GEOSTRATEGIC PULSE

The Middle East - Close to the Start of a Major Regional Conflict that will Affect the Entire World

CONTENT

CONTENT

1. EDITORIAL

The Dynamics of the Current World in the Context of Political, Economic and Military Confrontations in the Age of Artificial Intelligence (AI)

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"In the midst of adversity opportunities are also found".

Albert Einstein

So far, the year 2024 has proven to be a far-reaching stress test both globally, but mostly regionally. All the countries in the world are influenced by the multiple regional conflicts that fuel instability, but also by social unrest and political disputes within these countries. The changing dynamics of domestic politics, influenced by electoral processes, has the potential to reshape global politics and may create geopolitical, geo-economic and geostrategic risks amid growing concerns regarding the rising levels of disinformation.

Any strategic-level analysis must take into account the huge question marks generated by global developments that deeply shape the future of the world we live in. In the context of the armed conflicts taking place in Ukraine, Palestine, Lebanon and in other areas of the world, we can say that we are witnessing the deepest and most uncertain developments of all times since the end of the Second World War.

The rise of some major actors in the world, who exercise an important demographic, geopolitical and geostrategic influence, in an era of Artificial Intelligence and extremely intricate manipulation, but also in the context of an unprecedented

Source: https://guiafinem.com/riesgos-y-consecuencia-economicas-de-la-guerra-en-ucrania/

electoral intensity and extreme wars that have marked the year 2024 so far and will certainly reverberate in the years to come.

Hybrid systems and operations, which are gaining ground, and the global election cycle in 2024 highlights current and future changes in the context of intense needs to increase the resilience of all the countries in the world. The sense of disorder is not new, but its accelerated pace in the context of the deep erosion of current international norms and international organizations contributes to the whole world facing increasingly unpredictable events. The world is severely decentralized, diversified, multidimensional and multipolar. This "multiplex[1] command", as Amitav Acharya described it in 2017, is cementing itself, because everything is happening simultaneously. Yet, this reshaping of the world is still wide open as several battles are taking place at once.

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[1] *Process used in telecommunications for the simultaneous transmission of several messages on the same circuit of an electrical line or by means of the same electromagnetic wave.*

"Thinking boldly about what no one has thought before"[2] gives us the opportunity to ask the obvious question: "How will old and new powers, global and regional bodies, corporations, social movements and shape-shifting villains like Al-Qaeda and COVID-19 play out in the 21st century?"[3]

Under such circumstances, we must not forget that the current world is in a fierce competition, marked by developments and significant changes that generate an irreversible future for the whole world – many conflicts and more impunity, the Russia-Ukraine war – a risk of frozen conflict, the Israel-Hamas-Hezbollah war – the risk of an endless conflict, the US-China relations after the US presidential election – stabilization or deterioration, the general election in India – geopolitical implications, many withdrawals from international commitments, democracies under control, the transition from information overload to social disconnection, a revolutionary period for Artificial Intelligence, and the need for strict regulation, the impact of economic crises and the sustainability of accumulated debts, the global economy – a fragile business competition between the South and the North – humanitarian collapses, accelerated increase in the level of security vs. individual and social rights and freedoms, disconnection of interests and values.

Today, the world is influenced by an intense battle of interests, demands and offers, with a growing diversity of options and alliances. In the context of this "unbalanced multipolarity", regional agendas are sought to be set, with the global competition for resources further accentuating the ever shifting geometry of various understandings, agreements and alliances. The results of the 2024 election series could ultimately reinforce this transformation. US isolationist tendencies are real. Vladimir Putin will confirm his resilience, having avoided the effects of international sanctions and having built an economic apparatus to withstand a long war in Ukraine. In India, Narendra Modi's popularity remains intact and he leads his party's dominance.

A new bloc of cooperation is likely to emerge, with India as the leader of the Global South while strategically aligning itself with the geopolitical interests of developed democracies such as the US, Europe, UK, Australia, Japan and other major powers. The West hopes that India remains a strong democracy with liberal socio-political values, grows economically to matter internationally, and serves to counterbalance China's unilateral political, economic and social trajectory. Together, the West and India offer a more compelling vision to address the issues and risks facing the Global South and the world at large.

The crises and transformations of the global order, aggravated by the various international reactions to the latest conflicts, and the erosion of multilateralism, further stimulate this sense of dispersion of global power to a variety of dynamic environments, large and medium-sized powers capable of contributing to the reshaping the international environment in the coming decades. While the current global order is in the process of change, it is unlikely that it could effectively and fully manage the various risks in the world today.

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[2]*The multiplex world, Amitav Acharya, https://multiplexworld.com/.*
[3]*The multiplex world, Amitav Acharya, https://multiplexworld.com/.*

2. SECURITY AND RESILIENCE

Understanding National Security Part III:
The Component of Energy Security

Lieutenant Colonel (Ret.) Georgios KOUKAKIS (Greece)

> *"Energy is the lifeblood of the global economy. From heating our homes to powering our factories, everything we do depends on a reliable flow of affordable energy."*
>
> *2022, British Energy Security Strategy*

Abstract

This article is the third part of an article series that aim to present the various components of *national security*, a dimension of security that has recently been under the spotlight due to the numerous crises that have emerged and the plethora of threats that prevail in the contemporary security environment. It focuses on energy security, a component of national security that is interconnected with almost every policy field and therefore affects the proper functioning of states and the well-being of their citizens. Its purpose is to clarify the context of this component, present its interconnection with other components of national security, analyze its impact to a variety of policy fields and finally highlight its importance for peace and stability. Its <u>main conclusion</u> is that energy security is a vital component of national security and must not be overlooked.

Introduction

The contemporary security environment has been characterized as an environment of *polycrises* (multiple crises) and *permacrises* (permanent crises)[1], due to the numerous long-lasting and different types (military, economic, energy, food, health, etc.) crises that have occurred. In this context, national security is of vital importance for every state, as it contributes greatly to the promotion of its national energy interests and the wellbeing of its citizens as well, since security and development are interconnected[2]. One of the components of national security is *energy security*, the importance of which has been highlighted during several contemporary crises that had inter alia a direct or indirect impact on the national and global economy.

The article presents the context of energy security, one of the most significant components of national security. Its <u>importance</u> lies in the fact that energy security is extremely important for every state, as it ensures the states' *proper function* and the well-being of its citizens. Current research indicates that the hostile contemporary security environment – full of polycrises and permacrises – forced states to re-evaluate their energy policy in order to enhance their energy security, thus the article contributes in the existing literature as it provides additional information that can help *citizens* understand the need for enhancing energy security and *policy makers* plan and implement respective policies in a more effective way.

[1]Koukakis, G. (2023). *Permacrises and Polycrises: Outlining the Contemporary Security Environment through References to Strategic Documents of Regional and International Actors. HAPSc Policy Briefs Series, Vol 4 (2). 55-64.* https://doi.org/10.12681/hapscpbs.36661.

[2]Stern, M., & Öjendal, J. (2010). *Mapping the Security–Development Nexus: Conflict, Complexity, Cacophony, Convergence? Security Dialogue, 41(1), 5–29.* http://www.jstor.org/stable/26301183.

Its purpose is to clarify the context of energy security, present its interconnection with the other components of national security and policy fields, and highlight its importance for peace and stability. The main conclusion is that energy security is a very important component of national security and must not be overlooked. As far as the structure of the article is concerned, it initially clarifies the concept of national security, explains the context of energy security, after that presents the main collaborative energy schemes between actors and the energy crises that occurred in the 20th and 21st century, it proceeds to a brief analysis of the interconnection between energy security and other policy fields, and concludes by referring to the future challenges and opportunities regarding energy security.
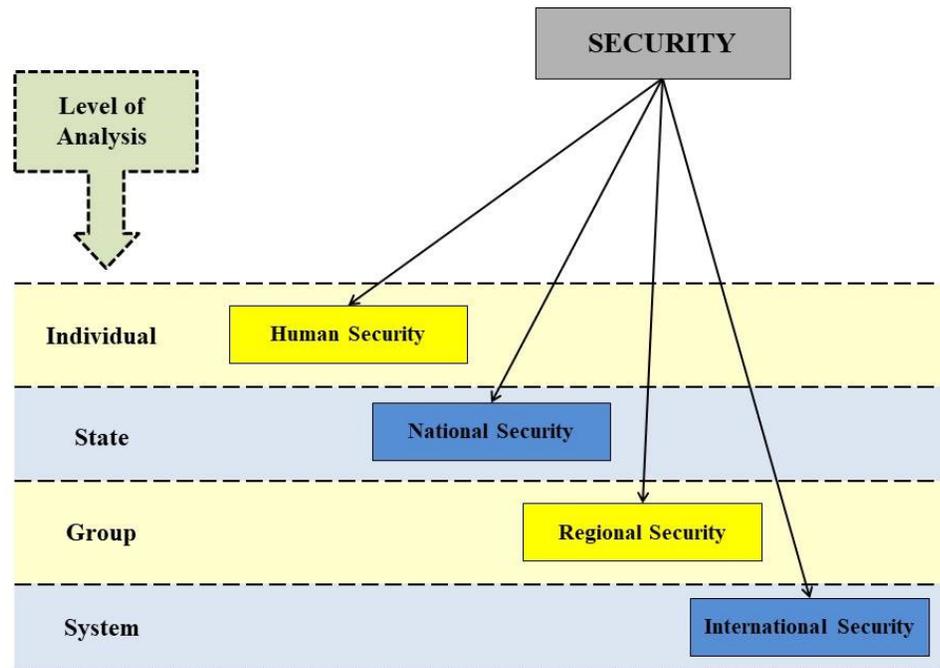
Picture 1: *The 4 types of security*
Source: *Compiled by Georgios Koukakis*

The Concept of Security

The term *security* originates from the Latin word *securitas/securus* whose first compound is the word *sine* meaning *without* and the second compound the word *cura* meaning *fear*, *worry*, *anxiety*, etc.[3] Thus, security is the state in which fear, worry, and anxiety are absent, due to the necessary actions taken by an actor (individual, group, state, organization, etc.) in order to be protected against threats and/or risks. Therefore, security can be categorized according to the level of analysis (*Picture 1*) into *four types*; *Human Security* at the individual level, *National Security* at the state level, *Regional Security* at the group level, and *International Security* at the system level (**Picture 1**).

At first security was mainly related to *national security* (the protection of the state), a concept that was introduced by the United States of America (USA) through the *National Security Act* signed in *1947*.[4]

This new paradigm related security to the internal structure of each state, reflecting its interaction with the security environment, a relation that is based on the state's perception of insecurity[5]. Later on, the United Nations (UN) related security to people and the eradication of poverty and underdevelopment[6], introducing the

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[3]*Neocleous, M. (2000). Against security. Radical Philosophy, 100, 7-15. https://www.radicalphilosophy.com/article/against-security*
[4]*Department of State. (n.d.). National Security Act of 1947. https://history.state.gov/milestones/1945-1952/national-security-act#:~:text=The%20National%20Security%20Act%20of,National%20Security%20Council%20(NSC).*
[5]*Buzan, B. (1983). People, States, and Fear: The National Security Problem in International Relations. Sussex: Wheatsheaf Books, p. 69.*
[6]*Buzan, B. & Hansen, L. (2009). People, States, and Fear: The National Security Problem in International Relations. New York: Cambridge University Press, p. 203.*

concept of *human security* through the *Human Development Report* that was published in *1994*.[7]

As far as *regional security* is concerned, despite the fact that it (etymologically) comprises the national security of the states of a specific region, it also expresses the strong relations developed among them due to their similar cultural, political and legal systems.[8] Therefore, it enables them to act collectively against common threats and cooperate in several fields in order to facilitate development – as security and development are two closely related terms[9] – leading to the establishment of several regional organisations such as the EU.[10]

Finally, *international security* is closely related to globalization[11], mostly dealing with global threats through international organizations such as the United Nations[12]. Moreover, security – regardless the institutional level in which it is examined – encompasses several *dimensions/components*, depending on the specific aspect/policy field that is endangered and/or the origin of threats/risks. These include, but are not limited to the following: (1) military security, (2) economic security, (3) energy security, (4) critical infrastructure security, (5) maritime security, (6) food security, (7) environmental security, (8) health security, (9) domestic/internal security, (10) cyber security, (11) cultural security, (12) water security, (13) demographic security, (14) information security, and (15) space security (**Picture 2**).

The Context of Energy Security

Taking into consideration the aforementioned definition of security, it is understood that energy security is the protection of an actor (mainly states) against energy security threats, and can be defined as:

> "[…] the degree to which a nation or people have access to such energy resources as oil, gas, water, and minerals. It would be more accurate to describe it as access freely determined by the market without interference from other nations or political or military entities for non-market, political purposes".[13]

In order though for the context of economic security to be fully comprehended, the article analyzes the following economic security elements:

1. **Threats:** As far as energy security threats are concerned, it must be stressed that they usually include *state* and *non-state* (public and/or private sector enterprises/companies/organizations) *actors* that can harm the energy field of another actor.

2. **Means:** As far as the means that an actor may use to threaten the energy security of another actor, they usually include sanctions (embargo), the destruction of energy pipelines, the reduction of energy flow towards another state, etc. Moreover, an actor's economic security can be threatened (unintentionally) by a global situation such as an energy crisis.

3. **Ways:** As far as the ways that energy means are used, the most common use is through the implementation of sanctions, embargos, restriction of exports, the development of new energy/trade routes, etc. or/and through cyberattacks and physical attacks against an actor's energy infrastructure.

4. **Goals/Objectives:** The main goal that an actor wishes to accomplish through the use of energy security measures is to impose its will to other actors by coercion. As far as the objectives are concerned, they usually include the *malfunction* and/or *degradation* of an actor's *economy* and/or *financial/energy system* and/or the *deprivation* of its critical resources in order to cause the overall malfunction of a state and public unrest which will put pressure on the state's leadership and thus manage reach to a favourable agreement.

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[7] *United Nations Development Programme. (1994). Human Development Report 1994. https://hdr.undp.org/system/files/documents/ hdr1994encompletenostatspdf.pdf.*

[8] *Graham, K. & Felicio, T. (2005). Regional Security and Global Governance: A Proposal for a 'Regional-Global Security Mechanism' in Light of the UN High-Level Panel's Report, Egmont Paper, 4. http://aei.pitt.edu/8985/.*

[9] *Krause, K. & Jütersonke, O. (2005). 'Peace, Security and Development', Security Dialogue, 36(4), 447-462. https:// journals.sagepub.com/doi/10.1177/0967010605060449.*

[10] *Bailes, A. & Cottey, A. (2006). Regional security cooperation in the early 21st century, in Bailes, A. (ed.) SIPRI Yearbook 2006: Armaments, Disarmament and International Security. New York: Oxford University Press, 195–223.*

[11] *Cha, V. (2000). Globalization and the Study of International Security, Journal of Peace Research, 37(3), 391-403. https:// journals.sagepub.com/doi/10.1177/0022343300037003007.*

[12] *United Nations. (2023). Determined: Report of the Secretary-General on the Work of the Organization. https://www.un.org/sites/ un2.un.org/files/sg_annual_report_2023_en_0.pdf.*

[13] *Holmes, K. (2015). What Is National Security? The Heritage Foundation, 23 https://www.heritage.org/sites/default/files/2019-10/2015_IndexOfUSMilitaryStrength_What%20Is%20National%20Security.pdf.*
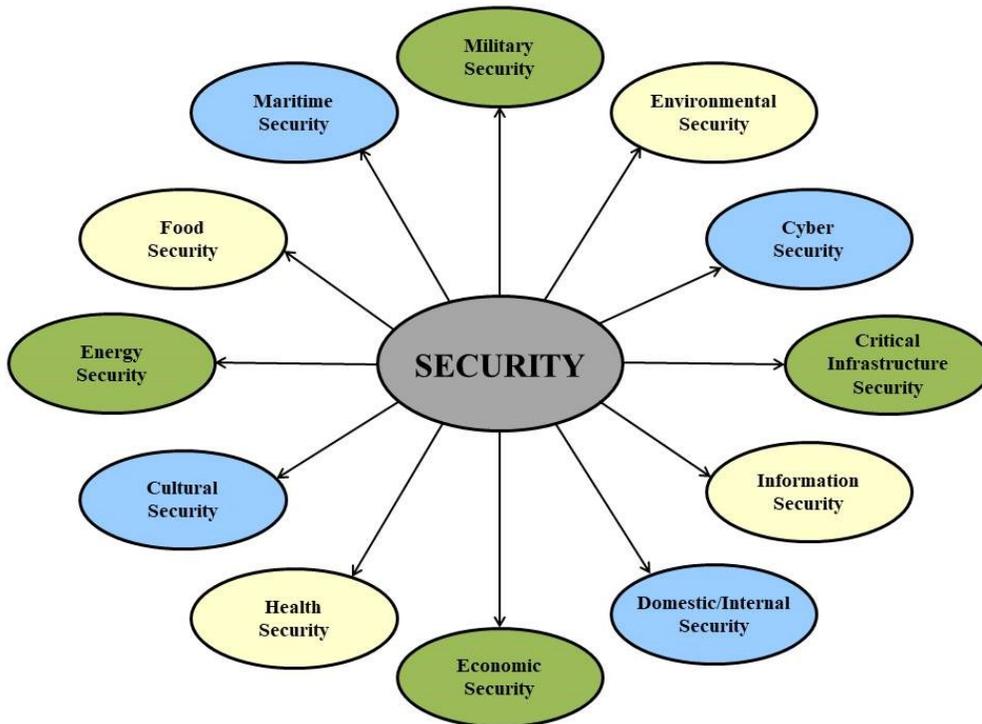
Picture 2: *Indicative dimensions/components of security*
Source: *Compiled by Georgios Koukakis*

     5.   **Strategic documents:** As far as the strategic documents that are related to energy security are concerned, they include either national security strategic documents such as the *National Security Strategy* (NSS) of the United States[14], the *National Strategic Review* (NSR) of France[15], and the *Integrated Review Refresh* (SRR) of the United Kingdom[16], that include special chapters/sections regarding energy security, or specialized strategic documents such as the *British energy security strategy*[17], the *More Energy Security Plan* of Spain[18], or the *Energy Union Strategy*[19] and the *REPowerEU Plan*[20] of the EU. Their main purpose is to provide the framework –by assessing the conditions (threats, risks, challenges and opportunities) of the security environment, defining the desired ends (goals), necessary means, and preferable ways of using them– in which the departments of the public sector will implement their respective strategies (**Picture 3**).

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[14]*Koukakis, G. (2022). The National Security Strategy of the USA: Background, Recent Developments and Future Considerations Regarding the International Security Environment. HAPSc Policy Briefs Series, 3(2), 122–132. https://doi.org/10.12681/hapscpbs.33792.*

[15]*Republic of France. (2022). National Strategic Review. https://www.sgdsn.gouv.fr/files/files/rns-uk-20221202.pdf.*

[16]*Government of the United Kingdom. (2023, March 13). Integrated Review Refresh 2023: Responding to a more contested and volatile world. https://www.gov.uk/government/publications/integrated-review-refresh-2023-responding-to-a-more-contested-and-volatile-world.*

[17]*Government of the UK. (2022, April 07). British energy security strategy. https://www.gov.uk/government/publications/british-energy-security-strategy/british-energy-security-strategy.*

[18]*La Moncloa. (2024, October 11). The Government of Spain approves the More Energy Security Plan to protect consumers and reduce gas consumption. https://www.lamoncloa.gob.es/lang/en/gobierno/councilministers/paginas/2022/20221011_council.aspx*

[19]*European Commission. (n.d.). Energy union. https://energy.ec.europa.eu/topics/energy-strategy/energy-union_en.*

[20]*European Commission. (n.d.). REPowerEU at a glance. https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/repowereu-affordable-secure-and-sustainable-energy-europe_en.*
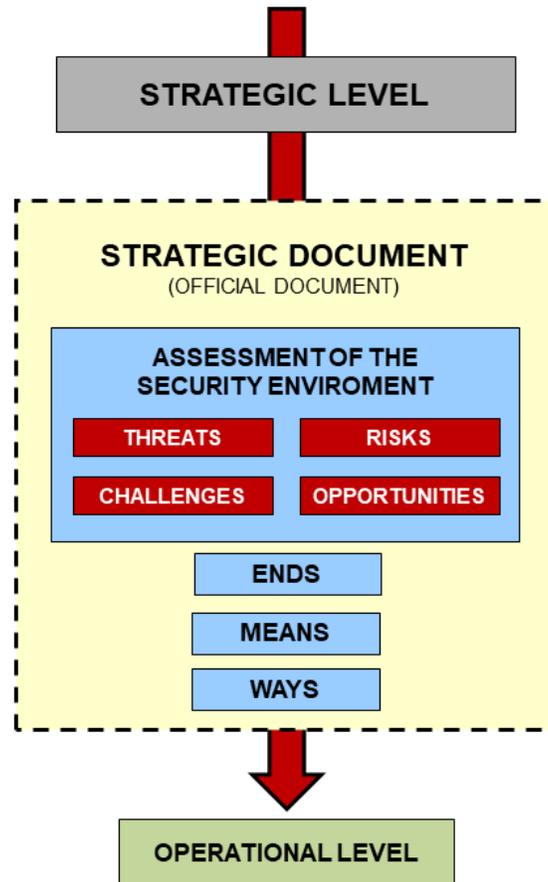
Picture 3: *The Function of Strategic Documents*
Source: *Compiled by Georgios Koukakis*

6.   **Decision-making:** Finally, as far as the decision making process regarding issues related to energy security is concerned, due to the fact that it is a policy field with severe political, diplomatic and social consequences that must be coordinated with other actors, the decision for the implementation of a certain energy policy is usually taken in the higher strategic political level.

Finally, according to the Greek *Energy Institute of South East Europe* (IENE)[21], the **main factors** affecting energy security are the following:

a.   Availability, which is defined as the ability of users and consumers to *access* energy at any time.

b.   Reliability, which is defined as the assurance of uninterrupted energy supply and protection against network *interruptions*.

c.   Affordability, which refers to stable energy *prices* that the vast majority of citizens and the economy can afford.

d.   Sustainability, which is defined as the *minimisation* of social, environmental and economic *costs* from the operation of each part of the energy chain.

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[21]*Σταμπολής, Κ.& Μεζαρτάσογλου, Δ. (2018). Η Ενεργειακή Ασφάλεια της Ελλάδας και Προτάσεις για την Βελτίωσή της [Μελέτη (M 51)]. Ινστιτούτο Ενέργειας Νοτιοανατολικής Ευρώπης. Αθήνα, 9. https://www.iene.gr/articlefiles/energgeiki-asfaleia_elladas.pdf.*
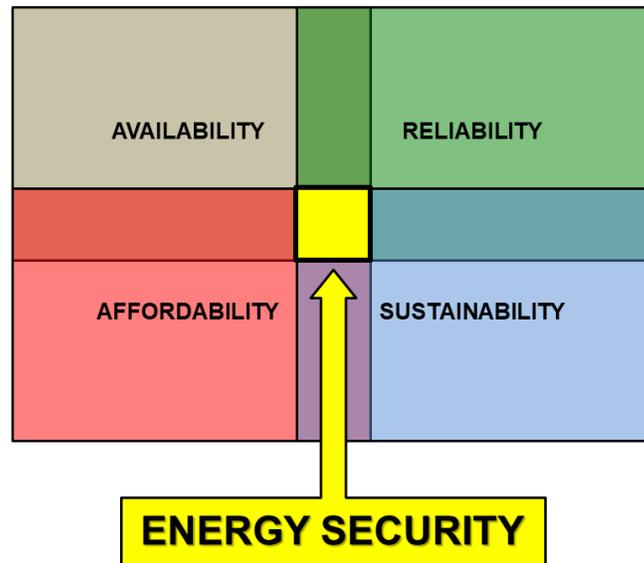
Picture 4: *Visualization of the Context of Energy Security*
Source: *Compiled by Georgios Koukakis*

Energy Collaborative Schemes & Infrastructure Network

Having understood that cooperation is the best way to counter energy security threats, many actors have proceeded to the establishment of several collaborative schemes in the field of energy in order to enhance their *energy capabilities* and/or achieve *favourable conditions* as far as their trade relations (mainly exports and imports) are concerned. Some of the most energy collaborative schemes are the following:

1.   **East Mediterranean Gas Forum (EMGF):** The East Mediterranean Gas Forum (**Picture 5**) is a regional cooperative scheme that was established in 2020[22]. It currently comprises eight (8) members; Cyprus, France, Israel, Jordan, Egypt, Greece, Italy and Palestine, and three (3) observers; the USA, the World Bank Group, and the European Union (EU)[23], while as far as its objectives are concerned, they include the following:

   a.   Setting common strategies based on shared vision.

   b.   Forming a competitive regional gas market.

   c.   Ensuring security of supply and demand.

   d.   Coordinating efforts to optimize resource development.

