the mutual recognition principle, provided goods and services meeting the common standards proposed by the implementation of the limited harmonization principle can be sold to other countries without any obstacles even though they are not produced as in line with the non-harmonized legal principles of the country buying the goods<sup>lxv</sup>.

As the principles and strategies of the internal energy market require different applications on many issues, such as regulatory actions, or legal arrangements, the implications and results of this creation is a multidimensional subject. First of all, appropriately implementing the free and fair competitive system to the internal energy market, the congestion of the EU Energy Market will be solved with the expanding access of the independent producers of the Renewable Energy Sources (RES) to the common market<sup>lxvi</sup>. Moreover, the authoritative and controlling attributions of the vertically integrated energy monopolies will be eliminated for the purpose of ensuring competitiveness, which can pave the way to the realization of the modern market economic infrastructure considering energy. Therefore, modern energy structure can reduce the dependency on fuels by integrating renewable energy sources in the common competitive market.

## EU ENERGY POLICIES FOR THE GREEN TRANSITION

### 1. Circular Economy

The European Commission adopted the Circular Economy Action Plan (CEAP) in March 2020<sup>lxvii</sup>. This plan provides the main building blocks for the implementations of the European Green Deal. In general, this plan will lead to a transition to the economy, reducing

the pressure on natural sources and providing the opportunities for the sustainability of jobs and the economic sector.

The concept of circularity refers to the circular flow created by the use and reuse of the products, materials, and resources<sup>lxviii</sup>. By prolonging the life of products and materials in the economic chain, it aims to minimize the environmental cost and waste<sup>lxix</sup>. As a result of this, it has many environmental, climate, and economical benefits for the EU. In the perspective of environmental benefits, it can be said that with the transition to the circular economy from the disposal-based linear type economy will help the EU to accomplish the environmental targets including sustainable green growth. Moreover, it also provides the general ground for the creation of the new business models, job opportunities in the market if the economic benefits will be discussed<sup>lxx</sup>. The functioning of this type of economic model is that the perpetual flow of the usage of resources is ensured with the creation and design of the special products and industrial processes, which makes certain unavoidable waste of the production be recycled or recovered<sup>lxxi</sup>. According to the Ellen MacArthur Foundation, the circular economy model includes two types of cycles, which are biological and technical cycles. For the former, it refers to the reintroduction of the residues to nature after the usage of them while the latter refers to the place where the products and components are designed to minimize wastage<sup>lxxii</sup>. Furthermore, the circular economy requires producers to establish new business models based on “dematerialisation, longevity, refurbishment, remanufacturing, capacity sharing, and increased reuse and recycling”<sup>lxxiii</sup>. There are three types of business models appropriate for the implementation among companies: the design manufacturing phase, the use phase, and finally the value recovery phase<sup>lxxiv</sup>.

Although this proposition, which requires the transition of producers to new management models in areas such as process, application and production in the economic field, opens new job opportunities, reduces the damage to the environment and serves EU purposes, there are some problems in practice. For the companies, it requires coordinated work for the modification of the process to make it circular, initial investments for the creation of equipment and output, and lastly predisposing of the staff to make them accustomed to the new occupations<sup>lxxv</sup>. Furthermore, the non-risk taker and being focused on the short term gains character of the private sector resulted in the reluctance for meeting the requirements of a circular economy<sup>lxxvi</sup>. Therefore, many of the producers wait until the high commodity prices cause a necessary transition to the circular economy<sup>lxxvii</sup>.

## 2. European Green Deal Investment Plan

It is claimed that there will be zero GHG by 2050 with reducing conventional resources used for economic growth, and “no one or no place is going to be left behind” in this process<sup>lxxviii</sup>. For this claim to be realized, %30 of the general EU budget was set aside for the green and sustainable transition. Also, under the European Green Deal, the Investment Plan is put into force<sup>lxxix</sup>.

European Green Deal Investment Plan, also known as the Sustainable Europe Investment Plan, aims to realize two connected objectives; contributing for the financing of a sustainable and green transition, and supporting the regions and sectors affected by this transition process mostly<sup>lxxx</sup>. With this aim, it plans to increase the attempts of the EU for 2030 and 2050, to provide clean, affordable and sustainable secure energy, to reconstruct the economy in line with the principle of circularity, and finally to make the EU global leader in green transition<sup>lxxxi</sup>. Therefore, Investment Plan refers to the three aspects: establishing a funding mechanism worth approximately €1 Trillion from the EU budget, as well as from the public and private sources, putting the principle of sustainability in the center of the action, and providing support for affected regions, public administrations, and project promoters<sup>lxxxii</sup>.

Sustainable Europe Investment Plan (SEIP) includes certain aspects and institutions in its framework for the application and the provision of the investment plan. They can be classified as the EU Budget, European Investment Bank (EIB), Just Transition Mechanism, and InvestEU Fund<sup>lxxxiii</sup>. In this process, the EIB has a key role for additional fundings since it is expected to contribute approximately €250 billion to the investment. Taking into consideration both the European Green Deal Investment Plan and the EIB funds, it can be concluded that the total contribution will be €1.75 trillion of climate-related finance<sup>lxxxiv</sup>. The Just Transition Fund (JTF), covered under the SEIP, provides €143 billion for green transition. It aims to support the regions and communities affected by the transition challenges<sup>lxxxv</sup>. With this pillar of the SEIP, “noone is left behind” principle will be applied in the process. Therefore, each member state will benefit from the Commission, applying for the Just Transition Fund. Apart from the JTF, the Emission Trading System (ETS) also contributed to the Investment Plan. A part of the proceeds from tendering carbon allowances under the ETS will be allocated for the green transition<sup>lxxxvi</sup>.

The last and the most important pillar under the SEIP is the EU budget, representing the financial dimension of the Union’s response to many deep-rooted problems and security threats like climate change and its effects on energy security. According to the European Commission, €503 billion reserved in the EU budget to encourage sectors and investors for climate targets<sup>lxxxvii</sup>. The Common Agriculture Policy (CAP), the European Regional

Development Fund (ERDF), the Cohesion Fund, and Connecting Europe Facility (CEF), along with many other instruments, are the main tools that will make essential contributions for this objective<sup>lxxxviii</sup>. Overall, under the Sustainable Europe Investment Plan, extrapolated over 10 years (2021-2027), totally a fund with at least 1 trillion will be prepared by the contributions of the EU budget, Just Transition Mechanism, and InvestEU programs<sup>lxxxix</sup>.

### 3. FitFor55 Package

The draft bill package called Fit For 55, as the name suggests, is a bill made to reduce the emission rate by 55% by 2030<sup>xc</sup>. It is a package that aims to change the current legislation of the EU in line with the targets of the change on transition, energy, and climate. While preparing the groundwork for this exchange package, it was agreed to provide three main points. These are to be fair and feasible for every member state and the citizens of the European Union at every economic income level, ensuring and strengthening innovation and competitiveness for the EU, making the EU a leading and stable institution in environmental policies<sup>xcii</sup>.

The Fit For 55 package, which will be presented for discussion by the Council of Europe in July 2021, covers many issues, starting with taxation. Some of them are as follows:

- Energy taxation
- EU emission trading system
- Feed in Tariffs
- Carbon Border Adjustment Mechanism

#### 3.1. Energy Taxation

Institutional, market, and policy failures such as, the environmental externalities, absence of property rights, and inequality of tax burden between consumers and producers, can led producers and consumers of products and services to not have accurate information about the real scarcity or cost of the resources they consume and the environmental damage they cause<sup>xciii</sup>. Therefore, these deteriorations in the system cause the people involved to make choices without using their economic rationality, and to make choices that do not balance the environmental cost and individual cost, that is, harming the environment<sup>xciii</sup>.

Economic tools have an important place to change the existing system by keeping environmental policies and targets at the center. The main function of these tools is to reduce the difference between the social cost and the individual cost as much as possible and to cover the damage to the environment<sup>xciv</sup>. In addition, by diversifying the opportunities in the market with different policies, it is to direct producers and consumers to more environmental substitution products with economic regulations. Taxes on electricity generation or consumption, carbon taxation mechanism, feed-in tariffs for renewable energy generation and renewable energy powers, emission trading schemes, fiscal instruments, and public finance mechanisms can be given as examples of economic tools that have been or will be put into practice to achieve climate targets at local, regional, national and international levels.

Taxation policies, another economic instrument that can be categorized as Fiscal Instrument, are a set of regulations that aim to internalize the harm caused by producers and consumers to the environment, the economic definition of social cost, to the tax policy by completely internalizing them and to direct these individuals to make more environmentally oriented choices<sup>xcv</sup>. Energy taxes are taxes on energy products used for transportation, such as oil and diesel, electricity, and other purposes such as fuel oil, natural gas, coal, and electricity used for heating<sup>xcvi</sup>. On the other hand, the type known as green taxation or environmental taxation is a type of tax in which the damage to the environment in terms of energy, pollution, energy resources, and transportation is internalized by paying the damage to the environment by the companies, organizations or individuals that cause the damage<sup>xcvii</sup>.

EU Energy Taxation Directive is a directive that was put into effect in 2003 and covers the energy resources used in the field of motor, heating and electricity, sets a certain tax limit and gives the member states the right to tax at any rate they want, provided that they comply with the determined limit<sup>xcviii</sup>. However, when this directive is examined, it is understood that the environmental impact equivalent to the climate targets of the European Union is not included in the determination of the current taxation rates<sup>xcix</sup>. Therefore, it is necessary to renew the current ETD in line with the targets of the EU. In the process of renewal of this outdated directive, the main conditions determined by the European Commission can be listed as calculating the cost of the taxed product according to the rate of use and the damage it causes while calculating the tax rate, and the application of the principle of "whoever pays the damage" by eliminating the tax burden inequality.<sup>c</sup> Moreover, according to the report prepared by the European Environment Agency in 2022, the revenues obtained from change in the taxation system can be used to achieve other environmental targets set in the European Green Deal.<sup>ci</sup> Therefore, environmental taxation is one of the main

points of the FitFor55 package, which aims to revise and reorganize the current EU laws and regulations in order to achieve the goals of the European Union<sup>cii</sup>.

