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ESSAY

TWO-SPEED ENERGY UNION: PROSPECTS OF DIFFERENTIATED EU ENERGY POLICY COOPERATION AND THE PERSPECTIVE OF THE VISEGRAD GROUP

Farkas Attila

ABSTRACT

Regionalising the implementation of EU energy policy legislation and strategy building is an important tool of the Energy Union in pursuing its goals, but empowering regions might meet with the resurfacing discussion on differentiated cooperation. The paper outlines the recent developments of the Energy Union and the energy cooperation of the Visegrad Group – one of the main regional initiatives in energy cooperation. The paper presents the energy policy issues the Energy Union and the Visegrad cooperation faces, and outlines two scenarios of potential differentiated cooperation as a reaction to those issues. It finds, that such complex regional differentiated cooperation mechanisms might face challenges possibly preventing them to occur.

INTRODUCTION

As the European Union celebrated the 60th anniversary of the Treaty of Rome on March 25, overshadowed by Brexit, the discussion on the future of the block have gained momentum again. Jean-Claude Juncker, president of the European Commission, presented his white paper on the subject on the 1st of March, as well as the European Council adopted the Rome Declaration on the 25th of March 2017. The white paper outlined five scenarios for the way forward for the EU27. The scenarios range from reduced to increased integration, and one (Scenario 3: "Those Who Want More Do More") is based on the concept of multi-speed Europe (European Commission 2017). The Declaration of Rome also includes the following phrasing: "We will act together, at different paces and intensity where necessary, while moving in the same direction […]" (emphasis added) (European Council 2017).

The idea of allowing two or more tiers to form within the EU based on the Members' different readiness for integration is not new, yet official communication has tended to avoid it until recently. The very idea of drawing a line of division between Member States based on 'how much Europe' they want and accept tends to provoke powerful political reactions.

Not on political but on policy level, however, such division is not only possible but also existing. The legal possibility of forming "Enhanced Cooperation" within a group of Member States was presented in 1997 the Treaty of Amsterdam, and the Schengen Area or the Eurozone also do not include every EU Member, although based on a different legal framework. The scenario, mentioned above, is also envisages forming such coalitions of the willing in specific [policy] areas.

Energy policy could be one key policy area for such an emerging, coalition-based cooperation. The Treaty of Lisbon in 2007 created the basis for sharing competences in the sphere of energy policy. Since then the creation of the internal energy market has accelerated, and many other aspects of energy policy witnessed more cooperation or at least coordination on the EU-level. Yet, still significant differences remain both in capabilities and policy directions between Members. These differences will likely become more and more significant as the EU is undergoing an energy transition to a low-carbon economy.

While some basic goals and directions are accepted EU-wide, there are numerous conflicts between Member States and/or the European Commission on the tools, speed and ways of achieving them. Such disagreements could leave several like-minded Member States wanting to enhance their level of cooperation, or on the contrary, restricting their participation but allowing others to move forward.

The Visegrad Group usually shares similar or identical position on EU energy policies. Their similar economic and historical predicament, their focus on energy security and the involvement of the state in the energy sector provide a rather solid differentiation within the EU. Many of those aspects are shared with other Member States joined in or after 2004. Yet the cooperation on energy issues among the Visegrad Countries has strong roots; it is one of the most important and active policy-level cooperation within the V4 Group.

The current essay is a preliminary investigation into the question: whether and how could the EU integration in energy policy become multi-speed. The essay explores both the legal and political framework of differentiated cooperation and the evolution of energy policy within the EU and the Visegrad format during the recent years. It shows how

regionalisation became an increasingly important aspect of the EU energy policy and how can this process be traced in case of the V4. It concludes by identifying the divisive lines in EU energy policy where differentiated cooperation might occur and proposes two illustrative case studies.

POLITICAL AND LEGAL FRAMEWORK OF DIFFERENTIATED COOPERATION

A number of concepts are dealing with how differentiated integration can play out on a political, theoretical level (for an overview see (Holzinger and Schimmelfennig 2012)). As mentioned, there are several policy areas where not all EU Member States participate at all, or if yes, certain parts of the *acquis commununautaire* are not applicable in their case. Up until now it is more common to have 'negative' differentiated cooperation, i.e. certain Member States not participating (opting-out) in a, by design, EU-wide cooperation, like Schengen or the Eurozone. 'Constructive' differentiated cooperation, where by the original design the pro-integration Member States do not aim for full participation, has happened in only few cases yet.

The legal framework for differentiated cooperation can take several, but not necessarily clearly distinguishable forms as "in reality the boundaries between several categories are often quite fuzzy" (Blockmans 2014, 5). The tool of Enhanced Cooperation has been introduced in the Treaty of Amsterdam and is designed to allow a group of Member States to pursue further integration. It is regulated by Title IV of the Treaty on European Union, and Part Six, Title III of the Treaty on the Functioning of the European Union. The Treaties do not specify the scope of the Enhanced Cooperation, i.e. do not limit

how many policy areas or what depth of additional integration is allowed. They specify, however, a set of rules to be followed:

– Enhanced Cooperation shall aim to further the objectives and interest of the EU. It shall not undermine the internal market or economic, social and territorial cohesion. It shall not constitute a trade barrier inside the EU nor distort intra-block competition.

– Enhanced Cooperation is only possible in the non-exclusive competences[1] of the EU. It can be formed only as 'last resort', if no other solution is feasible to promote integration.

– Although such cooperation would use the institutions of the EU, the legislation approved under it is not part of the *acquis*, therefore not binding for the non-participating Member States. Also the financial costs related to the implementation of the Enhanced Cooperation are to be covered by its participants only, and not by the EU budget.

– A minimum of 9 Member States are required, but the initiative needs to be open for every Member. The initiative basically needs to be approved by the Commission, the Parliament (except for CFSP) and the Council (with QMV, but unanimously in case of CFSP).

There are only few examples of Enhanced Cooperation (e.g. divorce law and patent law, proposals for a financial transaction tax and an EU public prosecutor office as the most recent initiative), yet no such framework has emerged or have been negotiated yet in energy policy.

Since energy (and the closely related environmental) policy is shared competence, there is no direct legal obstacle of forming Enhanced Cooperation in common energy policy. However, the creation of

competition rules for the internal market is an exclusive competence of the EU, and creating the internal energy market is the main objective of the common energy policy. Therefore this might be limiting the areas where Enhanced Cooperation would be possible to form (López-Ibor Mayor 2009).

It has also been argued, that no Enhanced Cooperation could be formed on topics falling out of the general competences of the EU either (ClientEarth 2010). Even if certain Member States come to agreement on – with an extreme example – banning nuclear power production in their own countries, they could not use the Enhanced Cooperation format, as Treaties do not empower the EU with deciding on such issues in general.

Should the Treaties be amended and new policy powers granted on EU level, differentiated cooperation can take a different approach: allowing not for additional cooperation but not taking part in the new EU policy for Member States with permanent opt-outs or temporary derogations. If new policy areas would be added or extended, certain Member States cold allow for further integration by pulling out from them by the unanimous agreement of all Member States. Based on the current practice[2] it is less likely, however, that a significant group of Member States (e.g. the whole Visegrad Group) would be granted such an exemption. This attitude could however change, should the current discussion on differentiated cooperation gain momentum and such approaches would prevail.

A third, but somewhat outlier option is to form an alternative framework of cooperation outside the European Union, as an international agreement. The Treaty on Stability, Coordination and Governance in the Economic and Monetary Union aka the Fiscal

Stability Treaty is a prime example. The Treaty was signed in 2012 by all but two Member States. It is completely built upon the monetary policy framework of the EU, yet is not part of the *acquis*. Similar agreements could be possible in the scope of energy policy as well.

THE EVOLUTION OF ENERGY POLICY COOPERATION IN THE EU AND THE V4

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## EUROPEAN UNION: BIRTH OF THE ENERGY UNION

Energy policy is shared competence between Member States and the EU, and the exact distribution of responsibilities is defined by Article 194 of the TFEU[3]. The Article defines four areas of EU to which the common policy should aim for:

- "ensure the functioning of the energy market;
- ensure security of energy supply in the Union;
- promote energy efficiency and energy saving and the development of new and renewable forms of energy; and
- promote the interconnection of energy networks."

These are the results of long development with gradual widening of EU coordinated areas and budgets. One aspect has not changed, however: the complete sovereignty of Member States over shaping their energy mix (with what sources and with which technologies they produce energy)[4].

The areas of the common energy policy, recreate the well-known energy trilemma. The term was coined by the World Energy Council and refers to the three basic requirements of a modern energy system (from the perspective of the consumer): 1. Security of supply or sometimes vaguely referred to as energy security. 2. Affordability of

using energy through competitive market structures. 3. Environmental sustainability of the energy system (localised pollution, GHG-emissions).

Security of supply

BALANCING THE TRILEMMA

Sustainability

Costs & competitiveness
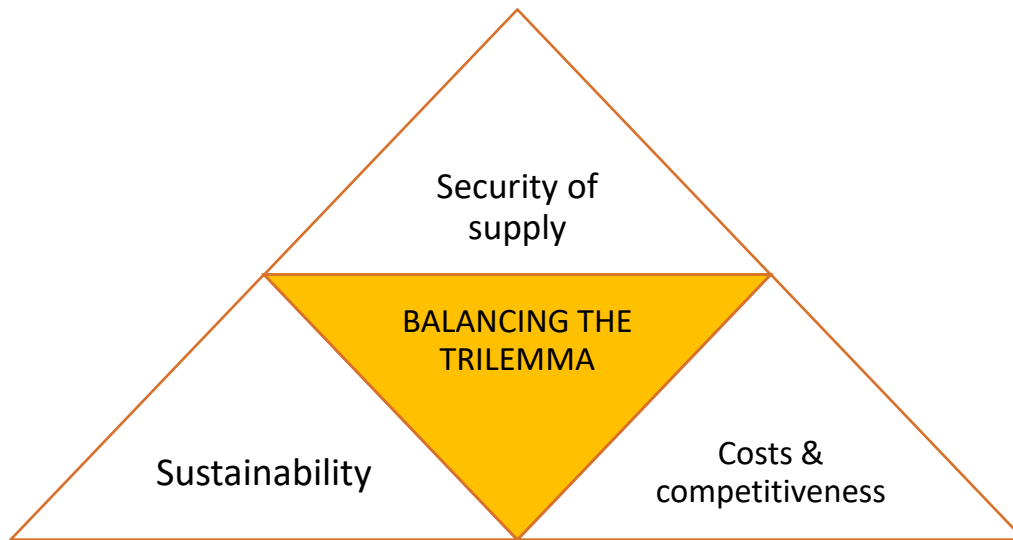
Ever since the Treaty of Rome, the central aim of the European integration was to create an internal energy market. At first the liberalisation of the national energy markets was propagated by the Commission (see the Second Energy Package in 2003), and as a next step to open up competition between national markets by supporting physical and legal interconnection of electricity and gas markets (Newbery et al. 2013). This process is currently still under way based on the Third Energy Package adopted in 2009, the market design rules adopted continuously and most recently a new set of proposed legislation as Winter Package in December 2016.

The internal energy market should have been finalised by now according to the original schedule in 2014, yet significant efforts are still needed especially in terms of physical interconnections. Partially as a response to governments' and companies' inactivity, the EU has developed its own support schemes and funds, but important, multi-

billion € investments in electrical transmission networks and gas interconnectors are still missing (Sartori and Colantoni 2015).

Energy security and the climate agenda (sustainability) are later additions and are more contested policy areas as they are more politicised than the creation of the internal energy market. In 2007 the Commission puts forward the 2020 goals and the Renewable Energy Directive containing legally binding targets for Member States. As the EU and several of its Member States aimed for a leading role in global climate action in the late 2000s, sustainability became an increasingly integral part of the common energy policy framework.

Following the gas supply crises of 2006 and 2009 the issue of gas supply and transit was securitised both by Member States and the Commission (Maltby 2013). The disruption of Russian gas supplies and Ukrainian transit in early 2006 and 2009 due to political conflicts have highlighted the dependency of many (new) Member States on Russian natural gas shipped through Ukraine. The events created a window of opportunity to frame the supply security question as a common EU issue both by several Member States and the Commission. As a result the Security of Gas Supply Regulation was accepted in 2010 establishing an EU security of supply framework.

In terms of legal background the Lisbon Treaty is still the most defining step in the evolution of the EU energy policy. In political terms, however, the creation of the Energy Union could become of similar significance. The years 2007-2010 have witnessed major legislative advance in the internal energy market (3rd Energy Package), sustainability (RED and 2020 framework) and security of supply (SoS regulation) – all based on Article 194. Yet the Energy

Union concept constitutes the idea of balancing the three different aspects and forming a truly single European energy policy.

The concept of Energy Union was developed in several stages. The original idea (under the name of Energy Community[5]) proposed by Jacques Delors et al. in their essay of 2010[6]. The word Energy Union was coined several years later by Donald Tusk (then Polish Prime Minister), who in an influential[7] essay called for an Energy Union solely for countering the Russian dependency and forming a united block of gas consumers (Tusk 2014).

The Energy Union as an idea was eventually institutionalised by Jean-Claude Juncker, as he listed it as one of his five priorities as the candidate for the Presidency of the European Commission in 2014. His initial, brief proposal put competitiveness, diversification and economic interest in focus. Later these expanded into the five dimensions of the Energy Union, endorsed by the European Council on March 19 2015:

- Diversification, energy security and solidarity between Member States.
- A fully integrated energy market without technical (infrastructural) or regulatory barriers.
- Energy efficiency for security and prosperity.
- Emission reduction and global leading role in renewables.
- Supporting research and innovation to drive the energy transition.

The plan partially integrates the ideas of the Delors and Tusk plans, but the concept of energy transition is more deeply rooted in its core. The Energy Union framework itself did not bring new elements to the legal environment of EU energy policy and neither did it introduce

new targets or significant new governance structures, and was received as "being a list of all the things the Commission is currently doing, with some extra 'asks'" (Helm 2015, 4). The Energy Union was, however, a useful political instrument: the Commission was able to pursue the Europeanization of a key sector while in many other areas the unity of the EU suffered blows (e.g. Brexit, Eurozone, migration quotas), and the development of the common energy policy is favoured by the EU citizens as well (Keay and Buchan 2015).