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[22]*East Mediterranean Gas Forum. (n.d.). Overview. https://emgf.org/pages/about/overview.aspx.*
[23]*East Mediterranean Gas Forum. (n.d.). Member Countries. https://emgf.org/pages/emgf/all_members.aspx.*

Picture 5: *Infographic regarding the East Mediterranean Gas Forum*
Source: *https://www.linkedin.com/posts/emgforg_dialogues-activity-7068498685088739328-MJQS/?trk=public_profile_like_view*

Moreover, the EMGF has established several committees in order to facilitate different objectives regarding the energy sector, such as:

a.   The *Gas Industry Advisory Committee* (GIAC) which is a permanent platform that enables engagement and dialogue amongst members that include state-owned entities, transmission system operators, international companies, service companies and EPC contractors, international financial institutions, and organizations.[24]

b.   The *Regulatory Authority Advisory Committee* (RAAC) which aims – through the participation and share of experience of the Energy and Natural Gas Regulatory Authorities of the members of EMGF – at the alignment of the rules and procedures of the members of EMGF by adopting the best regulatory practices and techniques in order to facilitate gas trading in the Eastern Mediterranean region.[25]

c.   The *Scientific and Technical Advisory Committee* (STAC) which aims at the facilitation of synergies between technological development, the regulatory and business environment.[26]

2.   **Organization of the Petroleum Exporting Countries (OPEC):** The Organization of the Petroleum Exporting Countries was established in 1960[27], it is an international organization and currently comprises *10 member-states* namely Algeria, Congo, Equatorial Guinea, Gabon, Iran, Iraq, Kuwait, Libya, Nigeria, Saudi Arabia, United Arab Emirates (UAE), and Venezuela[28]. According to its official website its mission is to:

> "[…] *coordinate and unify the petroleum policies of its Member Countries and ensure the stabilization of oil markets in order to secure an efficient, economic and regular supply of petroleum to consumers, a steady income to producers and a fair return on capital for those investing in the petroleum industry*".[29]

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[24]*East Mediterranean Gas Forum. (n.d.). GIAC. https://emgf.org/pages/about/GIAC_group.aspx.*
[25]*East Mediterranean Gas Forum. (n.d.). RAAC. https://emgf.org/pages/about/RAAC.aspx.*
[26]*East Mediterranean Gas Forum. (n.d.). STAC. https://emgf.org/pages/about/STAC.aspx.*
[27]*Organization of the Petroleum Exporting Countries. (n.d.). Brief History. https://www.opec.org/opec_web/en/about_us/24.htm.*
[28]*Organization of the Petroleum Exporting Countries. (n.d.). Member Countries. https://www.opec.org/opec_web/en/about_us/25.htm.*
[29]*Organization of the Petroleum Exporting Countries. (n.d.). Our Mission. https://www.opec.org/opec_web/en/about_us/23.htm.*
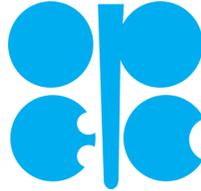
Picture 6: *The logos (left to right) of Energy Community, OPEC and NSEC*
Source: *Official Websites of the Organizations*

3.   **North Seas Energy Cooperation (NSEC):** The North Seas Energy Cooperation (NSEC) was established in 2016[30], it is a regional non-binding cooperation framework that currently includes *10 members*; namely Belgium, Denmark, France, Germany, Ireland, Luxembourg, the Netherlands, Norway, Sweden and the European Commission and its objective is to:

> ”*[…] facilitate the further cost-effective deployment of offshore renewable energy, in particular wind, through voluntary cooperation, with the aim of ensuring a sustainable, secure and affordable energy supply in the North Seas countries, thereby also facilitating further interconnection between North Seas countries and – whilst focusing on a step-by-step approach – with the perspective of further integration and increased efficiency of wholesale electricity markets in the longer term, contributing to a reduction of greenhouse gas emissions and in average wholesale price spreads and to enhanced security of supply in the region*”.[31]

4.   **Energy Community:** The Energy Community was established in 2005, it is an international organization between the 27 EU member-states and the EU neighboring states; namely Albania, Bosnia and Herzegovina, Kosovo[32], North Macedonia, Georgia, Moldova, Montenegro, Serbia and Ukraine, while Armenia, Norway and Turkey take part as observers (**Picture 7**)[33]. Its *mission* is to:

> ”*Establish a stable regulatory and market framework capable of attracting investment in power generation and networks; Create an integrated energy market allowing for cross-border energy trade and integration with the EU market; enhance the security of supply to ensure stable and continuous energy supply that is essential for economic development and social stability; Improve the environmental situation in relation with energy supply in the region and foster the use of renewable energy and energy efficiency; and Develop competition at regional level and exploit economies of scale*”.[34]

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[30]*CIRCABC. (2016). Political Declaration on energy cooperation between the North Seas Countries 2016 [Official Document]. https://circabc.europa.eu/ui/group/9198696f-e42c-4a88-b4f1-7a1788eb9b7c/library/f9baf2e3-832b-4db2-a627-36950a243f69/ details.*
[31]*Ibid.*
[32]*This designation is without prejudice to positions on status, and is in line with United Nations Security Council Resolution 1244/1999 and the International Court of Justice Opinion on the Kosovo declaration of independence.*
[33]*Energy Community. (n,d,). Who we are. https://www.energy-community.org/aboutus/whoweare.html.*
[34]*Ibid.*
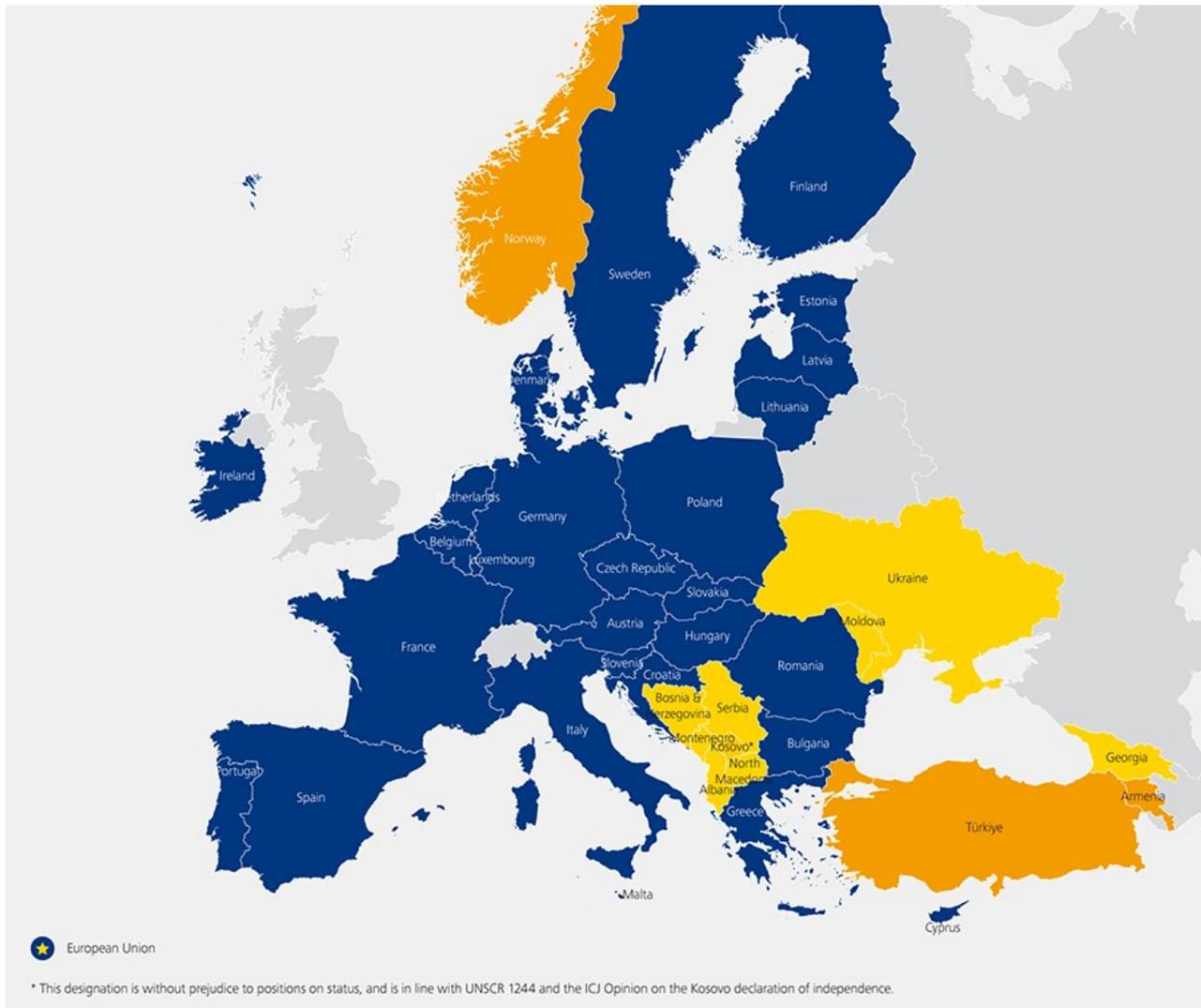
Picture 7: *The Energy Community member states and observers*
Source: *https://www.energy-community.org/aboutus/whoweare.html*

     5.   **Multilateral & bilateral agreements:** As far as the multilateral and bilateral agreements regarding the energy sector are concerned, some of the most important ones that affect the regional security of Europe and Eastern Mediterranean are the following:

     a.   The agreement between <u>Turkey</u> and <u>Russia</u> that was signed in *2010* regarding the construction of the *Akkuyu Nuclear Power Plant* in the southern province of Mersin.[35]

     b.   The memoranda on energy infrastructure between <u>Greece</u> and <u>Bulgaria</u> that were signed in *2023* regarding: (1) security of supply and storage of natural gas, and (2) the possibility of building a new pipeline that will connect Alexandroupolis to Burgas[36], that was followed by an *interconnection agreement* signed in *2024* between the Natural Gas Interconnector Greece-Bulgaria (ICGB) and the Transmission System Operator (DESFA).[37]

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[35]*Yuksel, F. (2022, July 29). Russia transferring $15B for Türkiye for Akkuyu NPP. Anadolu Agency. https://www.aa.com.tr/en/ energy/nuclear/russia-transferring-15b-for-turkiye-for-akkuyu-npp/35933.*

[36]*Ekathimerini. (2023, February 16). Greece, Bulgaria sign memoranda that 'change the energy map of SE Europe'. https:// www.ekathimerini.com/news/1204875/greece-bulgaria-sign-memoranda-that-change-the-energy-map-of-se-europe/.*

[37]*Laurenson, J. (2024, September 24). Greece-Bulgaria gas interconnector signs Alexandroupolis agreement with transmission operator.https://ceenergynews.com/lng/greece-bulgaria-gas-interconnector-signs-alexandroupolis-agreement-with-transmission-operator/.*

Picture 8: *The proposed route of East Med*
Source: *https://tekmormonitor.blogspot.com/2018/11/israel-cyprus-greece-and-italy-agree-on.html*

The trilateral partnership between Greece, Cyprus and Israel that was augmented in *2013* which inter alia provides for the construction of the *Eastern Mediterranean (EastMed)* pipeline (**Picture 8**) and the *EuroA- sia Interconnector* (**Picture 9**) that that will transfer natural gas and electricity respectively from Israel to Greece and then Europe.[38]
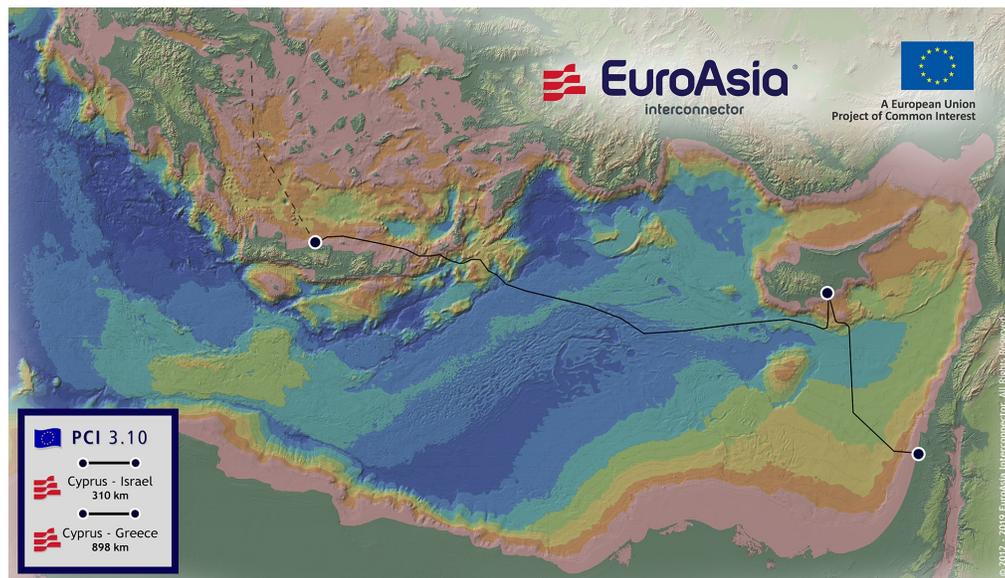
Picture 9: *The proposed route of EuroAsia Interconnector*
Source: *https://www.cbn.com.cy/article/2023/10/9/736298/greek-ipto-project-promoter-of-euroasia-interconnector/*

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[38]*Koukakis, G. (2023). The 9th Trilateral Summit of Cyprus, Greece and Israel: Turkey's struggle for power in the Eastern Mediter- ranean, the Competition between India and China in the Middle East, and the New Era of "Economic Peace" [Occasional Paper 1/2023]. HERMES Institute of International Affairs, Security & Geoeconomy, https://doi.org/10.13140/RG.2.2.18271.84645*

     d.   The trilateral partnership between <u>Greece</u>, <u>Cyprus</u> and <u>Egypt</u> that was augmented in *2014* which inter alia provides for the construction of the *EuroAfrica Interconnector* (**Picture 11**) that that will transfer electricity from the Egypt to Greece and then Europe.[39]
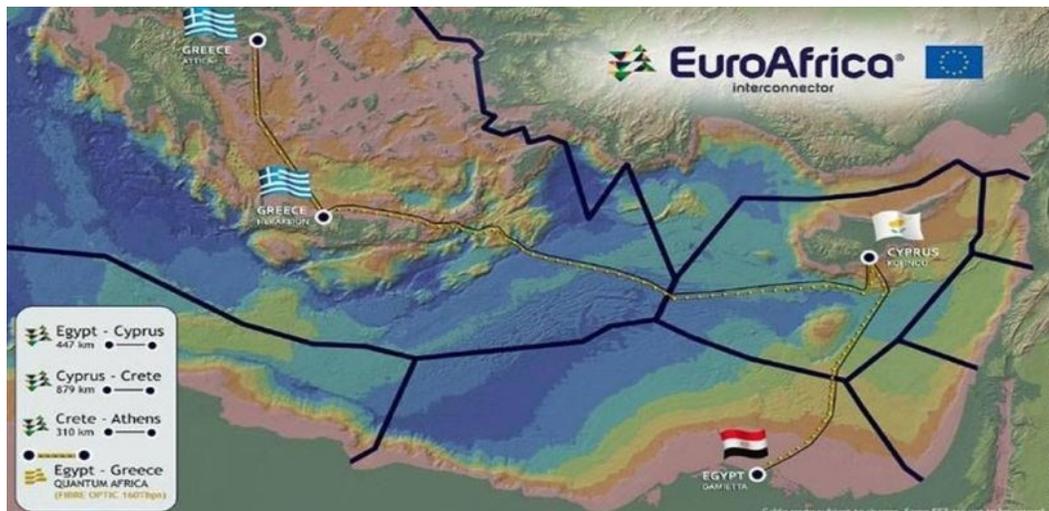
Picture 10: *The proposed route of EuroAfrica Interconnector*
Source: *https://energypress.gr/news/syntoma-ta-egkainia-toy-euroafrica-interconnector-tis-175-twh-tha-fthanei-i-etisia-metaforiki*

     e.   The Memorandum of Understanding (MoU) on a Strategic Partnership between the <u>EU</u> and <u>Egypt</u> that was signed in 2018.[40]

     f.   The Memorandum of understanding on a strategic partnership on *renewable hydrogen* between the <u>EU</u> and <u>Egypt</u> that was signed in 2022.[41]

     g.   The Memorandum of Understanding (MoU) on cooperation related to trade, transport, and export of natural gas to the EU between the <u>EU</u>, <u>Egypt</u> and <u>Israel</u> that was signed in 2022[42], with provisions (section 1) that the two sides will endeavor to:

> ”*[…] work collectively towards enabling a stable delivery of natural gas to the EU that is consistent with long-term decarbonisation objectives and is based on the principle of market-oriented pricing, to the extent that it coincides with each Side's domestic laws, regulations, policies and procedures [...] promote the reduction of methane leakages, and in particular examine new technologies for reducing venting and flaring and explore possibilities for the utilisation of captured methane throughout the entire supply chain*”.[43]

As far as the <u>European energy infrastructure network</u> is concerned, it consists of several *natural gas* and *oil* pipelines coming from *Russia* and *Caucasus* (**Picture 12**) in addition to a number of pipelines coming

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[39]*Shama, N. (2019). Between Alliance and Entente: The Egyptian-Greek-Cypriot Partnership, in Tziarras, Z. (ed.), The New Geopolitics of the Eastern Mediterranean: Trilateral Partnerships and Regional Security. Re-imagining the Eastern Mediterranean Series: PCC Report, 3. Nicosia: PRIO Cyprus Centre, 95-110. https://cdn.cloud.prio.org/files/0548bfa7-dc4f-4818-b860-1f8b051241ae/ The%20New%20Geopolitics%20of%20the%20Eastern%20Mediterranean%20-%20Chapter%206%20-%20Between%20Alliance% 20and%20-%20Nael%20Shama.pdf?inline=true.*
[40]*European Commission. (2018, April 23). Memorandum of understanding on a strategic partnership on energy between the European union and the Arab republic of Egypt 2018-2022. https://energy.ec.europa.eu/system/files/2018-04/eu-egypt_mou_0.pdf*
[41]*European Commission. (2022, November 16). Memorandum of understanding on a strategic partnership on renewable hydrogen between the European union and the Arab republic of Egypt. https://energy.ec.europa.eu/publications/memorandum-understanding-strategic-partnership-renewable-hydrogen-between-european-union-and-arab_en.*
[42]*European Commission. (2022, June 17). EU Egypt Israel Memorandum of Understanding. https://energy.ec.europa.eu/document/ download/c9e9d864-1e30-48ec-a0c3-b4de89873b65_en?filename=MoU%20EU%20Egypt%20Israel.pdf.*
[43]*Ibid.*

from *Africa* (**Picture 13**). Furthermore, significant energy infrastructure is being developed in the city of *Alexandroupolis* (Greece).[44]

Picture 11: *The gas pipeline network from Russia & Caucasus to Europe*
Source: *https://www.dw.com/en/eu-prepares-for-russia-to-cut-off-gas-supply-over-sanctions/a-62493092*

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[44]*Lousios, K. (2024). The Geopolitical Value of the Eastern Mediterranean and the Role of Greece in Europe's Energy Security, through Energy Interconnections and Natural Energy Deposits. Geostrategic Pulse. Issue 295, 42-50.*

Pipeline network Africa-Europe

MOROCCO

ALGERIA

GASPIPELINES

LIBYA

▌ NIGAL (planned)

▌ MEG (offline)

▌ Medgaz

▌ Galsi (under construction)

▌ TransMed

▌ Greenstream (offline)

▌ MidCat (stopped)

▌ Other

NIGER

NIGERIA

■ LNG-Terminals

DW   Source: ENI | GIE | World LNG Map 2006
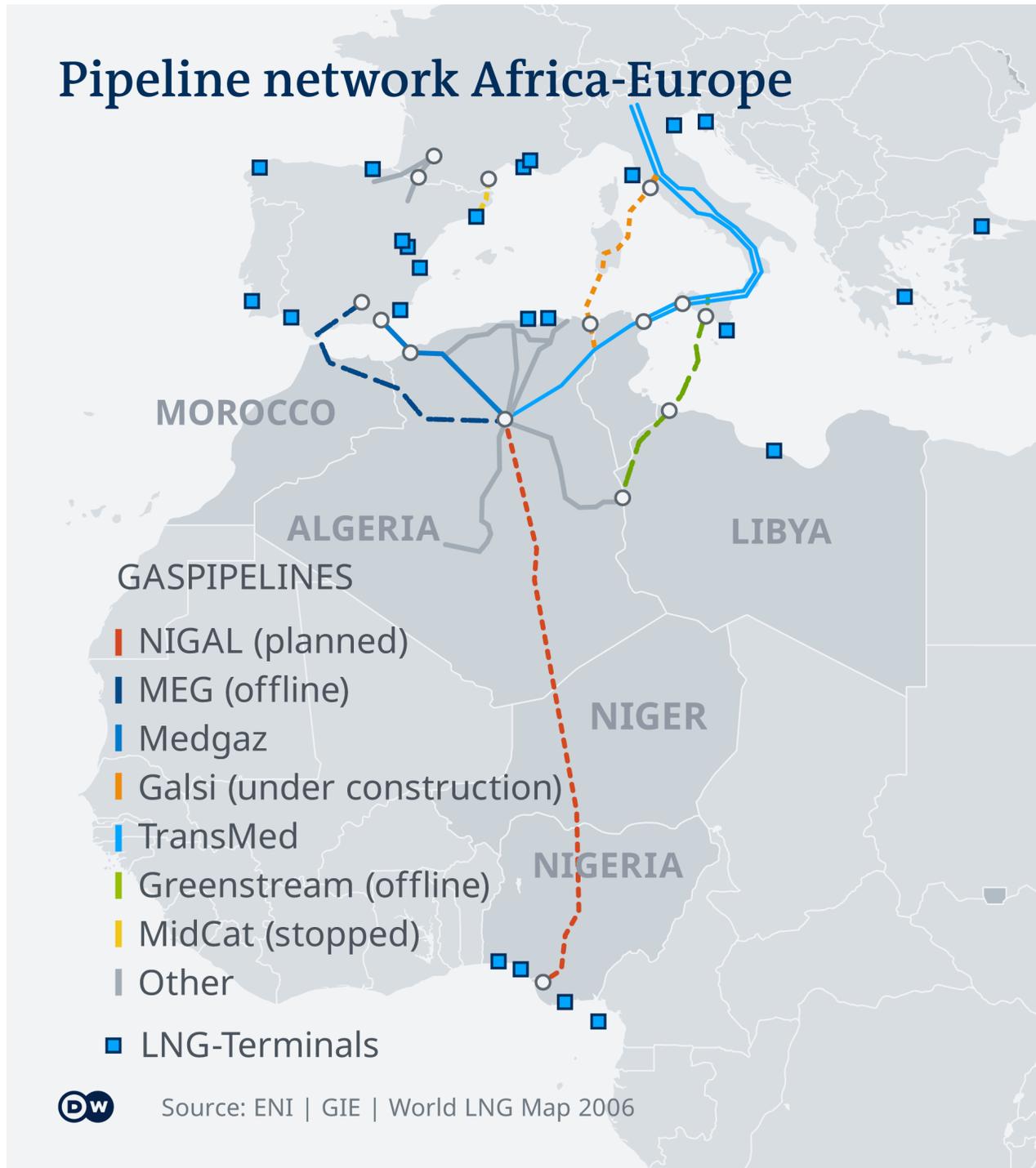
Picture 12: *The gas pipeline network from Africa*
Source: *https://corporate.dw.com/en/europe-looks-to-africa-to-fill-natural-gas-gap/a-61017873*

Contemporary Energy Crises and Incidents

Before referring to the energy crises that occurred in the 20th and 21st century, it is imperative to provide a definition for the Greek word '*crisis*' that originates form the verb '*κρίνω*' which means '*to make a judgment, to evaluate a situation*'. Crisis is a situation in which the smooth running of a process is disrupted, or in which established structures, values or institutions are disrupted or challenged in practice. As regards the characteristics of a security crisis (**Picture 13**)[45], these include the following:

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[45]*Parley Policy Initiative. (2021, October 21). The Characteristics of "Crisis". https://www.parleypolicy.com/post/the-characteristics-of-crisis*

1. There is a <u>precipitating event</u>, whether accidental or intentional.
2. It is <u>dangerous</u> for at least one party involved in the crisis.
3. The outcome is <u>uncertain</u>.
4. Parties to the crisis are able to <u>influence outcomes</u>.
5. It is <u>bounded</u>.
6. It is <u>unique</u>.
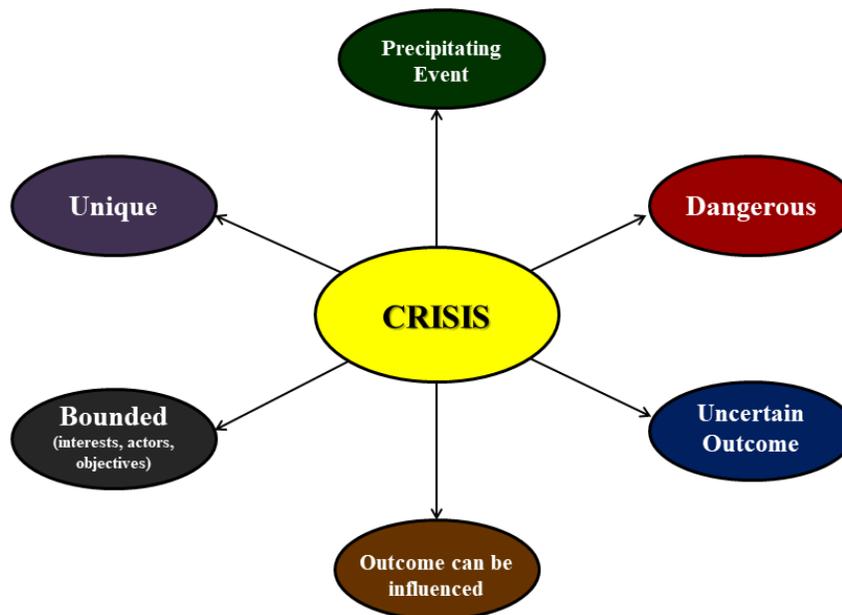
Picture 13: *The 6 characteristics of a crisis*
Source: *Compiled by Georgios Koukakis ©*

As far as the major contemporary *energy crises* are concerned, they are distinguished in two (2) main categories; *primary* in case they are caused by a malfunction of the energy sector, and *secondary* if they are the consequence of the malfunction of a crisis in another sector such as military crisis, economic crisis, etc. The most important crises (referred by chronological order) that occurred in the 20th and the 21st century are the following:

1. The <u>1973 primary oil crisis</u> that was caused by the embargo imposed by the members of OPEC to the USA, Netherlands, Portugal, Rhodesia and South Africa[46], due to the latter's support that was provided to Israel during the Arab-Israeli War of 1973 (Yom Kippur War).[47]

2. The <u>1979 secondary oil crisis</u> that was caused by the Iranian Revolution that took place the same year and the war between Iran and Iraq that was initiated the year after.[48]

3. The <u>1990 secondary oil crisis</u> that was caused by the war between Iraq and Kuwait that took place the same year.[49]

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[46]*Britannica, T. Editors of Encyclopaedia (2024, August 23). Arab oil embargo. Encyclopedia Britannica. https://www.britannica.com/event/Arab-oil-embargo.*
[47]*Kettell, S. (2024, June 26), oil crisis. Encyclopedia Britannica. https://www.britannica.com/money/oil-crisis.*
[48]*Ibid.*
[49]*Verleger, P. K. (1990). Understanding the 1990 Oil Crisis. The Energy Journal, 11(4), 15–33. http://www.jstor.org/stable/41322669.*

4.   The 2014 primary oil crisis that was caused by the oil price collapse.[50]

5.   The 2022 secondary energy crisis that was caused by the *War in Ukraine*, partly due to increase of energy prices as a result of the general trend of the markets after the outbreak of any military crisis, and partly due to the intentionally interrupted gas flow to Europe on behalf of Russia.[51]

As far as the contemporary *energy security 'incidents'* are concerned, the most recent one regards the explosions that took place on *26 September 2022* on the Russian Nord Stream gas pipelines that provided gas to Germany, an incident that led both Russia and the West to accusing each other for sabotage.[52]

The Interconnection of Energy Security with other Policy Fields

As far as the interconnection of energy security with other fields is concerned, it must be noted that when energy security is threatened – e.g. during a crisis or through the imposition of sanctions – both the public and private sectors malfunction as they are extremely dependent to energy resources, leading gradually to several other crises such as food crises, economic crises, and humanitarian crises. In addition to that, economic security is interconnected to the following fields:

1.   **Economy:** The first policy field that comes in mind when referring to energy security is the economy, as without energy there can be no industry, transports and commerce. Besides, energy exports play for several states a significant role in their economy.