### 3.2. Emission Trading Schemes

The main definition of this system, which is a variant of economic instruments, is to put a price on carbon and rely on market mechanisms to achieve agreed reductions. It is a mechanism that provides the most flexible and least costly mechanism for achieving carbon reductions. The operation of this system, also known as cap and trade, is that a government sets a limit on the maximum emission level with the intention of directing firms to internalize and reduce their emissions and establishes a certain permit or allowance for each emission rate exceeding this limit<sup>ciii</sup>.

Although it is put into practice by many of the states that are both member and non-member of the EU, research indicates that it will not be a sufficient solution alone to achieve the goals in a short time<sup>civ</sup>. The main reason for this is that it is a system that includes the possibility that the upper limit determined when making carbon pricing is sometimes too high to achieve the climate targets, or too low to cause imbalance and deterioration in the market, according to the development levels of the countries.<sup>cv</sup> For instance, considering the ranking, conventional fossil fuels, such as gas oil and petrol, and non-sustainable biofuels will be subject to the highest minimum rate of €10.75/GJ when used as a motor fuel and €0.9/GJ when used for heating. This rate also serves as a reference rate for the other categories<sup>cvi</sup>. Conversely, this determined rate could be insufficient for many countries who produce and consume more or less traditional fossil fuels.

### 3.3. Feed in Tariffs

As a kind of policy regulation instrument for the environmental targets, Feed in Tariff, which is used mainly in Germany, Japan, and China, aims to increase the rate of investments in renewable energy sources. This policy mechanism offers energy producers a market price which is above the current price to encourage them to invest in this field.

In general, it has three conditions and levels provided to the producers. Firstly, it enables a guaranteed grid access. This means that energy producers will have access to the grid without any limitation, and distinction. Another condition is related to long-term contracts. By making contracts usually from 15 to 20 years, a deep trust is tried to be established between producers and policy makers. What is provided in these long-term contracts creates the final option given by the feed in tariff policy, which is cost based

purchase prices. The main idea of this opportunity is that the producers are paid in proportion to the resources and capital expended to produce renewable energy<sup>cvii</sup>. With this idea, the expenditures of the small-scale producers will be covered, which can create an obstacle for the investment in other scenarios. It can be understood that the feed in tariff policy is an effective instrument to increase the production in the field of renewable energy by looking at the data indicating that the  $\frac{3}{4}$  of the global solar energy production is linked to the feed in tariffs<sup>cviii</sup>. Moreover, by the Intergovernmental Panel on Climate Change, it is stated that feed-in tariffs have resulted in a dramatic achievement in the capacity of renewable energy in 2011.

Considering the economic incentives and regulation, there is no one absolute solution or policy implementation covering the expectations of each individual country. In some cases, economic instruments can be used to increase the usage and production of renewable energy, which means to leave the solutions to the market system while in other places the policy mechanism can be implemented for the same target.

### 3.4. Carbon Border Adjustment Mechanism

Carbon taxation is a part of environmental taxation policy. In fact, in this system, taxes are a tax applied to the carbon content of fuels and aim to internalize the social cost of the damage caused by fuels to the environment by the producers<sup>cxix</sup>.

On the other hand, as carbon production for fuels will become more expensive within the EU borders, the probability of producers to produce in third world countries where such environmental taxation system is not applied or to find deficits in carbon production and marketing in import and export increases, which is called the carbon leakage problem. Therefore, the application developed as a solution to the problem is Carbon Border Adjustment Mechanism (CBAM)<sup>cx</sup>. The aim of CBAM is to eliminate the possibility of carbon leakage and to support the policies developed by the EU in line with the green deal. In this framework, in order to put CBAM in force manufacturers should obtain carbon certification. This certificate is a document containing information that corresponds to the price that EU importers would pay if their production processes were in accordance with the carbon taxation system<sup>cxii</sup>. Moreover, the mechanism will also work for non-member states when manufacturers in non-EU countries show that they make a payment including the cost of environmental damage for the carbon used in the product while producing in their own countries<sup>cxii</sup>.

## EU ENERGY CRISIS

The position and policies of the European Union towards energy is placed in one of the most important points of their agenda. This does not mean that there are some situations which can be problematic while implementing such agendas toward their daily politics. It is important that holding the balance between the dimensions of security, affordability and sustainability is the main purpose for the policymakers while determining on the energy policies. This purpose is directly affecting the future of the targets of the EU, related with the energy policies like zero carbon emission, the progress of the European Green Deal and more.<sup>cxiii</sup>

It must be considered that climate is one of the biggest impacts on the demand and supply for fossil resources. Within the light of economic realities, there are various factors that have been affecting the usage of these resources as fuels. For example, because of the low temperatures in the United States of America, the supply of LNG (liquid natural gas) has decreased. Also, the increase of demand on these resources because of the weather, started to create a differentiation in the energy market. Other than climate, especially in the last period, COVID pandemic has an important effect on this differentiation. Since the effects of the pandemic can be seen in the industry and the transportation industry, the scarcity of the shipping capacity created a decreased amount of trade capacity for LNG.<sup>cxiv</sup>

The International Energy Agency reports the data on the amount of gas usage, as 25% higher than the previous period.<sup>cxv</sup> Normally, the European Union's significant amount of energy production is related to wind energy. The decrease of the wind energy share in energy markets increased the demand on gas and coal since these resources are one of the main components of electricity production. For example, the gradual decrease of nuclear energy in Germany becomes a factor in this energy shortage. This raises the questions on the reliability and sustainability of renewable energies. Other than that, domestic production areas in Europe have recorded the lowest levels of gas storage. Besides the meaning of the replenishment rates as an important factor while planning the energy market regulations and usages in Europe, the post-covid situation of low inventory levels shows that Europe would not be able to create a protection on possible fluctuations of the energy price levels. For example, as a global problem, the conflict between Russia and Ukraine creates an unexpected fluctuation in energy prices because of the commercial relationship between the European Union and Russia. It must be also considered that the discussion over sanctions toward

Russia is also including a possible de-activation of the Nord-Stream 2 pipeline.<sup>cxvi</sup> Considering the political stand of that point, Germany's political attitude as a flagship member of the European Union, might affect the amount of energy that they have. That would cause different consequences since the energy sector is also affecting -firstly- economy, public and private sectors. Existence of the gas is very important for the electricity generation because the share of the gas on this production has been reaching to 22%. Differentiation on gas prices would affect almost every type of consumer, from industrial production to household consumer. Furthermore, the competitiveness level of European Union originated industrial initiatives or institutions would get harmed. The effect of this process would also make an impact on carbon levels since these resources have a significant amount of carbon-emission difference with clean energy.<sup>cxvii</sup>

Possible policies and precautions, that might be taken before encountering any problems that would affect significantly, are being suggested by the analysis of the European Union Institute for Security Studies. Firstly, a collective understanding of market fundamentals is very important since sometimes markets can fail while determining the balance of supply and demand. Also, creating awareness on the demand side is very important while the supply-demand ratio would get into a dangerous position on the consumer side. International aspects of the gas import-exports, such as the relationship between the European Union and Russia should be seen as an important determinant of the structure of the energy concept as a whole. Current situation in the Eastern Europe is directly affecting the energy sector and the energy prices globally and some surprising consequences are occurring, related to this situation. Also, globally, the competitors in the energy sector against the European Union should be considered as an important factor because the fluctuation in the prices and the dynamic continuation of the industry are directly affecting the energy contracts, especially in the LNG suppliers and sectors.<sup>cxviii</sup>

Transition of energy is an important process while considering the values and the policies of the European Union on Green Energy, de-carbonization and renewable energy policies. This transition must be done while considering the importance of efficiency and the suitability under the energy policies of the European Union. Also, there can be similar policies like International Energy Agency's principle on storing oils in decided amounts, on gas. As the continuation to full cooperation, creation of a budget for a fund in order to be used in crises would be a solution for unexpected crises. Transformation of the European Union's energy understanding contains a multidimensional structure, which is related with the diversified supply origins and the change in the energy understanding. Also, the capacity

and technology of storage are key components of the industry and improvement on these key factors would be effective while considering the efficiency and the process of the transformation plan of the energy understanding in the European Union. Furthermore, the distribution of the possibility for reaching the energy should be diversified and done in justified circumstances. Another point of view underlines the importance of the main structure of the energy market's economic dimension. Laissez-faire understanding might be seen as a suitable method since the subject of energy is much more crucial for sustaining daily life in the countries. The balance between demand and supply is an important topic and also the price fluctuations are another topic that needs to be discussed.<sup>cxix</sup>

## **B. Strengthening the EU's Contribution to Rules-Based Multilateralism**

### **INTRODUCTION**

Multilateralism is a concept referring to the collaboration of at least three states for the purpose of making strategic decisions in a determined framework, or for proposing solutions to the current crisis and problems in the world. It differs from unilateralism and bilateralism. While the former means that a state acts without considering the support and interests of other states, the latter is explained as a direct cooperation between two states.