The framework did more than creating a political tool as it put a "fundamental transformation" of the EU energy system as a core and inevitable need and therefore a strategic vision and an umbrella for the previously fragmented EU energy policy. The current energy transition is one in a series of paradigmatic changes in the energy consumption and production patterns of human society[8], and it is driven by the need for decarbonisation, the extensive use of renewable energy sources, decentralisation of consumption, empowerment of consumers ('prosumers'), increasing energy efficiency and changing the business model of the centralised energy system in place. These ideas in Europe were first extensively developed under the concept of *Energiewende* in Germany following the decision of gradually but rapidly shutting down the country's nuclear power plants supposedly replacing them with renewable capacities backed up with strong federal support scheme.

The legal foundation of the Commission's work (i.e. the TFEU) has not changed however, and no extra competencies are paired with the new concept. Yet achieving an EU-led energy transition, the core idea behind Energy Union, is practically impossible without extending the competences and institutions of the European Union (Glachant 2015).

To bridge this gap, the Commission pursued its work on building and fine-tuning the internal market, strengthening energy security and advancing sustainability. Such smaller steps can: 1. make the three areas of energy policy more balanced fine-tuning their relation; 2. evoke functionalist mechanisms to slowly expand the competences of the common energy policy. The following achievements have been reached under the Energy Union framework in the last years with a rather reserved support from the Member States (Fischer 2017).

1. The financial crisis and the subsequent slow growth restrained the ambitions and the 2030 climate framework was accepted by the Council in a much less ambitious form during the last months of the Barroso Commission[9]. The Juncker Commission had to adapt to the accepted framework but also has to finalize the important governance mechanisms for the 2030 climate framework. Yet it is already apparent that likely more responsibility will rest with the Member States than in the case of the 2020 framework (Fischer 2017). Member States would not work completely on their own however: their integrated climate and energy plans would be consulted not just by the Commission but neighbouring countries as well fostering a regional approach in forming national strategies.

2. The Energy Security Strategy released in 2014 by the former Commission, partially as a response to the Ukrainian conflict, was an update on the current situation (with stress tests) and a vague list of future steps needed to be taken. Under the Energy Union framework, though being one of the five dimensions, only moderate steps were taken. The sustainable energy package of early 2016 contained the ex-ante revision of intergovernmental agreements of

oil and gas trade[10], accepted by the EU Council in March 2017. The package also calls for the regionalization of energy security risk assessments (Member States will need to prepare Risk Assessments, Preventive Action Plans and Emergency Plans at regional level). It also introduces a solidarity principle (prioritising protected customers). The external dimension of energy security, i.e. "speaking with one voice" did not move forward however, as the Council Conclusions on EU Energy Diplomacy (in 2015) have not included significant new elements.

3. The evolution of the internal market under the Energy Union framework is represented mainly by the sizable Winter Package of late 2016 (Clean Energy for All Europeans). The package proposes numerous evolutionary changes in the operation of the common market still to be accepted by the European Parliament and the Council. The package focuses on the electricity market as its development is more advanced that of the gas market, and the energy transition is more disruptive in this field. Large part of the package is trying to resolve market issues caused by those disruptions: facilitate the intra-day coupling of markets; empower consumers as active participants in demand management and local electricity generation; limit the market distortion by capacity schemes of Member States; encourage cross-border cooperation in renewable support schemes; enhance regional cooperation and risk preparedness in by introducing Regional Operating Centres (Buchan and Keay 2016).

In conclusion, the Energy Union has not yet introduced significant changes in the EU energy policy (similar to the changes of the Third Energy Package or the 2020 framework). It shows, however, the

Commission willingness to react to the developing energy transition in Europe. As no new competencies are rendered to the framework, the Commission mainly focuses on what it knows best: creating and shaping the common energy market and through that also the area of energy security and sustainability as well. In this development process the formal and informal role of regional cooperation between Member States will be increasingly important.

This approach builds upon the process of regional gas and electricity market integration on a more technical level, based on regional initiatives and controlled by ACER[11]. Regionalism is not new, it has been in the toolset of the common energy policy prior the Energy Union, but rather focusing on the technical development of the common market (De Jong and Egenhofer 2014). By inviting regions to participate as new, formal or informal units in strategic, policy shaping processes, the Commission not only allows functionalist mechanisms to enter into play (creating spill overs by increased cooperation). It also possibly allows for more flexibility and "openness to finding other methods for constructing a continental market – notably via multiple initiatives at regional levels with varying levels of ambition and focus." (Stang 2017, 49). This might also possibly lead to, or at least encourage discussions on, differentiated cooperation in terms of energy policy within the EU.

Visegrad cooperation: energy security and markets in the focus

Energy policy cooperation within the Visegrad framework is not the only regional energy cooperation inside the EU, but it is a unique one based on its history and because "it combines political cooperation within the V4 with energy market cooperation" (De Jong and

Egenhofer 2014, 3). The energy sector and policies of V4 Member States share many similarities forming the basis of the cooperation, and also providing the reason, why the energy sector became the most prominent policy area within the Visegrad cooperation. Visegrad countries have:

- developed economies with post-socialist heritage, relatively high rate of poverty (including fuel poverty) and energy intensity;

- liberalized, developing (interconnecting) energy markets with significant state intervention (e.g. end-user price subsidies, state ownership of major assets), struggling with underinvestment in energy infrastructure;

- having a diverse energy mix (renewables and nuclear included), facing with monopolistic import dependence and energy supply security for gas;

During the history of Visegrad Group, the cooperation on the field of energy has undergone a spectacular evolution to a point where energy can be considered probably the most sophisticated sectoral cooperation within the V4 framework. Although North-South direction of infrastructure development and coordination of power sector development already appears in the founding Declaration of the Visegrad Cooperation in 1991, in terms of energy cooperation only the post-2000 era bears real significance (Törő, Butler, and Grúber 2014).

Following the EU-accession the further development of energy cooperation was characterised by solid widening and deepening at the same time. The main energy policy decisions on the European Council or Council agenda have seen a preceding V4 (or occasionally V4+) consultation providing a common position. Although less visible, such

consultations were crucial in increasing the negotiating power of the V4 block and contributed to their strengthening voice and increasing decision-shaping ability in the Council on energy and climate issues (Bocquillon and Maltby 2017). The main mission was, however, to integrate and strengthen the security dimension within the EU energy policy discourse (Świątkowska 2011).

Apart from policy coordination and discussion, the major project was the creation of a common electricity and gas market in the region. The concept evolved gradually from initial information exchanges and coordination of positions envisaged by V4 presidential programs of 2003/04 and 2004/05 but the main idea remained to forego the common EU energy markets and build a regional stepping stone towards it.

Electricity interconnections were and still are more developed between the countries than gas (Kaszab et al. 2013), and the cooperation of the four TSOs[12] was already given by forming CENTREL in 1992. Day-ahead market coupling was pursued as an EU backed, ACER coordinated project, and became reality in 2012 September between the Czech Republic, Hungary and Slovakia. The day-ahead market was joined by Romania in 2014 forming the 4M project[13]. Although Poland also signed the MoU on joining the market coupling project, it has not done so yet, and is more connected to Sweden, i.e. to the North-Western coupling zone. This underlines how physical and market conditions can overrule the political boundaries of the V4 cooperation.

The development of the common V4 gas market is far more politicized, and security-focused. In terms of gas supply security, V4 countries are in varyingly vulnerable situation, but in terms of price security, all of them are heavily affected by monopolistic pricing by Gazprom (Nosko

et al. 2010[14]). The Ukrainian-Russian gas crises of 2006 and 2009 as well as the political tension since the annexation of Crimea and the following ongoing disputes and uncertainty of future transit have provided a significant push, and gas supply and transport security are recurring, top priority issues ever since. As a result, gas supply security has been securitised among the V4 countries and dominated the energy policy agenda, political discussions and external communications of the group.

Besides the political activity, the Visegrad Group proposed diversification and development of interconnectors as practical solutions for the supply security issues. The North-South gas corridor connecting the Polish LNG-terminal in Swinoujscie and the proposed Croatian LNG-terminal at Omisajl became the flagship project for the V4, since the corridor's idea first appeared in 2006. This would not only allow access to LNG for the landlocked V4 members, but would also increase cross-border capacities and therefore pooling resources in case of a crisis and increasing competition. Apart from the N-S corridor, the V4 repeatedly called for diversification of supply sources as well[15].

As a result, the gas policy cooperation became one of the most institutionalised V4 activity[16]. Despite some advancement however[17], the gas supply security situation of the V4 countries is still not resolved, not only because of missing infrastructure, but because of regulatory shortcomings, e.g. the missing harmonisation of security of supply legislation among each other (Slobodian et al. 2016).

Energy (gas supply) security remained the main common topic of V4 under the Energy Union framework as well. Partially because the original Energy Union concept (focusing almost exclusively on energy

security) was proposed by Poland, and also because the conflict situation in Ukraine and the emerging cooperation, especially in gas trade, with Kyiv as well. The Energy Union framework caused (or coincided with), however, some dissent among the V4 Group: at first the Group was unable to issue a common position on the Energy Union (in March 2015), later the proposal of the Commission to change the legality check of energy Intergovernmental Agreements to *ex ante* inquiries, and the Report on the 2015-2016 Czech presidency states that "on some issues the V4 were unable to find a common position, which only confirms the trend towards fragmentation of V4 energy cooperation" (Visegrad Group 2016; Misik 2016).

There is still widespread agreement among the Group on the importance of energy security, yet the perception of threats might have changed, partially due to the Nord Stream 2 project. Poland, Slovakia and Hungary are vocal opponents of the highly controversial and politically sensitive project, yet the Czech Republic was rather modest in opposing the project (Kalan 2016). The Turkish Stream[18] project also was able to cause frictions, as Slovakia and Hungary supported two, practically opposing projects (Eastring vs. TESLA) for transiting the Russian gas to the CEE markets, should the new pipeline be built with such capacity. There is widespread consensus in the Group on supporting nuclear energy and technological neutrality, yet possible Russian nuclear investments (especially in Hungary) could be a source for tensions. In terms of climate and environmental policies the block is clearly favouring competitiveness and safeguarding consumers over a German-style *Energiewende*, but Poland's decreasing openness for implementing green policies might also hinder a common approach in those areas.
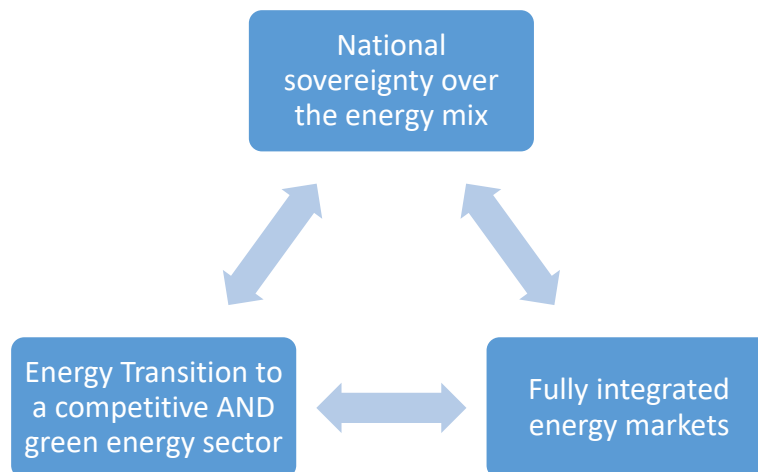
Despite any potential disagreements between the Members, the V4 Group maintains a solid position in terms of sovereignty of their energy mix. Most of their public statements, especially in relation to EU policies, pin down the clause of TFEU 194 on the non-interference of EU competences to the ability of Member States of defining their own energy mix. This policy is not unique, it is widespread within the EU, and has not been challenged yet by Member States or the Commission. Keeping full sovereignty over the energy mix is important for the Group not only from an energy security perspective (having the ability to install domestic capacities maintaining a certain level of domestic production even if it's not efficient), but also from an economic and social one (maintaining the use of coal or nuclear even with state interventions, or favouring lower retail prices over introducing renewable support schemes).

We may conclude that the Visegrad energy cooperation is clearly politically driven and is a political project. Formulating common positions towards the EU and forming a single block in certain external energy diplomacy issues gives weight to the countries. In terms of market integration the block is a useful and efficient tool to translate the functional EU legislation (e.g. network codes) to a gradually evolving market. Yet the primary goal behind the market (and infrastructure) development is to tackle the energy security risk, perceived as a major threat on political level.

The potential for differentiated cooperation under the Energy Union: with or without the V4?

The paradox of the current energy system

The EU faces a paradox that its goals (fully integrated markets, energy transition, and competitiveness) and tools, abilities (either by the word of the Treaties or most importantly by the interpretation of the Treaties and the lack of political capital invested in the Commission by Member States) do not meet (Zachmann 2015). The paradox may be shown as an 'impossible triangle' where only two points can be achieved under the status quo, but not all three at the same time[19].

National sovereignty over the energy mix

Energy Transition to a competitive AND green energy sector

Fully integrated energy markets

1. If Member States can hold full sovereignty over their energy mix and the way to achieve it, they can introduce support schemes or other legal frameworks to increase the share of renewables or maintain nuclear or fossil capacities. These heavily distort the long term price signals on the market and reduce investments. As a

result competitive[20] and green energy sector on national level could only be achieved at the expense of limiting trade (not to let the low prices, achieved by subsidies or some comparative advantage[21] 'out' of the national market), or exerting significant negative externalities to neighbouring countries (exporting low prices to countries which cannot guarantee necessary investments under such low prices, or buying excessive amounts of storage and/or balancing capacities imposing higher prices or even energy security risk to the exporter country). This would likely force disadvantaged countries to reconsider their participation in the integrated market.

2. Achieving energy transition with a fully integrated market would mean that economic efficiency (i.e. prices based on comparative advantages) would determine the quantity and location of various energy generating capacities and trade between Member States, and with third states. This would empty national sovereignty as a Member State would not be able to decide on its domestic energy mix or maintain any desired level of domestic (backup) generation capacity without distorting the market.