2.   **Security & Defence:** Another field that is interconnected with energy security is the sector of the security & defence, as the former is closely related with the *defence industry* sector, as public and private defence enterprises depend on the availability and affordability of energy resources. Moreover, energy is necessary for the functioning of almost every type of military means (vehicles, tanks, helicopters, aircrafts, warships, submarines, etc.).

3.   **Resilience:** Though it is not always stressed enough, resilience is a prerequisite of security. For example, in order for an actor to achieve energy security (be protected from threats against its energy sector), it must ensure that its vulnerabilities that are related to its energy sector are reduced to a minimum level. Thus, energy resilience is closely related to the four (4) aforementioned factors of *availability*, *reliability*, *affordability*, and *sustainability*. That is exactly the reason why resilience is highlighted in several strategic documents of major actors.[53]

4.   **Public Health:** As far as public health is concerned, it is also connected to energy security mostly because the production of medicine and the provision of healthcare in public structures (hospital, health centers, etc.) depend on energy sources in order to function properly.

5.   **Human Rights:** Even though energy security and human rights seem to be two fields that are not connected, this is not the case as energy is crucial for every human in order to maintain a minimum standard of living. This according to *article 25* of the *Universal Declaration of Human Rights*:

> "*Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control*".[54]

6.   **Intelligence:** Intelligence is another relative field that is crucial for maintaining energy security, as it facilitates the production of *assessments* regarding future trends of the market, the discovery of new energy sources, competitor's actions, and of course the effectiveness of the measures taken by an actor against or in favour of another one.

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[50]*The World Bank (2024, June 26). oil crisis. Encyclopedia Britannica. https://www.britannica.com/money/oil-crisis.*

[51]*BBC. (2022, September 29). Nord Stream 1: How Russia is cutting gas supplies to Europe. https://www.bbc.com/news/world-europe-60131520.*

[52]*Adomaitis, N. & Ahlander, J. (2024, February 07). Nord Stream: What's known about the mystery pipeline explosions?. Reuters. https://www.reuters.com/world/europe/qa-what-is-known-about-nord-stream-gas-pipeline-explosions-2023-09-26/.*

[53]*Koukakis, G. (2023). Resilience: Highlighting its Importance for Security and Development through References to (National) Security Strategic Documents of International Actors. HAPSc Policy Briefs Series, 4(1), 77–87. https://doi.org/10.12681/hapscpbs.35186*

[54]*United Nations. (n.d.). Universal Declaration of Human Rights. https://www.un.org/en/about-us/universal-declaration-of-human-rights.*

7.   **Technology:** In addition to the aforementioned fields, technology is one of the most important fields that is strongly connected inter alia to energy security, as the new technological means and methods that are being constantly developed can also be integrated into several aspects of the energy sector. The effectiveness of supply chains and physical security of critical energy infrastructure is enhanced, exploitation of energy deposits that were not possible in the past can now be done, etc.
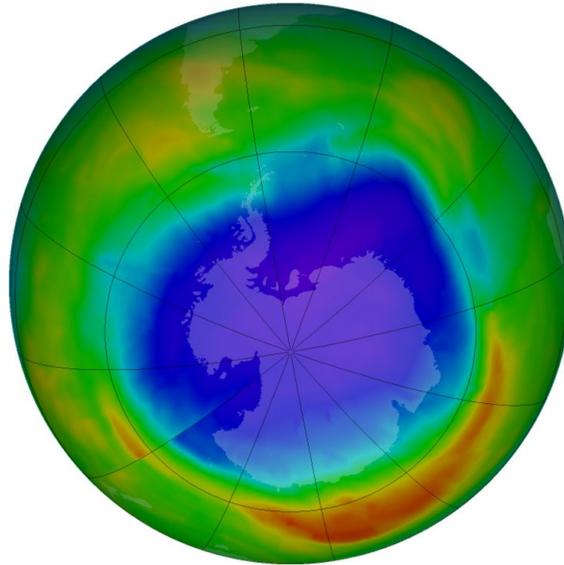
Picture 14: *Illustration of the total ozone over the Antarctic pole*
Source: *https://science.nasa.gov/climate-change/faq/is-the-ozone-hole-causing-climate-change/*

8.   **Environment:** As far as the environment is concerned, it is also connected to energy security mainly because of the negative impact of the emissions (mainly CO_2) that are being produced by the combustion of the non-renewable energy sources to the environment. These emissions harm the ozone layer of the atmosphere (**Picture 14**), leading to global warming which has been related to climate change.[55]

Concluding Remarks

Taking into consideration the information presented in the article it is concluded that <u>energy security is a vital component of national security and must not be overlooked, as this will have major consequences to many policy fields</u> besides the economy, such as security & defence. In fact, in order for a state to achieve the goals of the global 'green transition', it will need to modify its military means so that they can operate on renewable energy sources, an action that not only increases its expenditures but also affects the level of military security. As far as the main *challenge* for every state is concerned, it lies in the ability to maintain *development* in addition to achieving the goal of *green transition* in order to enhance its environmental security as well. As for the main *opportunity* that lies ahead, it lies in the ability to keep up with the rapid *technological advancements* and promote the integration of *new 'green' technologies* in the public and private sector in order to achieve sustainability. Finally, it is imperative that everyone keeps in mind the importance of the energy sector not only in national but in personal level as well, as:

> "*Energy is the lifeblood of the global economy. From heating our homes to powering our factories, everything we do depends on a reliable flow of affordable energy*".[56]

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[55]*National Aeronautics and Space Administration. (n.d.). Is the ozone hole causing climate change?. https://science.nasa.gov/climate-change/faq/is-the-ozone-hole-causing-climate-change/.*
[56]*Government of the UK. (2022, April 07). British energy security strategy. Ibid.*

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2. SECURITY AND RESILIENCE

A Return to the Roots, the Only Solution to Put an End to Europe's Downgrading!

Dr. Jean MARSIA (Belgium)

After noting Europe's downgrading and recalling the federalist impulse which, from 1941 to 1947, could have produced a European constitution, this article will have to note that since 1948, the unification of Europe has embarked on the dead-end road of the integration of States. It then calls for a return to the right path.

A Europe in Perdition, that's Established!

In April 2024, Mr Letta released "*Much more than a market*", a forward-looking view of the future of the single market. On 9 September 2024, Mr. Draghi was finally able to disclose "*The Future of European Competitiveness*". Both denounce Europe's industrial, economic and financial decline, particularly in relation to the United States of America and Communist China. They call for far-reaching reforms of the European Union (EU), but without indicating which ones they consider desirable. A quarter of a century ago, the European Commission, chaired by Mr. Prodi, perceived this downgrading, and proposed the Lisbon Strategy to counter it, but in vain: the governments of the Member States remained passive.

In the geopolitical field, the downgrading is deeper and older: since 1949, European states have given up on ensuring our security and asked the United States of America to protect us, which they have done effectively. Our

Source: https://noticiaspia.com/la-ue-avanza-hacia-una-fuerza-de-intervencion-militar-conjunta/

states, being protectorates, are dependent and Europeans pay the price for protection. The aggressions committed by Russia against Georgia in 2008 and then Ukraine since 2014 have reminded us of how insignificant and powerless the EU authorities are, on the international scene, but also internally: Hungary continues to block the payment of more than 6 billion € from the European fund that reimburses Member States for the weapons they give to Ukraine, as well as the subscription of a €35 billion loan that would constitute the European contribution to a G7 aid package of $50 billion to Ukraine, with interest on frozen Russian assets being used to repay the loan. The EU's defence industrial policy is necessarily incomplete, since there is no European defence policy, which only a European federal state could define and implement. Without effective governance and decision-making processes, the EU was not even able to produce the one million 155mm shells it had promised Ukraine in 2023.

To get Europe out of its industrial, economic and financial downgrading, from its dependence on defence, a reform of the treaties would be ineffective. The European Commission is not an executive power, and the European Council does not define the EU's main strategic axes well, because it cares little about the general interest of Europeans, concerned as it is above all with the interests of the governments of the Member States. A legitimate, democratic European government, controlled by Parliament, within the framework of a federal constitution, is essential. It would be easy to obtain it if Parliament, the legitimate representative of the citizens, declared itself a constituent body, inspired by the pioneers of European unification.

What Does It Mean to Go Back to Basics?

In 1941, the anti-fascist activists Altiero Spinelli, Ernesto Rossi and Eugenio Colorni, exiled to Ventotene, a small island in the Tyrrhenian Sea, wrote "For a Free and United Europe. Draft manifesto"[1], which was circulated within the European resistance by Ursula Hirschmann, Colorni's wife. This *Ventotene Manifesto* pleaded, amid the war, for the political union of Europe in the form of a federal state. It was adopted as a programme by the European Federalist Movement, founded in August 1943 in Milan.

The governments of Belgium, the Netherlands and Luxembourg signed a monetary agreement in London on 21 October 1943 prefiguring the euro zone. It was supplemented on 5 September 1944 by a customs convention establishing a common tariff and providing for the creation of a Benelux economic union, the forerunner of the European Economic and Monetary Union.[2]

In 1944, on March 31, April 29, May 20 and July 6 and 7, Pastor Willem Visser't Hooft brought together in Geneva representatives of resistance movements from Denmark, France, Italy, Norway, the Netherlands, Poland, Czechoslovakia and Yugoslavia, as well as those of a group of German anti-Nazi activists to prepare for the advent, after the war, of a federal and democratic Europe such as that proposed by the *Ventotene Manifesto*. The *Manifesto of the European Resistance*[3], which resulted from their work, declared that the aims of the Resistance could only be achieved if all countries agreed to go beyond the dogma of the absolute sovereignty of States and agreed to integrate into a federal organization, the only one capable of guaranteeing democracy, social justice, and respect for human rights, but also to ensure the peaceful participation of the German people in European life. The *Manifesto of the European Resistance* advocates the creation of a federal union among the peoples of Europe, the establishment of a government responsible to the peoples of the member countries of the federation, an army under the command of this federal government, and a supreme court competent to judge questions relating to the interpretation of the federal constitution and to settle any disputes between the member states of the federation. On 19 September 1946, Churchill gave a speech at the University of Zurich on European unity, which advocated Franco-German rapprochement and proposed "a sort of United States of Europe", but without involving Great Britain.

In October 1946, Richard Coudenhove-Kalergi sent a questionnaire to more than four thousand parliamentarians from Western Europe on the establishment of a European federation within the framework of the United Nations. The many positive responses led him to organize the first congress of the European Parliamentary Union (EPU) in Gstaad from 8 to 10 September 1947. It brought together one hundred and fourteen MEPs and Senators from ten countries to debate the most effective way to promote European federalism. Unfortunately, no draft European Constitution, establishing executive, legislative and judicial powers, as well as a common European currency, has been drawn up.

The Integration of European States, Geopolitically Inadequate

The Prague coup in February 1948 and the Berlin blockade in May reinforced the perception of the threat that the Red Army posed to Europe. On 17 March, the Treaty of Western Union was signed in Brussels between Belgium, the Netherlands and Luxembourg, France, and the United Kingdom, to coordinate their defence efforts, but what could the 10 divisions of these five countries do in the face of the 150 to 175 Soviet divisions?

From 7 to 10 May 1948, an International Congress of Europe was held in The Hague under the honorary presidency of Winston Churchill. The International Coordinating Committee of Movements for European Unity brought together nearly 800 personalities from most of the countries of Western Europe: politicians

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[1] *See Altiero Spinelli and Ernesto Rossi, preface by Eugenio Colorni, Il Manifesto di Ventotene / The Ventotene Manifesto. Presentation by Enrico Letta and introductions by Lucio Levi and Pier Virgilio Dastoli, Genoa-Ventotene, 2021.*
[2] *This agreement and convention were extensions of the Treaty of Belgian-Luxembourg Economic Union (BLEU) of 25 July 1921, which led to a joint monetary association on 23 May 1935.*
[3] *See sn, "La Résistance et l'idée européenne", Luxembourg Centre for Contemporary and Digital History, https://www.cvce.eu/collections/unit-content/-/unit/02bb76df-d066-4c08-a58a-d4686a3e68ff/81649a8e-0558-4721-b443-d609f19dfa24.*

(parliamentarians and ministers), business and trade union leaders, journalists, intellectuals, etc. Seventeen countries were represented and observers from Eastern Europe and the United States were also in attendance. During the debates, ideological tendencies clashed: the French, Belgians, Italians, Dutch, and the majority of trade unionists were in favour of federalism, the British and Scandinavians wanted a European Union led by national governments and parliaments. Some pseudo-federalists were in favour of a technocracy; inspired by Jean Monnet, they rejected democracy and universal suffrage. The Hague Congress proposed the creation of a European Centre for Culture, a College of Europe, a Parliamentary Assembly of the Council of Europe, and the drafting of a European Convention on Human Rights, but it has made the idea of drafting a federal European Constitution, to this day, forgotten.

In 1949, on April 4, the Treaty of Washington made Western Europe subservient to the United States of America. On May 5, the Council of Europe was created by the Treaty of London.

On May 9, 1950, Robert Schuman announced the creation of a European "federation", which he proposed to initiate by means of a Treaty, the Treaty of Paris of 18 April 1951 on the European Coal and Steel Community (ECSC), by establishing a supranational, independent, functionalist, technocratic, bureaucratic, undemocratic and opaque legal entity. Based on this, René Pleven and the French government proposed the creation of a European Defence Community (EDC), which would have the exclusive right to defend the European territories of the Member States and to produce armaments. It would participate on their behalf in NATO and its armies would be supervised by the Commander-in-Chief of the Atlantic Alliance, who is still an American general. The first to hold this position was General Eisenhower who, on July 3, 1951, suggested "*the establishment a workable European federation*" which would make "*the laborious NATO machinery of mutual defense vastly simplified*".

Instead of listening to him, the ECSC Assembly set up an ad hoc Assembly on 13 September 1952 under the chairmanship of Spaak to draw up the draft European Constitution provided for in Article 38 of the draft EDC Treaty. The American jurists Carl J. Friedrich and Robert R. Bowie, as well as 37 Harvard scholars, funded by the Ford Foundation, compared the American, Swiss, Canadian, and Australian constitutions, which allowed a group led by Spinelli to formulate a series of resolutions, on which base Spaak had produced not a draft constitution, but rather a draft treaty establishing the European Political Community (EPC). Carl-J. Friedrich deplored the fact that it is impossible to achieve a European democracy if there is no federal constitutional basis. Fortunately, on 30 August 1954, the French Prime Minister, Pierre Mendès-France, withdrew from the agenda of the French National Assembly the ratification of the Treaty establishing the EDC, abandoning the absurd idea of creating a European army before defining a European security policy.

The Treaty of Washington was amended to create the North Atlantic Treaty Organisation (NATO); the Treaty of Brussels was amended to create the Western European Union (WEU); in law (new Article IV of the Treaty) and in fact, NATO was given a monopoly on the means of military action; the WEU had only a vegetative existence until 1987. It had a Parliamentary Assembly, supported by a General Staff, an Institute for Security Studies, and a Military Committee, but it had only one Belgian, four British and four French divisions.

In 1955, Monnet published "The United States of Europe Has Begun." The more time passes, the clearer it becomes that it was wrong. On March 10, Mr. Beyen, the Dutch Foreign Minister, proposed an economic union, via a free trade area and then a customs union, which the Six accepted on June 2nd at the Messina Conference. On 26 February 1956, the British unsuccessfully proposed a free trade area with the Six, the United Kingdom, Switzerland, and the Scandinavians.

The Treaties of Rome of 25 March 1957 established the European Economic Community (EEC) and another dedicated to the industrial applications of atomic energy (Euratom). The first paragraph of the preamble to the EEC Treaty expresses the political will to achieve "an ever-closer union" among the peoples of Europe, but what the High Contracting Parties have legally established among themselves does not meet this objective. The fundamental European treaties are not acts of international constitutional law, because a treaty is an act external to the State, a constitution is the highest, in the hierarchy of norms, internal act of the State.

In 1961-1962, de Gaulle unsuccessfully proposed intergovernmental political cooperation to the Six, in the fields of foreign policy, cultural affairs and defence, with a view to establishing a confederation of states, pending a federation. In the absence of a six-party agreement, Adenauer and de Gaulle signed the Franco-German Élysée Treaty in 1963, which should have established this cooperation between two parties, but when it was ratified, the *Bundestag* added a preamble that had not been negotiated with France, which subordinated the Treaty to the Washington Treaty of 1949 and emptied it of its substance. In 1965, De Gaulle obtained the merger of the High Authority of the ECSC, the Commission of the EEC and that of Euratom, to allow a single Commission to represent the Six, to define a common policy in the field of energy, industry, or transport, to facilitate the grouping of companies or closer cooperation in the field of scientific research.

In 1966, the Luxembourg Agreement provided that if, even in the case of decisions which could be taken by majority on a proposal from the Commission, the very important interests of one or more partners were at stake, the members of the European Council would endeavour, within a reasonable period, to arrive at solutions which could be adopted unanimously. In 1967, the trade agreement resulting from the *Kennedy Round* put the EEC on an equal footing with the Americans. From the 1973 enlargement of the Common Market to Britain, Ireland and Denmark, the special relationship between London and Washington disrupted Europe's development, until Brexit in 2016.

In 1984, on 14 February, Spinelli had his draft Treaty on European Union approved by the first European Parliament elected by direct universal suffrage, by 237 votes to 31 with 43 abstentions, and then by the European Commission. The text was then rejected by the governments of the Member States. In 1985, the Schengen Convention extended to France and Germany the opening of internal borders that had been carried out for ten years within the BENELUX. Unfortunately, these countries have not set up a corps of border and coast guards to control the external borders of the area. In 1986, the Single European Act was signed, with the WEU as the military element of European integration and the European pillar of the Atlantic Alliance, but its Member States did not give it the necessary military capabilities.

In 1992, the Maastricht Treaty provided for European Monetary Union, it formalized the coexistence of Community and intergovernmental methods by structuring the EU into three pillars: Community Affairs; Common Foreign and Security Policy (CFSP); Justice and Interior. The CFSP should have led to a common defence, based on the WEU, which will prove impossible because of Mr. Mitterrand's rejection of political union. Mr. Kohl explained to him, but to no avail, that federalism is the only relevant form of supranational political integration. "*It would have closed our internal rifts, would have brought us the sharing of a common destiny, a destiny that implies common responsibilities for defence and security,*" wrote General Henri Bentégeat. On 2 June 1992, the Danes' 'no' to the Maastricht Treaty and the weak 'yes' vote on the French in the referendum of 20 September reduced the credibility of European integration.

From 1994 onwards, NATO made its command structure available to the WEU, then to the EU, but in vain: in 2024, Europe still does not have an autonomous capacity for action, supported by credible military forces, whereas President Chirac and Prime Minister Blair of Great Britain had noted this need on December 4, 1998. in Saint-Malo.

In 1999, on January 1st, the common currency, the euro or €, was created, in a virtual, digital form, and then materialised three years later. In 2024, the European Central Bank still does not have a European federal executive as a partner, but Member States whose positions and interests are often divergent.

In 2001, the Laeken European Council adopted the "Declaration on the Future of the European Union, for more democracy, transparency and efficiency" and convened the "Convention on the Future of Europe". From 2004 onwards, the EU expanded to include Central and Eastern Europe, but in 2005 the referendum approving the draft "*Constitutional Treaty*" drafted by the "Convention on the Future of Europe" failed in France, as did the popular consultation in the Netherlands. Gradually, the ambition to unite Europe more closely within the EU's community and intergovernmental framework has diminished.

In Conclusion

The union of Europe has certainly progressed since 1944, but it was mainly from 1958 to 1969 and from 1992 to 2002. Europe still has no legitimate government, it is not democratic, it has no common foreign policy, no defence policy, no army.

Given the challenges facing Europe, there is an urgent need to put an end to the disintegration of the EU and the downgrading of Europe. To do this, MEPs should draw inspiration from the *Manifesto of European Resistance* and resume the work begun by the Laeken European Council, by finally providing Europe with a Constituent Assembly.

2. SECURITY AND RESILIENCE

21st Century: Evolution of Geopolitics and Geostrategy

Yasumi Wickramasinghe (Sri Lanka)

At present, geopolitics as well geostrategy occupies a more central position in the ever-dynamic arow. The capability of nation states or any other international organizations and corporations to cope with the world which is experiencing a rapid technological upsurge, climate alteration and hyphen worlds is being tested in ways that seem too familiar now. This article discusses the major factors that are changing the age-old notions of geopolitics and explores the strategic shifts for the countries that wish to maintain order and power in this new outlook.

1. The Rise of Multi-Polar Power Centers

The major part of geopolitics in the 20th century was defined by the binary power play of the Cold War. But the 21st century has brought forth a multi-polar world, where more than one country—be it the United States, China, Russia, or the European Union—plays an influential role across more than one region. Herein lies the opportunity and the challenge posed by such a balance of power, as smaller nations align themselves with these powers based on strategic interests, resource needs, and regional security concerns.

Consequently, today's global power dynamics require constant recalibration, where countries are forging strategic partnerships in order to counterbalance other alliances. The rise of groups like BRICS and QUAD underlines the building of coalitions as a response to the shifting geopolitical landscape.

Source: https://alison.com/course/navigating-geopolitics-in-the-21st-century

2. Resource Competition and Economic Geostrategy

But today, strategic resources also include rare earth elements, technological assets, and energy supplies crucial for the transition to green economies. In this regard, a major strategy for states is to ensure security over those resources, which often involves exclusive trade deals or partnerships, affecting global markets. For instance, China's dominance in the rare earths market has strategic implications for the U.S. and its allies, since those countries rely on the materials for technology, defense, and renewable energy production. A lot of investment, therefore, goes into diversifying supply chains and exploring domestic reserves to decrease dependence.

3. Technological Dominance as a Geostrategic Tool

In this era of artificial intelligence, 5G networks, and cybersecurity, technological superiority has become a critical element of national power. This has evoked among nations an all-out competition, alongside

the awareness that whoever controls the commanding heights of technology will hold sway over the economic, military, and political realms. For example, the ongoing U.S.-China rivalry in AI and semiconductor manufacturing showcases how fast-paced technological competition keeps pushing adjustments to alliances and strategic realignments. Modern geostrategy also puts cybersecurity at the forefront, with states heavily investing in cyber defenses to protect national infrastructure. The digital battleground is now challenging traditional notions of security, where countries defend not only their borders but also data and information sovereignty.

4. Climate Change and Geostrategic Vulnerability

With climate change striking the world, individual countries are compelled to attach environmental factors to their strategic calculations. Changes in sea levels, weather phenomena, and moving ecosystems pose new dangers to countries worldwide. For instance, melting Arctic ice has opened up new shipping lanes and revealed huge natural resources—hosting, say, Russia, the U.S., and China—thereby drawing potential conflicts over territorial and resource rights in previously inaccessible regions. In addition, the resettlement of people displaced due to climate change will not only lead to migration but will also increase conflicts in the regions affected and alter their geo-political equilibrium.

5. The Evolution of Sovereignty and The Challenges of Globalization National Governments

This has been and continues to be limited by national boundaries, both in terms of primary policy focus and interactions with foreign states. However, the current rise of nationalism, coupled with rising trade barriers, is now forcing states to rethink what sovereignty means. Countries are intent on achieving self-sufficiency for their markets and people but not completely abandoning the external environment. This has facilitated a new pragmatic approach to geostrategy whereby one would witness the rise of regional strategies and sub-regional regimes bloc concurrently with opening up of such regions to the rest of the world. For example, the European Union is pursuing "strategic autonomy" which in part entails reducing reliance on, especially the US and China for energy, defense, and technological aspects, among other core functions.

Conclusion

The parameters of pursuing geostrategic goals have changed, it is no longer all about the use of hard power and the establishment of economic supremacy. It has evolved into a complex network of resource control, technological competition, and environmental resilience, with nations adapting their strategies accordingly. In such a multi-dimensional web, the ability to anticipate and adjust to such challenges will determine which countries will rise to the top in the 21st century. With these new world realities, it is very important for policymakers, leaders, and citizens to be vigilant, knowing that the decisions being made today are going to chart the course of the geopolitical realities of tomorrow.

3. GLOBAL SITUATION - UKRAINE

War in Ukraine: Conflict Resolution Perspectives

George-Vadim TIUGEA

The Russian military intervention in Ukraine, which began in the open on 24 February 2022, was one of the most important events changing the post-Cold War peaceful paradigm in international affairs. It was one of the first instances in Europe, after 1945 and especially after the Helsinki Final Act of 1975, when a sovereign state officially attacked by military means another sovereign state. Of course, the war was prefaced by the forceful Russian annexation of the Crimean Peninsula belonging to Ukraine, in March 2014. That event proved Russia's disdain of preserving the peaceful status-quo characterizing postwar Europe and specifically the post-Cold War Eastern European borders, acknowledged following signature of the Budapest Memorandum of 1994. The Russian Federation officially marked its departure from international norms when it adopted the annexation documents concerning the Ukrainian regions of Donetsk, Luhansk, Kherson and Zaporizhzhia (so-called *Novorussia*), in September 2022. Since then, the situation on the battleground has been characterized by protracted confrontation without significant territorial changes (except the Russian offensive in Donetsk region and the Ukrainian offensive in Kursk region, recently).

Source: https://www.stiripesurse.ro/live-text-razboi-in-ucraina-rusia-a-atacat-cu-drone-kievul-timp-de-mai-bine-de-trei-ore_3467707.html

At international level, the conflict has been met with various attitudes, ranging from condemnation and support for the invaded Ukrainian side (United States, most EU member states, Western allies worldwide), moderate condemnation (China, India, Latin American and African countries) or praise and support for the Russian invasion (Belarus, Iran, Syria and North Korea). Nevertheless, at UN level, there was always some formal support for peace initiatives that would bring the two sides at the negotiation table. In real terms, though, the two sides seem the farthest they have ever been from one another, mainly due to their totally opposed agendas: Russia wants to recover its post-Soviet influence zone, while Ukraine wants to recover its occupied regions.