Globalization also requires finding a cross-border solution and establishing this connection between countries when global problems are encountered, or global developments need to be increased. Therefore, the concept of multilateralism is seen as a result of globalization. For example, increasing migration problems, environmental crises, increasing problems in accessing energy resources, problems that arise or are likely to arise in international trade, failures in the implementation of determined political principles by states, or failure to take and violate the decisions required by international law are events that need to be resolved within the framework of multilateralism. Considering the current events such as Covid-19 and increasing oppositions for the main principles of the democracy, along with the threats resulting from climate change, there is a need for cooperation and a well-designed strategy between states when it comes to solving fragmented problems in the political arena<sup>cxx</sup>. In this respect, over the years, the European Union has become a key determinant of the international arena in many subjects, from economic affairs, environmental decisions, and human right defense<sup>cxxi</sup>. According to the 2003 European Security Strategy, the independent policy ground of the EU will be shaped with the notion of "international order based on effective multilateralism"<sup>cxxii</sup>. Moreover, as mentioned in the 2016 EU Global Strategy, the concept of multilateralism creates the "identity factor" for the union.<sup>cxxiii</sup> Therefore, as stated

by the current President of the European Commission, Ursula von der Leyen, in the political guidelines for her mandate, “multilateralism is in Europe's DNA”<sup>cxxiv</sup>.

However, in recent years the multilateral character of the international fora has been challenging with many problems concerning the actions of single states, and structural status of the EU. First of all, the rise of China has been shaping the global environment in terms of both politically and economically<sup>cxv</sup>. China increases its influence over the multilateral bodies including UN, and international financial institutions, by placing its nationals in high positions of authority. Moreover, it is emerging as a new super-power in the global scene with its global ambitions of the early age in the economical framework. On the other hand, the US has been withdrawing from its multilateral strategies over the past four years<sup>cxvi</sup>. For instance, President Donald Trump withdrew the US from the Paris Agreement, World Health Organization, and JCPOA, which the EU has been playing a key role in<sup>cxvii</sup>. Although President Biden will take essential steps toward reshaping this situation, these mentioned actions of the US have caused serious problems for the implementation of the multilateral principles in the international arena. Furthermore, the main principles of the World Trade Organization (WTO), which are pursuit of open borders, the guarantee of most-favoured-nation principle and non-discriminatory treatment by and among members, and a commitment to transparency in the conduct of its activities, has been damaged by the conflicting interests between many states. The World Health Organization and United Nation’s limited reactions to the health crises showed that the nature of the WHO and UN started to lose its main dynamics when it comes to multilateralism<sup>cxviii</sup>. Another problem resulted from the structural design of the European Union, being not a state. It has some attributions of being a state, yet it is a hybrid system. As stated by the European Parliament, “It is not well equipped to play a 19th century 'great game' of power politics.”<sup>cxix</sup> Therefore, it should renew itself by taking steps forward with the aim to develop itself for adopting to and precursor to the requirements of the multilateral arena. As a result of this, the Commission has indicated that the EU should play its vital role in the improvement of the rule-based global multilateral system, including leading reforms of the WHO and WTO to make them fit in the multilateral arena<sup>cxx</sup>.

In the framework of strengthening multilateralism in the global arena and its role in the determination and implementation process of it, the EU should increase its interaction between other international organizations, including UN, WTO, WHO, NATO, ensuring the strategic cooperation between states. In order to ensure the principles of democracy, and to prevent developments that harm human rights and freedoms such as immigration, war, and

violating legislative defenses, the projects and collaborations carried out with the UN are of great importance. Moreover, the contribution of the EU to the reshaping process of the WTO, and the cooperation between two institutions are essentially important to recover the world economy after the Covid-19. Also, the weakness of the countries in terms of the emergent health crisis should be strengthened. Lastly, the strategic coordination between NATO and EU will support multilateralism, especially in the field of border security, implementation of international law and principles, and many other critical situations.

## 1. BACKGROUND

Within the light of the previous discussions and reports, this is underlined that the multilateral structure principles of the European Union is one of the most important topics of the agenda. Main purpose can be seen as a sustainable environment for continuation of international cooperation, human rights and developing a suitable background which would be helpful to provide peace and security in the world. It is also compatible with the United Nations' works on these topics, while respecting international law and the United Nations charter.<sup>cxxxii</sup> As a whole, it is seen that all these outcomes will have an important place on a multilateral framework that would be functional. However, there are some problems that can be dangerous while sustaining a multilateral system. Especially, political and ideological shifts that have been occurring for years, starts to become a dangerous factor while protecting the core ideas of the European Union. Nationalism, authoritarianism, moving away from democratic values, human rights, international norms and more concepts become evident under the evaluation of the incidents, case by case.<sup>cxxxiii</sup> These universal issues are affecting the substratum, and this causes a shifting from unified norms to the more specified national values. The European Union puts a significant amount of effort while protecting the core values which create the fundamental understanding of this institution. Especially the disputes between countries of European Union about the test kits, masks and other hygienic products in the period of COVID pandemic, the conflict between Russia and Ukraine and that incident's effect on energy prices and stability of the region, the tension between United States of America and China in the topic of commercial relations can be seen as a few examples of the topic. The EU underlines the importance of the cooperation between institutions, NGOs and other establishments while fighting these problems. While supporting the idea of a strong attitude on multilateralism, it is believed that there must be some actions

that have to be taken to strengthen other institutions in order to sustain the cooperation and have a strong response as a unified body which assembles around multilateralism. Raising efficiency is being seen as an important and efficient solution while facing these problems.

In 2019, a conclusion which underlines a strong and solid approach from European Union to multilateralism, with the principles of “proactive, robust and responsible leadership from the EU on the multilateral scene”<sup>cxxxiii</sup> that points to the importance of the European Union countries in the multilateral structure of global politics, which was given by the European Council. Also in the 2021 Work Programme, the Commission emphasized the importance of the European Union’s role in that issue, with the necessity of the reforms for the institutions related with the progress.<sup>cxxxiv</sup> Moreover, besides strengthening the structures to prepare for the engagement between different institutions, the European Union aims to improve global cooperation in various areas like digitalism, artificial intelligence and more.<sup>cxxxv</sup>

The European Union is being placed in a crucial point of this agenda, as a key actor. Within the light of the possible actions which can be taken by the European Union, there are a few important points. As a main mindset, the EU needs to approach this situation more strategically since before having an interaction with different institutions outside of the EU, there needs to be full cooperation between member states of the union. Firstly, the consensus has to be reached and there needs to be a unification on that point. National values and purposes need to be regulated and also balanced under the unified approach. Collectivity of the European Union is one of the most important principles, such as constitutional structure, rule of law principle, that have to be taken into consideration while interpreting the actions of them. After ensuring connectivity between member states, the main purpose is improving the relationship between the EU and external actors like third countries. It needs to be emphasized that the values of the countries, that can be seen as possible cooperation, should be similar with the basic principles of the European Union, like democratic understanding.<sup>cxxxvi</sup>

### **The rule of law situation in the European Union**

The rule of law is one of the most important values of the European Union, as it is stated in Article 2 of the Treaty on EU. Comprehensive understanding of this concept presents an equality under the constitutional entities of the European Union within the light of democratic values, fundamental rights and the judicial system. “Legality, regulated and

investigated process of law execution, emphasized constitutional basis, anti-corruption, functional judicial system, equality and more principles are being underlined and contained by the rule of law understanding, under the approval and the supervision of the European Court of Justice, the European Court of Human Rights and the Council of Europe in the position of regulation and standardization.”<sup>cxxxvii</sup> This principle is very important for creating the basis of the European Union in many senses. Since this union has been created by various member states, which have different languages, cultures, state structures and economies, creating a common norm under the basic values of democracy and fundamental rights is becoming a core principle between all member states and the European Union as a whole. It is basically very important for every member of the state including state level to individual level. In that sense, the possible existence of threats is affecting all the subjects of the European Union in different dimensions, including economics, social life, legal aspects, politics and more. It is important that the rule of law must be respected by every member since this is a crucial responsibility for being a part of the European Union. This also causes a shared responsibility under the Union for solving issues that appear as a problem.<sup>cxxxviii</sup>

The rule of law is not only a subject that matters, in the borders of the European Union, but also outside of Europe. Possible cooperation and mutual values between the EU and third countries are being seen as crucial points for sustaining this understanding internally and externally. “Just like the scope of the UN Charter and International Law, the EU aims to preserve this important and respected framework of principles in order to protect all the values of human rights, democracy and also the rule of law. Upon that point, these outcomes were emphasized in the EU Action Plan for Human Rights and Democracy 2020-2024, showing a parallel stance with the Sustainable Development Goals.”<sup>cxxxix</sup>

The European Union has been working on the rule of law for years and trying to implement new ideas, instruments and tools in order to ensure the enforcement of the principles of the rule of law. There have been different debates about the reliability, implementing ability and applicability of the rule of law because of some incidents that contain various problematic actions in different areas by some of the member states. These serious violations damage the unified structure of the European Union and also the reputation of their values as an example for all the democratic entities in the global world. In that sense, the European Commission has offered a set of action which would help to increase effort and

strengthen the political and legal structure of the European Union against that kind of violations before they become more dangerous, in July 2019.<sup>cxl</sup>

It must be mentioned that during the COVID-19 period, besides the economic and the health-related impact, there were very crucial and impactful problems related to the social aspect, administrative section and constitutional system. In that period, almost all member states had taken some precautions in order to protect their country in that emergency period. There are various discussions on the decisions that had been taken in different fields still, and because of the postponement of suspending different parts of the governmental sections, there were various disruptions about the governing mechanisms and legal credibility due to the uncontrolled period of COVID-19. For example, during the pandemic, a health kit crisis had occurred between member states in order to take them for domestic usage. This situation has been questioned several times because of the relation between European Union values and a period of crisis. In consequence, the European Commission has started to investigate and examine the period and the mechanisms in order to detect disruptions. It is significantly underlined that any action that would be taken against the crisis must respect the core values of the European Union. Overall, the European Union has shown a unified image during the pandemic except for a few points. It is also emphasized that the cooperation between member states and the European Union should be carried forward in order to improve the system of checks and balances. Also, critique sections, like media and civil society and the justice system, were underlined in order to sustain the European Union's purposes for implementing the values.<sup>cxli</sup>