3. It would be likely possible to develop an integrated energy market between countries with sovereignty over their energy mixes. Such scenario would, however, not allow for any green revolution of the energy sector – if some countries would pursue energy transition, the situation would transform to the scenario no. 1 (above). If countries resort to use conventional energy sources without state interventions, the necessary investments for an energy transition (generation capacities, but especially development of the transmission and distribution system) would likely not occur.

Maintaining the current, traditional utility business model presumably excludes a wide energy transition, within our current technological and economic predicament.

This paradox is not extreme in the sense that there is a possibility to find compromise between the aspects with efficient market and regulatory design. The aim is to underline, it is likely not possible to "eat the cake and have the cake", especially not all three slices of it[22]. The question is, if all Member States can subscribe to such a compromise, or some differentiated cooperation would likely arise to solve a political stalemate. Or the level of ambition has to be reduced, even though the Energy Union package was supported by Member States[23]. Until such decisions are made on political level, uncertainty on the markets will remain strong and hinder developments in the energy sector.

REGIONALISATION AND THE POTENTIAL FOR ENHANCED COOPERATION

Currently regions are the building blocks of the common market integration. The local and functional cooperation of TSO's, national regulators are indispensable for introducing flexibility in the implementation of common market rules in terms of order or local specificities – even though the end-goal is common (De Jong and Groot 2013). This way smaller units implement gradually the common network codes developed by ACER, and a resulting patchwork of regions with emerging physical and legal interconnectedness will create the single energy market (first in electricity, later in gas presumably). In many terms market integration has already happened at least on regional level – a certain level of market liberalisation is common and practically all EU countries have coupled

wholesale markets with at least few neighbouring markets (or will be soon, e.g. Bulgaria).

The Winter Package (if adopted) and the recent policies of the Commission point towards an increasing, and more policy oriented use of regional cooperation, even in less directly common market related issues (Stang 2017). The Commission might have a twofold reason to move into this direction.

– First the Commission possibly observed that throughout the process of establishing interconnectivity with neighbouring countries, many Member States have developed formal and informal procedures for cooperation and coordination, i.e. the transaction cost of any future common project either in terms of energy security or reviewing national plans for 2030 might become easier and politically less sensitive. Some spill-over effects have also likely emerged as cross-border network developments were somewhat coordinated with neighbouring countries

– Second the Commission would likely try to imbue regions with more flexibility in making basic energy policy decisions. It has likely observed that "[R]ecent national policy decisions in some countries and continuing uncertainty in others have already led to various degrees of market reactions and impacts on investment decisions in neighbouring countries." (De Jong and Groot 2013, 12). In order to tackle potential conflicts and reap the benefits of cooperation, delegating some minor competences to regional level can send the message to solve such issues according to the principle of subsidiarity, closer to its origin.

The role of the regions is strengthening and it seems less likely that on short term an EU level response could be formulated to tackle the

challenges of the energy transition due to the paradox at the core of the EU energy policy. Therefore it could be tempting for certain regions to pursue some form of differentiated (enhanced) cooperation scheme and give their own answers to those challenges, reduce uncertainty in their own regional markets, and try to shape the future of the Energy Union.

The next subchapter will briefly introduce two scenarios of such an enhanced cooperation – one in line with the principles behind the V4 energy cooperation, and one possibly leaving the Visegrad Group outside its scope.

Potential scenarios for differentiated cooperation

Schengenisation of energy policy

This scenario would see increased, voluntary coordination of fuel mixes among its members on a regional basis, leading to the "Schengenisation" (De Jong and Groot 2013, 30) of energy policy, i.e. increased pooling of sovereignty over energy policy decisions and in general creating a much more centralised market cooperation scheme. The main reason behind doing so is legislative and economic efficiency. By coordinating investments in the renewable sector and distribute them according to economic baselines could generate 15-30 billion € additional wealth in the EU by 2030 (Newbery et al. 2013). It would also likely reduce the need and the costs of capacity mechanisms[24], and also renewable subsidies. The governance of the newly formed 'club' could be managed by creating a regional regulatory authority and TSO (under the auspices of ACER and ENTSO-E/G respectively, to ensure harmonised operation with the general EU framework).

This scenario would acknowledge, that for several Member States (e.g. likely the V4) it would be unacceptable to move forward with revising the Treaties[25] and expanding the EU powers, but others want to move forward through some form of secondary legislation (Delors et al. 2010). It is not straightforward, however, how such differentiated cooperation would be possible. Enhanced Cooperation should not overstep the limits of the Treaties, and safeguarding national sovereignty of energy mixes is clearly stated in Article 194 of TFEU. It would also had to be argued, that such Enhanced Cooperation does not affect negatively the common market, i.e. maintaining proper market functions between the participants and outsiders of the Enhanced Cooperation, and ensure that no harm is done to the outsiders. A multilateral, intergovernmental treaty is a more likely possibility like in the case of the Fiscal Pact, as it would face less restrictions, yet still, the participants of the differentiated cooperation would likely need to offer proof, that outsiders would not suffer economic or energy security harms.

The Pentalateral Energy Forum could be the main contender to form the base of such a differentiated cooperation. The regional initiative comprising of Austria, the Benelux states, France and Germany was formed in 2005 and promotes cross-border cooperation on energy exchange. The Forum, while helping to establish the regional market, served as a best practice of regional TSO and regulatory cooperation for the rest of Europe (De Jong and Egenhofer 2014). The main driver behind taking the next step could be Germany as the country is trying to translate the core of the *Energiewende* into EU energy policy decisions, and to help its own domestic transition process (Szulecki et al. 2016). Also the countries are much more reliant on each other in

terms of electricity flows (especially Germany and Austria), but also capacity adequacy (France and Belgium both will possibly face capacity adequacy issues). France has also embarked on a (modest) energy transition, decreasing the share of nuclear power, and Belgium (nuclear power plants) and the Netherlands (decreasing gas production) also face serious energy policy challenges.

Should such a differentiated cooperation be formed, it would have various effects of non-participating countries – among them most likely the Visegrad Group. It would not bring solution to the current issue of loop-flows[26], and likely wouldn't affect price differences in the short term. On the long-term, however, it might create similar situations as described in energy policy paradoxes 1 and 3.

Focus on energy security

The second scenario deliberately envisages a differentiated cooperation that could emerge on the basis of the current Visegrad energy cooperation framework. Such initiative would most likely focus on the issue of energy security. Not only because it is the central topic in the V4 framework, but also because the energy security framework within the EU is less developed than the size and integration of its energy market would suggest (López-Ibor Mayor 2009).

Advanced gas supply security measures could be proposed and taken in domestic and external directions: introducing stricter rules for solidarity, increased and common mandatory strategic gas storages, more coordinated crisis management procedures. In terms of external actions the idea of common gas purchases proposed by Donald Tusk and propagated by Poland in general could resurface – although not only many Member States have opposed it but it might also contradict the rules of the common market (Szulecki et al. 2016). In general, the

EU energy diplomacy aspect could not be significant part of any differentiated cooperation as the common foreign and security policy is more consensual and politically sensitive issue.

An important development could be however the introduction of advanced electricity market security regulations and procedures. As the January electricity supply crisis in the Balkans has shown, the solidarity rules and their enforcement is far from adequate (Bauerova 2017). Activities to enhance the cyber security of the energy networks (information sharing, common response group) would also be a timely and important step forward a more comprehensive energy security cooperation.

Such differentiated cooperation would enable the V4 to gain some political momentum, and also to shift back the energy policy focus towards energy security issues. Yet, currently most of such issues are of the sphere of external policy, and have various sensitive implications (e.g. issue of Ukrainian transit and Nord Stream 2). Also if any new institutions or investments would be needed, it would likely not be financed by the EU budget (certainly not under an Enhanced Cooperation scheme). The differentiated cooperation could gain supporters mainly from the region of CESEC[27] – energy security perceptions and priorities largely differ in South- and Western Europe (Austvik 2016).

CONCLUSION

It is apparent, that more flexibility is needed, if the EU wants to pursue more effectively its energy policy agenda. Either by delegating more decision making ability to the Commission, which can later relegate the implementation to the regional level with room for local solutions and different scheduling.

Although the slow and gradual empowerment of regions in the Energy Union framework would likely induce discussions on forming differentiated cooperation, doing so would require a political push and compromise so powerful and complex as only a few can be found in every decade in the history of the European integration. Energy policy is a key economic, social and security issue, substantially altering its current framework is less likely, until the EU is faced with even bigger political challenges.

It is questionable, if the V4 is united and indeed influential enough to pursue such an agenda. Although the Group will undoubtedly work further on strengthening the energy security discussion and framework, it is hesitant to delegate or pool sovereignty to regional or EU level, what would be crucial for a truly transformative energy security agenda.

The energy transition and Germany could likely become another core for a potential differentiated cooperation. Although the Pentalateral Forum seems a promising root for such an initiative, forming a block to pursue regionalised energy transition in faces several significant hurdles, presented above.

Although these are by far not the only potential topics or groups, some form of advanced cooperation could stem from, they illustrate that it is less likely for regions to form cooperation mechanisms for wider energy policy goals (energy security, energy transition). The main hurdle for regions to implement such advanced cooperation, even in minor scale, is the number and severity of externalities likely arising, as energy markets and infrastructure are more and more connected, interdependent.

To avoid such externalities, it is possible, however, that some distinct policy issues could be dealt with on the EU level, allowing for few states to opt-out or delay the implementation – also a form of flexibility. There are several issues, where potentially most of the Member States could come to an agreement in the coming years: expanding the role and power of ACER, introducing a common renewable support scheme and/or some sort of capacity mechanism, approving stricter solidarity rules in case of supply crises, especially in electricity. These would be smaller but less fragmented steps towards finding a forward looking balance in the energy trilemma.

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[1] TFEU Part One, Title I, Article 3 defines exclusive competences, e.g. customs union, commercial policy, competition rules for the internal market.

[2] Currently only 4 Member States have opt-outs in 5 policy areas, never with more than two Members in a single policy area.

[3] Securing nuclear energy use and fuel supply was also key area regulated by the separate, later merged Euratom Treaty. Its scope and area has not changed or expanded significantly, and up until now it has not pursued a policy prescriptive or agenda setter role.

[4] As Article 194 of TFEU puts it: "[Measures taken under shared competence] shall not affect a Member State's right to determine the conditions for exploiting its energy resources, its choice between different energy sources and the general structure of its energy supply".

[5] Not to be confused with the Energy Community, the body of the Energy Community Treaty, established in 2006 to foster cooperation with the EU and its neighbouring countries on adopting the EU's energy *acquis communautaire,* and as such, one of the main tools of EU external energy policy.

[6] The authors argue that the preceding developments have completely fragmented the EU energy policy and deeper cooperation (Energy Community) is needed even if not all Member States are ready to participate (i.e. propose differentiated cooperation) (Delors et al. 2010). Yet the economic crisis and a sentiment of renationalising energy assets have not allowed the idea to shape policies for a while (Austvik 2016).

[7] Although the proposal dismissed the sustainability aspect of the common energy policy, as well as marginalised the non-supply security related aspects of the common market, it received more attention. The proposal was preceded by the annexation of Crimea and significant political tensions between the EU and its Members, and Russia; as well it was also part of Donald Tusk's run for the Presidency of the European Council.

[8] For detailed, historical overview on energy transitions, see (Smil 2010).

[9] Both target values (emission, renewables) and governance scheme (common, flexible targets instead of binding ones for member States) was watered down significantly compared to the original Commission proposal (Tagliapietra and Zachmann 2017).

[10] A significant political win for the Commission as it receives the right to act as a benign censor for energy IGAs, a sovereign tool of the Member States' external energy relations.

[11] The Agency for the Cooperation of Energy Regulators is an EU forum for National Regulatory Authorities. ACER is developing the technical legal framework of the common market (network codes).

[12] Transmission System Operator – the company responsible for the operation and development of the transmission network of electricity and gas, ensuring the security and reliability of transit and supply to the distribution networks to which most consumers are connected to.

[13] For details see https://www.hupx.hu/en/Market%20Coupling/mark etcouplinghistory/Pages/4mmc.aspx.

[14] This exposure was well presented in the antitrust case of the Commission against Gazprom as the Commission investigated, what damages the unfair and often illegal pricing mechanism of Gazprom caused to several CEE countries, including the Visegrad Group. For summary and evaluation see http://bruegel.org/2015/04/the-gazprom-case-good-timing-or-bad-timing/.

[15] They support the TANAP/TAP project, and repeatedly signalled to Washington on political level the positive energy security aspects of supplying US LNG to Europe.

[16] In 2009 the Hungarian presidency created the High Level Energy Working Group in order to foster the cooperation especially in the gas market and N-S corridor, which prepared the high-level V4+ Budapest Summit on 24 February 2010. The Summit put political impetus behind the project N-S corridor project, while trying to secure the needed EU funding for it. The Declaration also created *ad hoc* Expert Working Groups under the HLG for the N-S corridor (and LNG terminals), oil and gas crisis management and the 2020 EU energy and climate policy framework. The Polish presidency in 2013 established the V4 Forum for Gas Market Integration and presented the Road Map for gas market integration. The Road Map envisages the adoption of the developed EU network codes, and developing a Target Model based on the European one. There are numerous model to choose and proceed with, but as with the electricity market coupling, the inclusion of neighbouring states (especially Austria with the Central European Gas Hub) would be largely inefficient (Ascari 2013).

[17] The inauguration of the Swinoujscie Terminal and the Slovakia-Hungary interconnector are important steps, but still important interconnector capacities are missing especially between Poland and Slovakia and the Czech Republic, as well as the Croatian LNG project has been advancing particularly slowly. The 2014 stress test by the Commission has shown that V4 countries (especially Hungary and Poland) are still exposed to gas supply security disruptions from Russia, yet the used scenarios are rather extreme and development compared to the 2009 situation can be observed indeed in terms of resilience in the group.

[18] The pipeline would replace the cancelled South Stream project and would supply Turkey with Russian gas, but could also supply the European market, if the second phase (2 additional lines) is built with the connecting infrastructure through the Balkans.

[19] This model is based on mainly the electricity sector, as that is going to be likely in the centre of the future energy system due to electrification and the much larger potential for generating electricity than other fuels from renewable sources.