In this context, peace seems a very distant objective, although there were some international initiatives from some significant actors at regional or world level. However, the continued fighting translates into a huge

waste of resources from many actors, which could otherwise be attributed to other areas, more important for economic recovery after the Covid19 crisis. Even while the two opposing sides and their supporters vow to continue the conflict until their final victory, it has lately become obvious that soon they will be faced with the necessity of reaching some sort of conflict pause. This article attempts to take into account the chances of peaceful agreement among the two sides during the next period, the actors that could bring about such an outcome and the most likely manner in which the conflict could subside.

Conflict premises

Russia and Ukraine have always been regarded as "sister nations", as their peoples belong to the Eastern Slavic ethnic group. At some point during early Middle Ages, it was the Kievan Rus that managed to gather most of Eastern Slavic tribes into some sort of coherent state. Both Russia and Ukraine are currently disputing being the heir of that state. Historical events, however, made Moscow the main power centre of the Eastern Slavic world and the hegemon of the Russian Empire, which managed to gradually conquer the territories of present-day Russia and Ukraine. From this position, the Russian state imposed its customs and language over the poorly organized Ukrainian Cossacks, whose own culture and language it largely influenced and whose territory it shaped and organized. The influence was so great, that at some point Ukraine was considered "Little Russia", an integral part of the Russian state, a historical thesis which is currently embraced and promoted by the Putin regime.[1]

On the other side, Ukrainians claim their heritage from the independent Cossacks, gravitating between stronger Russian and Polish mediaeval states. Their nationhood was fuelled by Austria-Hungary in its Galician province and by Germany during the two world wars, as an outpost against Russia. Even during Soviet times, Ukrainians were sometimes supported as manoeuvring mass within the Union by some camp or another. During these clashes, the Ukrainian Soviet Socialist Republic that was carved from former Tsarist lands received territories formerly inhabited by Tatars (Taurida/Crimea, Bujak), Poles (Western Ukraine) and Romanians (North Bukovina). But the Ukrainians also suffered mass hunger, as during Holodomor (1932-1933), mass conscription, as during the Second World War, and mass poisoning, as during Chernobyl nuclear incident (1986) under the Soviet rule[2]. The result was a velvet divorce from Russia in 1991 that left it independent enough to gravitate between Moscow and the West, after it renounced its nuclear weapons (following the Budapest Memorandum of 1994[3]). However, Moscow retained some assets in the bilateral relation, such as energy dependence, the Russian speaking minority in Crimea and Eastern Ukraine and the Black Sea military fleet quartered in Sevastopol.

Moscow and Kyiv remained in a friendly relationship until the 2004 Orange Revolution, when the pro-Western candidate Viktor Yushchenko won the Ukrainian presidential elections and tried to change the country's ambivalent strategic orientation by openly embracing Western values. From that point on, Russia began to exert pressure on Kyiv, using all its assets, in order to prevent what it perceived as a breach in its traditional influence sphere, the post-Soviet space. When it became clear this strategy failed and its Ukrainian allies were overthrown by the Euromaidan Revolution in 2014, Russia no longer mimicked respect for the post-Cold War order and began recovering former Soviet territories by force, where it was easier (Crimea, by using a fake referendum in February 2014, supported by Russian militias), and fostering civil unrest where it had some means (separatist movements from Donetsk and Luhansk regions). Russia's actions were supported by the fact that a significant part of Eastern Ukraine was inhabited by Russian-speaking population (91% in Sevastopol, 77% in Crimea, 75% in Donetsk and 69% in Luhansk, according to the 2001 census), even if not all of them identified as ethnic Russians (an absolute majority only in Crimea).[4]

The open conflict ignited in February 2022 was defined by the Russian Federation as a "special military operation", designed to "support Russian minorities fighting Kyiv government in Eastern Ukraine", "demilitarize and de-nazify Ukraine". It had been prepared several months before, by diplomatically warning messages to the West that Ukraine was part of Russia's sphere of influence allegedly conferred in a tacit manner at

[1]*Serhii Plokhy, Lost Kingdom. A History of Russian Nationalism from Ivan the Terrible to Vladimir Putin, Allen Lane, London, 2017, pp. 56, 110-111, 114; Vladimir Putin, "On the Historical Unity of Russians and Ukrainians", July 12, 2021, in http://en.kremlin.ru/events/president/news/66181, accessed on 15 August 2022*
[2]*Plokhy, op. cit., pp. 201, 217, 222-223*
[3]*United Nations, "Memorandum on security assurances in connection with Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons", Budapest, 5 December 1994, in https://treaties.un.org/doc/Publication/UNTS/Volume%203007/Part/volume-3007-I-52241.pdf, accessed on 25 February 2022*
[4]*State Statistics Committee of Ukraine, "National structure of the population of Ukraine – 2001", in http://2001.ukrcensus.gov.ua/eng/results/general/nationality/, accessed on 6 January 2021*

the end of the Cold War[5].

Formally, there was not even a declaration of war against Ukraine, as president Putin considered it a "legitimate part of Russia". The aim of the whole invasion was to remove the democratically elected government of Ukraine and replace it with a Russian puppet regime that would have severed ties with the West and returned Ukraine to the Russian orbit. However, due to a fierce resistance of Ukrainian military forces coordinated by president Volodymyr Zelensky, with significant Western support, Russian troops had to retreat from the outskirts of Kyiv and fortify conquered territories in the eastern and southern parts of the country (territories from the regions of Donetsk, Luhansk, Kherson and Zaporizhzhia, which were annexed by decree in September 2022). In this undertaking, Russian troops destroyed significant parts of Ukraine's critical infrastructure, civilian residence areas and military devices, imposed a maritime blockade, while killing approximately 12,000 civilians and 80,000 soldiers. No less than 8 million people were displaced and forced to flee from the attacked regions, mainly towards Western countries. However, Russian troops also suffered massive losses, including military infrastructure and about 140,000 killed soldiers.[6]

On its side, the Ukrainian government secured a strong support from NATO and EU member states (except Hungary and Slovakia) and managed to resist the invasion and even to recover occupied territories during the first six months of war (especially in the Kherson and Kharkiv regions). Moreover, Ukrainian military forces managed to strike military equipment on neighbouring Russian territory (Belgorod, Bryansk, Kursk, Moscow and Rostov regions) and even conquer a small part of Russian territory in the Kursk region (August 2024). The main goal of the Kyiv government was to recover the territories occupied by Russia (including Crimea) and re-establish the status-quo from January 2014. Also, it aims to get war reparations from Russia, full withdrawal of Russian forces from its territory, prosecution of Russian war crimes, return of Ukrainian children abducted by Russian forces and international guarantees against any future military aggression[7]. At the same time, Ukraine became an official candidate for membership of the European Union (December 2023) and a close NATO ally.

Currently, the official short-term goal of Russia in Ukraine is to secure annexation of conquered territory and force an international settlement that would make the rest of Ukraine neutral and demilitarized, a sort of buffer zone against the West. At the same time, on medium and longer run, Russia wants to establish a new "multipolar" world order directed against the US "hegemony"[8]. In order to achieve all these, Russia relies, at international level, on its alliance with China, Iran, North Korea and other BRICS countries, but also on preferential relations with some political groups from Western countries, including far-right forces from Germany (Alternative for Germany, BSW), France (National Rally), Italy (The League), Hungary (*Fidesz*, *Jobbik*), Slovakia (SMER), Austria (FPO), the Netherlands (PVV), Czechia (ANO), Bulgaria (*Vazrazhdane*) and others, which could alter EU support for Ukraine. At the same time, the Republican candidate in the US presidential elections, former president Donald Trump, has a significant Russia-friendly attitude and could determine a massive change in the US support for Ukraine if elected during the November 5, 2024, elections.

Potential mediators

There were several conflict mediation initiatives launched by several international actors during the last three years. The first of them were the Belarussian and Turkish initiatives to put the two sides at the negotiation table (March-July 2022), but their opposing goals hindered any significant progress. Then, there were some peace plans proposed by China, Brazil and Indonesia (February 2023-September 2024), but they were dismissed by the Ukrainian side, as being biased in Russia's favour[9].

[5]*Euractiv.com with Reuters, "Russia demands US, NATO containment in draft security accord", December 17, 2021, in https://www.euractiv.com/section/defence-and-security/news/russia-demands-us-nato-containment-in-draft-security-accords/?utm_source=piano&utm_medium=email&utm_campaign=9707&pnespid=s_Y3CiIXOrEUwfPEoi.sT4ie5Rz.XZ4oN.Xmxfl4rh9mh4_ILCYc7VoW_4lxEuYSP4lu.T9gjA, accessed on 28 December 2021*
[6]*Mediazona, "Russian casualties in Ukraine. Mediazona count, updated", 19 July 2024, in https://en.zona.media/article/2022/05/11/casualties_eng, accessed on 22 October 2024*
[7]*Maryna Shashkova, "EXPLAINED: Zelensky's 10-Point Peace Plan", November 14, 2023, in https://www.kyivpost.com/post/20469, accessed on 22 October 2024*
[8]*AFP, "Any Ukraine Peace Talks Should Be About 'New World Order' – Lavrov", April 7, 2023, in https://www.themoscowtimes.com/2023/04/07/any-ukraine-peace-talks-should-be-about-new-world-order-lavrov-a80750, accessed on 23 October 2024*
[9]*Simon Lewis, "China, Brazil press on with Ukraine peace plan despite Zelenskiy's ire", September 28, 2024, in https://www.reuters.com/world/china-brazil-press-with-ukraine-peace-plan-despite-zelenskiys-ire-2024-09-27/, accessed on 20 October 2024; Kanupriya Kapoor, "Indonesia proposes demilitarised zone, UN referendum for Ukraine peace plan", June 2, 2023, in https://www.reuters.com/world/indonesia-proposes-demilitarised-zone-un-referendum-ukraine-peace-plan-2023-06-03/, accessed on 20 October 2024*

At some point, even the Holy See suggested it could be involved in some secret negotiations for ending the conflict (April 2023). In June 2023, a delegation of African countries (South Africa, Egypt, Senegal, Congo, Comoros, Zambia and Uganda) visited Kyiv and Moscow in order to find a common ground for a possible peace settlement[10]. In August 2023, Saudi Arabia hosted peace talks attended by 40 countries (including China, India, Ukraine and US), but Russia was not invited[11]. There was also an official visit of Indian Prime Minister Narendra Modi in Kyiv in August 2024, which marked some sort of mediation interest from New Delhi[12]. The most successful initiative, however, was the Turkish mediation of safe transport corridors for Ukrainian grains through the Black Sea (*Black Sea Grain Initiative*), but it lasted only one year (July 2022-July 2023).[13]

The mediation of China is highly improbable, mainly due to its nowadays open alliance with Russia and its common interest of countering US strategic interests worldwide. As Ukraine is currently a close US ally, any Chinese initiative would be treated with caution by Kyiv, as it did in the past. The main contentious point for Ukraine is that the Chinese side never mentioned withdrawal of Russian occupation forces from its territory in its peace plans. Also, China is a communist country and Ukraine has condemned all of its own communist past inheritance.

Mediation from Belarus has always been regarded by Kyiv as an attempt of Moscow to draw its attention from the front line. After all, Belarus is a close Russian ally and even hosts Russian troops and military equipment (including nuclear bombs) on its territory. It was also involved logistically in some of the Russian invasion activities, so its credibility is non-existent. President Lukashenko is one of the last European dictators and stays in power by means of repressive methods condoned by Moscow.

Mediation from Brazil sounded promising in the beginning, as president Lula was re-elected following democratic elections in 2022 and had an open interest of making Brazil a respected international actor. Also, Brazil hosts an important Ukrainian minority (around 500,000 people) which can be very influential and even contributed to the condemnation of the invasion by the Brazilian side in the initial phase. However, president Lula has a critical view over Western influence in Ukraine and supported a peace plan providing for recognition of Crimea's annexation by Russia, which is unacceptable for Kyiv.

Turkish mediation has been the most successful until now, but it has its limits. Turkey is a member state of NATO, which is actively supporting Ukraine in its war effort against Russia (to mention only the *Bayraktar* drones). However, president Erdogan's position within NATO is mostly critical of US strategy, which he considers too interventionist and Zionist friendly. Also, internally, the Erdogan regime has become an example of diminishing democracy and pluralism, a fact drawing him closer to Russia. Not least, Turkey is a significant export hub for Russian gas and oil and maintains functional economic ties to Moscow.

Mediation from South Africa seems promising at first glance: Pretoria is a signatory member of the International Court of Justice, which condemned Vladimir Putin for crimes against humanity. That would be a favourable asset for Ukraine. At the same time, it is a member of BRICS and shares some of Moscow's multipolarism dreams, being upset of constant Western criticism for its dominant party and corrupted political landscape. It also abstained during the UN General Assembly vote condemning Russian invasion of Ukraine in 2022. Its peace plans avoided condemning Russian military occupation of Ukrainian territories, which was imperative for Kyiv.

Saudi Arabia could become a promising mediator, mainly because it has not put forward any meaningful peace plan, but has supported inclusive peace talk formats. Its main vulnerability is that it is a close US ally in the Middle East and that makes it hard to digest by Russia. Its main asset is that, like Russia, it is an oil exporting country (both are members of OPEC+) and could have similar interests to that extent. However, in the context of the current Middle East crisis, its role in other parts of the world could be diminished.

India is a recent potential mediator, which signalled its intention to get involved in devising a peace plan. After being re-confirmed as Prime Minister by this year's general elections, Narendra Modi seems keen to make India, the world's most populated democratic nation, a relevant international actor. However, this is done by being both a member of BRICS and Shanghai Cooperation Organization (together with China and

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[10]*Nosmot Gbadamosi, "A Failed African Peace Mission to Ukraine and Russia", June 21, 2023, in https://foreignpolicy.com/2023/06/21/a-failed-african-peace-mission-to-ukraine-and-russia/, accessed on 20 October 2024*

[11]*AFP, "Saudi Arabia hosts peace talks on Ukraine war excluding Russia", 5 August 2023, in https://www.france24.com/en/live-news/20230805-saudi-dives-into-ukraine-peace-push-with-jeddah-talks, accessed on 20 October 2024*

[12]*Seb Starcevic, "Ukraine bets on India to help get peace deal with Putin", September 24, 2024, in https://www.politico.eu/article/ukraine-india-russia-narendra-modi-volodymyr-zelenskyy-vladimir-putin-peace-kyiv/, accessed on 20 October 2024*

[13]*Boris Kormych, Tatyana Averochkina and Liudmyla Kormych, "Black Sea, grain, and two humanitarian corridors: unblocking Ukrainian shipping amid the Russian invasion" in Small Wars and Insurgencies, pp. 1-7*

Russia) and also to the Quad (involving western allies such as UK, Australia and Japan). Its ambivalent position was expressed by its abstention to condemn annexation of Crimea (2014) and Russian invasion at the UN in 2022, but also condemning human rights violations in Crimea (2020). Nevertheless, it still maintains important economic relations with Russia (energy and weapon imports) and does not enforce western sanctions against Moscow.

A less mentioned international actor involved in possible conflict mediation in Ukraine is Indonesia. Its relatively low stakes in the conflict make it a sufficiently remote and impartial actor to be taken in account. However, its previous peace plan was already rejected by Kyiv because it provided for the establishment of a demilitarized zone between the two sides and organization of local referendums in the "disputed territories", a position considered too close to Russia.

A relatively unlikely mediator of the conflict is the Holly See, which suggested it could get involved in secret negotiations[14]. Its main asset is emphasis of the humanitarian dimension of the conflict, but upholding human rights issues could make it unacceptable by Russia, as the Pope frequently criticized the military intervention and the refugee wave it created. Also, the Catholic Church is traditionally an enemy for the Russian Orthodox Church and the latter's claims of Christianity beacon, as a "Third Rome".

Recently, another emerging actor from the Middle East, the United Arab Emirates (UAE), indicated its interest in mediating possible peace talks between the two sides. The UAE seems to have been involved in some of the negotiations for exchanging prisoners so far[15], but its late membership of BRICS and OPEC+ could become an obstacle for Kyiv. The country has good relations both with Russia and the US and has been involved, in a constructive or destructive manner, in conflicts from the Middle East and North Africa (MENA) region (Libya, Sudan and Yemen, among others). It is still not clear if the UAE could become a proper mediator in the conflict between Russia and Ukraine.

Not least, the US could become the most important mediator in the Russia-Ukraine conflict, if Donald Trump got elected as US president again. As he and his campaign team repeatedly stressed, the US would then support a quick end to the conflict by cancelling military and economic support for Ukraine, recognizing Russian annexations of Ukrainian territory and recognizing Ukraine's neutrality, as Moscow wants. However, it is unclear if European allies could endorse such a proposal, as their security interests concerning Russia are more pronounced, especially since six of them (Norway, Finland, Estonia, Latvia, Lithuania, Poland) share a land border with the Russian state.

Likely outcome

The conflict in Ukraine is close to completing its third year now and fighting is not showing signs of restraints from either side; on the contrary, its intensity seems to increase. New and more powerful weapons are developed and employed, creating more and more destruction and sufferance for people living in the conflict areas and elsewhere in Ukraine or Russia. Opinion polls show an increasing resilience on the Ukrainian side and a decreasing support for the war in Russia, but without a decrease in support for the Putin regime and a desire to get something from this already costly conflict[16]. In these circumstances, peace is desired by both sides, but their positions are still irreconcilable, mainly due to the fierce fighting and significant losses incurred by both so far. An agreement cannot be conceived without reaching the smallest common denominator among them. The role of external actors is, however, significant in ending the conflict, be it for the moment or for good. As long as the two sides are supported by other countries, bigger or smaller, fighting will continue indefinitely.

Mediation is difficult, as the main international actors are perceived by the two sides according to their initial position concerning condemnation of the invasion: western countries (UK, France, Germany, Canada, Japan, Australia and other EU or NATO member states) are perceived as too favourable to Ukraine, while

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[14] *Philip Pullella, "Pope says Vatican involved in secret Ukraine peace mission", May 1, 2023, in https://www.reuters.com/world/europe/pope-says-vatican-involved-ukraine-peace-mission-2023-04-30/, accessed on 23 October 2024*
[15] *Veronica Neyfakh, "UAE Emerges as Key Diplomatic Player in Russia-Ukraine Conflict, Experts Say", October 22, 2024, in https://themedialine.org/top-stories/uaes-growing-diplomatic-role-how-pragmatic-ties-with-russia-are-shaping-global-mediation/, accessed on 23 October 2024*
[16] *Nicole Gonik and Eric Ciaramella, "War and Peace: Ukraine's Impossible Choices", June 11, 2024, in https://carnegieendowment.org/research/2024/06/ukraine-public-opinion-russia-war?lang=en, accessed on 24 October 2024; Simon Saradzhyan, "Poll: Majority of Russians Would Oppose Returning Land Even if Putin Decides To Return it as Part of Peace Deal", October 17, 2024, in https://www.russiamatters.org/blog/poll-majority-russians-would-oppose-returning-land-even-if-putin-decides-return-it-part-peace, accessed on 24 October 2024*

BRICS countries (including new Middle East members) are perceived as being too favourable to Russia. The only legitimate actor which could be regarded as a proper mediator is the United Nations (UN), but its role is diminished due to a high degree of fragmentation and disagreements between permanent members of the Security Council.

In the end, the only possible outcome is a sort of accommodation between major interests of the two sides, but not a stable peace treaty. For Russia, a retreat from occupied territories is unconceivable, taking into account its great power identity, even if the Putin regime would no longer exist (that would require a massive strategic culture change and complete de-sovietisation, following western standards – an improbable situation). At the same time, Moscow's goal of being recognized as a power centre of the new multipolar world would never bow to any sort of solution imposed by the West, without recognizing its influence sphere in the post-Soviet space. In Ukraine's case, accepting territorial loss would never work, as it has the moral ground of abiding by international law. At the same time, accepting neutrality would be considered losing sovereignty in favour of Russia. That is why, the resolution of this conflict can never come after direct negotiation between Moscow and Kyiv, but following some sort of agreement between Moscow and Washington. The only existing model for such a Cold War type of settlement is the Korean Peninsula truce (lasting since 1953), in which the two sides accepted to end conflict and preserve their controlled territories, also preserving their own sovereignty. In this case, the conflict will only be frozen indefinitely (until forces ratio changes dramatically, if ever), with Russia keeping conquered territory and Ukraine becoming an EU member state (much like Cyprus did in 2004, controlling only part of its territory) and an associate NATO state (including western military presence in the country, as in South Korea). Thus, each side could pretend it did not lose the conflict and still got something out of it. For how long, though, that is another discussion.

The Middle East - Close to the Start of a Major Regional Conflict that Will Affect the Entire World

PhD. Eng. Stelian TEODORESCU

"Be disciplined it means choosing between what you want now and what you want most ."

Abraham Lincoln

More than a year after the start of the Gaza war, the Middle East is on the brink of what could be the biggest regional conflagration in decades, fueled by multi-front wars waged by Israel with Hamas, Hezbollah, and Iran. In addition to its grinding campaign in Gaza, launched after Hamas attacked southern Israeli cities, on October 7, 2023, Israel launched a ground invasion of Lebanon, preceded by an unprecedented and surprise attack on Hezbollah members' communications devices, as well as airstrikes that beheaded Hezbollah's leadership. It has become abundantly clear that Iran primarily sees Hezbollah and, why not, Hamas as two important keys to its "axis of resistance" in the Middle East. However, we must not forget to emphasize that, in October 2023, the Houthis[1] group, from Yemen, also entered the fray, launching a series of attacks on Israeli ships in the Red Sea and the Gulf of Aden, operations that were expanded to include all those ships suspected of heading to Israeli ports. Meanwhile, significant fears were generated in Egypt and Jordan regarding the effects generated by the expulsion of Palestinians and their entry into their territory and, last but not least, the implications of the evolution of the situation in the region for their national security.

Source: https://www.stiripesurse.ro/chinezii-stiu-ca-urmeaza-sa-inceapa-nebunia-in-orientul-mijlociu-au-dat-un-mesaj-transant_3398723.html

[1]*The Houthis, officially called Ansar Allah ("Supporters of Allah"), are rebels in Yemen who want to separate from Yemen. They are supported by Iran and the Lebanese group Hezbollah in the war in Yemen. Saleh has allied himself with the Houthis against Hadi, the ruler of Yemen. But all sides are fighting al-Qaeda.*

In many analysis environments, the idea is being circulated that there would be no more unidentified military targets that could not be hit by Israel, in this category of targeted military objectives there are also many that are related to the Islamic Revolutionary Guard Corps of Iran (IRGC), Israel and Iran thus crossing the red line in their direct confrontation. For example, in Iran, on October 15, Esmail Qaani, a general who leads Iran's al-Quds force, made his first public appearance in weeks when he attended the funeral of Nilforoushan[2]. There have been recent rumors that E. Qaani was also killed in an Israeli strike or even detained by Iranian intelligence services hunting spies.

Analyzing all the information circulated internationally, it has become credible that Israel has intensively prepared all its capabilities to respond to Iran's attack on October 1. The IRGC announced that the launch of approximately 200 ballistic missiles towards Israel was a measure of retaliation for the assassination of Nilforoushan, Nasrallah and the leader of the Palestinian Islamist movement Hamas, Ismail Haniyeh, the latter in July 2024. As is well known, Iran launched a large number of missiles towards Israel in revenge for the killing of the three leaders, as well as other important people from the two groups. In such a context created, Israeli Prime Minister Benjamin Netanyahu promised that Iran would "pay" for this attack.

And here this was confirmed by the Israeli attack on Iran on October 26, an action that we can say has restored the balance in the ongoing indirect war between Tel Aviv and Tehran. In the context of US demands, B. Netanyahu finally complied with the American demand to limit the bombings – which had been planned for almost a month – to targeting only Iranian military bases, excluding nuclear and oil facilities. After dozens of military aircraft took off towards Iran, the air defense systems protecting the Iranian capital were heavily hit, in addition to missile production sites and military fuel production plants in the west of the country. Although Tehran tried to minimize the attack (which also caused four deaths among the Iranian military), we cannot rule out that Iran is preparing a new response, since the war in the Middle East does not seem to be close to ending. However, in light of Israel's recent progress on several fronts, new opportunities for ceasefire talks have emerged in both Lebanon and Gaza, but it remains to be seen what new pressure the new US president might exert on a B. Netanyahu who, despite his apparent power, remains vulnerable. Israeli Prime Minister B. Netanyahu's staff has stressed that Israel will decide on the form of any retaliation against Iran, although it will listen to US advice. The comments came after US media reported that Israeli officials, including Prime Minister B. Netanyahu, had assured US President Joe Biden that any preparations for a counter-strike would be limited to military targets, rather than oil or nuclear facilities. Israel has argued that it will not attack sites associated with Iran's nuclear program or oil fields before the US presidential election.

However, it is noteworthy that the US has asked Lebanon to declare a unilateral ceasefire with Israel in order to resume stalled talks and end hostilities between Israel and Hezbollah, a senior Lebanese political source and a senior diplomat reportedly said. Such information was denied by Lebanese Prime Minister Najib Mikati, although it was specified that the effort was communicated by US envoy Amos Hochstein to the Lebanese prime minister, while the US has intensified its diplomatic efforts for a ceasefire between Israel and the Iranian-backed militant group Hezbollah. In such a context, it is significant to emphasize that the US Embassy in Beirut did not immediately respond to requests for comment, but in turn N. Mikati's office, in a statement to Reuters, denied that the US had asked Lebanon to declare a unilateral ceasefire. He said the government's position is clear on seeking a ceasefire by both sides and implementing UN Security Council Resolution 1701, which ended the last conflict between the two enemies in 2006.

Internationally, the US is known to have tried to persuade Beirut to accept the resumption of talks and even to take the initiative in this regard, especially given the perception that Israel will likely continue the military operations that have destroyed much of the south of the country. We consider such an initiative to be very good in the context in which the Lebanese armed forces are not involved in the hostilities between Israel and Hezbollah, which began firing rockets at Israeli military bases a year ago, in solidarity with its ally the Palestinian group Hamas in Gaza. By analyzing the political environment in Lebanon very clearly, it became very clear that any effort to reach a ceasefire would need the green light from Hezbollah, which has ministers in the Lebanese cabinet and whose members and allies hold a significant number of seats in the Lebanese parliament.