Justice systems are one of the most crucial parts of the mechanisms that we need in order to sustain the progress over the rule of law. For an effective judicial system, there must be certain features which are protected and respected. Firstly, judicial systems must be independent in order to make decisions without any questions. Also, the mechanism of decision making must be done under a qualitative standard and efficient methods. As a principle of the European Union, Member States need to fulfill all the criteria of the judicial system understanding in their national judicial system. They must ensure the compatibility with the EU law system.<sup>cxlii</sup>

Although the EU law system and the national judicial system cooperation is being underlined by the European Union, there are still some problems related with some of the Member States. For example, in internal dynamics, Hungary shows serious problems related

with the authority of the domestic figures of the politics that might affect the process of decision-making in the judicial system. Also, the appointment system of the members of the Supreme Court is not reliable in different dimensions. Poland has been becoming a subject for the discussions since the process of judicial reform has started serious questions regarding the reliability of the judicial system. At that point, the Council is still discussing the topic and the Commission has already taken some measures in order to regulate the problematic parts of the judicial mechanisms. In Romania, Slovakia and Bulgaria, there are also some functional problems which can interrupt the main continuation of the judicial processes under the values of the European Union, especially independence. Moreover, Croatia has been showing some problems which are related with dysfunctionality on the main responsibilities related with the judicial system because of the lack of competence in administrative bodies.<sup>cxliii</sup>

Corruption is one of the most crucial problems in the world under the concept of administrative bodies and policies. That is why, fighting corruption is very important for the rule of law. “With proper precautions such as establishing anti-corruption bodies and networks, transparency and respecting the values that have been set for a better continuation on administrative issues can be a functional solution for increasing the trust for the public bodies and also, fighting with the corruption. Moreover, states need to improve their detection and prevention systems against corruption.”<sup>cxliv</sup> The Corruption Perception Index reveals the data about the level of corruption on a country by country basis. Ten Member States of the European Union are located in the first 20 countries that have the least corruption in the world. The general situation of the European Union can be evaluated as globally good.<sup>cxlv</sup> However, there are still some problems of some of the Members in the meaning of the corruption index rate, while comparing with the other Members. It is proposed that the European Union works on a strategic anti-corruption framework in order to be responsible from the promises and commitments into the real actions.<sup>cxlvi</sup> It is important that some points that need to be covered in national anti-corruption systems become an important agenda for the bodies of the European Union. On that point, most of the Member States are working on some reforms and regulations in order to strengthen the reliability of the anti-corruption bodies. One of the problems that is occurring while detecting the corruption cases, is not having a standard while gathering statistics on the corruption cases. So far, collected data shows that there are concerning points upon the reliance against corruption. For example, functionality of the institutional basis on anti-corruption framework

has been improved in Bulgaria but there are still needs which is being incompetent, such as the unification, objectivity and independence. Moreover, high-level corruption cases are being recorded. In Croatia, the services of the anti-corruption show incompetency on detecting and fighting against that problem. Especially, lack of experts and specialists working on cases decrease the quality of the work and efficiency in the justice system. Slovakia is also suffering from a few important corruption incidents with their limited capacity to fight with it. As another dimension, there are also lots of discussions for Czechia which shows problems in following the progress of some high-level corruption cases, while using European Union's funds. Hungary shows serious problems on the progress of prosecuting the important corruption cases as being limited and some of the high-level officers remain undecided on these cases. Malta also shows incompetency while prosecuting these cases as the lack of formality inside of the judicial body.<sup>cxlvii</sup>

Media freedom and pluralism have an important place in the rule of law understanding of the European Union. It is emphasized that the media is being protected by legal bodies of the EU and that is why members of the European Union and also citizens can benefit from these regulations in a positive way. Institutional regulations ensure the importance of accessing the right information on any circumstances. From an important perception, the corruption cases and the people who are having a role to investigate these cases are being protected by the European Union's law framework. There are lots of examples, including murders or mobbing to journalists or reporters because of their effectiveness on the cases. "The possible protection toward these individuals' places in a crucial point in the agenda in order to provide a suitable environment to protect freedom of press and media."<sup>cxlviii</sup> This action is beneficial since the effect of these individuals are very important for the continuation of the cases, and also ensuring the freedom to these areas becomes an important agenda since it is showing the effectiveness of the rule of law, regarding the functionality of the constitutional basis of the European Union. For ensuring this approach in an efficient way, there are different tools which facilitate the detection of these cases. The Media Pluralism Monitor can be an example for this. This platform is focusing on basic protection of media freedom, market plurality, political independence and social inclusiveness of media.<sup>cxlix</sup> According to the data of this platform, it is seen that there are several Member States which violate the principles upon media freedom, including threats and attacks to the bodies of the media and individuals such as journalists.

Media authorities can be seen as a key actor for ensuring the existence of the media pluralism. Political understanding of the media is very crucial in several points since every decision that is being made for implementing a regulation upon media is affecting the key principles of media like independence, political correctness and plurality. Because of that, media authorities are being supervised by the law. On that point, it has been detected that there are some concerns on the possible politicization of the media authorities. Especially in Hungary, Malta and Poland, politically shifting of the media authorities create a disruption on the functionality of the values. Also, there are discussions about the effectiveness of the media authority in the meaning of the efficient usage of the resources for some member countries, such as Bulgaria, Greece, Luxembourg, Romania, Czechia and Slovenia. Besides the media authority, the transparency in the media can be seen as an essential feature.<sup>cl</sup>

Transparency of the ownership is playing a key role while determining the trustworthiness of the media plurality. It is crucial for the functionality for the media under the people's evaluation upon the media, and also it stands for the credibility under the law. On that point, the ownership of the transparency topic is being discussed for a few Member States which are not fulfilling the important points of this concept. Czechia shows a situation which includes media establishments that do not accept presenting their ownership structures under the regulations. Also, Cyprus and Bulgaria do not have an ownership transparency officially, which gives concerns toward the credibility of this notion.<sup>cli</sup>

Another topic is state advertising, which can be very crucial for supporting the elements of the media. Besides major entities, state support might be a good resource for non-profit, community media.<sup>clii</sup> It must be emphasized that the resources of the states must be distributed under the general principles of media transparency. In the European Union, all the members are not regulating the state advertising under the constitutional law. Because of that, the application of these notions can be risky, regarding the undetectability of transparency. For example, Hungary is using a significant amount of state resources for funding the media without a comprehensive control of transparency. This leads to a situation which can be seen as a government supporter campaign. Austria is also showing a similar stance regarding this problem and there are questions upon the political influence of this action. This kind of problem can be prevented without an official restriction. As an example, Slovakia presents that the state and the private sector<sup>cliii</sup> are using publicly transparent agreements.<sup>cliv</sup>

Political pressure is another example of the problems regarding the media. Media pluralism can be a dangerous concept if the media owners or people who are working in the media, are linked with the political actors. Their influence may affect the general perception on a political issue, from a minor point to a major point, like mediatic influence on elections. Bulgaria, Hungary, Malta and Poland can be seen as the actors of these discussions. All these outcomes are also affecting the access through the true information. Even though the right of accessing the true information has been secured by the constitutional arrangements; Czechia, Malta and Romania have been reported as the Member States which have structural and practical problems upon that situation. Elements of media, such as journalists, reporters and other actors have been facing threats and violence because of their works. Although the constitutional regulations are trying to control the problematic situation, states such as Bulgaria, Croatia, Hungary, Slovenia and Spain have been reported for the existence of that violence and threat in their borders.

Also, it must be mentioned that the mechanism of the European Union which is related with the consensus principle can be interrupted. For example, the EU's 2021-2027 budget has not been accepted because of their stance toward the subject that accepts the priority of the rule of law.<sup>clv</sup> Eventually, they accepted with a condition, which is forwarding this case to the European Court of Justice. The court decided that the democratic backsliding has not only an effect on the political aspect, but also an economic aspect since the action of these countries affected the discussions upon the budget issues.<sup>clvi</sup> While Poland and Hungary are accusing the European Union as power abusers, the European Union shows a solid stance against these countries because of their actions which violate the rule of law.<sup>clvii</sup>

## **Populism in Europe**

The concept of populism is becoming one of the most important topics of political science. Although mostly it is being heard lately, the history of populism comes from decades ago. Reflection of the populist parties through the political realm is generally emphasizing the existence of the authoritarian, anti-pluralist and illiberal features in their dynamics.<sup>clviii</sup> It must be said that populism is, in its definition, not describing a set of ideas which is related with these notions. One of the most important scholars on populism, Cas Mudde defines populism as, “an ideology that considers society to be ultimately separated into two homogeneous and antagonistic groups, the pure people versus the corrupt elite.”<sup>clix</sup> Moreover, it is underlining the fact that the politics should come from the general ideas, stances and wills of the people.

Populism is being explained as a thin-centered ideology in most of the works.<sup>clx</sup> It can be seen as mostly complementary through another thick-centered ideology, like nationalism or communism. In that sense, populism's basic features are mostly related with the methodology behind the presentation of the ideas that create the main structure of the political idea behind the stance of a political entity. This makes "the rhetoric" concept very important for populism and any populist activity. Polarization of a group, which is from a society, is a favorable action of the populist ideas since a creation of a corrupted, evil side of a society would create a victimized, truthful side of the society which is the people. In the usage of populism, the other side of "the people" can be a member of different groups, which might be related with their political stance, origins or other features.