[20] In this sense competitiveness refers also to the affordability of energy prices for the end user.

[21] Such advantage can be large renewable energy potential as a natural resource, or a large gas market with diversified supply options allowing for cheaper gas prices, or a large fleet of nuclear power plants operating on their marginal operational cost. Using domestic coal stocks can also lead to cheaper domestic prices, yet such scenarios falls short from being considered green.

[22] Disruptive and paradigm shifting changes in technology of electricity production, distribution and consumption are possible and even forecasted. Such changes could fundamentally alter the predicaments. Yet, based on the slow reaction time of the energy sector (including regulation) and the long investment cycles, it is reasonable to expect no radical shifts in the following years, when answers to the paradox are likely have to be offered.

[23] Approaching 2020 in many cases becomes apparent that national targets and rhetoric is hard to meet if at all possible. Abandoning ambitions would be likely most unfortunate for the environmental, economic and social future of the EU, yet in case of the 2030 goals a somewhat decreased level of ambition can be observed as noted in a previous chapter.

[24] Additional fee paid for the availability of flexible generation capacities – usually conventional coal and

gas power plants, but possibly also for demand-management structures.

[25] Without revising, and in this case expanding, the Treaties, granting opt-outs for certain countries is also impossible, therefore negative differentiated cooperation (creating a general framework without certain Member States) is not an option either.

[26] These unplanned and uncontrolled electricity flows result in the Polish, Czech and Slovak (sometimes Hungarian) systems, when large quantities of electricity produced by wind farms in the Northern Sea travel through the regional system to Austria and Bavaria, as the domestic high-voltage North-South connections in Germany are inadequate. The sketched cooperation would not accelerate the development of the German domestic transmission network and would certainly not decouple the German and Austrian markets.

[27] The Central and South Eastern Europe Gas Connectivity group intends to accelerate gas supply diversification and the integration of the gas markets of Austria, Bulgaria, Croatia, Greece, Hungary, Italy, Romania, Slovakia, Slovenia and six Energy Community members (Balkan countries and Ukraine).

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COMMENTARY

ALTERNATIVE SOURCES OF ENERGY

Natálie Terčová

Abstract

Through alternative energy sources we look for energy that can help replace the use of coal and petroleum. Coal became popular when it replaced wood as the main source of fire and fuel. However, it is still being used extensively in power plants to produce electricity. Though a considerable switch to renewable energy sources is gaining momentum, it may take a while to produce the amount of power needed to run our daily lives. Similarly, petroleum is still a leading source of fuel to run vehicles today.

Various Alternative Energy Sources Used In V4 Countries

When it comes to energy, solar energy is ultimately the alternate source. Sunlight is required in the production of all fuels – including the non-renewable ones. On its own, it has plenty of applications. Solar energy is an efficient way to heat materials. With the help of solar panels, batteries and the right equipment, we can use solar water heaters, solar cookers and solar powered bulbs. There are no moving parts involved in most applications of solar power. There is no noise associated with photovoltaics. This compares favorably to certain other green-techs such as wind turbines. It can also be used to generate electricity in both small and large amounts. It is being used extensively these days in order to reduce electricity bills and become less dependent on the fuel-based economy.

Another alternative energy source that is renewable and has the potential to solve the energy crisis is wind energy. This is where windmills become our greatest ally. Large wind farms have been erected in areas where the wind is both fast and consistent. As the wind turns the blades of the power plant, it activates the turbine motor, the turning of which can produce electricity. Unlike solar energy, this cannot be transported or used directly. However, it has brought us one step closer to closing the gap between demand and supply. As a means of alternative energy, it is clean and produces no pollution. More than that, it requires much less investment than other forms.

Utility-scale turbines range in size from 100 kilowatts to as large as several megawatts. Larger wind turbines are more cost-effective and are grouped together into wind farms, which provide bulk power to the

electrical grid. In recent years, there has been an increase in large offshore wind installations in order to harness the huge potential that wind energy offers off the coasts of the U.S.

Single small turbines, below 100 kilowatts, are used for homes, telecommunications, or water pumping. Small turbines are sometimes used in connection with diesel generators, batteries, and photovoltaic systems. These systems are called hybrid wind systems and are typically used in remote, off-grid locations, where a connection to the utility grid is not available.

Wind does not cost anything and therefore operational costs are close to zero once a turbine starts running. Research efforts in the field of technology are going on to address the challenges to make wind power cheaper and a viable alternative for individuals and businesses to generate power. On the other hand, many governments offer tax incentives to create growth for wind energy sector.

HOW TO IMPROVE ENERGY POLICY?

Currently, the V4 countries differ regarding their national security of supply measures and the level of their market integration. The Czech Republic and now Poland are considerably more diversified than Slovakia and Hungary owing to the access to western hub-based gas. I, personally, would suggest building more solar panels where possible, as well as turbines for the wind energy. As I described their pros and cons, I still believe that this move can make a huge profit for the future of energetics between V4 countries.

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ESSAY

ENERGY COOPERATION OF V4 COUNTRIES: FROM SLOVAKIAN PERSPECTIVE IN CONTEXT OF GLOBAL AND REGIONAL DEVELOPMENT

PETER MIKULA

ABSTRACT

The international political system is subject to both integration and fragmentation on regional and global level. As a result of deepening of the processes of globalization, internationalization and interconnection of the national economies, the individual states cannot effectively face global and regional challenges on their own in isolation of the surrounding. Therefore, they are grouping into wider integrational units based on geographical and cultural proximity and common interests. In the context of economization of international relations, asymmetric distribution of strategic raw materials, and the increasing pressure of the global market on economic efficiency, a safe and stable access to energy resources is essential for every well-functioning and competitive economy.

Energy cooperation of V4 countries from Slovakia perspective in context of global and regional development

The nature of security threats has been dynamically evolving since the end of the Cold War. State security is no longer endangered only by force-military actions but various environmental, economic, political or energy threats. The international political system is subject to both integration and fragmentation on regional and global level. As a result of deepening of the processes of globalization, internationalization and interconnection of the national economies, the individual states cannot effectively face global and regional challenges on their own in isolation of the surrounding. Therefore, they are grouping into wider integrational units based on geographical and cultural proximity and common interests. In the context of economization of international relations, asymmetric distribution of strategic raw materials, and the increasing pressure of the global market on economic efficiency, a safe and stable access to energy resources is essential for every well-functioning and competitive economy.

Introduction

Energy security plays an increasingly important role in European Union policy, given the limited endogenous natural gas reserves and declining production. Special attention is paid to the countries of Central and Southeastern Europe, which are predominantly dependent on the import of natural gas from Russia. The concept of interdependence in Eurasia is a historical and geographic fact. However, the V4 countries started to consider this mutual interdependence as a negative one after the gas crisis of 2009. Energy security of the V4 countries is, in addition to the energy policy of the

EU and Russia, also determined by development in the global market. Slovakia was one of the most affected countries by the interruption of gas supplies from the Ukrainian territory. Therefore, it is one of the main goals of the Slovak energy to build alternative routes that would secure stable gas supplies in the case of another "chess match" between Russia and Ukraine and also limit the dependence on Russian energy policy. At the same time, is in the interest of Slovakia to gain access to the cheapest supplies of strategic energy resources that are environmental friendly. On the other hand, Slovakia benefits from the Soviet pipeline infrastructure as an important transit corridor between Russia and western EU states. Russian energy interest is to bypass the Ukrainian territory via building the northern or southern gas corridor that would minimalize the geopolitical and economical value of Slovakia as energy transport hub. Therefore, the second main goal of the Slovak energy is to adapt to the changing European pipeline map in order to maintain the strategic transit role of its territory.

The cooperation among V4 countries proved to be very beneficial in the pre-entry process into the Euro-Atlantic structures. This platform was especially important for Slovakia, which lagged behind other V4 countries in the accession negotiations with the EU and NATO, due to political isolation during the – "Mečiar period". Slovakia was provided with valuable know-how in meeting the requirements in the pre-accession period and also diplomatic support for accelerated integration effort. However, by successful integration into Euro-Atlantic structures the V4 countries have lost their core common goal that was encouraging closer cooperation. The level of cooperation has decreased to only limited and vaguely proclaimed plans that were

realized only on the paper sheets. New impulse to reestablish an effective cooperation on V4 level was the 2009 gas crises. Strengthening energy security has become a new motivating target for V4 countries to act as one united unit in promoting common interests.

GLOBAL DEVELOPMENT

From the global perspective the global development in LNG market and shale digging have the most crucial aspect on the European gas market and also on V4 countries. USA is due to „shale gas revolution" continuously turning from gas importer to gas exporter status. This has a significant impact on the global LNG market. With the combination of rising amounts of produced LNG, the exporters had to reorient their supply direction from Northern Amerika to Europe. The V4 counties profit from it in two ways. The first is that, the seedily rising amount of traded LNG on European spots and hubs developed pressure on the gas pricing system in long term contracts, that are based on oil prices in the favor of market mechanism – gas on gas (see map n. 1a-1b). That was one of aspects that determined the fall of gas prices in 2014-2015 in our region. The second benefit is hat the V4 counties can access the LNG trade via terminal in Poland and planned terminal in Croatia, which enhance their energy security in the term of supplier's diversification.

NORTH-SOUTH GAS CORRIDOR

One of the main priorities of the V4 countries immediately after the gas crisis was to build gas infrastructure in north-south direction. The aim of the project is to enhance the diversification of routes and suppliers by connecting to the Western Europe infrastructure, global LNG market and potential unconventional resources in Poland. The North- South gas corridor is of particular relevance to Slovakia,

because it strengthens the transit character of Slovak territory. Crucial points of the project are LNG terminals in Polish Świnoujście and Croatian Adria LNG on Krk island as well as the pipeline interconnectors between the V4+ countries. Slovakia took preventive measures by building the interconnectors between Slovakia-Hungary and Czech–Poland as well the installing of the reserve flow mechanism on the pipeline with Austria and CR to minimize the negative affect in the case of similar crisis as in 2009 would occur. A key phase for Slovakia is to build the interconnector with the Polish site, which is scheduled to be finished around 2020 and is being financed by EU founds. In 2010 the company Polskie LNG was created to build, own and operate the LNG terminal. Poland signed a deal with Qatar on import of 1,6 bcm gas until 2034. Imported amount of LNG was doubled in a new agreement in 2017 to supply Polish market with 3,2 bcm from 2018. Poland with an average annual consumption of 16 billion bcm pursues the long-term goal of reducing dependence on Russian gas despite the higher financial costs of LNG.

New opportunities for penetration into Central European gas market, lower building cost and new technologies have created a comfortable condition for investments into the long time planned Adria LNG. The demand for LNG has increased from Ukraine, which has been buying mostly Russian natural gas from opposite direction- from European gas network since 2014. LNG supplies could potentially be able to move across the Hungarian territory equally on the Ukrainian market. Great interest on building the Croatian LNG have also Slovenia and Austria, where the rest of the LNG that is not destined for Croatian consumption will most probably end. The terminal should

have a capacity of 3 bcm, and its commercial operation is scheduled for the end of 2019.

Competitor for Slovakia's energy ambitions and benefits in context of North-South gas project is Austria, which is seeking to increase its transit role on Slovakia's expense directly by AUS-CR project BACI and indirectly by CR-POL project STORKII (see map n. 2). The BACI gas pipeline will connect the Czech Lanžhot hub with the Austrian Baumgarten hub in both directions. BACI builds on the planned Moravia pipeline, which will connect the CR and Austria with underground gas storage facilities in the territories of both countries. These planned pipeline inter-connections are also important for Poland, which would also connect it with Baumgarten via Czech territory. The CR-POL project STORK II involves the construction of the second inter-connector between both countries with the capacity 7,5 bcm. Both project are on the EU PCI (Project of Common Interest) list. Slovakia and other V4 countries managed to strengthen their energy policy in terms of suppliers and route diversification by the progress in implementation of the North-South pipeline project.

A critical point of this project is the economical dimension of energy security. The gas market had shown that the inter-connectors between SR-HUN or SR-Pol have little or none value for commercial use. In other words: the amount of money invested in the interconnectors are not profitable. The question is, if we do really need interconnector with the between SR-Pol with no commercial interest, when we can build on already more developed infrastructure between POL-CR-SR.

Unconventional gas drilling in Poland

According to IEA estimation, Poland has a vast unconventional- shell gas resources on its territory. Initial assumption in 2011 were somewhere around 5,3 tcm. After two years the estimation of technically recoverable shale gas resources were drop by 20% to 4,1 tcm. The Polish Geological Institute is even more critical with the assumption and provides two version of the potential resources: conservative version - 346-768 bcm, and optimistic version- 1,9 tcm. Despite the reduction of the initial projection, the Polish government made a lot of effort in order to push the shale production with hope of similar success as the unconventional drilling in US. Poland is by supporting the exploration on shell resources pursuing two fundamental objectives. The first is to reduce the dependence on Russian gas or to, in a very positive scenario, become a gas exporter. And particularly the positive scenario would be beneficial to other V4 states, which could import Polish gas. The second objective foresees a similar trend as in the US, where cheap and cleaner shale gas replaced "dirty" coal-fired power in the energy mix. However, the exploration wells have not reached any major achievements, and large gas companies such as Exxon-Mobil, Marathon Oil, Talisman Energy, and Eni decided to leave the potential market. Simultaneously, the level of new establish exploration wells has been gradually decreasing. In 2013 there were only 12 new wells recorded, which is half the number of last year.

The main reason for the unsuccessful drilling are geological prerequisites. Unlike the US resources, the Polish resources are located deeper under the 1000m border, which increases the costs associated with drilling, increases the likelihood of local earthquakes

and groundwater pollution. Also the shell quality proved to be essentially lower with greater proportion of clay mixtures compared to North American conditions.

Another reasons are environmental aspects. Environmental legislation at national level and in the EU generally creates greater administrative barriers and obligations for companies in the shell drilling sector than in North America. Unconventional resources in Poland are located in areas with relatively high population density. Following the experience from UK or Germany, shale drilling is almost always associated with protest of the local population. US resources are unlike in European condition located in peripheral regions.