In this context, it is significant to emphasize that there are numerous attempts and attempts at mediation between diplomatic circles and Hezbollah for a ceasefire, this Lebanese group demanding the fulfillment of certain conditions that meet certain parameters, without providing details, a unilateral declaration of the conflict being equivalent to a capitulation.

Expressing his point of view, B. Netanyahu said that "agreements, documents, proposals... are not the

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[2]*Iranian General Abbas Nilforoushan was killed in Lebanon by Israel in late September in the same attack that also killed the leader of the pro-Iranian Lebanese Islamist movement Hezbollah, Hassan Nasrallah.*

main point". "The main point is our ability and determination to impose security, to counter attacks against us and to act against the arming of our enemies, as necessary and despite any pressures and constraints. This is the main point", the Israeli Prime Minister emphasized.

As a result, the analyses, assessments and forecasts according to which Israel opposes a unilateral cessation on its part of military operations in its war with Hezbollah in Lebanon, as confirmed by the Israeli Prime Minister, B. Netanyahu, are becoming increasingly credible. As is well known, Israel has hit the southern suburbs of Beirut for the first time in several days. A telling example is that the Israeli air force hit the southern suburb of Beirut, Dahiyeh, significantly, destroying dozens of buildings in several neighborhoods. There was no immediate word on casualties, but as expected, Israel has intensified its airstrikes on the city of Baalbek, in northeastern Lebanon, and nearby villages, as well as in various parts of southern Lebanon. As expected, in recent times, it has been noted that various international mediators are intensifying their efforts to stop the wars in Lebanon and the Gaza Strip, circulating new proposals for the liquidation of the intense regional conflict in the Middle East. Lebanon's Health Ministry said more than 2,800 people have been killed and 13,000 injured since October 8, 2023, when Hezbollah began launching rockets into Israel almost daily, drawing retaliation from Israel as expected.

As a result, the Israeli military announced that it had targeted Hezbollah weapons stored in underground warehouses. The number of Israeli attacks in Lebanon has exceeded 10,000, as stated by the Lebanese authorities. The UN estimates that about a fifth of Lebanon's population has fled their homes. In such a context, Israel is examining a letter sent by the US asking it to act to improve the humanitarian situation in Gaza within 30 days. The UN has warned that Israel is effectively "sealing off" northern Gaza and could carry out a "large-scale forced transfer" of civilians, which it said would amount to a war crime. A number of international media entities have conveyed a series of information to the international public opinion according to which Israel's offensive in Gaza has led to the killing of more than 42,000 people, the majority of whom were civilians, according to the Ministry of Health in the Hamas-run territory. The war there has displaced at least 690,000 people, according to figures verified by the International Organization for Migration.

Hezbollah said its forces had carried out "barrages" of rocket fire into several areas of northern Israel, while the Israeli military said it had identified dozens of projectiles fired from Lebanon (the Israel Defense Forces (IDF) said about 50 "projectiles" were fired and identified as passing through Israeli territory, according to an announcement made in the early hours of October 16). "Some of the projectiles were intercepted, and the fallen projectiles were identified in the area," the IDF said, adding that no injuries had been reported. However, the extent of the damage is unclear. It is significant to point out here that the attack took place a day after Hezbollah Deputy Secretary General Naim Qassem called on the Israelis to accept a ceasefire in Lebanon or face "pain," as the group shifts its strategy to strike harder and deeper into Israel. In the same context, it is significant to point out that Israel continued to exercise its offensive with airstrikes in Lebanon and Gaza, killing another 50 Palestinians, while Israeli forces fought Hamas and other militants in the north of the territory. Tens of thousands of civilians were trapped in the densely populated northern Gaza neighborhood of Jabaliya by a new Israeli military operation. Israeli military officials accuse Hamas of using civilians as human shields, a charge the militant Islamist organization denies.

In Lebanon, the Israeli military launched several strikes in the east, a day after B. Netanyahu promised to "strike Hezbollah mercilessly in all parts of Lebanon, including Beirut." Israeli warplanes targeted the eastern Bekaa Valley, knocking out a hospital in the town of Baalbek. "It was a violent night in Baalbek, the likes of which we have not seen since the 2006 war between Israel and Lebanon," Nidal al-Solh, a resident of an international media agency, told the Associated Press. The Israeli strikes targeted Hezbollah strongholds as well as other parts of Lebanon, including a village in the predominantly Christian north where at least 21 people were killed on October 14. A quarter of the country has been placed under Israeli evacuation orders. "People are heeding these calls to evacuate and fleeing with next to nothing," said Rema Jamous Imseis, the director of the UN refugee agency for the Middle East.

It has become very clear that Israel wants to push back and even largely destroy Hezbollah in order to secure its northern border and allow tens of thousands of people displaced by last year's rocket fire to return home safely. But Israel's strategy has also drawn significant criticism from the US, according to State Department spokesman Matthew Miller. He stressed: "When it comes to the scale and nature of the bombing campaign that we have seen in Beirut in recent weeks, it is something that we have made clear to the Israeli government, that we have been concerned about and opposed." Separately, it emerged that US Secretary of State. Antony Blinken and Pentagon chief Lloyd Austin have warned Israel that it faces possible punishment, including a potential halt to US arms transfers. Hezbollah, which is backed by Iran, has claimed several attacks, including one that targeted Israeli troops in northern Israel.

Warning sirens have sounded repeatedly in Israeli cities as warnings of an attack by Hezbollah were issued. A drone[3] fired by Hezbollah at a military base south of Haifa on October 13 was the highest death toll by the militant group on Israeli soil since the IDF's military incursion into Lebanon in early October and was the deadliest strike by Hezbollah since Israel launched its ground invasion of Lebanon. The attack injured at least 61 soldiers, left at least 4 dead and 7 seriously injured, according to the Israel Defense Forces (IDF). The attack, part of a larger barrage of rockets, was carried out by two drones, one of which was intercepted over the sea, while the other entered Israeli territory

In such an evolution of the situation, numerous analyses and forecasts have been made, but countless questions have also arisen, two of which are:

- While the Israeli army far exceeds Hezbollah's capabilities and resources, could the drone war expose a breach in Israel's defense system?

- How could a militia/group take the initiative in a confrontation with an advanced army of a regional power?

It is significant to emphasize here that Hezbollah claims that its attacks are also in support of the Palestinian militant group Hamas, which attacked Israel on October 7, 2023, killing 1,200 people, most of them civilians, and triggering the latest conflict. On October 15, Naim Qassem, Hezbollah's de facto leader, threatened Israel, but also called for an agreement to end hostilities.

Despite the escalating regional tensions, a larger conflict involving Iran and the US has so far been avoided, not least because neither side wants it. However, Tehran does not want to be dragged into a disastrous war as it grapples with growing domestic discontent and the looming succession of Ayatollah Ali Khamenei, the Islamic Republic's supreme leader, while Washington would still like to reduce its footprint in the Middle East, not expand it. But the opening of new fronts and direct exchanges of fire between Iran and Israel are making managing the conflict much more difficult, especially as prospects for a ceasefire in Gaza fade and Israel expands its offensive in Lebanon. In the context of this vision, numerous analysts in international analysis circles are analyzing, studying and taking the pulse of many international actors in the Middle East amid the increasing threat of a further escalation of the conflict between Iran and Israel, while at the same time analyzing, evaluating and forecasting the effects of the conflict on domestic politics, foreign policy, the reactions of the countries involved in continuing or stopping the war and their concerns as developments in the Middle East threaten to expand.

Israel's tactical successes, including the surgical killing and elimination of several key Hezbollah and Hamas leaders, will not substantially alter the dynamics of the regional conflict in the Middle East. As an argument, we can emphasize that the killing of Hassan Nasrallah, the leader of Hezbollah, was a step towards changing the "balance of power in the region for years to come," as Israeli Prime Minister B. Netanyahu declared. We submit such an assessment as a truthful one, because just a few days later, Hezbollah and Iran carried out some more precise and significant attacks on Israel, bypassing its formidable air defense systems and signaling the high costs and risks of further escalation for Tel Aviv. Indeed, while Israel has achieved significant tactical victories, the key question remains: can these successes fundamentally alter the strategic dynamics of the region?

At the heart of this conflict lies a deeper challenge: the evolving Palestinian struggle. As Amichai Ayalon, the former head of Israel's Shin Bet intelligence agency, noted in a recent interview, Palestinians do not see themselves simply as resisting oppression or seeking immediate relief from hardship. Instead, they see themselves as a nation that has been fighting for independence for a long time. Ayalon articulated this shift when he declared: "Palestinians today—not just Hamas, but all of them—are willing to fight and die, not for food, but to end the occupation or to achieve independence. Once they see themselves as a nation, war becomes entirely different." This observation refers to a broader historical pattern: when national movements emerge that fight for self-determination, conventional military power is often insufficient to dislodge them, a telling and more recent example being the Ukrainian people under Russian aggression. Moreover, whether in Vietnam, Afghanistan, or other protracted conflicts, guerrilla forces with deep nationalist grievances and popular support have shown resilience, outlasting armed forces, despite initially assessed odds of being extremely low.

Recently, Hezbollah has also been seen to be intensifying its attacks on Israel, striking deeper into Israeli territory and repelling an Israeli ground invasion that resulted in the deaths of at least eight IDF soldiers and a subsequent IDF withdrawal. The fact that Hezbollah is equipped with advanced types of various attack

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[3]*The Israeli military later confirmed that the drone used was a Sayyad 107, an Iranian model that is now manufactured in Lebanon. It has a range of 100 km and can be programmed to change direction and altitude frequently, making it very difficult to track and intercept the drone.*

devices means that it is still capable of surprising Israel at various favorable moments. For example, Pierre Razoux, director of the Mediterranean Foundation for Strategic Studies, has pointed out that drones can be deployed once a diversion has been created, with Hezbollah being able to launch missiles first – most of which are destroyed by Israel's Iron Dome system – but these missiles can be followed by drones flying diverse and complex routes at low altitudes, making them very difficult to intercept.

In such a context, the explanation given by P. Razoux is significant, who emphasized that, on the occasion of this attack, "Israel realized that it is not completely invulnerable and that even the presence of highly sophisticated anti-missile systems does not prevent drones from passing through".

"Drones practically did not exist ten years ago", as Alexandre Vautravers, editor-in-chief of the security and defense publication Revue Militaire Suisse, also emphasized. But today, Iran supplies Hezbollah in Lebanon and the Houthis in Yemen with "some of the most modern equipment and weapons" available. Even so, sophisticated weaponry may be able to exploit only the small weaknesses of the system and technology designed to defend Israel; the country being ranked among the top 20 global military powers. But for Hezbollah, such incursions mark a "psychological victory" that serves to "terrorize" the Israeli population, as Jean-Loup Samaan, a Middle East expert at the Paris-based think tank l'Institut Montaigne, said. As such, he stressed that "it is possible that these attacks will continue."

The broader regional context further complicates Israel's objectives. Iran, a central player in the so-called "axis of resistance," has once again demonstrated its ability to evade Israel's sophisticated air defenses with missiles that have inflicted significant damage. Videos have circulated showing numerous missiles hitting targets, underscoring the severe costs of a full-scale conflict with Iran. Tehran's goal is to establish a new balance of deterrence. However, even if this balance is achieved, it is likely to be highly sensitive, unstable, and temporary as long as fighting continues in Gaza and Lebanon.

Moreover, while Israel's dominance in air and intelligence operations and superiority over its adversaries is undeniable, these advantages do not fully translate to ground operations, where the situation becomes much more difficult. The resilience of Hezbollah and Hamas, demonstrated by their ongoing defensive and offensive actions and their successful repulse of an Israeli ground invasion, underscores the difficulties Israel faces in securing successive and lasting territorial and military gains. This makes Israel's larger strategic objectives, such as pushing Hezbollah north of the Litani River, increasingly elusive. The reality is that Israel's adversaries are waging an asymmetric war of attrition, a strategy that has proven effective against the conventional forces of other states throughout modern history.

Regionally, we can see some relative success in preventing Jordan, Saudi Arabia, and other countries from being drawn into the military conflict between nations that has erupted in the Middle East. Ultimately, however, the complex and unstable reality of the Middle East, which threatens the entire world, remains unchanged. In order to properly manage this instability and build more stable and positive relations in the Middle East, it has become very clear that the main obstacle that needs to be addressed is the Israeli-Palestinian-Lebanese conflict. The war in Gaza must end with a firm understanding, and the war in Lebanon must end with an improved version of Resolution 1701, thus continuing with the rehabilitation of the former Pearl of the Orient, these two conflicts needing to be resolved through an intense diplomatic process in a regional and global framework.

3. GLOBAL SITUATION - TUNISIA

Tunisia, between Authoritarianism and the Islamic Revolution

PhD. Eng. Cristian-Marcel FELEA

"In Tunisia, the great political tension, the economic and social crisis wreak havoc in the absence of an agreement with the International Monetary Fund, very worrying "[1]

Emmanuel Macron

Exit polls from Tunisia's[2] (recent) presidential election Sunday showed, in the first hours after the polls closed, that incumbent President Kais Saied won the election with 89.2% of the vote, while his opponents were credited with modest percentages: Zouhair Maghzaoui with 3.9% and Ayachi Zammel with 6.9%.[3] At the vote, a turnout of around 30% was expected, as estimated by Mohamed Tlili Mansri, the president of ISIE - the Independent High Electoral Court of Tunis. When the polls closed, the reported turnout was lower, at 27.7%, but would increase in the final reporting.

The official results were not far from those estimated. President Kais Saied obtained a new presidential mandate with the vote of 90.69% of voters, at a turnout of 28.8%. Zouhair Maghzaoui finally obtained only 1.9% of the votes cast, and Ayachi Zammel – in detention during the election campaign! – obtained 7.3% of the votes cast[4]. According to official data published by ISIE, only 6% of the votes were cast by young people in the 18-35 age group, who make up a third of the electorate. The pessimism of young people in front of the electoral process is pronounced and overlaps with the general trend, basically explaining the low percentage of attendance at the polls, below one third of citizens with the right to vote (9.7 million, in total).

This year's poll was very different from 2019, when independent Kais Saied won in the second round against Nabil Karoui (the "Heart of Tunisia" party) with 72.71% of the votes. Then 26 candidates were admitted to participate in the elections, and the turnout was 48.98% in the first round and 55.02% in the second round. In other words, the elections were far freer in 2019 than on October 6 this year. The first conclusion is that democracy is experiencing an obvious setback in Tunis.

One question keeps coming back, given that the main political opponents of President Kais Saied have been in detention for some time - in this case Abir Moussi (Free Constitutional Party, made up of politicians from the party in power in Tunis before the 2011 revolution) and Rached Ghannouchi, co-founder of the Islamic party (affiliated with the Muslim Brotherhood) Ennahda and former Speaker of the Parliament – namely: is the one imposed by Kais Saied in 2021 after overthrowing the Ennahda government an authoritarian regime or not?

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[1]*https://www.latribune.fr/economie/international/macron-appelle-a-soutenir-la-tunisie-pour-eviter-une-pression-migratoire-sur-l-italie-et-l-union-europeenne-956639.html.*
[2]*October 6, 2024.*
[3]*https://www.aljazeera.com/news/2024/10/6/kais-saied-set-to-win-tunisia-presidential-election-exits-poll.*
[4]*https://www.lemonde.fr/en/le-monde-africa/article/2024/10/07/tunisian-president-kais-saied-wins-second-term-in-landslide-victory_6728532_124.html.*

Boularès' Tunisia and Saied's republic

Some time ago I received a Tunisian history book from my daughter, after a pleasant stay in Tunis, during which I visited the Bardo museum, the ruins of ancient Carthage, but also ran to Dougga. It is about the work signed by the Tunisian journalist Habib Boularès[5]: "History of Tunisia. The most important data from prehistory to the revolution", published in 2011 (of the Arab Spring) by Cèrés Édition.[6]

Habib Boulares.
Source: directinfo.webmanagercenter.com

After I had finished Boularès's book, leaving it on hold for a long time, it was finally his turn. Maybe because it's a book written by a publicist and not a historian, I don't know - the author declares in the preface that his approach is as different as possible from a historical work - the fact is that reading it simply delighted me. Boularès actually wanted to answer the question: "Why and how did Tunisia become today's country, physically, socially and culturally?", so to go through the history of his country step by step to reveal the cultural roots of Tunisia and to propose a key by which the compatriots, but also the foreigners, can understand the foundations and the present of the Tunisian society.

The year 2023 was a difficult one, a crisis for Tunisia, especially economically. President Kais Saied, who took power in an authoritarian manner in 2021, after the removal of the Islamist party Ennahda from the government, did not find solutions to the established crisis, but also did not allow the government to conclude an agreement with the IMF, because the negotiated reforms would have imposed painful conditions in exchange for financing the deficits.

In August 2023, President Kais Saied fired Mrs. Najla Bouden Romdhane from the position of prime minister (after nominating her to lead the government in September 2021), without much explanation[7], appointing to the head of the government Ahmed Hachani, a quasi-unknown character,[8] who had retired from the position of head of human resources at the Central Bank of Tunisia. Obviously, the opposition accused Kais Saied of firing a puppet only to appoint another to head the government. When Kais Saied took power, after the elections of September 2019, the impression he left was that he was trying to give Tunisians the opportunity to weigh rational options for the future of the country, given that the Islamist party Ennahda - marked by the ideas of the Islamic revolution inspired by The Muslim Brotherhood - seemed to be leading the country towards a fundamentalist experiment. The task he took on in 2021 turned out to be more difficult than he anticipated, while popular support for his ideas, as much as it was, it dissolved. Tunisia itself gives me the impression of a country with a rich history still finding its way into modernity, hesitating between authoritarianism and stagnation, synchronization with the West for economic progress and secular society or the temptation of Islamic revolution, for the dynamism of continuous protest and its grotesque and violent justice.

Najla Bouden, the first female prime minister in Tunisia.
Source: Wikimedia Commons

Understanding the situation in Tunisia - especially in an election year like 2024 - is stimulating and can help you realize how the major challenges of the times we live are manifested: the ideological pressure of the ideas of the Islamic revolution or how influential it still is The West in the Maghreb, or how difficult it is to govern a country

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[5]*https://directinfo.webmanagercenter.com/2014/04/19/qui-est-habib-boulares/*
[6]*The English edition, which I received, was published in 2017*
[7]*Najla Bouden Romdhane was the first woman to lead a Tunisian government. A geological engineer by profession, she had previously been involved in the management of a project financed by the World Bank.*
[8]*Ahmed Hachani was an obscure state official, but his father - explains "The New Arab" (https://www.newarab.com/news/explainer-who-ahmed-hachani-tunisias-new-pm) -, Salah Hachani, had been one of the coup plotters executed by the dictator Habib Bourguiba in 1962.*

deeply divided between an Islamist political authoritarianism and the version of authoritarianism proclaimed in the name of defending the secular national state.

I return to the ideas of Habib Boularès and his book, and I confess that I have reflected on some of his statements. For example, in the introduction, Boularès warns readers that certain aspects that we take for granted about the term "nation" or about the "Arab nation" should be looked at as nuanced as possible: "I must confess that I do not know what was the self-image of the submissive of the Aghlabiz or Hafsiz dynasties, nor of the Sunni subjects of the Shiite Fatimids. Curiously, it was only when the Ottomans divided the Maghreb into pashalacs (or eiales) - Algiers, Tunis and Tripoli - that the inhabitants of each administrative division, driven by the quarrels of their leaders, identified themselves as Algerians, Tunisians and Tripolitans."

Or: "The word "umma" (nation or national) has been associated with our struggle for liberation, with various popular organizations and even with the names of some of our industrial and commercial companies. (...) With the emergence of Arabism in the East, the term it was no longer used in the same way in Arab countries, because "umma" can only mean the whole Arab nation. For today's Islamist activist, "umma" can only be "Umma of Islam", while the word "milla" has been reserved with the sense of religion (as we still find in Turkey). These are signs of an ever-fuller awareness!"

Still: "If the agreement on the "Arab Maghreb Union" signed in February 1989 had really entered into force, probably all Mauritanians, Moroccans, Algerians, Tunisians and Libyans would be citizens of the Maghreb today and the borders between them would be abolished. But history does not has stopped its course yet, so let's try to understand it like this, in full swing." We find in this Boularezian reading a hope for progress in the Maghreb world, following the example of the European Union: the integration of nations - with the thesis of universal Arabism as a binder - which increases the development potential of all, reduces tensions and contributes to increasing the standard of living of all citizens of this African region . It's just that the years that followed did not confirm this optimism; but isn't it, history is unfolding: "In the Maghreb, the last five years have been marked by democratic backsliding, economic and growing intra-regional tensions, as well as a sense of emancipation in the relations of the three states [Tunisia, Algeria, Morocco] with Europe. Europeans must look at the evolution of member states' policies towards the region in this context," Boularès explains.

Neither the European countries, the European Union itself, do not have a holistic, integrated approach towards the Maghreb, but a fragmented one and tributary to particular interests, with results that prove to be precarious on all coordinates: "The policies of the most influential member states of the European Union – Italy, France, Spain and Germany – are divergent, shaped by the different concerns and priorities of each country. Concerns about migration have led Italy to promote a strategy of "first and foremost an engagement with Tunisia", prioritizing dialogue with President Kais Saied over criticism of his attitude towards democracy. It also boosted trade in energy raw materials with Algeria."[9]

The leaders of the signatory states of the UMA agreement in 1989.
Source: The New Arab

"France has traditionally been the leader of European politics in the Maghreb, but tensions with Morocco and Algeria have limited its influence in the region. Spain has strengthened its close ties with Morocco, on the verge of a diplomatic break with Algeria. Germany has become influential in Tunisia, particularly as a supporter of reform after 2011, but currently has taken a step back and is mostly focusing on renewable energy investments in the region."[10]

We can understand that if the UMA were a functional regional organization, it would be much easier for Brussels to deal with any kind of bilateral issue in a constructive, efficient way. In a way, Europe-Maghreb cooperation makes us better understand the quote attributed to Henry Kissinger - "Who do I call when I want to talk to Europe?", which can now be applied just as well to the countries of North Africa that refuse to recognize their mutual interest.

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[9]*https://www.newarab.com/analysis/disunited-maghreb-colonial-roots-regional-rivalry*
[10]*Ibidem*

Having arrived here with the analysis, I confess that I am most concerned with the question of whether the current crisis in Tunisia, combined with the lack of solutions - which has also brought an accentuated deficit of popularity - of the authoritarian president Kais Saied and his government can degenerate into instability and conflict socially, with all the consequences that would result both for the country itself and for the region, but also for Europe.

*Kais Saied and Emmanuel Macron, October 2021, Source: Arab New*s [11]

The Carnegie Endowment proposed an approach to the crisis in Tunisia, publishing a paper signed by a collective of researchers - Ishac Diwan, Hachemi Alaya and Hamza Meddeb, entitled "The Buildup to a Crisis: Current Tensions and Future Scenarios for Tunisia"[12] - an attempt to identify the solutions that this country has to cross the current crisis context, given that there is no support agreement concluded with the International Monetary Fund.

"Tunisia has been on the brink of crisis for several years, but the economy has shown a lot of resilience. Many observers have argued that the cause of its difficulties is eminently political, with the result that progress requires political reform in the first place," explain the authors of the study. "The 2011 uprising ended up worsening the country's economic situation. (...) After 2011, progress on the political front came at the expense of the economy. The disorderly and competitive political system that emerged prioritized ensuring the transition to democracy and it had to cope with demands for increased wages, employment in the public sector and improved living standards. As a result, the thirteen governments that followed the revolt failed to balance budgets, leading to large fiscal deficits throughout the period and a rising public debt. The resulting public discontent led to a rise in populism and a system unable to implement the unpopular reforms that would allow Tunisia to fully develop its economic potential."

With 2024 as a presidential election year, he remarked: "The presidential elections scheduled for late 2024 are of great importance. Saied's prospects will depend on the extent to which the social and economic landscape deteriorates in the run-up to those elections. A rapid deterioration of economic and social conditions before June 2024 could increase the chances of victory for Saied's opponents. Conversely, if the economy shows resilience, Saied's chances of re-election will increase."[13]

Since about ten months passed between the Carnegie study's conclusions and the election, the authors preferred not to express a decisive idea. In reality, Tunisia's economic situation did not improve[14], but Kais Saied still managed to get a second term as president. I basically saw how, but it doesn't hurt to revisit the matter.

Far from balanced

After Kais Saied dissolved Parliament and fired the government led by Hichem Mechichi in 2021, he became the target of criticism from a section of the Arab media, with Al Jazeera, the media trust backed by the flag-bearer Qatari Thani dynasty. As a side note, it was the first time I became interested in Qatar and Emir Tamim bin Hamad Al Thani, as I researched the reasons behind Al Jazeera's crackdown; then I read a reply from Saudi Arabia (I don't remember the publication now), which invited Tunis to censor the Qatari press trust, under the motivation that the interests of Emir Tamim Al Thani are scandalously intertwined with those of the Muslim Brotherhood.

I return to the presidential elections. I browsed and collected some statements obtained by the press from various Tunisian personalities on the situation in their country[15]: "The authorities seem to see subversion everywhere" - Michael Ayari, senior analyst for Algeria and Tunisia at the "International Crisis Group";

[11]*https://www.arabnews.com/node/1940401/middle-east*
[12]*https://carnegie-mec.org/research/2024/02/the-buildup-to-a-crisis-current-tensions-and-future-scenarios-for-tunisia? lang=en&center=middle-east*
[13]*Ibidem*
[14]*https://www.imf.org/external/datamapper/profile/TUN*
[15]*https://www.npr.org/2024/10/08/g-s1-26834/tunisia-kais-saied-election-2024-arab-spring*

"Tunisian politics is once again about the absolute power of one man who places himself above all and believes that he is invested with a messianic message" - Sghayer Zakraoui, professor of law at the University of Tunis; [Kais Saied] "will return to office undermined rather than strengthened by this election" - Tarek Megerisi, European Council on Foreign Relations; "It is possible that after 20 years, our children will protest on Avenue Habib Bourguiba to ask [Kais Saied] to leave power. There is no hope in this country" - Amri Sofien, independent filmmaker.