Today, the transition of politics in Europe can be seen as at its peak point since World War II because of the political stance of the existing entities. It can be seen that populists' parties, which are being placed in mostly the far right side of the political spectrum, are rising and increasing their power on the political arena. After Brexit and the election of Donald Trump for presidency created a perception towards populism in Europe.<sup>clxi</sup> It can be said that the understanding of Putin's sovereign democracy and Orban's illiberal democracy understandings can be seen as the other examples that can be seen as a populist view on the point of political shifting to authoritarianism. Thin-centered structure of populism includes different features that can belong to the left and right ideologies. However, in Europe's case, most of the populist entities can be seen as far right related and their actions and policies are showing a danger potential for the status quo in these establishments.<sup>clxii</sup> Although there is a relation between economic crises and the rise of populism, this correlation cannot be reduced into a two-layered relationship. There are also various topics that induce the increase of populism, such as migration problems. On that point, the existence of a confusion between causes and symptoms. Groups of people who are preparing themselves for serving their ideological understanding by using the populist methods, generally get their materials from the general concepts that have been placed in daily political agenda, such as globalization, inequality, threats to the cultural and national identities. These threats are being linked with the immigration movements, globalization and the disappearance of the borders because of the effects of globalization and terrorism which can be related with several factors on its existence. Since there are lots of examples of the concerns toward the immigration movements in Europe, the fear upon that point can be seen as one of the easiest elements to mobilize and manipulate people against that group of people.<sup>clxiii</sup>

The danger of populism is especially revealing itself as a threat against representative democracies. The European Union's functioning on a multi-dimensional institutional base is challenged by these actions within the allegations of illegitimizing mechanisms and irresponsibility. The European Union has different meanings, especially in their Member States because of its constitutional basis and a compulsory cooperation among them under the supervision of these sets of laws. Populists use that argument, emphasizing the over-controlling by the European Union on their domestic legislative points. That's why, the usage of the motto of "take back control" which is used by the supporters of Brexit can be seen as an example to that understanding and also, an example for a possible rhetoric towards that issue.<sup>clxiv</sup> On that point, populists are trying to embrace all the problems of the population in order to use them as arguments and put them into their rhetoric.

The politics in the international arena and daily agendas expand their focus day by day. Especially the integration of Europe, immigration, trade and more issues can be seen as the updated agenda of Europe in contemporary politics. The problems between Ukraine and Russia, the conflicts and immigration movements from the Middle East and also internal problems among Member States and between Member States and institutions of the European Union. In this atmosphere, populists can take their places and put their political effort in order to serve their political benefits. Especially considering the fact that all the traditional entities that have been taking responsibility in the mechanisms of the European Union, can be insufficient in these modern problems. Because of that, getting a channel to improve their existence in political life becomes easier for the populist groups. Also, the relationship between political parties which hold power, and the populist parties is very important. While forming the government, it is very possible to encounter that there are coalitions which include populists' parties and mainstream political parties. In that matter, having a power in government is affecting the power of the influence on public policies that are taken against the migration policies. It is a concerning situation which includes a possible shift of the mainstream parties towards populist' parties in order to gain power while legislating the policies of their main party program. In that matter, actions of the populist parties can be justified, and their existence can be empowered.<sup>clxv</sup>

"Populism is visible in European Union Member States on so many occasions. For example, Social Democratic Prime Minister Robert Fico used a populist anti-immigration rhetoric in his election campaign and as a consequence, they established a government with

the far-right party. Also in France, Nicolas Sarkozy, Francois Fillon and Marine Le Pen used populist rhetoric in their political campaigns. However, the French case shows that the populist approach to politics might not be successful all the time. The direction has shifted through the reverse and Emmanuel Macron has won the election, who is a European Union supporter.”<sup>clxvi</sup> The Brexit case is also containing different approaches toward the issue, within the light of usage different rhetoric on that point. Poland and Hungary started to reshape their foreign policy by taking the migration into consideration by using the populism against the values of the libera democracy. These cases show a few outcomes from that understanding. Firstly, it is important to evaluate the approach of mainstream parties in the political realm against the populist entities. The interaction between the populist parties in any place of the political realm, including coalitions, opposition or outside of the mainstream political arena and mainstream parties. In that point, the reliability of these entities must be taken into the consideration, under the existed conditions of the political atmosphere. Also, the argument of “there is no alternative” is another point that gives power to the populist groups. It creates a space which can be seen as an alternative while advertising the features of the state.<sup>clxvii</sup>

After the coronavirus pandemic, there are certain changes that affect the existence of populism in global politics. According to research of the University of Cambridge, on a global scale, it can be said that the support for populism decreased in the pandemic period. There are several reasons for this outcome.<sup>clxviii</sup> Firstly, the pandemic and the response of the populist leaders were not efficient. Because of the changes in the global scales, all countries have been affected by the side-effects of the pandemic, and it is still continuing. In that point, from economy to education, industry to health sector have affected, and eventually the people. Because of the common crisis, a possible diversification in the society has been rejected by the people. This causes a unification between partialities of the society and leaders’ separative rhetoric has collapsed. Economic situation was also another point that needs to be taken into consideration since all the economic functionalities have been interrupted because of the precautions for the pandemic. As a consequence, approximately 10% of decrease has been recorded for the approval ratings of the leaders. In Post-COVID era, the trend will be followed since there are still effects of the pandemic in different aspects of life. Certainly, it will affect the credibility of the governments and the possible support for the democratization.<sup>clxix</sup>

## 2. INTERNATIONAL PEACE AND SECURITY

### BORDER SECURITY AND MIGRATION

The term 'international borders' refers to the politically defined boundaries separating territory or maritime zones between political entities and to the areas where political entities exercise border governance measures on their territory or extraterritorially<sup>clxx</sup>. As stated in the United Nations Human Rights Office of the High Commissioner report regarding the issue of protecting human rights and the borders security, the national borders of the countries are not an objection or exclusion of implementing human rights obligations<sup>clxxi</sup>. States are responsible for implementation of their legislative power and jurisdictions to ensure their sovereignty, as stated in the principles of the international arena, yet they are also entitled to protect human rights and freedoms in their borders<sup>clxxii</sup>. This means that by all means of pursuit of border control, and law enforcement, states should respect the rights and freedoms of all human population. With the light of this dimensions, the Office of High Commissioner for Human Rights (OHCHR) put together a series of guidelines and principles to translate the international human right framework into practical border governance measure<sup>clxxiii</sup>.

Over the last decade, the European Union has been challenged by the increasing migration problems in its borders. The problem of the migrant crisis, which it has to deal with, conflicts with the principles of the European Union, which it attaches importance both politically, economically and strategically. Especially due to the EU's responses to the increasing migration crisis, this problem is used as a strategic trump by states and governments that do not politically observe democratic principles. Also, the EU's policies to create a "gray zone" with third world countries affect the EU economically. Most importantly, the opinion that the democratic principles and foundations of the institution, which has become widespread in the international arena, do not have as much dominance in the EU as before, can be considered as a result of the institution's unsuccessful immigration policies.

The last major migration wave that started in 2015 was a migrant flow that directed people from Africa, the Middle East and Afghanistan to the European Union (EU) countries<sup>clxxiv</sup>. With the sinking of five ships carrying refugees in the Mediterranean in April 2015 and the loss of life of 1200 refugees, the migrant crisis has become one of the main problems of the EU<sup>clxxv</sup>. While some Central European countries, especially Hungary, such as

Slovenia and Slovakia, are following the path of closing their borders against the migrant flow with barbed wire, taking the risk of conflict with Brussels, the EU also takes central measures against the crisis with the help of the European Border and Coast Guard Organization (Frontex)<sup>clxxvi</sup>. As of 2020, the migration wave has returned from the Mediterranean to the north, towards Belarus. The underlying reason for this course change is the political contradictions inside the EU. Belarus, which was heavily criticized for its stance in the 2020 elections and then forcibly landed a Ryanair plane for carrying an opposition journalist, was faced with sanctions by the EU. After sanctions, Belarusian leader Lukashenko openly threatened the EU and declared that in response to these sanctions, they would change the country's refugee policy to put the EU in a difficult position. On the other hand, along with the political effects and reasons of the migration, wars also can have a trigger effect on increasing migration problems. According to the data published by the European Council and the Council of the European Union 4 million people have fled the war in Ukraine<sup>clxxvii</sup>.

From the last decade, the EU has been taking legislative and economic steps forward to solve increasing immigration problems around the world and inside the union. On 7th June 2020, Council agreed its position on funding for migration, border and security policies. The Council reached partial general approaches on this issue in the context of the multiannual financial framework (MFF) for the period 2021-2027<sup>clxxviii</sup>. Moreover, on 17th December, 2020 long-term EU budget covering 2021-2027 was re-established in the framework of supporting the reinforcement of migration policies. The regulation provides for a long-term budget of €1 074.3 billion for the EU27<sup>clxxix</sup>. Spending in the areas of migration and border management will amount to €22.7 billion over the next seven years<sup>clxxx</sup>. The EU also regulates its bilateral relations with countries located in migration routes to support those countries on their migration policies, especially in the issue of re-integration and protection of refugees, to make the implementation in accordance with the protection of human rights and freedoms principle of the union. Therefore, EU member states agreed on how to finance an additional €3 billion, financed from EU budget and by the member states, for the EU facility for refugees in Turkey to support Syrian refugees<sup>clxxxii</sup>. For helping refugees fleeing from the Ukraine-Russia war, EU has taken decisions to protect refugees temporarily along with providing €500 million emergency package in humanitarian aid to help civilians, and border management support for EU countries and Moldova<sup>clxxxiii</sup>.

The New Pact on Migration and Asylum, adopted on 23 September 2020, has an essential role in determining the EU policies considering border security, and migration<sup>clxxxiii</sup>.