We also have to keep in mind that the localization and exploration of the resources are only the first stage of the production chain, followed by the construction of drilling facilities, pipeline construction, transport to processing facilities, wastewater and material disposal… The shale production in US was unlike in Poland already from the beginning linked to an existing gas industry infrastructure. Investments in the construction of gas pipelines increase the overall costs at the very start of production and thus increase the investment risk.

Technology, know-how and experience in natural gas production also determine the level of production. The gas industry in America belongs to traditional industries. However, Poland does not have any experience with the unconventional drilling or the necessary know-how for the effective application of new technologies. Production also depends on the quality of the subcontracting sector, which is also not sufficiently developed in Poland. This all are minor reasons that are

increasing the investments at the start of the production.

The unfavorable conditions have not stop some companies to continue their exploration work on shale gas. In 2014 the company BNK has announced a successful exploration of one of their well with the potential to commercial drilling, but because of the price drop of natural gas all the activities around shale gas were "frozen".

Despite the global dynamic of technology development, the decrease in costs associated with unconventional drilling, and the determination of the Polish government to support investment in exploration wells, we do not expect significant production of shale gas in Poland over the next 10 years. Even if the commercial production of shale gas in Polish territory still started, we cannot expect it to have a significant impact on the markets of other V4 countries.

EASTRING

Slovakia gas transmission system operator Eustream responded to planned changes of the gas map of Europe by introducing the Eastring pipeline. The ambition of the project is to interconnect the Central European countries with the Southeast European region. And by realization of the project would Slovakia significantly increase the transit character of its territory. Eastring has also a potential to offer diversification of routes as well as suppliers in the region. In the first phase the gas would be transport from Western Europe across the Balkans to the Turkish border. In its final phase would be possible to transport gas in both directions and so opens up the possibilities of transporting gas through the Romanian and Turkish territories from the Caspian Sea, Iran, or potential Romanian gas fields in Black See cost. The planned capacity in the first phase is 20 bcm, and in the final phase 40 bcm.

The routing of the pipeline was initially considering only 2 alternatives (A/B). The pipeline would start in Slovak compression station Veľké Kapušany then continue through the territory of Hungary, Bulgaria and Romania and end in the Turkish gas hub Malkoclar. In the present the Eastring routing has been adapting to the emerge of new numerous pipeline project in Balkan by presenting 3 more alternatives (see map n. 3). One of Easting's competitors in this region is the Tesla gas pipeline, which crosses the territories of Turkey, Greece, Macedonia, Serbia, Hungary and ends in Baumgartner- Austria. This is essentially an extension of the Russian Turkish Stream, whose construction is mainly in interest of Russia. The Eastring reaction on the Tesla project is the E version routing. The main competitor of Eastring project is the BRUA pipeline (see map n. 4), that cross the territory of Romania, Bulgaria, Hungary and end in Baumgarten hub. Unlike the Tesla project, there is no doubt that BRUA is a project of diversification of suppliers. Work on gas pipeline construction should start at the end of 2017 and are estimated to be finished around 2020. The completion of the construction is directly linked to the planned gas extraction of Exxon and Petrom OMV in the coastal shelf of Black Sea. The BRUA project is clearly the priority project of Romania.

Southeast Europe is characterized by a low level of gas infrastructure. The Balkan region was heavily affected by the 2009 gas crisis. The priority of the countries of the region is therefore the construction of necessary gas pipelines. From an energy strategy point of view, we expect the Southeast Europe states to generally support any pipeline project that would strengthen the critical infrastructure situation. Therefore, the best chance in the context of great competition in the

region has project, that is able to progress with the construction as soon as possible and will be financially reasonable. Eastring pipeline is in both these pre- conditions in disadvantage. Firstly, it is a project of large financial investments. Secondly the progress of construction is in compere to initial plan and also to BRUA pipeline in delay. A realistic scenario could be a project of building small inter-connectors pipeline between the Balkan countries, which are cheaper and progress faster in compere to large project such as Eastring, Tesla or BRUA. All these above mentioned factors decrease the possibility of the project Eastring to be build. However, the Eastring project could play an important role in potential supply of the Southeastern European gas market from Russian Northern gas corridor – in case the Nord Stream II is build.

Russian energy policy and Nord Stream II

The Russian National Security Strategy until 2020 openly underscores that energy security plays a crucial role in the Russian national strategy and most importantly in the foreign relations of Russia. Energy policy is during the Putin administration regularly used as a tool on achieving foreign policy goals. This strategy fully reflects the pragmatic principles of so called "realpolitik" and is being pursued by Putin since the beginning of its government. Therefore, the Russian energy actions cannot be considered by EU as surprising or in-legitimate. In the discussions on the energy security the position of exporting countries is often being neglected. The priority for exporting countries such as Russia is to secure a share in the energy supply market at reasonably stable prices and high demand. Key importance in the long term perspective are diversification of

costumer's (EU, Turkey, China) and minimization of the security threats and cost by diversification of the routes to the end-markets (by-passing of Ukraine).

The construction of the Nord Stream I (NSI) and planning of South Stream (SS) has underlined the lack of cooperation in energy security in V4. Every country was rather following its own national interest and benefits: Hungary was seeking to increase the transit role of its territory by promoting SS project and CR had benefited from NS I by constructing the Gazela pipeline (see map n. 5). Poland together with Ukraine and the Baltic states were the only countries that opposed NSI. Polish officials compared the agreement on building NSI between Russia and Germany to Molotov–Ribbentrop Pact, where the two countries agreed on dividing Poland between themselves in Second Word War. Many authors are criticizing the EU and also Slovakia to not openly oppose the project. But we have to remember, that the construction work on the pipeline was ongoing only short after the devastating gas crisis in 2009. Many countries were therefore officially or silently welcoming the Russian "solution" of "problematic" Ukrainian territory in form of Northern corridor.

In the case of NS II, Central and Eastern European states were building united ground to oppose the project. Slovakia has accomplished that the NS II was on of the main topics discussed at the European Council Summit in 2015. The Slovak Ministry of Economy estimates the loss of transport fees by building the NSII for the state around at 400 -800 mil. EUR. The Baltic countries, Romania, Poland, Hungary and Slovakia sent a letter to the President of the European Council Donald Tusk in November 2016 requesting the suspension of NS II plans under the current legislation and the creation of an EU

energy union. The project is also being criticized by countries that were interested in construction of South Stream project – like Italy and Bulgaria. Czech Republic did not join the other countries and is similar as in the NSI case following its national interest to enhance the transit status of its territory.

Although the construction of the South Stream gas pipeline has been canceled, Russia has nevertheless managed to create disputes and spread mistrust among EU member countries. European Commission has however only very little legal tools to block the project. First of all, the EU laws from Third energy package are not explicitly applying to off-shore territory – so the routing of NSII is in so called "grey zone". Secondly the NS I case could play a role of legal precedent.

Energy sector of Ukraine is by building of NSII affected at most. If the project is successful, we expect a significant reduction of the Russian gas flow through the Ukrainian territory. According to projections, the capacity of Russian gas flow via Ukraine in 2014 was about 59 bcm. The new capacities of NSII could limit the flow of Ukrainian pipeline infrastructure in east-west direction far below 30 bcm. This would reduce the revenue from transit fees and most importantly, it would not be profitable for Ukraine to operate his large and outdated pipeline infrastructure at such a low flow. Such developments would definitely not help Ukraine to find investments in the pipeline infrastructure, which urgently needs reconstruction and modernization.

Significant economic and geopolitical benefits have the construction of NS2 for Germany, where the gas pipeline ends. Germany would by construction of NSII become the most important transit and distribution country of Russian gas to European market. German

energy companies and state budget would benefit from this thanks to transit fees and taxes.

Recent agreement between Gazprom and Eustream suggests also changing of Slovakia's position. Slovakia is adapting to the more and more realistic possibility of construction of NS II and gas supplying route in west-east direction. The Russian gas company has bought the transport capacity in Germany at the level of 58 bcm per year on entry, another about 45 bcm per year in the Czech Republic and Slovakia. Eustream and the Czech company Net4Gas are therefore planning to increase capacity on the cross-border pipeline connection Lanžhot towards Slovakia.

We have to keep in mind that Russian Gazprom is the only company in EU that is capable of such a vast economic investment, that are profitable in the long ran. Another important factor in V4 cooperation and Russian energy policy context is, that every country is in some extend looking forward to gain economic benefits from transit of Russian gas. The NSII underlines the lack of cooperation among V4 countries in energy security and the tendency, that every state is perusing its own national energy interest.

MAPS
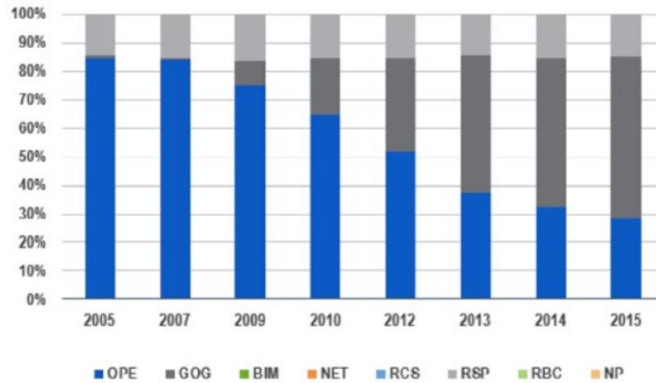
Figure 5.6: Central Europe Price Formation 2005 to 2015
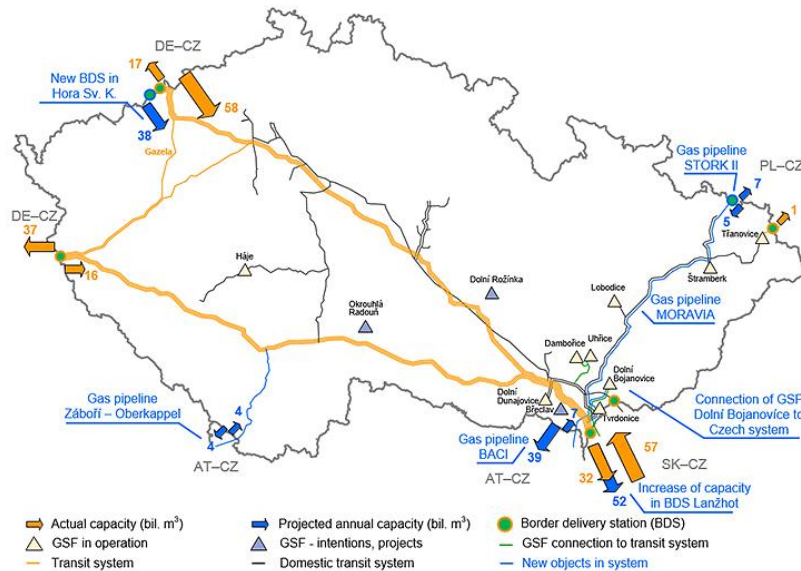
1st Image: Map Number 1a): Central Europe Gas Formation 2005-2015
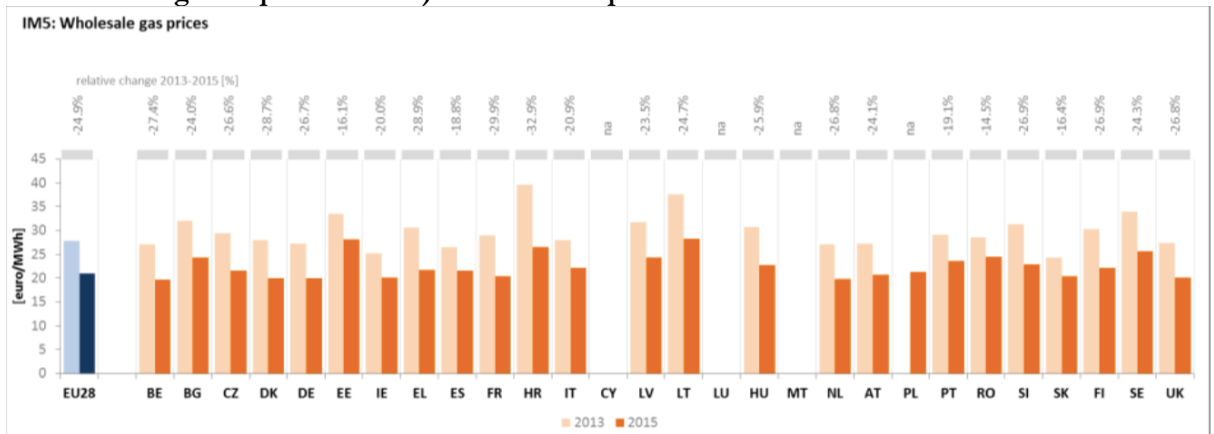
2nd Image: Map Number 1b) Drop of gas prices 2013-2015

3rd Image: Map Number 2) BACI and Stork II interconnector and Moravia Pipeline.
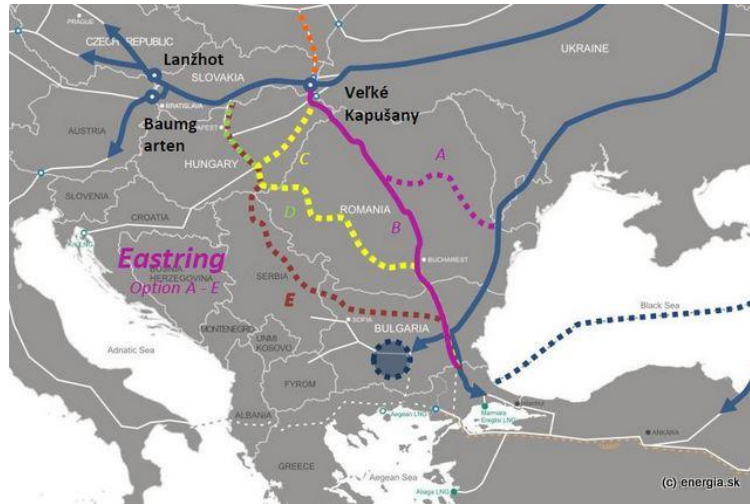
4th Image: Map number 3) Eastring Routing Alternatives
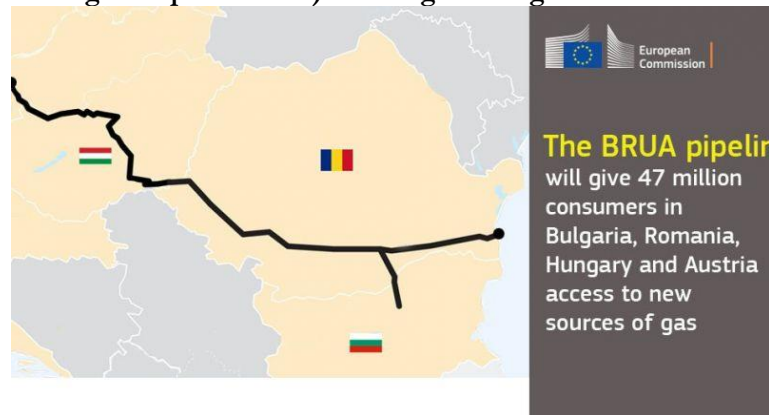
5th. Image: Map Number 4) BRUA Pipeline.