Traditional Tunisia

Kais Saied's lesson for the West - because there is one - is that he could always side with his conservative political creed with other political leaders better known to us Europeans: Donald Trump, Viktor Orbán or Geerd Wilders - on the right, or Jean-Luc Mélenchon - on the left, with the appropriate nuances, of course. Kais Saied, a specialist in constitutional law, has clear beliefs about LGBTQ - an "imposed ideology from outside the country", he does not see why women should have equal rights with men in the regulation of inheritance rights, he is a supporter of the death penalty, he believes that at the local level, elections should not take into account political affiliation but the personality and reputation of the candidates, etc. He has a clear policy position on Jerusalem: he has nothing against the Jews, but he does not agree to negotiate with the Zionists in the government in Jerusalem, who are carrying out genocide against the Palestinian people. Finally, Kais Saied is a supporter of the secular state and socialist political action, with an emphasis on "law and order", as seen in Carthage, of course.

The spokesperson of the European Commission for Foreign Affairs, Nabila Massrali, stated before the elections that the European Union took "... note of the position expressed by several Tunisian social and political actors regarding the integrity of the electoral process, especially regarding the various measures considered harmful to the democratic demands of credibility and inclusiveness, including the substantial amendment of the electoral law on the eve of the elections. Clearly, the European Union stands with the Tunisian people and remains attentive to their legitimate needs and aspirations in terms of fundamental freedoms, democracy and sustainable development, through the EU-Tunisia Association Agreement." [16]

Countries like Tunisia are still going through, as I have pointed out, historical moments of flux and nothing is more like a house being built than one that is being demolished. Tunisia oscillates between the idea of individualized and secular nationalism and that of belonging to the Arab nation and dissolving into the universal Islamic revolution – the Sunni version of the Muslim Brotherhood.

Like Kais Saied, Habib Boularès affirmed his belonging to the national current: "For those of my age, nationality is of capital importance. Tunisian nationalism was awakened in 1930 when it opposed the burial of Tunisians naturalized as French citizens in Muslim cemeteries. Their opting for citizenship of a nation that was not their own meant that they left their community. That, in other words, they "turned upside down" - m'turin! – or to put it another way, they changed like a garment turned inside out."

The generation of Habib Boularès or Kais Saied is about to disappear nationally. Young Tunisians, face to face with the difficulties of society - unemployment is officially around 17%, and among young people it reaches 30% -, as long as they have their own ambitions and are consistently exposed to a media bombardment by the agents of the Islamist current, they can always erupt in revolt, bringing to power clerics who, on their backs, as in Iran in 1979, to build a closed, fundamentalist society.

The Islamic revolution sees Tunisia not as a nation, a national state, but as part of a certain type of "umma", of the future "caliphate" rebuilt and led by the leaders of the Islamic revolution - who will be them (this being a completely another discussion). The "Umma" of the Islamic revolution is not the same as the "Maghrebian umma" in Boularès' vision: it will not follow the model of free confederal association, to then harmoniously integrate into the world, but of conquest and submission, for a "common front against the infidels", for a permanent war.

In the Presidential Palace in Carthage, the president is perhaps more lonely and isolated than ever. Further, on the streets and in the neighborhoods of Tunis, in the rest of the country, the hopes that many Tunisians had placed in the promising Kais Saied have long been dashed.

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[16]*https://www.eunews.it/en/2024/10/07/in-tunisias-sham-elections-president-kais-saied-has-won-by-a-landslide-eu-we-take-note-of-the-complaints-of-civil-society/*

The Rise of the Indo-Pacific: A New Global Power Dynamics

Abaho Gift Conrad (Uganda)

The Indo-Pacific region is increasingly becoming the centerpiece of global power shifts, with rising geopolitical tensions, a growing web of alliances, and deep-seated rivalries. This area, stretching from the eastern coast of Africa across the Indian Ocean to the western shores of the Pacific, holds strategic and economic importance on a global scale. As the region witnesses a shift in the balance of power, countries like China and India are vying for dominance, while Western powers and regional players form coalitions to maintain stability and counterbalance rising influence.

This article delves into the intricate power dynamics shaping the Indo-Pacific, examining the impact of China's Belt and Road Initiative (BRI), India's growing role, the resurgence of the Quadrilateral Security Dialogue (Quad), and the increasing engagement of external actors like the European Union (EU). As the geopolitical landscape continues to evolve, the Indo-Pacific is poised to play a pivotal role in shaping the future of international relations, trade, and security.

Source: https://samvadaworld.com/big-block-of-4/why-india-needs-to-up-its-game-in-the-indo-pacific-region/

The Strategic Significance of the Indo-Pacific

The Indo-Pacific region covers some of the world's most vital shipping lanes and trade routes. Approximately 60% of global maritime trade passes through this area, including critical chokepoints such as the Strait of Malacca, the South China Sea, and the Bab-el-Mandeb Strait. The region's significance extends beyond trade; it is home to more than half of the world's population and accounts for over 40% of global economic output.

The rise of the Indo-Pacific as a global powerhouse is not only driven by its economic significance but also by its growing military and strategic relevance. As regional powers like China and India build up their military capabilities, the region has become a theater for potential conflict, particularly in contested areas such as the South China Sea and along the India-China border. These tensions are exacerbated by external players, including the United States, Japan, and Australia, which have vested interests in maintaining a "free and open" Indo-Pacific.

China's Ambitions: The Belt and Road Initiative (BRI)

One of the most significant factors driving the transformation of the Indo-Pacific is China's Belt and Road Initiative (BRI). Launched in 2013, the BRI is an ambitious infrastructure and investment project aimed at enhancing China's economic influence across Asia, Africa, and Europe. The Indo-Pacific is at the heart of this initiative, as Beijing seeks to secure maritime routes, enhance its military presence, and gain access to key resources and markets.

China has invested billions of dollars in port development, highways, railways, and energy projects across the region. Countries such as Sri Lanka, Pakistan, and the Maldives have become critical nodes in China's strategy to expand its influence. For instance, China's acquisition of the Hambantota Port in Sri Lanka and its investment in the Gwadar Port in Pakistan provide Beijing with crucial footholds in the Indian Ocean.

However, China's expansion through the BRI has raised concerns among neighboring countries and Western nations. Many view the initiative as a form of "debt-trap diplomacy," where countries become overly reliant on Chinese loans, which in turn grants China leverage over their political and economic decisions. This has led to growing resistance against China's influence, particularly in countries like India and Japan, which view Beijing's activities as a threat to regional stability and sovereignty.

The Quad: A Strategic Counterbalance

In response to China's growing influence, the Quadrilateral Security Dialogue, or Quad, has gained renewed importance. Comprised of the United States, Japan, Australia, and India, the Quad represents a coalition of like-minded democracies that share a commitment to maintaining a free, open, and inclusive Indo-Pacific.

Originally conceived in 2007, the Quad had been dormant for several years before being revitalized in 2017. Since then, it has evolved into a strategic partnership that focuses on defense cooperation, maritime security, economic engagement, and technology sharing. The Quad's efforts are seen as a direct response to China's assertiveness in the Indo-Pacific, particularly its militarization of the South China Sea and its expansionist policies through the BRI.

India's role in the Quad is particularly significant. As the largest democracy in the region and a key player in the Indo-Pacific, India is seen as a natural counterbalance to China. New Delhi's strategic partnership with Washington has deepened in recent years, with the two countries engaging in joint military exercises and defense cooperation. India's "Act East" policy, which aims to strengthen ties with Southeast Asian nations, complements the Quad's broader objective of maintaining stability and security in the Indo-Pacific.

The Quad's efforts have not gone unnoticed by Beijing, which views the group as a direct challenge to its regional ambitions. Chinese officials have criticized the Quad as an attempt to "contain" China, arguing that it undermines regional cooperation. Nonetheless, the Quad has continued to expand its influence, with joint naval exercises and increased diplomatic engagement.

India's Role: A Regional Power on the Rise

India's rise as a major power in the Indo-Pacific cannot be overlooked. With its growing economic clout, military capabilities, and strategic location, India is uniquely positioned to play a leading role in shaping the region's future.

India has long viewed the Indo-Pacific as a critical area of interest. Its geographical location, straddling the Indian Ocean, places it at the crossroads of some of the world's busiest maritime trade routes. India's "Act East" policy has sought to strengthen ties with Southeast Asia, while its participation in the Quad has deepened its engagement with major powers such as the United States, Japan, and Australia.

One of India's key concerns in the Indo-Pacific is China's growing influence. The two countries have a long-standing border dispute, and tensions have flared in recent years, particularly in the Himalayan region of Ladakh. India is also wary of China's presence in the Indian Ocean, where Beijing has been expanding its naval footprint through the development of ports and military bases.

To counter China's influence, India has been strengthening its defense partnerships with the United States and other Quad members. Joint military exercises, such as the annual Malabar naval drills, have bolstered India's capabilities in the Indo-Pacific. At the same time, India has been working to enhance its own naval presence in the region, with plans to build new aircraft carriers, submarines, and warships.

The European Union and Other Global Actors

The Indo-Pacific's importance is not limited to regional powers. External actors, such as the European Union, have also recognized the region's growing significance. In 2021, the EU adopted its own Indo-Pacific

strategy, marking a shift in its approach to the region. The strategy seeks to promote greater engagement in areas such as trade, investment, and security, while supporting the principles of a free and open Indo-Pacific.

The EU's interest in the Indo-Pacific is driven by both economic and geopolitical factors. The region accounts for a significant share of the EU's trade, with countries such as China, India, Japan, and South Korea serving as key markets for European goods. Moreover, the EU has a vested interest in maintaining stability in the region, given its reliance on the Indo-Pacific's shipping lanes for the transport of goods and energy.

Other global actors, such as the United Kingdom and France, have also increased their focus on the Indo-Pacific. The UK's "Global Britain" strategy, for instance, emphasizes the importance of strengthening ties with Indo-Pacific nations, while France has long-standing interests in the region due to its overseas territories in the Indian and Pacific Oceans.

Conclusion: The Future of the Indo-Pacific

The rise of the Indo-Pacific marks a significant shift in global power dynamics, with far-reaching implications for international relations, trade, and security. As China, India, the Quad, and other regional actors continue to assert their influence, the region will remain a focal point of geopolitical competition.

The Indo-Pacific's importance will only grow in the years to come, as countries seek to secure their interests in a multipolar world. The interplay between these powers will shape the future of the region and the global order. The challenge for all actors involved will be to navigate these complexities while maintaining stability and fostering cooperation in this rapidly evolving landscape.

As the world grapples with the challenges of a changing geopolitical environment, the Indo-Pacific stands at the forefront of this transformation, offering both opportunities and risks for those who seek to shape its future.

3. GLOBAL SITUATION - CHINA-INDIA-PAKISTAN
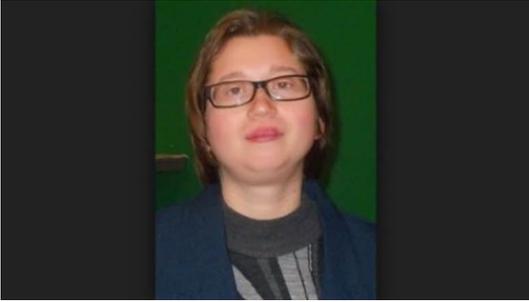
Did the US Foreign Policy Get Lost in the Middle of the Sino-Indian-Pakistani " Bermuda Triangle"?

Mona AGRIGOROAIEI

"Don't count on that. It is possible. But if China were to embark on such a path, you must oppose it. And you must tell those Chinese that Zhou Enlai told you to do so!"

(The former Chinese Prime Minister, Zhou Enlai, in 1975, after his question to a US foreign diplomat if he thought China would ever become expansionist)[1]

Abstract

China-India-Pakistan relations cannot be viewed only in bilateral terms. According to Monish Tourangbam, these relations are formed in a strategic triangle. More than that, here we have to do also with a strategic chain, where US behaviour has to modulate with responsibility the degree of the stability and security in this part of Southern Asia.

The US had demonstrated until very recently that it was on the brink of losing control in the region. China's army mobilisation at the border, during these years could have been inspired from what Russia did prior to the beginning of its aggression against Ukraine. China did not attack India, as Russia did and we think that China waited to see Moscow's results, So, the failures of the Russian army to Blitzkrieg in Ukraine (due to Ukraine's heroic resistance and Western military aid) made China think twice with regard to getting into India and starting a bigger confrontation.

The USA cannot allow itself to become semi-absent and let China replace it strategically in the region, as well as and globally. One possibility is to revive its presence in Southern Asia (as well as worldwide) and to influence more both India and Pakistan, making China cooperate sincerely.

Source: https://strafasia.com/india-pakistan-and-china-is-it-a-triangular-competition-or-two-separate-dyads/

[1]*Robert Wihtol, From the bookshelf: ,The long game: China's grand strategy to displace American order', https://www.aspistrategist.org.au/from-the-bookshelf-the-long-game-chinas-grand-strategy-to-displace american-order.*

If this does not go well, because of China's aggressive actions of Xi Jingping's expansionist and greedy regime abroad, a model of which was not followed by the former prime-minister Enlai, ultimately, the U.S.A would have **to oppose** China - with all its available means in the region, as well as worldwide.

Key words: China-India-Pakistan triangle, United States, Russian-Ukrainian war, Southern Asia, strategic chain

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"China-India border rivalry", *"China-Pakistan relationship"*, *"Indian-Pakistani dispute over Kashmir"* are now classic (even if current) themes of analysis, and we can write on them separately hundreds, if not thousands of pages. These are all components that can be taken separately or in a global-holistic view.

We will deal in the paper with this synergic-holistic view of this relationship, as well as with the analysis of the US semi-failures to stabilize the region.

Monish Tourangbam observed that a "dyadic understanding"[2] of the security environment in South Asia through the lenses of India - Pakistan or India - China is incomplete and does not take into account the triangular dynamics that form these interactions. To understand the dynamics of the region, it is important to understand the India-Pakistan-China triangle and how it is affected by the strategic chain that includes the United States. The current reality of this dynamics is rooted in the history of the early Cold War, and potential conflict scenarios involving these countries are energizing South Asian geopolitics.[3]

The author notes that the India-Pakistan-China triangle is caught up in the winding history of unresolved border conflicts between India and China at the actual line of control (LAC) and India and Pakistan at the line of control (LoC). There are intermittent military conflicts. As part of a Chinese-Pakistani agreement, Pakistan transferred the Transkaracolm region, India's alleged territory of Kashmir, to China, turning the conflict into a trilateral conflict. During the 1965 war, China launched a psychological attack on India, despite never providing direct military aid to its new friend Pakistan, and New Delhi occupied Indian-Chinese border. Meanwhile, Pakistan's cross-border terrorism has targeted India and has become a permanent obstacle to normalizing relations, leaving India-Pakistan relations volatile and even more ominous.[4]

The military proximity between the three nuclear countries shapes this triangle in contemporary times, in interdependence with their perceptions and misperceptions regarding "the enemy":

> *"Pakistan's power asymmetry relative to that of India, and India's power gap vis-à-vis China drive each state's regional posture. Pakistan's bid to enhance its capabilities, especially through nuclear deterrence with Chinese assistance, is a means to counter India's conventional superiority. Meanwhile, China's growing military capabilities and defence modernization as well as its increasing role as a development and security partner for not only Pakistan but also a host of other states in India's neighbourhood foment concern in New Delhi."[5],* says Tourangbam.

So, even if it might be a little bit imaginative, an Indian nuclear strike against both China and Pakistan may occur, because China's grand strategy might be put into place - that is to play the game *wei qi* - *"go"* on a big scale geopolitical level[6], to trap the opponent, while the other big powers are playing chess. Entrapment, with both China and Pakistan attacking India is part of China's grand strategy (until very recently when the Ukrainian war started, we will discuss this later): *"Given the close Chinese-Pakistani relationship, Indian leaders are also increasingly concerned that they must plan for a worst case scenario, for a two-front war with Pakistan and China".[7]*

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[2]*Monish Tourangbam, The China-India-Pakistan Triangle: Origins, Contemporary Perceptions, and Future, https://www.stimson.org/2020/the-china-india-pakistan-triangle-origins-contemporary-perceptions-and-future/, accessed on 3.06.2022.*
[3]*Ibidem.*
[4]*Ibidem.*
[5]*Ibidem.*
[6]*Go: The Strategy Game Suspected Of Being China's Forte | Mint (livemint.com), https://www.livemint.com/opinion/columns/go-the-strategy-game-suspected-of-being-china-s-forte-11652980249062.html, accessed on 3.06.2022.*
[7]*USIP SENIOR STUDY GROUP FINAL REPORT, Enhancing Strategic Stability in Southern Asia, accessed on 3.06.2022.*

More than a Chinese-Indian-Pakistani triangle, there is in Southern Asia a "strategic chain wherein the United States is the most prominent external agent of influence".[8] And in this sense, we might argue that the US recently lost the control of the region, because of the lack of policy measures after lack of intelligence and diplomatic initiative.

- The US could not hinder India and Pakistan to go nuclear[9]. For example, in case of Islamabad, "*starting with 1979, Pakistan played a frontline role for the United States in Afghanistan, in the last Cold War tussle between the United States and Soviet Union. In this context, geopolitics trumped non-proliferation concerns as Washington ignored intelligence that China was helping Pakistan develop a nuclear bomb*".

- Pakistan had been perceived as China's friend and an enemy of the US, even if after Khan's ousting there were signs of a new, warmer relationship between Pakistan and the United States. There had been the possibility of a big war between India and China, bigger than their border skirmishes[10].

- I will take into consideration that it is only a semi-failure for the US foreign policy. India is considered a US strategic partner, but the argument of my paper stands because of Modi's extreme nationalistic policy of "I did it my way" and his views regarding India that have frozen this relationship a little. So the US is not controlling India, nor until Pakistan and of course, neither is the Beijing authoritative communist regime. This lack of control over India could occur only during Modi's regime. The change to a more rational rule of law might influence the regime's foreign policy, just like Pakistan after Khan's removal, indicating a Pakistani-US rapprochement.

- But the most important argument in understanding the US' semi-failure in the region. China's army mobilisation at the border with India during 2020-2022 could have been inspired from what Russia did at the border with Ukraine, prior to the beginning of its aggression, in February 2022. China's mobilization near the Indian border was simultaneous with Russia's mobilization near the Ukrainian border. But China did not attack India as Russia did Ukraine. The reason, we might think, is that China waited to see Moscow's results.

So, the failures of Russian army to Blitzkrieg Ukraine (due to Ukraine's heroic resistance and Western military aid) made China think twice, stop entering India and start a bigger confrontation, and neither did Pakistan. In a case of a war with China, India would be caught in the middle by a Sino-Pakistani attack. **This war would have happened without the U.S. being able to impede its occurrence, if China and India had witnessed a Russian success in Ukraine. So there are other factors and not the U.S.A.'s will and strategic policy** that shaped the start of a new war, a war fashioned after Putin's franchise, which would have had a greater impact than the one in Ukraine (taking into account that this Himalayan "Bermuda triangle" has 3 nuclear powers!). Russia's failed "Blitzkrieg" in Ukraine and the aid of the Western countries for Ukraine might have deterred China and Pakistan's plans, because they feared they might have shared the same fate - military failure and diplomatic isolation, just like Russia.[11]

So, peace endures in this region only because of a failed "Blitzkrieg" elsewhere, not because of the US foreign policy which has recently failed to keep all the elements of the China-India-Pakistan strategic chain under control. This is why am I naming this the semi-failure of the US policy in the region.

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[8]*Monish Tourangbam, op.cit.*

[9]*Ibidem.*

[10]*"In May 2020, Indian and Chinese troops engaged in a series of skirmishes along the border, spurred on by an Indian road construction project in the Ladakh region. While most of these skirmishes merely amounted to face-offs and taunts, a large melee fight broke out in mid-June, resulting in the death of 20 Indian soldiers and an unspecified number of Chinese soldiers. The fight only involved hand-to-hand combat and did not include the firing of weapons. However, a few months later, both sides began exchanging sporadic gunfire across the border." see Vikram Mittal, The Lesser-Known Border Dispute: China and India, https:// www.forbes.com/sites/vikrammittal/2022/02/21/the--lesser-known-border-disputechina-and-india/?sh=6d783352192d.*

[11]*In Indian press were, in this context, calls even for common Indian-Chinese initiatives for bringing peace in Ukraine war (so a step forward in de-tensioning their bilateral Indian-Chinese relations, because India felt lack of action of China to go in a bigger war regarding the border dispute), see War in Ukraine is getting worse. A China-India initiative to bring peace is a good idea (theprint.in), see https://theprint.in/opinion/war-in-ukraine-is-getting-worse-a-china-india-initiative-to-bring-peace-is-a-good-idea/873216/, accessed 03.06.2022. For the analysis regarding China's deterrence because of the Ukrainian war, see Jeffrey Stacey, Has Western Aid for Ukraine Deterred China in Asia?, https://nationalinterest.org/feature/has-western-aid-ukraine-deterred-china-asia-202462, accessed on 03.06.2022.*

The USA cannot become semi-absent ,let China replace it strategically in the region and globally. One choice is to revive, by means o diplomacy, its presence in Southern Asia (as well as worldwide) and to influence more both India and Pakistan, by making China cooperate sincerely. This option is included in the USIP SENIOR STUDY GROUP FINAL REPORT, *"Enhancing Strategic Stability in Southern Asia"* which recommends the US to use of different diplomatic tools when addressing regional issues.

But if this not goes well, because of China's aggressive actions and Xi Jingping's expansionist regime, ultimately, the USA will have to take up on Zhou Enlai's visionary words, as seen in the quote at the beginning of this essay, and oppose China with all its available means, in the region, as well as worldwide, before it is too late.

3. GLOBAL SITUATION - SAHEL

Climate Change and Security in the Sahel: A Complex Crisis Unfolding

Oluwasogo Joseph DAIRO (Nigeria)

The Sahel region in Africa presents a critical case study in the evolving relationship between climate change and regional security dynamics. This analysis examines how environmental degradation intersects with security challenges across the Sahelian belt, stretching from Senegal to Sudan, creating unprecedented challenges for regional stability and human security.

Environmental Context

Accelerated Climate Change Impact

The Sahel is experiencing climate change effects at a rate of approximately 1.5 times the global average, creating profound implications for regional stability. Environmental monitoring data indicates:

1. Temperature Variations

- Mean temperature increases of 1.5°C above pre-industrial levels;

- Projected increases of 2-4°C by 2050;

- Accelerated desertification processes;

- Increased frequency of extreme weather events.

2. Precipitation Patterns

- 40% increase in rainfall variability.

- Disrupted seasonal precipitation cycles.

- Extended drought periods.

- Irregular flooding events.

Source: https://www.m-securitynews.ro/sahel-schimbari-climatice-si-terorism/

3. Environmental Degradation

- 80% of agricultural land experiencing degradation.

- Accelerated soil erosion.

- Reduced groundwater recharge.

- Ecosystem destabilization.

Security Implications

Direct Security Challenges

1. Resource Competition

- Intensified conflicts over water access.

- Escalating land-use disputes.

- Competition for diminishing pastoral resources.

- Tensions over agricultural territories.

2. Population Displacement
- Accelerated rural-urban migration.
- Disrupted traditional nomadic patterns.
- Increased cross-border movements.
- Emergence of climate refugees.
   Secondary Security Effects

1. Institutional Stress
- Overwhelmed governance systems.
- Strained security infrastructure.
- Compromised border control capabilities.
- Weakened conflict resolution mechanisms.

2. Socioeconomic Destabilization
- Disrupted traditional livelihoods.
- Increased poverty rates.
- Food security challenges.
- Economic migration pressures.

Case Study: The Lake Chad Basin

The Lake Chad Basin exemplifies the region's climate-security challenges:

1. Environmental Changes
- 90% reduction in surface area since 1960s.
- Altered ecosystem dynamics.
- Disrupted agricultural systems.
- Modified fishing practices.

2. Security Consequences
- Increased resource competition.

- Population displacement.

- Enhanced criminal activity.

- Regional instability.

Strategic Analysis

Systemic Vulnerabilities

1. Governance Challenges

- Limited state capacity.

- Insufficient resources.

- Inadequate monitoring systems.

- Weak cross-border coordination.

2. Adaptation Constraints

- Exceeded traditional coping mechanisms.

- Limited technological resources.

- Insufficient technical expertise.

- Implementation barriers.

Current Response Assessment

1. Regional Initiatives

- Great Green Wall implementation.

- Trans-boundary water management.

- Environmental monitoring systems.

- Security cooperation frameworks.

2. Implementation Challenges

- Resource limitations.

- Coordination difficulties.

- Technical capacity constraints.

- Political obstacles.

Strategic Recommendations

Immediate Priorities

1. Enhanced Monitoring Systems

- Integrated climate-security assessment.

- Real-time environmental monitoring.

- Early warning capabilities.

- Data analysis enhancement.

2. Security Sector Adaptation

- Climate-aware security planning.

- Resource-efficient deployment.

- Cross-border coordination.

- Crisis response improvement.

Long-term Strategic Initiatives

1. Institutional Development

- Capacity building programs.

- Technical training enhancement.

- Infrastructure development.

- Regional cooperation frameworks.

2. Resource Management Innovation

- Sustainable agriculture promotion.

- Water conservation systems.

- Land use optimization.

- Environmental protection measures.

Global Security Implications

1. Precedent Setting

- Model for climate-security challenges.

- Testing ground for response strategies.

- Indicator of future global trends.

- Learning laboratory for adaptation.

2. International Security Considerations

- Migration impact assessment.

- Regional stability implications.

- Global security interconnections.

- Resource competition dynamics.

Future Trajectory Analysis

1. Environmental Projections

- Continued temperature increases.

- Precipitation pattern changes.

- Ecosystem transformation.

- Resource availability reduction.

2. Security Implications

- Escalating resource competition.

- Enhanced migration pressures.

- Increased conflict potential.

- Institutional stress amplification.

Conclusion

The Sahel's climate-security crisis represents a critical challenge for regional and global security. The intersection of environmental degradation with security dynamics creates complex challenges requiring innovative, integrated responses. Success demands:

1. Comprehensive approach integration.

2. Enhanced regional cooperation.

3. Substantial resource investment.

4. Global security perspective adoption.

This analysis demonstrates the urgent need for coordinated action to address the climate-security nexus in the Sahel, with implications for global security strategy development.

Methodological Note:

This analysis synthesizes environmental data, security assessments, and regional studies to provide a comprehensive understanding of the Sahel's climate-security dynamics. All conclusions derive from verifiable data and established analytical frameworks in climate security studies.