According to the new policy, EU aims to have integrated and modern migration and border management system with the improved Eurodac database, new compulsory pre-entry screening, and decrease risk of pressure on a Member State's migration management system by better and more effective procedures, implementation of effective solidarity, and ensuring the main principle of multilateralism deeping international partnership<sup>clxxxiv</sup>. In the objective of deeping the inclusive and comprehensive cooperation between key countries located in origin and transit of migration waves, the EU aims to support hosting countries, create economic opportunities, fight migrant smuggling, and develop orderly channels for legal migration.<sup>clxxxv</sup>

## **Cybersecurity**

Since the technological development in the global world, our world has been transforming to digital-based service methods. Especially the COVID-19 period has been affecting this transformation significantly by applying the remote-working and online-based work models. Also, most of the public and private information has been carried from analog systems or physical systems into online storage units. In the economic realm, it is also very common that the banking systems, especially the payment methods, are becoming online. While the usage of physical monetary tools' is decreasing, technological methods increase their share in daily life. This brought the importance of the technological improvements and tools in today's transformation in the digital age. As a consequence, that process brings a different kind of danger that might affect these systems. Transition to online methods open a way to cybercrimes.<sup>clxxxvi</sup>

Beside the increasing rate of cyberattacks in different industries, their complexity is also creating another point that has to be taken into the consideration as concern. Especially the transition to the 5G infrastructure and integration of most systems to 5G systems would make this issue a serious problem.<sup>clxxxvii</sup> This emphasizes the importance of developing a practice for cybersecurity by design in longer periods in order to ensure the stability and the strength of the system.

As a summarized point, the European Union takes the notion of cybersecurity very seriously, especially emphasizing the era of digitalization. Besides the danger of losing lots of different information, which includes private information from individual level to state level, it is also creating a danger of economic loss. According to a report from the European Commission, The International Monetary Fund predicts the financial loss, because of the

cyber-attacks, as around 100 billion dollars per year. To prevent losses in various aspects and fields, the European Union shows their decisiveness on increasing and improving the endurance, recoverability and deterrence in legal grounds.<sup>clxxxviii</sup> In this point, security related initiatives like intelligence services, EU INTCEN need to be more effective while fighting those illegal actions like fighting with terrorism, radicalism and more threats to the core values and the existence of European Union.<sup>clxxxix</sup> Moreover, the Commission underlines the importance of a “Joint Cyber Unit”<sup>cx</sup> for developing a solid structure and communication network between members in order to sustain the coordination and the economic support for funding developments in this field in order to raise the strength of these defense mechanisms against that kind of crime.

The law enforcement has a critical role in the battle against cybercrimes. Authorities of law enforcement need to develop their working mechanisms against that kind of crime in order to be more effective. Investigation, prosecution, deterrence and security understandings must be enhanced in order to become a more effective mechanism against that concept. Also, people who are working on this subject, need to adapt themselves to the change in this field. “The Commission will take part in the discussions of the possible capacity of law enforcement against cybercrimes and possible improvements on that field.”<sup>cxci</sup> The legal framework should be emphasized and implemented by all the bodies of the European Union for creating a better fighting approach towards cyber-crime. Also, the cooperation and the compatibility between domestic approach and external approach would improve the quality of the anti-crime mechanisms in general. “The European Union supports the Council of Europe’s Budapest Convention on cybercrime.”<sup>cxcii</sup> That convention presents a significant framework that supports the use of cooperative communication understanding between countries.

The European Commission is working on taking important precautions against the concept of identity theft, in order to prevent economical, personal and psychological impact of illegal actions on the internet against a person. It is a serious problem that within the improvement level of technology, cybercrimes can use artificial intelligence as a method to reach out victims and steal their identification information, their passwords and more. Furthermore, illegal content on the internet is one of the most common crimes in the digital world. From terrorism to extremism, insult to hate speech, extremism to child abuse; these all subjects are violating the basic human rights code and disrespect to the humanity.<sup>cxciiii</sup>

## **Hybrid Threats**

“Hybrid threats are basically an action, which is not aggressive enough to be seen as a declaration of war, of a state or non-state actor that aims to take advantage from a vulnerable point of another state or institution with different methods from different fields.”<sup>cxciiv</sup> Affecting a decision-making process like an election, with the usage of spreading false information or redirecting the general opinion on some topic with different methods like controlling key points in social media for attracting the masses or using proxy tools to change mindset on a specific point can be seen as a hybrid threat towards a political entity.<sup>cxciiv</sup> Due to the serious effects of the hybrid threats in the political realm, member states have responsibilities to provide a better resistance to these dangers. It is expected that members need to improve their security mechanisms and also capability to detect these problems. As an important aspect, European Union members usually face similar problems because of their unified structure. The Commission had an important role while organizing and coordinating all these communications between member states and also outside of the European Union. There are also various incidents that show that the Commission takes care of the political problems related with that concept, such as “preventing disinformation, precautions and actions against cybercrimes, protection of important structures that have a critical role, and protection of the democratic values.”<sup>cxciiv</sup>

The method of the European Union for approaching this problem can be seen in four different ways, which are situational awareness, resilience, response and cooperation.<sup>cxciiv</sup> Situational awareness is basically informing all the member states about the problem and helping to create an awareness to have a shared values and culture on that point for facilitating the process of decision-making. Resilience can be seen as the precautions and actions in order to be strengthened against that kind of threat.<sup>cxciiv</sup> The actions that would be taken to raise resilience, can be seen as improving the crisis decision-making and recovery mechanisms, preventing these problems, and improving the cooperation between member states and the neighbors. Response mechanisms are very important while showing power and stance of the state against a problem. It can vary from diplomatic communication to CSDP operations, crisis mechanisms to sanctions. Lastly, cooperation is one of the most comprehensive solutions to the hybrid threats. It emphasizes the desire to cooperate with other international actors, partners, institutions and also creating a connection between EU and the individual level in order to not only strengthen European Union existence towards that, but also creating a better and more powerful environment outside of the borders of the European Union.<sup>cxciiv</sup>

The European Union has been taking a step forward officially underlining the importance of this problem. In 2016, Joint Framework on countering hybrid threats and 2018 Joint Communication on Increasing Resilience and Bolstering Capabilities to Address Hybrid Threats can be seen as concrete actions toward the issue. Moreover, 2020 EU Security Union Strategy declared a new strategy for campaign against hybrid threats.<sup>cc</sup>

## TERRORISM AND RADICALIZATION

International security organizations explain the concept of terrorism as the violent and criminal acts of a individual(s), group(s), terrorist organization(s), or state-sponsored organization(s) for the purpose of realizing the ideological goals resulted from “political, religious, social, racial, or environmental nature”<sup>cci</sup>. European Commission explains the notion of radicalization as “complex process in which an individual or a group embraces a radical ideology or belief that accepts, uses or condones violence, including acts of terrorism, to reach a specific political or ideological purpose”<sup>ccii</sup>.

Recent terrorist attacks on Europe and other parts of the world have shown that the danger and reality of the terrorist still present. These attacks usually take place in public, highly crowded, and politically or culturally symbolic spaces, including many sectors like transportation<sup>cciii</sup>. The combination of extreme ideological and political motivation, radicalization, makes this terrorist threats more accurate<sup>cciv</sup>. Furthermore, the EU should be more protective for the threats from technology, such as the dangerous use of drones, artificial intelligence, and chemical, biological, and nuclear used to produce certain materials for the purpose of terrorism<sup>ccv</sup>. Considering the role of the social platforms affects the expansion of radical, extremely ideological ideas in society, and technological banking systems enables members of the terrorist groups to finance their activities without any legal limitation from the states, EU should find ways to prevent devastating terrorist attacks in the region<sup>ccvi</sup>. Although the general terrorist attack rates in the EU have been decreasing since 2019 due to the Covid-19 measures, such us limitations over travel and freedom of movement, the jihadist attacks related with Da’esh, and al-Qaeda still poses a critical threat for EU citizens<sup>ccvii</sup>. According to the Council of the European Union, both Da’esh and al-Qaeda aim to maintain their influence in the global arena by expanding their activities and influences regarding the extreme Islamic ideologies in different forms in local and regional branches of the states<sup>ccviii</sup>. This objective of the radical terrorist groups causes the intensification of radicalization inside the EU. For instance, the “extreme right wing terrorist ideology” linked to Da’esh took the responsibility for terrorist attacks happened in Germany

in 2016<sup>ccix</sup>. Furthermore, the France government has been warning its citizens to be extra vigilant, has been prioritizing the strengthening process of the internal and external security due to the ongoing threats from Islamist terrorist groups<sup>ccx</sup>. As stated by the Global Terrorism Index published in 2020, increasing conflicts in Ukraine is expected to affect the terrorist attacks in the region, as it happened in 2014 crisis resulting with 69 recorded attacks<sup>ccxi</sup>. According to the founder and chairman of the IEP, since the terrorism flourishes from the conflict zones associated with unstable political framework, the military conflict and civil unrest in Ukraine is gathering critical importance in recent year<sup>ccxii</sup>.

#### - MIGRANT SMUGGLING

The EU Security Union Strategy categorizes different types of terrorism and radicalization as migrant smuggling, weaponize, drug related crimes<sup>ccxiii</sup>. According to the European Union Agency for Law Enforcement Cooperation (Europol), approximately 90% of the irregular migrants reaching the EU seize the smugglers as an opportunity in their journey<sup>ccxiv</sup>. Two thirds of these people do not meet the requirements set by the EU to be integrated and accepted, and they eventually should be sent back to their original country<sup>ccxv</sup>. Moreover, during the Covid-19, due to the restrictions over freedom of movement and travel, migrant smuggling rate, and their involvement in criminal networks, prices increased<sup>ccxvi</sup>. As stated by Europol, the border crossing rates have increased by 59% compared to the same time-period in 2020<sup>ccxvii</sup>. In the framework of the EU Serious and Organized Crime Threat Assessment, it is indicated that nearly 50% of the migrant smugglers are also involved in drug, and firearms trafficking, along with the money laundering<sup>ccxviii</sup>. Europol estimates that the globally the generated annual profit from all kinds of human trafficking amount to €29.4 billion<sup>ccxix</sup>.