6th Image: Map Number 5 Gazela Pipeline.

COMMENTARY

EUROPEAN UNION – WHAT KIND OF EU DO WE WANT?

PAVOL KUCHAROVIC

ABSTRACT

In current days, we often hear that the EU is in crisis and needs reform, otherwise this project that has successfully kept peace in Europe for more than 60 years could, in the short or long term, end its existence. I agree that the EU needs reform. But what kind of a reform? What kind of a reform do we want? Actually, a better question would be: what kind of EU do we want? Without a concrete future vision of the EU, all our steps could be useless.

REFLECTION ON THE PRESENT FORM OF EU

The current crisis of the EU is neither just about the unsustainable public debt and the paralyzed economic growth from the economic point of view, nor about the social crisis regarding the insufficiently managed refugee influx. It is a crisis of our values. When people lose their values, they also lose their human faces and stop to be a human being. The same could happen with the EU. When the EU loses its values, the peace and our quality of life will be undoubtedly endangered.

What are the values of the European Union? According to the official website of the EU: „Respect for human dignity and human rights, freedom, democracy, equality and the rule of law." While we nowadays often encounter rising inequalities, politicians who do not listen to their citizens, or rules that are abused in many cases without corresponding sanctions, we act but often without thinking about the reason of these actions. In this way, we focus the future of the EU and our main attention only on economic prosperity and a way of life which is often based only on materialism and the consumption of goods and services; the anthropocentrism and individualism that have transformed into egoism, and we do not take into consideration the needs and interests of the others. The last time, when the individualist uncoordinated state politics dominated in Europe, was in the thirties, when it led to the largest conflict of mankind that had ever taken place before. No one in Europe wants to repeat again this kind of failure of diplomacy and dialogue, and we can be sure that all EU member states with its citizens surely prefer to live in peace, harmony and prosperity.

THE RISE OF NATIONALISM

The age before World War II was also characterized by the rise of nationalism, similarly to that we can encounter in Europe today. The EU's aims are different; the integration is not about to be all culturally equal European citizens with a single cultural background. One of the EU's symbols, the motto, claims exactly the opposite: "United in diversity". Nowadays, we should be able to make a clear distinction between patriotism and nationalism. While the first term means devoted love, support and defence of one's country, national loyalty and conservation of our unique cultural heritage; the other term expresses the policy of asserting the interests of one nation, viewed as separate from the interests of other nations or the common interests of all nations - basically the superiority of one's nation's interests in comparison with the others. We can learn from the history that the second approach based on the egoistic deviation of the core eternal EU values did not have positive consequences when it had been put in practice. Meanwhile, the respect for other nations and legitimate countries' interests and the mutual cooperation between nations have achieved peace and stability in Europe for more than 60 years, something that Europe had not ever known during the history of mankind.

It is very important today to look to the past, to be able to learn from it and build a better future as Edmund Burke said: "Those who don't know history are doomed to repeat it," and as Thomas Mann argued: "Who doesn´t know the past, will not understand the future."

BACK TO THE ROOTS

Therefore, to define a future vision of the EU, it is crucial to look to the past, especially to the beginnings of the European integration. The values and pillars the European Economic Communities have been established upon are the followings: reason for justice and freedom, solidarity, strenuousness, the spirit of initiative, love to the family, anthropocentrism, dignity of the human being, respect for life, tolerance, desire for development, trust, cooperation and peace, openness to the world and openness to the future. The idea of solidarity consists in the fact that each of us is a unique part of the community and it also supposes that each of us can share the success and failure with the others, according to the Pope Francis who said "solidarity is when one suffers, all suffer." When politicians and EU citizens share these values and implement them through their policies, the EU will stand firmly and will get stronger than ever before.

ECONOMY – THE CRISIS OF RULES AND RESPONSIBILITIES

The Eurozone crisis stemming from the unsustainably high public debts has its causes in the insufficient implementation of common fiscal rules codified in the European Fiscal Compact from 2012 and the previous Stability and Growth pact from 1998. The rescuing of banks by the capitalisation with state resources and the expansive monetary policy of the quantitative easing of European Central Bank with the lowest interest rates in the history made the economy of the EU member states even more unstable and more vulnerable to a possible financial crisis. If the EU had stood firmly on its values such as the proclaimed rule of law and conserved also one of the

fundamental principles of international law, pacta sunt servanda, it would be less probable that the public debts will exceed the determined level. Or, if the Schengen member states had protected their borders of the Schengen Area as they had committed in the treaties, even though it is an uneasy task (especially for sea states) and it requires many and effectively allocated material and personal resources, the European migration crisis would not have so serious consequences and would have been easier to tackle.

Migration – The Crisis of Solidarity and Dignity

Regarding the migration crisis, we could observe in past days the proposal of the current Maltese presidency: for a migrant who is refused to be reallocated by an EU member state, this state should pay the price of 60 000 €. Giving prices and evaluating the life of the human beings by money means a very big step back and an abuse towards one of the core EU values – dignity. Of course, based on solidarity, all the member states should act in this field in order to solve this crisis. However, we are not the same, each country has its own comparative advantage, and therefore each country can be more effective in contributing to the management of crisis by its own means. Those countries with significant experience in integrating migrants may continue filling this role, while those which have enough personal and material resources may contribute to the search and rescue operations, protect the borders of the Schengen Area or establish hot spots for people in need and so on.

TERRORISM – THE CRISIS OF HUMAN RIGHTS AND INTEGRATION

If we maintain and put into practice the values we proudly claim (but, as we know, we do not follow), Europe would be less probably the target of so many terrorist attacks which were often executed by unintegrated radicals from segregated communities. These people usually understand their deeds as a fight against our perceived values, which are, in fact, not our real values, but the results of their bad implementation. Actually, our real proclaimed values are in many cases almost perfectly compatible with their religious ideology. And again, this could be tackled as the result of the EU's strategy of inclusive growth and minorities' integration into a real multicultural society, where everybody respects the values, the culture and the rights of the others and feel free to say: "Yes, I am a Muslim, I am a Hindu and I am a Christian" (David Cameron).

AGRICULTURE – CRISIS OF FAIRNESS AND EQUALITY

Another controversial issue in which the principle of fair and equal approach has suffered is the issue of the agriculture and food production industry of the EU member states which joined the EU in 2004. Why did we not get the same conditions to cultivate and produce our agriculture products if we claim to build a single market with equal conditions for everybody? Portuguese or Slovak producers also need a comparable level of subsidies like their Dutch or German colleagues in order to avoid the effects of market imperfections and be able to produce at competitive prices while still being able to maintain their businesses. Why should the V4 countries' market tolerate lower qualities of food products than Western Europe?

Politicians – Crisis of Dialogue and Communication

Democratically elected politicians are elected in this way because their voters suppose that they will defend their interests. But how do they know the interests and standpoints of their citizens regarding EU matters, if they do not communicate on a regular basis, do not enhance the dialogue and do not implement what their citizens really want? The politicians should therefore listen to their citizens, as they are elected from them, by them and for them. It is their responsibility, in accordance with the principle of subsidiarity, to bring only those areas to the EU level which are tackled better there than on the state level (e. g. digital and energy market, traffic or education). If these politicians are not willing to lead open dialogues, their citizens should be able to make them listen and communicate.

A Better Tomorrow – Based on Education and Our Freedom of Choice

Of course, in order to be able to communicate to the leaders what kinds of improvements do we want in Europe, we as citizens should have enough knowledge of the EU policy areas and should be aware how the system works. Therefore, the support of education and maybe the idea of harmonized education systems are of key importance. As John Fitzgerald Kennedy said: "Education without freedom is useless, but freedom without education is dangerous." Education, freedom and peace are privileges our fathers and grandfathers fought for throughout the history. Our responsibility and obligation today is to appreciate their struggle. The best way we can do it is to live with our freedom and human rights, making the world a better place for living.

Freedom basically means responsibility. Every one of us is responsible for his/her own deeds. It is only upon us what kind of a future we will nurture. The history and recent events show us what could happen when states and citizens act on their own, promoting only their interests without taking the others into consideration, and do not fulfil their obligations. However, the past events have also shown us what we could achieve when we act together, communicate, coordinate our policies and maintain the common values. I think more than 60 years of peace and prosperity is enough to help us to choose the right way. "The only thing necessary for the triumph of evil is for good men to do nothing" (Edmund Burke). The future of the EU is only upon us. How will WE decide? *"As for the future, your task is not to f foresee it, but to enable it." (Saint–Exupéry).*

ESSAY

CHALLENGES AND POSSIBLE PRIORITIES PRESENTED BY THE BRATISLAVA DECLARATION IN 2016

WERONIKA WILKOS

ABSTRACT

The year of 1989 conveyed a major breakthrough in relations on the old continent. Simultaneously with the transformation of the political and economic development in the countries of Eastern and Central Europe, there was born the phenomenon of "modern regionalism". It was seen as an attempt to overcome the existing divisions and the need to use mutual cooperation in the historical, cultural, political, economic and social similarities as well as natural geographical proximity.

BRATISLAVA PROCESS AS A RESPONSE TO A NEW REALITY

The year of 1989 conveyed a major breakthrough in relations on the old continent. Simultaneously with the transformation of the political and economic development in the countries of Eastern and Central Europe, there was born the phenomenon of "modern regionalism". It was seen as an attempt to overcome the existing divisions and the need to use mutual cooperation in the historical, cultural, political, economic and social similarities as well as natural geographical proximity. The creation of formations was the way to stabilize the situation in this part of the world, and its basic objectives were security and development. After the fall of communism, a common denominator for the East-Central European countries' decisions was integration with the western democracies within the European Union and NATO. The collapse of the Eastern bloc and its mechanisms gave impetus to the double process of integration with the political, military and economic structures of the western world. To achieve this objective, Czechoslovakia, Hungary and Poland decided to commence regional cooperation within the Visegrad Triangle and, after the split of Czechoslovakia, the name of the Visegrad Group entered in use, including the Czech Republic, Hungary, Poland and Slovakia. In the economic sphere, these countries have also started collaborating in the framework of the Central European Free Trade Agreement. Despite many differences, cooperation of those four partners is still being continued, although many analysts predicted the end of it after the main objectives were achieved. Today the group remains a precious form of dialogue and exchange of experiences, a forum for consultation on important European issues

In 2017 the future prospects of the European Union are somewhat uncertain due to a compilation of the conflict taking place. The ongoing crisis of migration, questions about the future of the common market after the British referendum and the EU's role in world politics characterized an uneasy last year for Europe. As if it was not enough, the situation is complicated by the fact that member countries do not want to aim for one goal. Each has its own idea for further functioning of the organization. "Never before have I seen so much fragmentation, and so little commonality in our Union",[1] said Jean-Claude Juncker making it hard not to agree with him.

Nevertheless, if those 27 states seriously think about survival of the European Union as a form of integration, which does not have precedence in the history, they are aware of the necessity to establish a dialogue and find a 'golden mean'. Thus, on 16 September 2016, the heads of states and governments of the EU members gathered informally to talk about political and practical effects of Brexit and to debate on the future of the organization without the United Kingdom. The leaders agreed on the general principles and action plan with the most important objectives for the following months. The President of the European Council, the Presidency of the Council and the Commission proposed a work program that was widely accepted by the members.

The "Bratislava roadmap" assumes some objectives in particular fields

- Restoring full control of the external borders
- Ensuring internal security and fighting terrorism
- Strengthening EU cooperation on external security and defence
- Boosting the single market and offering better opportunities for young Europeans

After the meeting, Donald Tusk, President of the European Council said: "I hope that the Bratislava Summit will lead to the renewing of trust and confidence in the European Union. This will only happen if and when people realize that we are delivering on our promises through loyal cooperation between Member States and institutions. Today I can say that there is hope."[2] The "Bratislava roadmap" sets out the goals ahead of the Rome meeting in March this year, when they want to conclude this process.

It must be underlined that not only did Poland, Hungary, the Czech Republic and Slovakia participate in that summit as single states with different interests, but also they declared the Joint Statement of the Heads of Governments of the V4 Countries. They concentrate on three main issues: security, the new agreement concerning the migration crisis (based on the principle of 'flexible solidarity')[3] and the common market. Thus, from the Visegrad Group's point of view, those are the priority areas over which the EU should focus when it comes to the vision of the united Europe's future. Furthermore, The Visegrad Group stresses the need for strengthened cooperation in the area of defence in the face of terrorism and international crime. The V4 calls for more efforts to implement the commitments already made in the field of security in the Schengen area and the protection of external borders. Nevertheless, despite the fact that the statement says "The biggest advantage of the EU is its scale," and "We have to work together and overcome divisions", at the same time it emphasizes the role of national parliaments.

Many experts say there is a crisis inside the V4 group due to different interests and the struggle for influence. However, those four countries of the Central Europe succeed in expressing common positions and unifying through one voice. None of them want to be on the European

periphery also because of the 'Eastern Europe" stigma (which is present in the mind of the West and has a negative connotation). In contrast to the opinion of sceptics, those states, from the historical and geopolitical point of view, share a lot. Therefore, significantly more powerful neighbours surround them resulting in a loss of sovereignty for all of them in the past. They are characterized by similarity in both internal structure and implemented outside politics. Indeed, despite many differences they want to act together in the face of the richer and larger EU members.