Resource Movement Patterns in African Markets: A Complex Web of Trade Routes

*Oluwasogo Joseph DAIRO (Nigeria)*

Recent open-source analysis highlights the intricate and dynamic nature of resource movements across African markets, revealing patterns that raise concerns about transparency and regulatory oversight. The multi-layered networks involved in the transportation and trade of resources across maritime, air, and land routes demonstrate the complexity of modern commerce, emphasizing the need for enhanced monitoring mechanisms.

Understanding Resource Flows

African trade routes exhibit significant sophistication, with movements spanning multiple jurisdictions and involving various corporate structures. Publicly accessible data shows the involvement of multiple actors, with trade flows crossing borders and utilizing complex documentation processes. These intricate systems—while facilitating legal trade—present challenges for effective tracking, potentially creating opportunities for exploitation or regulatory evasion.

Documentation Practices

Disparities in trade documentation across regions reflect inconsistencies in reporting standards. Although many operators maintain strong compliance frameworks, some trade records do not capture the full scope of underlying transactions, potentially hindering transparency. Inconsistencies in documentation increase the difficulty of tracing resources back to their origins, complicating efforts to ensure ethical sourcing and compliance with international standards.
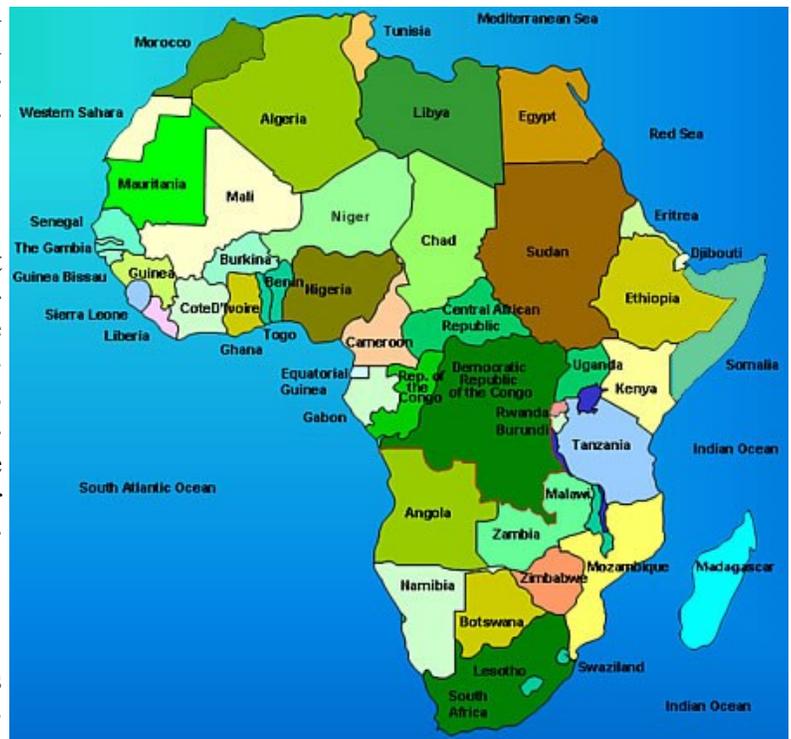
Source: https://www.forbes.ro/rezerve-spectaculoase-de-resurse-minerale-si-facilitati-fiscale-sau-de-ce-este-africa-atat-de-interesanta-pentru-investitori_0_6824-12007

Transport Networks and Regional Trade Patterns

The movement of resources across Africa relies on maritime, aviation, and land-based networks, each with unique complexities:

Maritime Routes: Shipping data reveals intricate transshipment patterns, with ports in West Africa serving as key nodes. However, determining the exact volumes of resources moving through these corridors remains a challenge due to fragmented reporting.

Aviation Networks: Air cargo routes involve multiple stopovers, often crossing jurisdictions, which can obscure the origin and destination of certain shipments. There are allegations that aircraft especially private jets, disable transponders to evade tracking while transporting resources or funds.

Land Transportation: Central African corridors facilitate extensive cross-border trade, but the movement of resources across remote areas complicates monitoring efforts.

Eastern Africa Transit Channels: These routes serve as vital links between Africa and global markets, with multiple transit points involved in moving goods to international destinations.

Market Integration and Structural Complexity

Publicly available data suggests that African markets are characterized by sophisticated integration mechanisms. Multiple layers of corporate structures, complex documentation chains, and the use of various jurisdictional registrations make it difficult to assess the flow of resources accurately. These complexities demand advanced regulatory tools to ensure compliance and prevent illicit activities.

Regulatory Challenges and Recommendations

Effective regulation of resource flows across African markets requires a multifaceted approach:

1. Enhanced Documentation Systems: Strengthening verification mechanisms to ensure accurate and standardized trade records across regions.

2. Advanced Transport Monitoring: Using digital technologies and tracking tools to improve oversight of resource movements across maritime, air, and land routes.

3. Cross-border Coordination: Promoting regulatory cooperation between neighboring countries to address jurisdictional challenges and harmonize enforcement practices.

4. Real-time Market Surveillance: Implementing proactive monitoring mechanisms to detect irregular activities and prevent market manipulation.

Emerging Trends in Trade and Regulation

Several key trends are likely to shape the future of resource trade in Africa:

Technological Integration: The adoption of blockchain and other digital solutions is expected to improve trade documentation and transparency.

Changing Transport Dynamics: Evolving trade routes and logistical networks will influence the movement of goods across the continent.

New Market Structures: The emergence of regional trade agreements and market reforms may create opportunities for greater economic integration.

Regulatory Evolution: Governments and international bodies are likely to adapt their frameworks to better address the complexities of modern trade.

Conclusion

The intricate web of resource movement patterns across Africa emphasizes the need for balanced regulatory frameworks that facilitate trade while ensuring compliance and accountability. Although the observed trade flows seem generally legal, their complexity makes it challenging to maintain full transparency and oversight. Strengthening monitoring systems, enhancing cross-border collaboration, and integrating new technologies will be crucial in addressing these challenges.

Methodological Note:

This analysis, based entirely on open-source information, provides insights into resource trade patterns without making specific allegations against individuals or organizations. It serves as a foundation for further discussion on improving regulatory practices and ensuring sustainable market operations across the continent.

3. GLOBAL SITUATION - CRIME NETWORKS - GULF OF GUINEA

Maritime Crime Networks in the Gulf of Guinea: Strategic Intelligence Analysis

Oluwasogo Joseph DAIRO (Nigeria)

The Gulf of Guinea has transformed from a piracy hotspot into a hub for interconnected criminal activities, including drug trafficking, human trafficking, weapons smuggling, and illegal fishing. Organized crime networks exploit weak governance, porous borders, and limited maritime security to thrive. Although piracy has declined, these groups have adapted, using established trafficking routes and coastal black markets to sustain operations. Illegal fishing has also gained prominence, exacerbating economic instability and food insecurity, which fuels further crime.

This analysis is grounded in Open Source Intelligence (OSINT), relying solely on publicly accessible information from various sources. It is important to note that this report does not utilize classified data nor does it make specific allegations against any individual or institution. The insights provided aim to enhance understanding while adhering strictly to legal and ethical standards.

Source: https://cugetliber.ro/stiri-economie-piratii-fac-legea-in-golful-guineea-399342

Evolution of Criminal Networks

From Piracy to Multi-Crime Operations

Organized crime groups have evolved beyond piracy, building diversified networks that exploit maritime infrastructure. These networks rely on corruption within ports, limited coastal surveillance, and overlapping jurisdictions to move contraband with minimal risk. Recent trends highlight how different crime streams, such as narcotics and human trafficking, converge into interdependent operations.

Drug Trafficking: Cocaine from South America is funneled through West African coastal states to Europe, with some shipments diverted to meet growing local demand in Africa and the Sahel.

Weapons Smuggling: Arms shipments accompany drug trafficking routes to equip armed groups in conflict-prone regions, worsening insecurity.

<u>Human Trafficking:</u> Migrant smuggling networks exploit maritime routes to traffic vulnerable individuals to Europe, often combining their operations with narcotics shipments.

<u>Illegal Fishing:</u> Foreign fishing fleets engage in poaching and serve as logistical support for criminal networks by concealing contraband on fishing vessels, and attacking local fishermen.

Gulf of Guinea's New Role as a Criminal Enterprise Hub

The Gulf of Guinea has become central to global drug routes, facilitating cocaine shipments from South America to Europe and Asia. Ghana, Nigeria, and Guinea-Bissau serve as key transshipment points. Coastal vulnerabilities, including weak law enforcement, poor maritime domain awareness, and systemic corruption, allow these networks to operate with impunity.

<u>Cocaine Routes:</u> Drug traffickers increasingly use maritime routes instead of air corridors to minimize detection. Ships carry hidden cargo, often transferring it mid-sea between vessels, a method known as ship-to-ship transfers.

<u>Local Market Impact</u>: Some cocaine is sold domestically, expanding narcotics use in cities like Lagos and Accra. Regional markets for cannabis, methamphetamines, and opioids are also on the rise.

<u>Infrastructure Exploitation:</u> Ports such as Lagos, Tema, and Cotonou have been compromised, with container manipulation and bribery used to bypass inspections. Criminals also use fishing vessels to avoid law enforcement scrutiny.

Key Vulnerabilities in Regional Security

<u>1. Maritime Surveillance Gaps:</u> Limited surveillance infrastructure enables traffickers to exploit unmonitored waters.

<u>2. Port Corruption:</u> Criminals bribe officials to ensure smooth transit through major West African ports.

<u>3. Overlapping Jurisdictions</u>: The complex maritime boundaries in the Gulf hinder effective law enforcement coordination.

<u>4. Limited Regional Response</u>: Efforts to curb maritime crime are hampered by weak interagency collaboration and underfunded naval operations.

Criminal Network Structure

<u>Strategic Level:</u>

South American cartels manage global drug production and coordinate shipments. West African syndicates control regional distribution networks and provide logistics support.

<u>Operational Level:</u>

Port facilitators oversee container manipulation, customs evasion, and bribery operations. Maritime specialists handle ship-to-ship transfers and cargo concealment techniques.

<u>Tactical Level:</u>

Local fishing crews and smugglers transport contraband through smaller vessels. Port workers and corrupt officials assist in bypassing inspections.

Regional Implications

<u>1. Security Impact:</u>

The increasing sophistication of maritime crime networks undermines state sovereignty, weakens maritime governance, and destabilizes local economies. Armed groups, funded by illicit trafficking profits, intensify conflicts in the Sahel and coastal regions.

2. Economic Consequences:

Rising insurance premiums due to piracy and cargo theft increase operational costs for maritime shipping companies. Disruptions to trade routes threaten critical supply chains and reduce foreign investment in the region's ports.

Outlook and Future Projections

Short-Term Projections (6–18 Months)

Enhanced criminal network integration across maritime operations.

Increased reliance on technology for cargo tracking and evasion techniques.

Expanded use of illicit fishing operations to launder trafficking proceeds.

Medium-Term Outlook (18–36 Months)

Emergence of new trafficking hubs in under-monitored coastal zones.

Strengthened partnerships between West African criminal groups and South American cartels.

Development of more resilient and covert smuggling techniques, including advanced container manipulation.

Recommended Response Strategy

1. Maritime Surveillance Enhancement:

Deploy satellite-based monitoring and automated identification systems (AIS) to track vessel movements in real time. Where deployed, improve by strengthening and expanding the systems.

2. Port Security Reinforcement:

Implement stricter cargo inspection protocols and increase transparency in customs operations.

3. Regional Capacity Building:

Strengthen interagency collaboration through joint maritime task forces and intelligence sharing platforms.

4. International Cooperation:

Engage with European, Asian, and American partners to disrupt transnational trafficking networks and trace illicit financial flows.

Indicators and Warning Signs

Operational Shifts: New trafficking routes or increased use of smaller coastal ports.

Infrastructure Breaches: Evidence of compromised customs systems or port facilities.

Intensified Criminal Activities: Rising incidents of piracy or trafficking along established shipping lanes.

Analytical Confidence Levels

High Confidence: The Gulf of Guinea plays a central role in cocaine trafficking, with interlinked narcotics and smuggling operations.

Medium Confidence: Future operational shifts will include increased reliance on technology and decentralized trafficking routes.

Low Confidence: The full extent of collaboration between South American cartels and West African networks remains uncertain.

This comprehensive analysis underscores the need for robust, coordinated efforts to combat maritime crime in the Gulf of Guinea. Only through a combination of enhanced surveillance, strengthened port security, regional cooperation, and international partnerships can these multi-crime enterprises be effectively disrupted.

Methodological Note:

This analysis is based entirely on Open Source Intelligence (OSINT), drawing from publicly available sources such as media reports, government publications, and open databases. It does not rely on classified information, nor does it serve as evidence or make allegations against any individual or institution.

4. MEDIATION - FOR DISPUTE RESOLUTION

Mediation as an Alternative Dispute Resolution Method

Dr. Maarouf MAHDI (Lebanon)

Introduction

With the evolution and growth of global trade and the rapid interconnection of societies at various levels, leading to the emergence of what is known as globalization, it was inevitable that this would impact legal relations that govern this integration. Given the rejection of traditional methods of dispute resolution, especially through courts due to the procedures they involve, the need arose to find alternative methods for resolving existing disputes, which have become significant in organizing relationships and disputes between all parties.

These methods emerged as an actual alternative to traditional legal practices, especially since they have satisfied the disputing parties in one way or another.

These methods have facilitated the resolution of existing disputes and conflicts and have distanced the adversaries from the animosity that typically accompanies court procedures. This has lowered the level and concept of hostility that arose from the dispute or that the dispute resulted from this hostility, facilitating the concept of reconciliation and achieving satisfactory outcomes for both parties through these non-traditional means compared to the traditional concept to which we have reservations.

The procedures involving these means are particularly acceptable to the parties since they are the ones who organize and agree on their details and various points. This option is unavailable in the judicial system, where parties are

Source: https://e-insolv.ro/birou-mediere.html

bound by the rigidity of legal texts and constrained by the bureaucracy, complications, and slowness of ongoing trials. Therefore, alternative means of dispute resolution present an important opportunity for the success of relationships between the parties and their reconstruction, especially since maintaining these relationships benefits both disputing parties, who previously benefited from establishing and maintaining these relationships. The elements stipulated in the law come together with customs and jurisprudence to reach a solution acceptable to all, providing suitable methods that are fair to both parties.

Any two parties who find these alternative means for dispute resolution easier to deal with can resort to them. These parties could be individuals, groups, organizations, private institutions, or public law entities. Similarly different states may resort to these alternatives to resolve disputes if the necessary factors are available. A key factor encouraging this is the refusal of either party to resolve the dispute according to a statutory law under which the other party arose, especially because a lack of familiarity with this law is a primary reason to avoid it as the balance leans in favour of the other party that arose under the rejected law. Thus both parties are subjected to a unified law that places them on the same level for resolving the dispute.

The allowance for using these previously unadopted methods is considered a legally acceptable practice, especially after the acceptance of various legislations and laws established for these methods and the procedures they involve, and after integrating them into the core of their laws and merging them with applicable texts to reach the ultimate desire to resolve the existing dispute according to the adopted tactics after these means have evolved into a comprehensive global system accepted by everyone. Despite differences in texts and application between these means, they all fall under the broad title of "Alternative Dispute Resolution" compared to the other term "Judiciary." In this context, we mention the most important of these means, which include the following:
- 　　Arbitration
- 　　Mediation
- 　　Negotiation
- 　　Conciliation

The issue of resorting to alternative means of dispute resolution has become urgent and necessary in our time to keep pace with developments in various fields, particularly in the economic, legal, and commercial spheres. Courts can no longer handle disputes on their own, disputes that develop in tandem with advancements in trade and services, which lead to complications in transactions and procedures. Speed and efficiency in addressing disputes have become essential and required. For this reason, legal media and mechanisms have emerged to address this issue by allowing parties flexibility and freedom to play a significant role in the proposed resolution process.

In this study, we address the mediation system which is considered one of the most important means that has allowed legislators to increase their interest from one side and the various disputing parties from the other in alternative dispute resolution methods, due to many reasons and motives that have enabled this development and progress.

Section One

This section of the study deals with the foundational principles upon which the study is based, highlighting the definition of mediation that anyone wishing to work under this legal system should be familiar with, in addition to forming a complete idea of the concept of mediation. We also address the advantages and disadvantages of mediation so that any party can compare and differentiate between mediation and any other method of dispute resolution to make a decision in this regard.

Chapter One: Definition and Concept of Mediation

Mediation is considered a legal action that assists in resolving disputes as an alternative means to the primary method, which is the traditional judiciary. This makes it a modern legal practice[1] that is not as well-known as the traditional judiciary considering the latter's prominence and influence in contemporary history. The lack of knowledge about mediation and its various procedures leads to hesitation in resorting to it, as society tends to fear what is unknown. Therefore it is essential to shed light on mediation, define it and demonstrate its practical concept for the general public and more specifically the disputants, so it becomes an acceptable practice in this field.

Paragraph One: Definition of Mediation

Mediation is an informal method that involves resolving disputes between parties through a third party known as the mediator, who must be neutral and possess specific skills acquired through training in this field[2] to help the parties resolve their disputes. Mediation is also defined as a process that facilitates negotiations through a neutral third party between two disputing parties in an existing conflict to reach a settlement that satisfies both parties.

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[1]*Akram Fadel Qaseer, "Al-Mu'een in the Study of the Legal Foundation for the Right of Resort to Mediation as an Alternative Solution for Civil and Commercial Disputes," 1st edition, Arab Center for Publishing and Distribution, Cairo, 2018, p. 174.*
[2]*Mohammad Khair Ammar Sharif, "The Legal System in the Methods of Engineering Disputes with Foreign Elements," PhD thesis at the Faculty of Law, Mansoura University, 2017, p. 340.*

This process is primarily based on the interests of the parties, facilitated by the mediator who performs their role with integrity and impartiality.

The definition issued by the United Nations states that mediation is "one of the alternative solutions for dispute resolution where a neutral party facilitates negotiation between two disputing parties and does not have the authority to impose a decision or solution, a solution is reached only if both parties agree to it"[3]. This definition was highlighted in the UN Convention on International Settlement Agreements Resulting from Mediation on December 20, 2018.

After shedding light on the definition of mediation in general, it becomes clear that there are several types of mediation. Therefore it is necessary to identify these types separately to understand mediation and its various forms, noting that mediation primarily falls under two main categories: judicial mediation and contractual mediation. This issue is addressed as follows:

•   **Judicial Mediation:** This type of mediation is resorted to through the court after referring the dispute at any stage of the lawsuit. The mediation is conducted by invoking the adopted law to reach a judicial solution based on this legal opinion. In this type, the decision is not solely based on the absolute desire of the disputing parties but is bound by specific legal texts, even though the initial recourse to mediation is based on the discretionary choice of both disputing parties to resolve the dispute.

•   **Contractual Mediation:** This is a legal act that takes place amicably based on the agreement between the disputing parties, granting authority to any two parties in a current or future dispute to appoint a neutral and independent mediator who specializes in dispute resolution. They select this mediator by contract, specifying the mediator's tasks to help them resolve the existing dispute through statutory laws while committing not to violate public order.

•   **Conciliatory Mediation:** This type involves mediating between the disputing parties by managing dialogue and bringing viewpoints closer to identify the existing problem, knowing the point of disagreement and determining each party's perspective and their proposed solution. The mediator assists the parties in understanding each other to facilitate reaching a solution, as it is possible to achieve an agreement once each party comprehends the other's point of view.

•   **Interpretive Mediation:** In this type the mediator assists both parties in bringing their viewpoints closer to understand each other's requirements. This mediator contributes to strengthening and reinforcing the relationship between the disputing parties to establish a legal basis for understanding. This type of mediation closely resembles conciliatory mediation in terms of understanding the other party's desires. However it differs because in interpretive mediation the mediator's role focuses on preparing and organizing the meeting to allow for discussions to reach an agreement.

•   **Electronic Mediation**: Mediation has rapidly evolved recently due to technological advancements on the one hand and the rapid development of commerce and trade on the other. The term "geographical separation" between disputing parties has also emerged where each party may be located in a different state or specific area, making it difficult for both parties to meet in one place to work out a solution. Thus mediation is conducted via the internet using available technological tools known as electronic mediation.

•   **Hybrid Mediation**: It is essential to mention this type of mediation when discussing different types and definitions , This type combines mediation and arbitration , The parties initially attempt mediation to resolve the dispute more quickly, If mediation fails they turn to arbitration through a pre-existing agreement, Moreover it is possible that the disputants initially resort to arbitration to handle the dispute and study it with the presented evidence and facts, In parallel and in agreement with the parties and the arbitration panel the mediation process occurs. If the mediation succeeds the matter is resolved; if it fails a binding arbitration decision is issued.

Paragraph Two: Concept of Mediation

The law is not much concerned with the linguistic meaning of the word and its derivatives as it is with defining term. Thus when discussing the concept of mediation we find that it is simply a method or technique for resolving disputes in an alternative way to the basic method we know. It provides a meeting place for parties who have disputes through dialogue creating the right psychological conditions and surrounding factors to achieve the ultimate goal of resolving the existing dispute. Mediation is considered a fundamental and important factor in the world of alternative dispute resolution. Therefore attention has been drawn to it and it has been adopted in most legal systems. particularly in the UNCITRAL Model Law on International Commercial Conciliation issued in 2002. Given its growing importance countries have gradually integrated it into their

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[3]*The third paragraph of the UNCITRAL Model Law on International Commercial Conciliation, 2002.*

legal systems and modern legislation to keep up with various contemporary and advanced laws worldwide.

In essence mediation refers to the relationship between the two parties that gave birth to the existing dispute. This same relationship led to the idea that this dispute must be resolved amicably through organized negotiation leading to a conscious recourse to a solution[4]. It preserves the relationship from potential hostility that may harm either party, whether morally or materially. Therefore resolving this dispute that perhaps has not yet escalated into a full blown conflict or is still a minor disagreement that is better cut off rather than continued is preferable. Conversely the existing relationship which both parties fundamentally wish to maintain centres around addressing the current issue and continuing the relationship.

Mediation is a non binding process to which parties resort voluntarily. Even after opting for mediation it is not obligatory to reach a legal or non legal solution. Thus it can be considered a process with uncertain results[5]. However, if it is evident that humans generally tend to get into trouble, whether intentionally or unintentionally, it is the same human who strives to resolve these disputes and seeks any possible means to resolve them. In this context mediation despite its positive aspects and the existing reservations about some of its negatives has become a method or technique worth highlighting. Studying, and understanding, whether one is interested in working according to the principles of mediation or not. Given this proposed legal development one is likely to encounter it in their legal work.

The fundamental concept of mediation and the voluntary approach to it is based on the desire to resolve the ongoing dispute amicably and to continue the relationship in the first place. If the relationship does not continue the dissolution would have occurred amicably. If the primary intention was to dissolve the relationship the traditional judiciary would have been resorted to for ending the dispute. Conflicts do not necessarily mean breaking or destroying relationships, sometimes conflicts can serve as an opportunity to realign and guide the relationship in a way that benefits all parties. Mediation relies on a set of specific and non specific techniques and procedures based on the art of communication and bringing viewpoints closer. This allows the matter to reach a safe conclusion if the parties have the slightest desire to resolve the dispute, except in cases where one party resorts to mediation with bad faith and a desire to prolong the dispute and waste time.

The mediator organizes effective dialogue between the parties leading to revealing each party's specific interests and needs that are their main focus. The mediator must possess advanced skills and expertise to help bring closer the differing viewpoints and guide the disputants toward thinking about an amicable solution while maintaining the existing relationship. Engaging a neutral third party who is not close to either of the disputing parties and works to strengthen and foster the dispute between the two parties allows them to review their positions and strive to propose ideas acceptable to all.

Mediation does not involve the mediator proposing any mandatory or non mandatory ideas but focuses on guiding the disputing parties to find a specific way to break the ice barrier between them, which is the primary reason for the strained relationship and the resulting ongoing dispute. The parties are requested to present substantiated facts[6]. It should be noted here that some laws have allowed the mediator to make suggestions, such as the U.S. mediation law, established under Article 10 of the Civil Rights Act of 1964, to help communities resolve disputes. Later different states adopted this law, which became the Uniform Mediation Act (UMA) in 1998, and was further expanded under the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act of 2009.

Chapter Two: Advantages and Disadvantages of Mediation

After the emergence of mediation as a prominent approach to dispute resolution that differs from traditional methods, it has been evaluated in various legislative contexts with opinions differing between accepting, rejecting, or accepting with reservations on many points. As a result of studies related to mediation several advantages associated with the subject have been identified as well as disadvantages related to mediation. Hence, anyone wishing to work under this system must compare its advantages with its disadvantages to decide whether to adopt or reject this legal practice. From this point this chapter discusses the advantages and disadvantages of mediation.

Paragraph One: Advantages of Mediation

Mediation is generally characterized by many advantages that drive the parties after making comparisons

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[4]*Sharif El-Nigehy, Ahmed Hamdan, "Introduction to the Study of Mediation in Dispute Resolution," 1st edition, Egyptian Lebanese House, Cairo, 2017, p. 143.*
[5]*Miftah Omar Derbash, "The Jurisdiction of the International Court of Justice in Dispute Resolution: A Legal Study on the Lockerbie Case," Al-Jamahiriya Publishing, Distribution, and Advertising House, Tripoli, 1999, p. 49.*
[6]*Tariq Elias, "Negotiation, Get What You Want," Professional Management Expertise Center, Giza, 2017, p. 294.*

with other dispute resolution methods to prefer it over others. Additionally the mediation system provides disputing parties with a safe and comfortable environment allowing them to seek to resolve their disputes amicably leading to each party understanding the other's viewpoint. The discussions that take place in good faith open up new or previously unclear horizons for both parties. Such discussions help soften the intensity of the conflict and break the ice between the parties allowing solutions that reduce tension to emerge. The main points to focus on regarding the advantages of mediation are as follows:

•   **Lower Cost Compared to Other Methods:** The issue of financial savings is an important matter that most parties seek in dispute resolution processes especially when this is coupled with the success of the dispute resolution process. Mediation is generally less expensive than dispute resolution that takes place in court[7], particularly considering the lengthy court procedures and the financial drain from attorneys during this period. Similarly there are fewer procedural costs required in mediation compared to other methods.