#### - WEAPONIZING

Weaponize is another terrorism and radicalization category made by Common Foreign and Security Policy (CFSP). The terrorist tries to acquire and to weaponize the chemical, biological, radiological, and nuclear materials, and to develop enough knowledge to use them in their attempts<sup>ccxx</sup>. In the usage of these certain dangerous chemical materials, the Commission is looking for possible solutions to restrict the access and usage of them in terrorist propandas. As a recent discussion, the weaponizing threat is also evolving in the framework of immigrants. Considering the fact that the terrorist organizations weaponize the

illegal migrants to expand their effect area in certain regions, multilateral organizations should engage in a cooperation to prevent increasing threats.

#### - DRUG-RELATED CRIMES

As another category under the subject of terrorism and radicalization, drug related crimes still increasing in recent years. More than half of the organized groups are associated with the production, trafficking, and distribution process of the drugs<sup>ccxxi</sup>. The largest criminal market is created by trade in illicit drugs with an estimated minimum value as €30 billion in the EU<sup>ccxxii</sup>. Illegal drug trafficking also triggers the overuse of drugs, which has caused approximately over eight thousand people to die in the EU in 2019<sup>ccxxiii</sup>. Moreover, international trade in counterfeit pharmaceuticals is calculated as €38.9<sup>ccxxiv</sup>. The underlying reason for this illegal trade is law rate confiscation, which allows criminal groups to expand their activities and infiltrate the legal economy of states<sup>ccxxv</sup>. EU Agenda and Action Plan on Drugs regulates possible solutions to restrict and detect the illegal market more efficiently, to increase detention over EU borders on entry and exit, and to intensify the monitoring tools for logistical and digital channels allowing drug distribution in the time-period of 2021-2025<sup>ccxxvi</sup>.

Considering the increasing problems of terrorism and radicalization EU should provide a well-organized agenda for improve the current regulations. The EU aims to prioritize four interdependent strategies to be taken forward at all levels of regulation. It intends to create a future with proof secure environment, to tackle with evolving threats, to protect its citizens, as well as all citizens, from terrorism and organized crimes, and to provide a strong European security ecosystem<sup>ccxxvii</sup>. The EU's response to the terrorism includes several key areas; prevention of radicalization, preparing a terrorist list, information exchange between multilateral organizations and states, cutting terrorist financing, and cooperation with non-EU countries<sup>ccxxviii</sup>.

The polarization of the society, along with the discrimination, and psychological and philosophical factors can direct people to radical discourses<sup>ccxxix</sup>. Fostering social cohesion at local, regional, and global level poses an essential importance in tackling the radicalization problem. Radicalization Awareness Network and EU Radicalization Initiative are the regulations aiming to provide social cohesion at a regional level<sup>ccxxx</sup>. Moreover, soft policies like education, supporting cultural integration, and increasing sport activities are counted as important keys for ensuring long-term cohesion<sup>ccxxxi</sup>. Prevention of radicalization requires addressing the ideologies behind the terrorism and violent actions, including online. With the

regulations proposed by the Commission, it expected that a legal framework will be established to address the dissemination of terrorist content online, to ensure that the religious education is in line with the fundamental values of the EU, to support the initiatives for inclusive perspective on spread of the extremist ideologies<sup>ccxxxii</sup>.

The international characteristic of the terrorist organizations requires a strong multilateral and cooperative approach to the issue, calls for an inclusive protection, adequate detection systems without limiting any right of any citizen. All citizens in the world have right to be protected by their states and institutions from the violence of terrorism. The EU has a determinant role in providing this cooperative relation between both states and intergovernmental organizations in the international arena. The new Counter-Terrorism Agenda, included as a sub-category in the EU Security Union Strategy, ensures the joined-up approach in coordination with member states, European Parliament, European Council, and different multilateral organizations to combat terrorism and radicalization<sup>ccxxxiii</sup>. The agenda call for further strengthening the EU's external counter-terrorism policies by collaborate with the Western Balkans, North Africa, Middle East, Sahel Region, and Horn of Africa regions where terrorism and radicalism is increasing, which takes the counter-terrorism activities to the global level<sup>ccxxxiv</sup>.

The cooperation of the EU with Western Balkan partners on counterterrorism and counter-radicalization is a critical key to solve the problems in multilateral arena<sup>ccxxxv</sup>. Implementation of the Joint Action Plan on Counterterrorism and integration of the Radicalization Awareness Network activities poses a great importance for prioritizing police and judicial cooperation in the region<sup>ccxxxvi</sup>. In the framework of the European Multidisciplinary Platform Against Criminal Threats (EMPACT) regulations related with the usage of firearms will be ensured in Western Balkans, and the Commission will continue to support its partners, Moldova and Ukraine, in the region financially<sup>ccxxxvii</sup>.

Considering the fact that the Southern Mediterranean countries have common security threats, the cooperation between these countries is essential for ensuring the multilateral principles in the international fora<sup>ccxxxviii</sup>. This association also poses a great importance to regulate the money laundering, and terrorist financing, to protect the public spaces, and to strengthen the rule of law in the regional level<sup>ccxxxix</sup>. As stated in the Counter-Terrorism Agenda for the EU, the Commission encourages member states to negotiate with key countries, such as Algeria, Egypt, Israel, Tunisia, and Lebanon, and with Sub-Saharan Africa and Asia, to invite them to cooperate for exchanging personal data with Europol in the ground of terrorism, radicalization, and serious organized crime<sup>ccxl</sup>.

Apart from regional cooperation, the EU should increase its relations with multilateral organizations. United Nations Office for Counterterrorism (UNOCT), NATO, Interpol, Financial Action Task Force (FATF), Global Counter-Terrorism Forum are the primary organizations which EU should collaborate with to increase the depth of the regulations on counter-terrorism and radicalization<sup>ccxli</sup>.

## COUNTRIES IN MULTILATERALISM

### 1. RUSSIAN FEDERATION

Following the post-cold war era in the 1990s, the relation between EU-Russian Federation has become increasingly tense<sup>ccxlii</sup>. At the beginning time of his presidency in 2000, Vladimir Putin was seen as a promising partner in terms of openness to the liberal principles, closeness to the West considering the cooperation on certain issues<sup>ccxliii</sup>. For instance, in 2001, President Putin even considered being a member of the pan-European military alliance, based on NATO<sup>ccxliv</sup>. In 2003, EU and Russia decided to intensify their relations and cooperation on specifically four main areas, which are economic relation, education, freedom, and security and justice along with external security<sup>ccxlv</sup>. In 2008, EU and Russia negotiated on the subject of realizing possible objectives including EU-Russian free trade area, and visa-free travel<sup>ccxlvii</sup>. Even though the leader of the Russian Federation is evaluated as a promising leader since the start of his presidency, Vladimir Putin has started to increase his authoritarian tendencies, and his dominating influence over post-Soviet neighbors, threatening the sovereignty of these states<sup>ccxlviii</sup>. The war against Georgia in 2008, and the annexation of the Crimea caused an end in the relations of EU-Russian Federation. With the purpose of responding to Russian domination in Ukraine, the EU has applied hard-hitting sanctions<sup>ccxlviii</sup>. From the Russian perspective to the developments, it is seen as an increasing spread of the NATO and Western countries in the region where it had historically privileged interests. In 2009, as it is stated by the Sergey Lavrov, foreign minister of Russia, continuing expansion of NATO through the eastwards is evaluated as an attempt by Brussels to extent its sphere of influence<sup>ccxlix</sup>. On the other hand, these claims are rejected by the West since Russia had already affirmed the sovereignty and integrity of post-Soviet countries by signing the United Nations (UN) Charter, Helsinki Final Act, and 1994 Budapest Memorandum treaties<sup>cc1</sup>.

There are four guiding principles of the EU on Russia; full implementation of Minsk Agreements, strengthening relations with post-Soviet countries, engaging selectively with

Russia on a range of foreign policy objectives, people to people contacts, which have influence over the roadmap for multilateralism in the global world. Moreover, the 2016 Global Strategy emphasized the importance of enhancing the resilience of its eastern neighbors and supporting their right to determine their approach towards the EU. In the light of building eastern partnership principle, the EU has negotiated with Ukraine, Georgia, Moldova, and Armenia in the field of economic and political cooperation. However, these attempts were also pushed back by the Russian Federation implementing domination policies on those countries, and resulted in protests in Ukraine, and annexation of the Crimea<sup>ccli</sup>. On the other hand, the presence of the EU in Central Asia (especially in Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan) is not seen as a threat by Russia<sup>cclii</sup>. The problematic character of NATO enlargement is not relevant in these areas since the EU seems unlikely to intensify the diplomatic relations as it has with some post-Soviet neighbors although the EU has friendly ties with these five states. In the framework of the conflictual interests of the EU and Russia caused Russia to be sanctioned by the western countries in individual, trade and investment, economic levels<sup>ccliii</sup>. Most essential sanction was the exclusion of Russia from G8, reverting the positions to the G7 format<sup>ccliv</sup>. Russia has responded with countersanctions for western countries, banning around half of its agri-food imports<sup>cclv</sup>. As a result of these countersanctions, the West has faced many difficulties in the accession of banned imported goods.

Despite the conflict zones between EU-Russia, there are still many areas where two blocks have common interests and concerns, which ensures multilateralism in the international arena. The essential role of the Russian Federation in United Nations Security Council, and determinant influential character of it in Middle East and in the broad international coalitions against terrorism make Russia has a critique stance in multilateral arena.

#### - Collective Security Treaty Organization (CSTO)

The Collective Security Treaty Organization formed under the body of the Commonwealth of Independent States with the purpose of promoting multilateral solutions to security and economic challenges in the region, and ensuring the mutual defense alliance among Russia, Belarus, Armenia, and four Central Asian states<sup>cclvi</sup>.