As a result, Czech Republic, Hungary, Poland and Slovakia regularly lead talks to work out a common position of the region to the ongoing discussion on the reform of the European Union. On 25 March in Italy the jubilee EU summit on the 60th anniversary of the signing of the Treaties of Rome will be held. The Italian Prime Minister Paolo Gentiloni expressed his belief that the document, which was raised during this meeting, would outline the EU perspective for the next 10 years.

Bearing in mind the importance of this event, on 2 March 2017 in Warsaw the extraordinary meeting took place with an aim to agree on a joint declaration before the Rome summit. Preserving the unity of the EU, the development of the single market, a stable euro zone, the maintenance of the Schengen area, the control of external borders, strengthening of democratic control and to ensure that the EU remains a global player – these are the main challenges facing the EU, according to the statement "Strong Europe – Union of Action and Trust".

Under no circumstances do the attempts to stay in tune in front of the rest of the European Union members mean that the V4 countries

reject merit of EU as a concept. They are just aware of their weakness and lack of card, which can play so strongly to independently exert influence on the most important decision-making bodies at the highest level. It cannot be forgotten that they are, in the first place, beneficiaries of financial resources. Notwithstanding, while taking care of their own interests, they must also try to make their voice heard, even by the most influential governments. These factors do not minimize the breakthrough event in their history which was joining the framework of the EU. As proof, during the Bratislava summit, the Slovak Prime Minister said the Visegrad Group would never turn against the European Union: "We will have our original position, but we will not push it at the price of damaging the EU".[4]

CHALLENGES WAITING FOR HUNGARIANS

Within the organizational structures of the Visegrad Group, every country takes over the rotating presidency from 1 July to 30 June of the following year. In 2017 this role will belong to Hungary.[5] There is no doubt that Magyars[6] will be responsible for the beneficial implementation of the EU reforms in the Bratislava process. Their term of office falls on the enormously important moment in the ongoing crisis inside the European Union. It is an important time to consider the expected priorities and challenges facing the Visegrad Group within the EU under the Hungarian leadership, not forgetting "the Bratislava Roadmap" and the joint statements of the V4 members.

Above all, they shall determine the procedure of leaving the organization by the United Kingdom. As follows from the consultation of foreign ministers of the Visegrad Group, which was held in Prague

in June 2016, Lubomír Zaorálek[7] expressed the need to find a way to create new relationships based on equivalence. At the same time he pointed out that that effort could not only come from the V4, but the British must perform work to be completed successfully. Further, the Slovak Prime Minister Robert Fico in an interview with Reuters said that the Visegrad Group members were ready to veto any agreement on Brexit, which would limit the right of its citizens to work in the UK. The reality is Fico's stance is no different to the rest of the Union so the Visegrad Group can count on the support of the allies.

Another sensitive point within the EU is the issue of migration crisis. The Czech Republic, Hungary, Poland and Slovakia agree that preventing excessive immigration should be done by the significant strengthening of the protection of the external borders of the EU, as well as the increase in aid to refugees in the first safe country to which they reach. Moreover, in late August 2016 in Warsaw, the German Chancellor Angela Merkel heard due to the threat of terrorism and the need to ensure the safety of their own citizens, the Visegrad Group states would not adopt immigrants living in refugee camps in Greece and Italy. As an alternative, V4 members propose the formula ('flexible solidarity' which was mentioned earlier) that only countries that want to accept immigrants, welcome them. Those which, for various reasons, do not want to, help countries by guarding the external borders of the EU as well as co-financing funds which allow immigrants to stay in countries such as Turkey, Jordan, and Lebanon and contribute to the functioning of development funds (e.g. one created by the EU for Africa). This overall indicates that the proposals prepared by the V4 are likely to be adopted by all 27 member states.

The next important action that must be taken is innovation. One of the manifestations of this objective is Eastern and Central European

Congress of Innovation and Innovators, which will take place on 28 March in Warsaw. According to the Polish Prime Minister Beata Szydło "Young entrepreneurs know best how to remove obstacles to their activities, so they should keep in touch with the Government and law-making officials".[8] At the congress are invited, among others, representatives of innovative companies from the V4 countries, start-ups and non-governmental organizations. It is unbelievably important to promote new ideas and creativity because the young generation is the future of the economic development. This meeting is the culmination of the Polish presidency in the Visegrad Group and somehow sets the path of conduct for Hungary. It remains only to continue the work by supporting the development of individual units.

Furthermore, the Visegrad Group attaches great importance to the protection and development of the single market. In economic terms, existence of those four states depends on maintaining the integrity and the four freedoms,[9] as well as completing the construction of the common market in the digital and energetic dimension. Taking this into consideration, the social well-being of European citizens remains the most important objective, but "social standards cannot be uniform and social progress should follow economic growth".[10] To achieve that, the best resolution, according the Visegrad group, is to strengthen structural reforms, competitiveness, productivity and the single market in order to accelerate the convergence of the national economies. They postulate that every form of cooperation should remain open to all member states in order to absolutely avoid the disintegration of the common market, the Schengen area and the European Union itself. Dr Ryszard Żółtaniecki from Collegium Civitas[11] thinks Poland, the Czech Republic, Slovakia and Hungary may push through their call for the protection and development of the

single market, but it all depends on how that provision would be formulated[12] This is a big challenge for the Visegrad Group before the jubilee summit in Rome if the representatives do not want to go back from Italy with nothing.

Another vital point is maintenance of The Schengen Agreement and control of external borders, which is closely related to the migration crisis. The group advocated the establishment of a European border guard that has been realized in the form of the European Border and Coast Guard,[13] working to meet the new political realities and challenges facing the EU. It has taken important steps involving, among others, the establishment of mandatory reserves rapid response in the form of border guards and the right equipment, but also the creation of new reserves for intervention teams responsible for returns. These reserves can be mobilized to support the member states that are directly responsible for the strengthening of controls at external borders. The EU funding for the Agency will gradually grow: from 250 million euros in 2016 to 320 million euros in 2020. The number of employees of that institution will be increased from 400 people in 2016 to 1000 in 2020. Admittedly, the ongoing operations of the Guard continuously record deficits in terms of seconded staff. The EU governments must therefore endeavour to ensure that these deficiencies are properly supplemented. Thus, joint investment and commitment of the member states ensure that the Border Guard become fully operational as soon as possible and are the practical expression of their engagement to share responsibility and solidarity in the common interest. The task for the future is to provide a fully operational staff and equipment of the European Border Guard and Coast. The countries must ensure the continued availability of the necessary resources for current and future joint operations, as well as

to launch the mandatory reserves for the needs of rapid border intervention. They will also have to take into account the results of assessments of the vulnerability to fix the shortcomings noted. The first results of this work have become the basis to eliminate the most important weaknesses urgently. This means a possibility to respond on the most pressing issues related to migration in the coming months.

Then, the Visegrad countries want the EU to remain a global player - significant and respected in the world arena. Due to dynamic changes in international relations, the strengthening of transatlantic relations and close cooperation with the United Kingdom can be the key points in the long term. Over the years the European Union has gradually formed its own foreign and security policy, so in the international forum can speak with one voice and act as one. Working together, the 27 member states can exert more influence on the world than if each country acted alone. Especially this presents that the EU plays an important role in solving plenty of issues of international importance, ranging from the monitoring of Iran's nuclear program, restoring the balance in Somalia and, more broadly, in the Horn of Africa, and ending the fight against global warming. Moreover, the Union occupies a leading position in world trade and emits the second most important currency in the world - the euro. As member states speak about foreign policy issues more frequently with one voice, the importance of the EU grows. Not only does that organization work with all major partners in the globe – not excepting the emerging powers, but also the European Union seeks to ensure that the partnership is based on common interests and benefits to each party had both rights and responsibilities. To encapsulate, the survival of the values underlying the EU Treaties is the task and responsibility of all the signatories.

Last but not least, the priority of the V4 in 2017 may be to preserve the cohesion of the European Union and strengthening democratic control, but with respect for the role of national parliaments. Any form of enhanced cooperation within the EU should be open to each member state with no form of discrimination or marginalization can be allowed. The Visegrad Group should declare the necessity of returning to the roots and do not let differences of opinions led to the negative political and economic effects. In Input to Rome Declaration 2017 the partners announce:

"Reaching consensus is indispensable if we want to foster confidence in our activities. Regardless of the speed of integration, we all need to pull in one direction, have a common objective, vision and trust in a strong and prosperous Union".

What is worth mentioning, the role of national parliaments is particularly important for East-Central Europe due to their history. Polish Marshall of the Sejm Ryszard Kuchciński noticed that their importance could increase by ordering certain rules clarifying terminology. For example, the principle of cohesion and the functioning of subsidiarity resulted from the Treaty of Lisbon.[14] To achieve this, it is necessary to further debate and concretize the vision of strengthening the independence of states.

Taking everything into consideration, the importance of collaboration among the V4 partners has not only political, but also economic dimension. Even before the EU accession, the Visegrad Group governments have signed a free trade agreement that strengthened their economic cooperation. In fact all these countries have a lot in common. We are dealing with the post-communist, fast-growing economies, which are just building their positions. A typical feature of

these states is a relatively high share of industry in GDP[15] and wide relationships with the European Union through a main focus with Germany. German companies are attracted to them as they are considered relatively cheap and with high‑ quality workforce.

In the Visegrad countries exist 64.3 million people, which is 12.7 percent of population of the whole European Union. Although in terms of population, the V4 cannot compare with Germany. Its GDP is almost four times smaller with exports 2.5 times less. The total GDP of the Visegrad Group, calculated at current prices, is not much bigger than the Netherlands and, adjusted for purchasing power of the currency, is roughly equal to the GDP of Spain. Also, in direct investments in the V4 countries, capital from Western Europe prevails. The key question is how much the V4 states can stand up to the countries of Western Europe, whose economic importance is incomparably greater than the rest of the EU. As it was mentioned before, both the Czech Republic, Hungary, Poland and Slovakia have a high share of industry in GDP and they are trying to attract foreign investment by competing with each other in this area to determine which country will offer the best conditions. They are dependent on energy imports (mainly from Russia) and are looking for markets primarily in the Western Europe. Today it is rather unlikely to create conditions for deeper economic integration among the Visegrad countries. The most important task of theV4 economies is to diversify the structure of the commercial partners with the intention of reducing the dependence on the Western economic contractors. Any slowdown in the German economy can therefore be partially offset by economic cooperation within the Visegrad Group or other countries.

DIFFICULT PARTNERSHIP

Visegrad cooperation has always been difficult and rarely arranged seamlessly. In 1993, weakening of regional links could have been seen which was caused, among others, by attitude the Prime Minister of the Czech Republic Vaclav Klaus who was very critically approached to the concept of cooperation within the Visegrad Group. He rejected a Central European identity that not only significantly hampers cooperation in the previously accepted formula, but also above all expressively undermined the sense of a continued functioning of such an association. The situation changed in 1998 when the Visegrad Group has again become the desired consultative forum and instrument of support in the international arena. Thanks to removing from power the Slovak Prime Minister Vladimír Mečiar, Slovakia could return to the path of negotiations with the EU and NATO.

The biggest challenge for the Visegrad countries was joining the European Union in 2004, which also meant fulfilling the main task, setting the V4 itself. Almost immediately there appeared doubts concerning the further existence of the Visegrad Group and its possible transformation. The members announced the declaration of highlighting need for further operation. It was stressed that the organized form of cooperation between member states was a useful tool to help fight for the interests and position of the Czech Republic, Hungary, Poland and Slovakia in the structures of the European Union.

In 2016 the importance of the role of the V4 in the EU unexpectedly increased, which was the effect of the immigration crisis and Brexit. For many years the cooperation within the Group was loose, although the meetings of the leaders and ministers were held frequently.

Nowadays, the Visegrad countries proclaim common declarations on key issues in the reform of the European Union, including the approach to immigrants and even Ukraine and Russia. Needless to say, the key issue that cemented the group's operations during last time was the question about forced relocation of refugees. All four member states are strongly opposed to this idea and with one voice proclaim it during debates with Brussels. Perhaps this is why the former presidential candidate from Austria, Norbert Hofer, admitted that he wanted his country, in the near future, to join the V4. In fact it is not something that, indeed, most distinguishes the V4 states from the rest of the EU - many other countries manifest less overt resistance.

Meanwhile, the Economic Forum in Krynica-Zdrój has highlighted the rift inside the Visegrad Group. For Poland and Hungary the V4 the group could be actual counterbalance to the alliance of Berlin and Paris. They are afraid if there is no reform of the EU, other countries can follow the UK and also decide to leave its structures. Viktor Orbán stated: "We need to move as hussars. Polish-Hungarian relations are more important than politics. The saying goes that if you trust someone, you can steal horses together. The Hungarians will gladly steal horses with the Poles". Even so, the Czech Republic and Slovakia do not share the imperial plans of their partners. They do not want neither more nor less in Europe than it is today. Their approach to membership in the community is primarily a pragmatic attitude and the implementation of specific interests. They are not interested in the ideological crusade. In Prague and Bratislava the European Union looks differently than in Budapest and Warsaw. Czechs and Slovaks do not understand the ideological obstinacy of their right-wing partners. According to many experts, the power of the Visegrad Group

and its leading role in the European Union is a pipe dream to come true. Too many things divide its members. Even such issues as looking at the policy towards Russia (Poland wants to maintain the sanctions while the rest of the V4 sees in the Kremlin a political partner), the future of the European Union (the Czechs are in favor of maintaining the status quo whereas Poland and Hungary want 180 degree changes) or their position within it. Therefore, the Czechs and Slovaks prefer to focus on what unites rather than divides the Visegrad states. "The V4 relatively recently joined the European Union but, thanks to the cooperation, achieved in the Community a strong position; Now their influence is threatened by internal disputes about the future of the EU" – writes the Financial Times.[16] After the referendum, which determined the Brexit, Warsaw and Budapest grew up on the most vocal critics of the EU, jointly calling for radical changes in the EU treaties. Diplomatic sources warn that internal divisions will weaken the positive perception of the Visegrad Group. The FT reminds the strong position of the regional bloc led to subsidies for modernization of roads, railways and cities, the combination of national electricity grids and caused a weakening of the guidelines on combating climate change, which could badly affect the mines and power plants in the region.