•   **Speed in Resolving Disputes:** The speed of the dispute resolution process under the mediation system is one of the main motivations for choosing this new path. A simple comparison with court procedures shows a clear inclination toward time efficiency in mediation, especially given that it is bound by a specific timeframe which is not the case in the judiciary[8]. Mediation allows the parties to operate at a pace that suits them, especially in commercial disputes where goods may deteriorate over time. Based on flexibility the parties can set the dispute resolution time which may be reduced to just a few hours if necessary.

•   **Confidentiality in Mediation**: Confidentiality is a matter that various parties seek in many situations given the importance of this principle, particularly in family and commercial disputes due to the desire to maintain secrecy in mediation processes. This contrasts with public court procedures which are a fundamental characteristic of trials[9]. In mediation open and honest discussions to express concerns and work towards achieving interests are factors for the success of mediation since they are associated with confidentiality without information being disclosed publicly.

•   **Control and Flexibility:** Mediation allows the participating parties to express their viewpoints, personal needs, and ultimate desire to resolve the dispute. The flexible nature of mediation allows the parties to reach creative and innovative solutions that may not be available in any other dispute resolution method. This flexibility leads to acceptable and customized outcomes that satisfy all parties involved in the dispute. Mediation can also give parties a sense of collaboration to find common solutions particularly in benefiting from existing relationships and continuing them across various types of relationships whether commercial, familial, or any other type.

•   **Preserving the Existing Relationship:** Mediation in principle is based on the desire to resolve the ongoing dispute without harming the other party and maintaining the relationship between the two parties as keeping the relationship ongoing benefits both parties. This is especially true in family disputes where parents do not wish to break up the family and harm the children, or in business relationships based on financial gain which is the core reason for establishing this relationship In the event of a dispute it may destabilize and damage the relationship which would harm both parties.

Paragraph Two: Disadvantages of Mediation

Despite the emergence of mediation as an alternative means of resolving disputes and overcoming the drawbacks of traditional solutions, like most similar legal systems, it has some disadvantages and issues that cause those who wish to pursue mediation to pause and consider carefully conducting a study before deciding to accept or reject this system. For this reason the legislator has examined this issue and placed numerous legal studies. As a result after discussing the advantages of mediation, several disadvantages affecting the use of mediation as an important process for dispute resolution have emerged. The main points considered as disadvantages in mediation as a dispute resolution process are as follows:

•   **Non Binding Nature of Mediation:** Mediation is a non binding process for the disputing parties to resolve the ongoing conflict[10], unlike a binding judicial decision or arbitration decision that has the authority of res judicata. The mediator facilitates negotiations and brings the parties closer to breaking the ice barrier

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[7]*Rashdan Ali Mahmoud, "Mediation for Dispute Resolution: Between Theory and Practice," 1st edition, Dar Al Yazouri for Publishing and Distribution, Jordan, 2012, p. 152.*

[8]*Youssef Saadoun Mohammed Al-Amouri, "Legal Regulation of Maintenance Contracts in Infrastructure Projects: A Comparative Study," Arab Center for Scientific Studies and Research, Cairo, 2020, p. 284.*

[9]*Ali Saeed Al-Yami, "Dispute Resolution in FIDIC Contracts: A Comparative Study," 1st edition, Law and Economics Library, Riyadh, 2017, p. 76.*

over the ongoing dispute. The final result is a voluntary agreement between the parties if the mediation is successful, if it fails a deadlock is reached with no authority for the mediator to propose any binding solution or to compel the parties to engage in any resolution process.

• **Failure of Mediation When Power Imbalance Exists Between Parties:** The consultations and discussions that take place between the disputing parties under the supervision of a mediator assume that the negotiating ability and the capacity to defend interests are somewhat equal among the parties. However, when there is a significant disparity in levels between the parties and an imbalance of power such as disputes between an individual and a group or organization or in cases of domestic violence where the balance favors one party mediation may fail and one of the parties may need a legal advisor or lawyer to guide and direct them.

• **Mediation Does Not Provide Legal Protection for the Parties:** In discussions between disputing parties a key factor sought by both sides, which is not available in mediation is legal protection compared to court sessions. Mediation allows the parties to express their concerns and explore solutions to end the dispute without protecting the different parties from unfairness. This contradicts the basic concept of each party's desire for mediation to align with their expectations[11]. In this context this can be compensated for by seeking the advice of a lawyer or legal advisor when feeling vulnerable to ensure their rights are protected.

• **Mediation May Serve as a Waste of Time:** Generally mediation is an optional process based primarily on the parties' desire for it. It requires both parties to resort to it. If one party does not wish to resolve the dispute they may behave ambiguously and deceitfully wasting time by participating in mediation in bad faith for a personal reason[12], without anyone having the power to compel them or hold them accountable on the subject. In this case it would be better to seek another dispute resolution method that allows imposing a specific action or decision on the disputing parties.

• **The Mediator's Inability to Deviate from the Legally Defined Framework Set by the Parties[13]:** It is evident in this context that the mediator's role is restricted especially in the Francophone system, where French mediation law No. 125/95, issued on August 2, 1995 serves as the primary source. Here the mediator's role is limited to assisting in finding solutions and guiding the disputants during discussions without the ability to pressure them into accepting any process or even proposing solutions in any context without the parties' agreement. Any deviation from this role in a way that raises suspicion among one of the parties may lead to the mediation's failure or at the very least objection to its results if one of the parties can prove that the mediator was biased towards one party rendering the mediation void.

Section Two

In the second section of this research we address the matters in which mediation is permitted and those in which it is not allowed, given the significant impact this understanding has on comprehending this system in general. The second chapter focuses on how mediation ends, whether by success in achieving the desired outcome or by failure, while opening new horizons for dialogue between the disputing parties.

Chapter One: Matters Permissible and Not Permissible for Mediation

In this chapter, we address the issues where mediation is permissible and those where it is not based on the legality derived from laws that constitute the broad framework within which mediation operates in its various forms. Here the parties involved must arrange their legal relationships in their preferred manner but under a single broad title that respects public order from which legal rules emanate. Considering that the mediation contract is a legal act in every sense of the word it is subject to the general provisions of contracts primarily based on the autonomy of the contracting parties and reliance on objective standards to find solutions with a causal connection between the mediator's efforts and the solution[14].

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[10]*Ashraf Mustafa Tawfiq, "How to Learn Investing in the Stock Market: Investment Funds, Capital Markets," Arab Press Agency, Giza, 2019, p. 268.*
[11]*Mohammad Khair Ammar Sharif, "Previous Reference," p. 344.*
[12]*Sharif El-Nigehy, Ahmed Hamdan, "Previous Reference," p. 31.*
[13]*Tariq Afifi Sadeq, "Legal Protection for Trading Operations in the Financial Markets According to the Saudi System," 1st edition, National Center, Jordan, 2015, p. 177.*
[14]*Raed Ahmed Khalil Al-Qarah Ghuli, "The Commercial Mediation Contract," 1st edition, National Center for National Publications, Cairo, 2014, p. 127.*

Here it must be mentioned that various legislations have not specified what issues are permissible or not for mediation[15]. However, the legislator has applied the mediation system to other alternative dispute resolution systems and treated mediation similarly to conciliation, allowing mediation for what is permissible in conciliation and rejecting it for what is not.

Paragraph One: Matters Where Mediation is Not Permissible

The mediator must first have a thorough understanding of the matters where mediation is not permissible for several reasons, primarily to supervise the mediation process and assist the parties in negotiation[16]. The most important reason is to guide the disputants on the proposed topics so that mediation does not proceed in a legally forbidden context that cannot be executed later based on the mediation result which is the primary goal of mediation. The key matters where mediation is not permissible include:

• **Matters Contrary to Public Order:** Public order in any place represents the supreme rules of society, which may change depending on location and time. Thus what is acceptable in one place and time may not be in another. Therefore it is essential to note the flexibility of public order. Moreover it is important to understand that the rules of public order aim to achieve the welfare of society or protect it entirely from rules that corrupt, harm, or reduce its discipline. Consequently no agreement can contradict these rules and any agreement to violate these rules is absolutely null and void[17]. Issues related to mediation, particularly in matters involving individuals should not involve illegal activities such as drug trafficking or agreements involving theft, inheritance issues involving undeserved heirs, provisions preventing marriage, or clauses mandating marriage to a specific person. Similarly agreements that harm an individual's physical well being or involve public matters, such as buying state owned artefacts or engaging in corrupt election practices for material compensation, are forbidden.

• **Mediation on Personal Rights That Do Not Constitute Property Among People:** Personal rights that are closely tied to a person which most international laws have protected[18], particularly those of the United Nations are not open to compromise and therefore these legislative protections exclude them from mediation in line with conciliation practices. They are considered legal rights owned by individuals who enjoy legal protection both on civil and criminal levels. Any infringement of these rights may expose the perpetrator to legal penalties, ranging from fines to imprisonment depending on different laws, constitutions, and international treaties and conventions. Here, it is worth noting that these rights (personal rights) are mentioned in the Universal Declaration of Human Rights issued on December 10, 1948 translated into 500 languages. These rights did not initially have their current status but evolved with the development of laws and the emergence of modern human rights concepts ultimately forming their current shape and carrying their global concept benefiting people worldwide. The most prominent of these rights include the right to movement, education, housing, belief, ownership, marriage, life, freedom of thought and expression, and equality.

• **Mediation in Personal Status Issues:** Personal status issues are matters related to and accompany a person in their private life throughout all stages[19]. These matters are not subject to waiver or agreement in mediation as they form the personal value of an individual in different societies and are protected by civil laws and prior to them various divine religions and messages due to their importance. It is important to note here that mediation is permissible in financial interests arising from personal status that are not closely related to these statuses. In this context several matters are not allowed for mediation most notably mediation on whether a child is legitimate or illegitimate, the inheritance or disinheritance of a child, divorce issues, linking divorce to a mediation agreement, a clause preventing or mandating marriage in mediation, examining the validity or invalidity of a marriage during mediation, and other issues that negatively affect the organization and arrangement of personal status in different societies according to customs traditions and concepts.

Paragraph Two: Matters Permissible for Mediation

After understanding the matters where mediation is not permissible it is clear that they are mentioned exhaustively under three main headings and other issues branch out from them. We now turn to the matters

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[15]*Mostafa Saleh Matlub, "Emergency Commercial Arbitration System," 1st edition, Arab Center for Publishing and Distribution, Cairo, 2018, p. 74.*

[16]*"Alternative Dispute Resolution Mechanisms Provided by WIPO, Guide for Intellectual Property Offices and Courts." WIPO / ADR.*

[17]*Ahmed Abu El-Wafa, "Optional and Compulsory Arbitration," Al-Maaref Establishment, Alexandria, 1978, p. 61.*

[18]*Abdullah Khalil, "Human Rights Guide in World Constitutions," 2nd edition, No Publisher, p. 83.*

[19]*Mohammad Azmi Bakri, "Encyclopedia of Personal Status," Volume 1, Mahmoud Publishing House, Cairo, 2018, p. 7.*

where mediation is allowed. It becomes evident that the legislator as it prohibited mediation in matters where conciliation is not permissible, permitted mediation in all matters where conciliation is allowed. Therefore all other disputes are permissible for mediation. In this context French law expanded the cases handled by mediation in the first paragraph of Article 131. Here we mention the most prominent of these issues while other matters branch out from them:

• **Mediation in Commercial Disputes:** Mediation especially commercial mediation is considered an alternative to litigation for resolving disputes away from the courtroom atmosphere and its associated complexities to overcome the flaws of traditional litigation, such as slowness, high costs, and publicity, which merchants prefer to avoid. Thus commercial mediation has attracted the attention of international and UN institutions concerned with developing international trade and its related processes particularly the UNCITRAL at the United Nations, Similarly international commercial centres that cross national borders have increased interest in the commercial mediation process. This relatively new system has begun to be applied to resolve outstanding commercial disputes, especially international ones where the disputants avoid the rigidity of the legal texts specific to each country. Specifically after the Singapore Mediation Convention in 2019[20], which provides the legal basis for enforcing international mediation settlement agreements.

• **Family Mediation:** With the development of mediation and its legal concept this system has found its place in disputes where relationships should not be severed entirely between the disputing parties. Family disputes have come into harmony with the primary purpose of mediation, particularly in finding an agreement to resolve a dispute through the disputing parties who share many things including the lives of children in marital disputes. Here the culture of dialogue friendly discussion and tolerance must be established to preserve what remains of this family and possibly resume the marriage with the least possible damage Religious authorities have recognized this matter and sought to facilitate it considering the importance of the family and its continuity in various divine messages. Therefore mediation and other alternative dispute resolution methods are often resorted to away from the courtroom.

• **Bank Mediation:** With the development of mediation as an alternative system for resolving disputes and the growth of banks and financial relationships between banks and their clients this development was accompanied by an increase in the number of outstanding disputes in the field of debts and loans granted. Given the positive aspects surrounding the mediation system during dispute resolution, both disputants prefer to resort to mediation due to the importance of continuing the relationship for both parties and resolving the dispute with minimal losses by finding a joint solution between the parties. This benefits both parties after resolving the dispute and even during the process by maintaining a good reputation for both parties, banks strive to maintain their clients and continue their trust and merchants aim to maintain their respect for their clients and customers on one side and their peers and competitors on the other side under the title of confidentiality, one of the most important positive points of mediation.

• **Social Mediation:** Among the basics of defining mediation is the concept of an act that resolves an existing dispute between two people through a third party, the mediator to continue or maintain the existing relationship in the first place. According to this concept, the primary goal of mediation is social aiming to preserve social relationships and address other matters that can be managed through mediation. Thus social mediation can cover an unlimited number of social disputes, such as family disputes between siblings parents and children, friends, or neighbours, which can arise for any reason. This makes social mediation capable of providing an important approach to reducing the damage caused by various disputes and re-establishing bonds between differing parties in this society.

Chapter Two: Ending Mediation

There is no doubt that the final result of mediation as a legal system seeking to resolve disputes will be the conclusion of the mediation process between the disputing parties after the mediator successfully brings the viewpoints closer unlike arbitration which allows the arbitrator to issue binding decisions[21], this conclusion focuses on two different outcomes: the first is the success of mediation which is the natural logic for these disputes since the primary desire of the people who resorted to mediation in good faith is to resolve this dispute with the least cost and damage and most likely to resume the previously existing relationship. The second contrary outcome is the failure of mediation with a positive point represented by opening new horizons for resolution and creating a gap in the ice wall that previously existed provided the element of good faith is present.

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[20]*Mohammad Salem Abu El-Faraj, "Singapore Convention on Mediation and International Investment Disputes: An Analytical Study of the Convention and Challenges of Mediation in Investment Disputes," Legal Journal, Vol. 8, No. 1, November 2020.*
[21]*Mohammad Khair Ammar Sharif, "Previous Reference," p. 59.*

Before discussing this matter it must be mentioned that the period set by the legislator for concluding mediation differs between legislations and may also be extended for a period after the parties consent if there is a possibility of resolving the dispute but requires some additional time.

Paragraph One: Success of Mediation

Mediation succeeds primarily when the mediator successfully identifies the dispute and its roots shedding light on the basis of the dispute to guide the parties from a state of rejection and complexity to one of acceptance and facilitation while maintaining friendly relations between the disputants[22]. It should be understood that the mediator's work is challenging as they must, in some way, solve the puzzle, a task of considerable difficulty because they are dealing with two different human minds each with its complexities and thoughts. Here in lies the risk between success and failure. There is no significant difference between the success of mediation in the two main types judicial mediation and contractual mediation since success means applying the mediation agreement in both cases with a minor difference in the application mechanism that will be mentioned.

• **Success of Judicial Mediation:** Mediation is deemed successful when the mediator contributes to settling the ongoing dispute entirely or partially for a specific part of it. This success depends on the parties will and culminates in the mediator's good offices[23]. This success results in procedures leading to effects that the parties must adhere to and act in good faith[24]. These procedures begin with providing the mediation centre with a written report on the outcome of judicial mediation within three days from its conclusion for any reason. The centre must inform the parties and the court of the result within five working days of receiving the mediator's report Since mediation has succeeded in this regard, the procedures are as follows:

1. The disputing parties accept the success of the mediation and sign the proposed settlement agreement.

2. The mediator submits the mediation report confirming the success of the mediation to the judge handling the case.

3. The civil judge or magistrate issues a decision approving the mediation result and ratifying the settlement agreement. This decision constitutes a final enforceable judgment not subject to appeal.

4. The parties take this judgment and submit it to the execution department to benefit from its effects and implement it.

• **Success of Contractual Mediation:** Mediation is a form of discretionary justice where the parties voluntarily resort to it and choose it to resolve the existing dispute. The mediation parties resorted to this process with the desire to resolve this dispute amicably without being compelled or directed to do so as in judicial mediation. For this reason the success rate in reaching agreements in contractual mediation is higher than in judicial mediation.

When entering this type of mediation and concluding it with both parties agreeing to resolve the dispute under the mediator's supervision this mediator organizes the settlement agreement on their own. The parties may also draft this agreement according to their understanding and the mediator then in addition to them signs the agreement. This is followed by granting the agreement an executive formula to be enforced following the approved legal methods.

In this context it should be noted that the settlement agreement must be adhered to by the parties, especially since it is considered a contract forming a law for the contracting parties. However if one party fails to comply with the agreement or any of its clauses and refuses to fulfil any of the obligations stated in the mediation agreement, such as failing to pay an amount of money the party wishing to enforce the agreement may contact the mediator to ascertain whether or not it is possible to persuade the non compliant party to adhere to the terms of the agreement. If the mediator fails the party wishing to enforce the agreement can resort to the competent court to enforce the agreement and follow the prescribed legal procedures to compel compliance under the threat of compensation.

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[22]*Sharif El-Nigehy, Ahmed Hamdan, "Previous Reference", p. 136.*
[23]*Abdel Aal El-Derbi, "International Protection and Its Dispute Resolution Mechanisms: A Theoretical and Practical Study with Special Reference to the Role of the International Tribunal for the Law of the Sea," 1st edition, National Center for Legal Publications, Cairo, 2016, p. 209.*
[24]*Ali Saeed Al-Yami, "Previous Reference", p. 78.*

Paragraph Two: Failure of Mediation

It is natural for mediation outcomes to oscillate between success and failure due to the factors surrounding this system from opting for mediation to the mediator's inability to impose or mandate any solution on the parties. Unlike the traditional judiciary which requires the judge to establish justice and close the dispute it should be noted that disputing parties can choose to resort to arbitration as a transitional stage between mediation and the judiciary for the same reasons as opting for mediation. If arbitration fails they may return to the judiciary before the competent court that initially handles the dispute.

• **Failure of Judicial Mediation:** Judicial mediation fails when the mediator cannot contribute to directing the disputing parties to resolve the dispute within the timeframe legally set by the judiciary, reaching a dead end that requires the mediator to declare this failure in a written letter to the mediation centre responsible for resolving the dispute to which the mediator belongs. This centre informs the judge who assigned them to resolve this dispute of the failure after which the judge resorts to the imposed legal measures and mediation ends without resolving the dispute, Resorting to judicial mediation in addition to the decision of the judge assigned to resolve the dispute to return to it requires the primary consent of both parties. Any refusal of this by the parties or one of them leads to the inability to work under the mediation system in the first place. It is worth noting that the basic expression does not mean resolving the dispute but initially focuses on achieving a settlement[25]. It should be noted that the reasons for the failure of judicial mediation are very similar to the reasons for the failure of contractual mediation, especially since the two concepts are similar in most effects and points, except for the approach.

The reasons for the failure of judicial mediation include:

1. The mediator and the parties agree to end the mediation.
2. Either party declares in a written letter to the mediator or centre their unwillingness to continue with the mediation.
3. The mediator announces in a written letter to the centre the futility of judicial mediation and the absence of any possibility of reaching a solution.
4. The end of the judicial mediation period without proper extension.
5. The absence of either party from two consecutive judicial mediation sessions without a legitimate excuse in which case the mediator must inform the centre in a written letter of the end of the mediation for this reason.

• **Failure of Contractual Mediation:** In the second case where mediation ends without reaching a solution recorded with a notary and reaches a deadlock in the dispute resolution process, this is recorded in the minutes of the conclusion of the mediation, which archives this failure so that the parties as mentioned earlier can start following the main legal path represented by, in the end the traditional judiciary or arbitration where the judge and arbitrator have the authority to resolve the dispute[26]. Here many concerned and specialists reserve this issue considering that it may constitute a form of legalized time-wasting if there is bad faith from one of the parties, especially since the obligation to reach a solution is not mandatory. Returning to the reasons for mediation failure they are as follows:

1. Either or both parties declare their unwillingness to proceed with mediation procedures.
2. The mediator decides to terminate the process if they consider that the basic conditions for mediation are not met and there is no point in continuing it or if there is evident bad faith from one of the parties.
3. The mediator loses one of the required conditions during the mediation process or dies, and the parties do not agree on naming an alternative mediator if the procedures are conducted outside specialized centres that appoint the replacement in such cases.
4. The basic period set for completing the mediation ends along with the additional period with the parties' clear consent.

Conclusion

In conclusion, it is essential to affirm that mediation is one of the most effective means of resolving disputes peacefully. Here it should be noted that the natural logic associated with different sciences in our modern era is development. Just as progress has occurred in medicine, engineering, and other sciences, it has

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[25]*Kenneth Cloke, John Goldsmith, "Resolving Personal Conflicts within Organizations and Institutions," translated by Ayman Al-Tibaa, Obeikan Library, Saudi Arabia, 2003, p. 21.*
[26]*Abdel Sabour Abdel Qawi, "Legal Regulation of Electronic Arbitration," 1st edition, Law and Economics Library, Riyadh, 2013, p. 49.*

also affected the legal field a crucial social science that regulates the lives and societies of humans, After adhering to the judicial system we know for a long time the legislator sought alternative means of resolving disputes due to their positive impact on reducing the intensity of disputes and resolving them amicably to maintain relationships.

The rapid development and popularity of mediation in the world of dispute resolution have prompted various countries to embrace its approach for many reasons. One of the most important is to turn mediation into a system that brings together different laws and legislation internationally. This is evident from the dates when mediation laws were enacted as mentioned in the study, such as the U.S. Mediation Law and the French law, Thailand's mediation law first appeared through its regulations in 2001, Egypt's Law for Settling Civil and Commercial Disputes was under number (20) in 2021. Meanwhile the UAE issued Federal Law No. (40) in 2023 concerning Mediation and Conciliation in Civil and Commercial Disputes. The latest laws to mention are the two Lebanese laws concerning judicial mediation No. 82 dated 12/4/2018 and contractual mediation No. 286 dated 12/4/2022. These dates highlight the recent nature of these laws and consequently the novelty of the mediation system without the issuance of the implementing decrees for these two laws until now.

Concerning mediation, specifically we conclude that it is an effective tool with many advantages and some disadvantages, leaving the decision to resort to it to the disputing parties' discretion and choice. As researchers we recognize that it is not a complete alternative to the judiciary and that it needs the judiciary in many stages as it is an ongoing dispute. Its importance lies in being less costly conducted in complete confidentiality as assumed, less time consuming and based primarily on the consent of both parties. It initially leads to breaking the ice and dispelling the conflict to launch the search for a solution by the disputing parties themselves which significantly affects social stability in society.

In conclusion, as part of the recommendations it is necessary to enhance the role and concept of mediation as a fundamental alternative means for resolving disputes worldwide, particularly in various legal systems, and to integrate it more effectively considering it a comprehensive and unified approach that everyone can benefit from especially in cross border commercial disputes. Additionally it is important to provide support and training for mediators and organize educational courses to master this system and benefit from it as required. This is done through publicity, dissemination, and encouraging disputing parties by the judiciary and the judicial system in various countries to pursue this path for the benefits mentioned.

This study remains incomplete and not comprehensive in understanding the various aspects of the mediation system. However, it can be considered a solid initial work on which the foundation of knowledge on the system can be built for those interested in learning more, opening new horizons to gain complete knowledge about mediation for those interested. This can be achieved by continuing to read and learn more about mediation details and work with this system until the concept of mediation is fully understood.

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Colonel (retd) PhD. Jean MARSIA (Belgium)

He is President of the European Defense Society INPA (SƐD). He graduated in 1975 from the Royal Military School in Brussels, obtaining a master's degree in Social and Military Sciences. After several posts in the logistics corps of the land forces, he obtained an additional master's degree in Administrative Science. He was then selected for the School of Military Administration. In 1999, he became an advisor to the Minister of Defense, primarily responsible for military procurement, scientific research and education. In 2003, he was appointed director of the Royal Military School, where he served until his retirement in 2009. He then became a PhD student at the Free University of Brussels. From January 2013 to October 2014, he was Defense Adviser to the Belgian Prime Minister. In 2015, he became a Doctor of Political Science at the Free University of Brussels and a Doctor of Social and Military Sciences at the Royal Military School. Since late 2015, he has served as founding president of the European Defense Society, an international non-profit association working to reinvigorate Europe's political union and achieve an effective European defense better suited to burdensharing and the international risk inherent in NATO.

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PhD.Eng. Stelian TEODORESCU

He is an aviation engineer and during his doctoral studies he was admitted to the SmartSPODAS Project - "Transnational network for the integrated management of smart doctoral and postdoctoral research in the fields of "Military Sciences", "Security and Information" and "Public Order and National Security" - Continuous training program for elite researchers - "SmartSPODAS", in this context participating in various research activities, among them being those organized by CRISMART in Sweden. During the first part of his career, he performed various executive within the Air Force Staff, and in the second part of his career, he was an executive and leadership positions within the Ministry of National Defence. He participated in various cooperation activities at the national and international level, gaining professional experience in the field
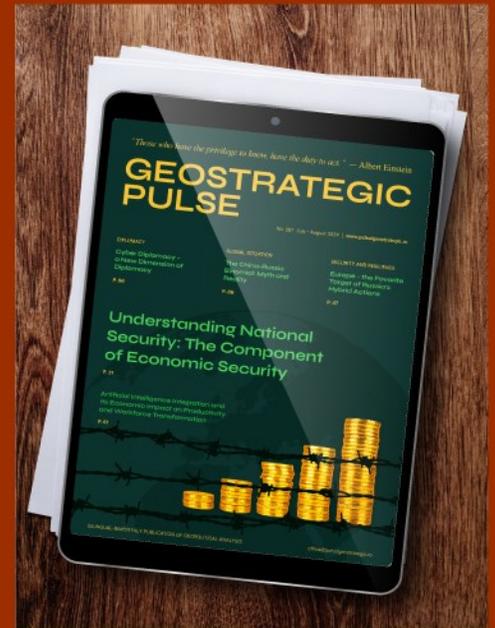
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