Although it can be concluded that Russia rejects multilateral cooperation in international fora, the main problem goes to the idea that each part is not willing to collaborate in certain issues where the rules are determined with the application of “opposing

interests of one another”. Furthermore, Russia complains about the unwillingness of EU and NATO in the recognition of CSTO as a multilateral institution. By contrast, the EU and NATO have expressed their doubts considering the nature of multilateral interaction with CSTO. The institution is usually accused as a tool that Russia used to intensify its domination and influence over certain territories.,

- Eurasian Economic Union (EAEU)

The Eurasian Economic Union is an union came into power in 2015 , and established to ensure international economic cooperation without a determined currency among members and free-trade zone covering countries located in Central and Northern Asia and Eastern Europe<sup>cclvii</sup>.

The new regional multilateral frameworks centered around Russia are rarely recognized as an institution open to cooperation by western countries, inspect its accomplishment considering bringing together the members of it. Vladimir Putin indicated that one of his main aims is to expand the EAEU to all of the post-Soviet states which are not applied to or accepted by the European Union<sup>cclviii</sup>. This objective of President Putin can trigger the opposition of the EU toward the EAEU.

- Council of Europe (CoE)

Council of Europe (CoE) is an institution distinct from the European Union body preserving the protection of human rights and implementation of the principle of rule of law as part of the postwar order<sup>cclix</sup>. The Russian Federation joined the CoE on 14 February 1996, having full membership rights, having an interest in enhancing<sup>cclx</sup>. It was also possible for Russian citizens to apply to the European Court of Human Rights for criticizing the decisions of the Russian Courts<sup>cclxi</sup>.

Due to the actions of Russia towards Ukraine, the Committee of Ministers decided the exclusion of Russia from the CoE on 15 March 2022, after 26-year membership<sup>cclxii</sup>. Under the procedure of Article 8 of the Statue of Council of Europe, it is stated that if a member state conflicts with the principle of Article 3, the exclusion of this member state is possible<sup>cclxiii</sup>.

- World Trade Organization (WTO)

The World Trade Organization is the only global international organization dealing with the rules of trade between nations<sup>cclxiv</sup>. The Russian Federation joined the WTO in 2012

after a 20 years of negotiation process. The organization has a principle of non-discrimination and equality between member states applying the most-favored-nation (MFN) status, meaning that every member of the multilateral organization must treat all other members<sup>cclxv</sup>. WTO allows a member state to wave the most-favored-nation position when there is a need for necessary protection of its essential security interest<sup>cclxvi</sup>.

Due to the increasing conflicts around Ukraine, the EU evaluated suspending Russia's most-favored-nation status meaning that Russian trade will not be treated the same as that of other countries.

#### - G20

G20 is a cooperation between nineteen countries along with the European Union, world's largest economies, aiming to coordinate global policy on certain issues from trade to climate<sup>cclxvii</sup>. Russia has been an active participant in the forum of leading economies, and even held the chairman of the group in 2013<sup>cclxviii</sup>. After the exclusion of Russia from the G7 forum, G20 got an essential role for being a “club” of leaders, giving each leader to express their strategy.

## 2. CHINA

The understanding of multilateralism by China has been changing since the 1950s depending on the current situations in the international arena. In 1950s and 1960s, China rejected nominal multilateralism since the multilateral organizations were seen as a tool used by imperial states to expand their ideological influences over the rest of the world<sup>cclxix</sup>. In the 1970s, “the three-world theory” caused China to symbolically interact with certain international organizations, such as the UN. Later than that, the Chinese government demanded for abandoning the “cold war mentality” and relying on the mutual trust and persuasion of common interest<sup>cclxx</sup>. Since then, the Chinese government repeatedly stated that equality among member states, open and free trade opportunities should be supported in the multilateral arena.

In the framework of the participation of China to the international organizations, UN, Shanghai Cooperation Organization (SCO), ASEAN, WTO, and WHO have an essential role. It especially takes part in financially supporting the international institutions. This is mainly seen as an expected result of its expanding economy. By its nature, it is the second largest actor across the multilateral banks having the second largest voting power (after the United States)<sup>cclxxi</sup>. China has been a promising contributor to the UN military peace-keeping

missions since 1992<sup>cclxxii</sup>. It currently contributes to about half of the all the UN missions world-wide, which makes China one of the main largest contributors to the UN regular budget, various development focused specialized entities<sup>cclxxiii</sup>. SCO established 2001 with its six members (China, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Uzbekistan), playing a critical role in the multilateral arena by making progress in military confidence building measures, and collaboration against “new threats”<sup>cclxxiv</sup>. Although SCO is criticized by many western countries, China uses it as a mean to strengthen its power against Muslim Uighurs in the region, through economic cooperation<sup>cclxxv</sup>. In 2002, China also joined ASEAN political security community with bilateral negotiations to strengthen its position in the process of reducing tension over conflicting territories around the South-China Sea<sup>cclxxvi</sup>. Considering the position of Japan in the Asia-Pacific region with the support of the unilateral negotiations with the US, the role of China in ASEAN plays an important role in balancing the power struggles in the region. Apart from the ASEAN, with its major trading capability, China is a critical key in the World Trade Organization. Moreover, after the Covid-19, the role of the country also increased in the World Health Organization. However, the trade wars between China and US, Australia, and Lithuania, along with the conflicts between China and Taiwan have affected the position of China in WTO, and WHO.

#### - TRADE WARS

The United States and China are the two big economies in the international arena. China’s economy has been expanding since its accession to the World Trade Organization in 2001 by improving the bilateral exchange relation with the US, reaching almost US\$559 billion in 2019<sup>cclxxvii</sup>. However, the US put its trade relation with China to the center of political agenda in the 2016 US presidential campaign claiming that China practices intellectual property theft, forced technology transfer in its trade strategies<sup>cclxxviii</sup>. As a result of the increasing deficit with China. The US and China have started to impose additional tariffs on goods imported from other countries in order to regulate market relations in a way decreasing the trade relations between them. By the end of 2019, US tariffs imposed on goods from China have reached more than US\$ 360 billion while China imposed approximately US\$110 billion on US products<sup>cclxxix</sup>. With the administration of President Biden, the intensity of trade war is expected to decrease compared to the administration of Donald Trump.

During the recent pandemic, 120 countries signed an agreement for “a comprehensive and independent evaluation regarding the multilateral response to the Covid-19”<sup>cclxxx</sup>. However, Beijing considered this agreement as an attempt made by signature countries to

expose its role in the virus's spread. As a counter response, China imposed punitive economic actions against Australia<sup>cclxxxix</sup>.

#### - TAIWAN

The conflict between Taiwan and China goes back to the 1990s, in the times when Taiwan attempted to revise the notion of “One China” understood<sup>cclxxxii</sup>. One China policy is considered as an aim of Taiwan to be treated as a separate state apart from China and evaluated as a threat to the unity of the Chinese government. Considering that the economy of Taiwan has an essential role in international trade, providing electronic equipment to the world, Western countries and China have conflicting interests in the region. While the European Union supports the democratic principles, and economic opportunities, which are paving the way keeping the peace in the Taiwan Strait, China supports the “unity of the state”<sup>cclxxxiii</sup>.

In 2020, the European Union recommended a strategy aiming to prevent the dominating role of China in 5G markets, and to decrease the security vulnerabilities<sup>cclxxxiv</sup>. As a result, Czechia, Estonia, Latvia, Poland, and Romania signed the proposed strategy, paving the way of limitation for Huawei in their market<sup>cclxxxv</sup>. Moreover, EU foreign policy chief Joseph Borrel said that the EU will pursue cooperation and exchanges with Taiwan in accordance with the common interest.

Considering the trade wars of China between the US, Australia and Lithuania, and the conflicts regarding Taiwan, it will be concluded that unwillingness of countries to support the multilateral principles may result in the increase in destructive effects for many countries in terms of economically, and politically.

### 3. NORTH KOREA

North Korea has been challenging the principles of multilateralism in the international arena claiming the aim of the international organizations is to dominate the region and expand the influence of imperial principles over the world. Although North Korea, as a country developing its missile capabilities increasingly, was the first signatory country to the Treaty on Non-Proliferation of nuclear weapons, the government withdrew from the treaty in 2003<sup>cclxxxvi</sup>. For the DPRK nuclear weapons have a critical role to ensure the political survivability after decades of isolation, and closed economy management<sup>cclxxxvii</sup>.

The multilateral approach to the increasing problem of the nuclear weapons in North Korea, which is called Six Party Talks (including US, Russia, South Korea, North Korea,

Japan, and China), was a failed attempt to solve the conflict due to the difference over approach, in priorities among the regional powers, and tendency to reduce the problem to the US-China relation<sup>ccclxxxviii</sup>. While the US was supporting the non-proliferation of the whole region, China was opposing this idea claiming that it is an attempt to include China in this process and to dominate the region by itself<sup>ccclxxxix</sup>.

The region of Northeast Asia still poses a great strategic importance for Russia, Japan, China, and the US. Therefore, instead of bilateral negotiations, which can cause uncompromising demands, a multilateral solution should be provided.

#### 4. IRAN

Iran has been challenging multilateral principles, especially in nuclear weapon development, for decades since the 1970s<sup>ccxc</sup>. Iran signed the Non-Proliferation of nuclear weapons (NPT), aiming to prevent the spread of nuclear weapons, to provide encouragement for peaceful usage of the nuclear power as an energy source, and increasing nuclear disarmament, in 1968<sup>ccxcii</sup>. However, although Iran was one of the first signatories, it ratified in 1970<sup>ccxciii</sup>. Recently, the Joint Comprehensive Plan of Action (JCPOA) / Iran Nuclear Deal, covering P5+1 countries (China, Germany, France, Russia, United Kingdom, and the United States), together with the EU, plays an important role in the actions of Iran considering nuclear weapons. Apart from the JCPOA, the president of the Islamic Republic of Iran indicated that the state has always been a supporter for the multilateral organizations, opposing the unilateral negotiations, and will be an important player in the multilateral arena<sup>ccxciii</sup>.

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