According to the newspaper, Slovakia, which belongs to the Eurozone, is a V4 country most integrated with the EU and, as the country currently holding the EU presidency, is trying to act as the "conciliation negotiator" and mitigate its own nationalist rhetoric.

The Czech Republic is traditionally perceived as the most pro-Western V4 state who appreciates relations with Germans more than with other allies. Some observers predict the Czech Republic and Slovakia can start touting alternative alliances, e.g. with Austria, to

demonstrate dissatisfaction with the hard rhetoric of their partners in the V4. Not to mention that in the Group there is also opposition to the Hungarian proposal of extending the format of Croatia.

MEMBERS OF THE UNITED EUROPE ABOVE ALL

The nature of the external challenges encountered by the EU makes the Visegrad cooperation an effective inspiration for the concurrence of countries of the whole Eastern and Central European region, covering the area between the Baltic, Adriatic and Black Sea. Worth mentioning is that the Visegrad Group countries (like most other new EU member states) actually differ from the old countries because of the rapid increase in living standards. Eurostat[17] data confirm that assumption. In 2003, just before the EU accession, GDP per capita was in Poland (according to purchasing power) only 48% of the EU average. In 2015 it was already 69%. In Slovakia, there was an increase from 55% to 77%, in the Czech Republic from 77% to 82%, and in Hungary from 62% to 68%. At the same time, many old the EU countries stayed in the same place or lost, in particular Greece (from 93% to 71%), Italy (from 111% to 95%) and even the United Kingdom (from 123% to 110%).

Perhaps another essential topic for the Hungarian presidency will be energy security. One of the most relevant tasks is to ensure broad political support for the project to build the North-South gas corridor. At the discussion, matters like security of oil supplies and the issue of shaping energetic and climate policy cannot be forgotten.

The Visegrad countries also joined efforts to implement common EU defence policy. In particular, the Polish and Czech governments recently flowed calls for the creation of a European army. This long-

term plan, difficult to implement, is roughly in accordance with the proposals of The President of the European Commission. However, for now this idea seems impossible to fulfil because of the Euro-scepticism among growing number of citizens and questions about the subjectivity of national states. It is not a secret that having the own army is one of the traditional attributes of statehood.

The V4 countries consider themselves as successful countries, which was made possible also thanks to membership in the Union. The present multi-dimensional sphere of not only financial, but also awareness crisis poses to the whole of Europe new challenges and the threat of renewed divisions on the continent. Noticeable is the criticism of the changes. The Visegrad countries, like the rest of Central Europe, shall not remain neutral to these dangers. While getting involved in the unification of the continent, they must strive for proper development of the European agenda, defence achievements in the field of freedoms and civil liberties, deepen the single market as well as continue the development of the neighbourhood policy. The protracted crisis promotes national egoisms and makes it difficult to reach a consensus. On the contrary, the societies of the Visegrad countries still represent a large enthusiasm for that idea, despite the problems associated with the phenomena of deadlock, transformation costs and burdens resulting from the adjustment to the EU requirements. The V4 members shall put greater emphasis on improving infrastructure, facilitating contacts between their societies, as well as the further development of economic, cultural or scientific. It is extremely important to promote exchanges of young people, students and academic fields. There is also a need for better understanding of their societies, burdened with historical stereotypes and the use of the geographic location for the

acquisition of new investment, growth and strengthening national security. The Czech Republic, Poland, Hungary and Slovakia also must ensure the full use of all these factors in the region, which confirm the real value of the EU *acquis communautaire* and embody fundamental freedoms, which are the pillars of European integration (free movement of goods, capital, services and people). Furthermore, greater consistency and resulting from it, even closer cooperation should contribute to the attractiveness of the region.

In July 6-7, 2017 in Wrocław, Poland takes place the Wrocław Global Forum.[18] This is one of the leading transatlantic conferences on current politics and economics in East-Central Europe. The organizers of the WGF are: the Municipality of Wrocław, the Polish Institute of International Affairs and the prestigious American think-thank, the Atlantic Council. Every year, for a few days several hundred politicians, economists, politicians, journalists and community leaders come to Wrocław. These include heads of state, foreign ministers, renowned political analysts, parliamentarians, regularly across the Atlantic arrives in Wroclaw strong representation of the US Senate and House of Representatives. The subject of the debates includes the hottest phenomena of the modern world, e.g. the last two editions of the WGF dominated the Russian aggression in Ukraine and the wave of refugees from the Middle East and Africa. This year Donald Trump, the newly elected President of the United States, is also invited. It shows that the V4 does not want to become isolated from the world and recognizes the need for dialogue.

CONCLUSION

The Visegrad Group is a regional association, lacking an institutional administration. The cooperation is based on the rotational presidency and meetings of representatives of all countries at various levels. As a result, regular meetings of heads of government as well as individual ministers, enable comprehensive involvement of the Group in solving the problems of the region. It seems that maintaining current standards of operation is the most desirable. The mission of the Visegrad Group did not end in 2004 but then took an additional dimension on many levels. Identification of new priorities has shown the important role played by the V4. The ties between members of the Group are now much stronger than at the moment of its inception. The Visegrad partnership became a symbol and role model of integration for other regions. Moreover, the V4 has become a famous brand – an example of successful initiatives for the realization of common interests and a key element of cooperation in Central Europe. It should be emphasized again that in recent years, after some ups and downs during the first decade of development, the Visegrad cooperation has reached an impressive level of intensity. This allows the V4 increasingly engaging in solving the growing problems of the globalization era. Through increased cooperation, the Visegrad Group - a kind of nucleus of Central Europe and a reference point for the other partners (including those from other continents) - found a place in the consciousness in the political, social and cultural sphere, as well as in planning business ventures. Speaking of the Visegrad Group, we are talking about common interests, even though we know that it does not mean unanimity. However, it is important that the development of the Visegrad cooperation in the EU has established the belief that this partnership brings added value for the consistency and stability

of the region and is also beneficial for the European Union as a whole. The strong, effective and determined Visegrad Group effectively strengthens the EU. What is important, the V4 leaders determine their further cooperation by acting within the Union and aim towards a strong and united continent. The Visegrad Group makes the sense of participation in European affairs sharper and puts a stronger emphasis on the political role of Central European cooperation in the EU. What can the leaders do now? Communicate and seek opportunities to synchronize ways to further interests of the V4 countries and highlight the objective community of interests so that the role of the wider cohesion of the region and the EU is invaluable. Their will to cooperate within the European Union has been strongly emphasized in the aforementioned declaration from Warsaw:

"The EU remains the best tool to meet the challenges ahead of us. The values on which the EU is based, i.e. - human dignity, freedom, democracy, equality, the rule of law and respect for human rights - remain valid. The EU should remain open to those countries, who share these values, including in particular the Western Balkan countries and our eastern neighbors".[19]

Lastly, cessation of internal struggle and agreement on mutual concessions in order to reach a compromise. Back to the roots and cooperation in the name of common values. These are the most significant challenges of the Hungarian Presidency in the Visegrad Group. Experience has shown that together they can win. Going deeper, identity and visibility of the V4 are important as well as building unity based on common heritage and values, the social aspect of partnership and effective communication strategies.

The predictable objectives of the Hungarian presidency of the Visegrad Group of 2017 are ambitious. But the times, in which we live, require ambitious action. Being ambitious is an inherent feature of the V4 as such.

1

European Commission Speech State of the Union Address 2016:Towards a better Europe – a Europe that protects, empowers and defends. Strasbourg, 14 September 2016. http://europa.eu

2 Remarks by President Donald Tusk after the Bratislava summit. September 16, 2016 http://www.consilium.europa.eu

3 'Flexible solidarity' would enable member states to decide on specific forms of contribution taking into account their experience and potential. Additionally, it notes that any distribution mechanism should be voluntary. Végh, Zsuzsanna. Intergovernmentalism or differentiated integration: the way out of the current impasse. December 19, 2016. http://visegradinsight.eu

4 WORLD NEWS. Jancarikova, Tatiana & Hovet, Jason. September 17, 2016. http://uk.reuters.com/

5 The term of 2016/2017 is a period covering the Polish presidency

6 Hungarians call themselves Magyar and their country Magyarország; Magyar is a representative of the Finno-Ugric people who settled in the 10th century in Hungary. http://sjp.pwn.pl

7 Lubomír Zaorálek is the Minister of Foreign Affairs of the Czech Republic

8 The speech of Polish Prime Minister on the second day of the 26th Economic Forum in Krynica-Zdrój, Poland on 6-8 September, 2016

9 The European Single Market guarantees the free movement of goods, capital, services and people – the 'four freedoms' within the European Union

10 Joint Statement of the Heads of Governments of the V4 Countries Strong Europe – Union of Action and Trust. Warsaw, March 2, 2017. http://www.msz.gov.pl

11 Collegium Civitas is a Polish non-public university located in Warsaw, Poland. To learn more, go to https://www.civitas.edu.pl/en/

12 Eksperci: Głos Grupy Wyszehradzkiej zostanie wysłuchany w Unii Europejskiej. March 4, 2017. http://www.pap.pl/

13 REGULATION (EU) 2016/1624 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 September 2016 on the European Border and Coast Guard and amending Regulation

(EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC

[14] These conclusions were the result of a work meeting of the presidents of parliaments of the Visegrad Group which was held in Przemyśl, Poland, December 6, 2016

[15] GDP (Gross Domestic Product); the value of a country's overall output of goods and services (typically during one fiscal year) at market prices, excluding net income from abroad. http://www.businessdictionary.com

[16] Foy, Henry & Byrne, Anrew. Splits over EU test relations between Visegrad Four. October 6, 2016 https://www.ft.com

[17] Eurostat is the statistical office of the European Union.
http://ec.europa.eu/eurostat/web/main/home

[18] To learn more, go to http://www.wroclawglobalforum.com

[19] Joint Statement of the Heads of Governments of the V4 Countries Strong Europe – Union of Action and Trust, Warsaw, March 2, 2017. http://www.msz.gov.pl

ESSAY

ETHNOCENTRISM IN THE VISEGRAD GROUP: IT'S CAUSES AND ITS INFLUENCES ON THE BRATISLAVA PROCESS

LIV HEINRICH

ABSTRACT

In the joint statement of the Visegrad group from 16 September 2016, the day of the launch of the Bratislava process, the Visegrad group gave a statement on their ideas on the improvement of the EU and devoted most of it to security and migration. As responses to the decrease of a sense of security among citizens which is in their opinion caused by terrorism and cross- border crime, they see a great necessity in the reduction of the number of immigrants entering the EU and demand better protection of the EU's external borders through further cooperation with Turkey and other transit countries, a further development of FRONTEX, the improvement of the Schengen- Information- System (SIS) and the general data management architecture.

INTRODUCTION

In the joint statement of the Visegrad group from 16 September 2016, the day of the launch of the Bratislava process, the Visegrad group gave a statement on their ideas on the improvement of the EU and devoted most of it (⅓ of the entire statement) to security and migration. As responses to the decrease of a sense of security among citizens which is in their opinion caused by terrorism and cross- border crime, they see a great necessity in the reduction of the number of immigrants entering the EU and demand better protection of the EU's external borders through further cooperation with Turkey and other transit countries, a further development of FRONTEX, the improvement of the Schengen- Information- System (SIS) and the general data management architecture, including the setup of the European Travel Information and Authorisation System (ETIAS), a better operation of the operating IT- Systems, check of individual border- crossings and the support of membership aspirations in the Western Balkans

Even among their own population, neither the Visegrad group nor its work are very well-known. Still, the cooperation among Poland, Hungary, Czechia and Slovakia is of importance, especially to its leading politicians. The polish Prime Minister Beata Szydlo said about the Visegrad cooperation in connection with EU reformation process:

"We agree that the Visegrad group needs to be active in the process of changes, which the EU is expecting. We will propose solutions that are meant to pursue especially one goal: to strengthen the EU so it can focus more on the affairs of its citizen and to guarantee security to all Europeans."*1

In the joint statement of the Visegrad group from 16 September 2016, the day of the launch of the Bratislava process, the Visegrad group gave a statement on their ideas on the improvement of the EU and devoted most of it (⅓ of the entire statement) to security and migration. As responses to the decrease of a sense of security among citizens which is in their opinion caused by terrorism and cross- border crime, they see a great necessity in the reduction of the number of immigrants entering the EU and demand better protection of the EU's external borders through further cooperation with Turkey and other transit countries, a further development of FRONTEX, the improvement of the Schengen- Information- System (SIS) and the general data management architecture, including the setup of the European

Travel Information and Authorisation System (ETIAS), a better operation of the operating IT- Systems, check of individual border- crossings and the support of membership aspirations in the Western Balkans. Additionally, the group points out the advantages of the size and diversity of the European Union and their aspiration to strengthen democracy in the EU and economic integration.[2]

While looking through the past year's news about the V4, one can't help but notice that they could be summarised under the title of: "We (Visegrad) will not submit to Western European strategies, we have our own interests and we stay strong to fulfil them". These "own interests" include more than just the often discussed discrepancies in attitude towards migration and the often discussed quota system. The Visegrad countries, mainly personified by the populist governments of Poland and Hungary, want more than just block Western Europe's propositions about migration, they want to counterbalance the

domination of the leading countries and stop being treated like the periphery of Europe.[34]

Very representative for this is the "Nutella Council". This year, Slovakia's ministry of agriculture compared the quality of same products in its capital and in Austria and found that Eastern European products are often inferior, containing more sugar and more fat, to the products available in the richer West. Prime Minister Fico summarised the feelings of his country, not only about the discrepancy in alimentation, but also about the general sense of inferiority that sticks to the eastern member states: "These practices are humiliating and create two categories of citizens in the EU."[*5]

In this essay, I want to explore a bit further what are the causes of the lasting feeling of the V4 to be the periphery of Europe, how their problems to establish a stable economy and democracy are connected to it and how it leads to ethnocentrism, which leads to the election of populist governments who later influence the EU reforms.

Transition in the Visegrad countries: similarities and differences

There are many similarities between the Visegrad countries and their recent history, they lead to similar economic and political struggles, but also differences in their economic development and political apparatus, changing their position in the EU and in the group. The V4 states have a very similar history of foreign determination followed by the, comparably short, recent period of sovereignty after 1990, this brings about some difficulties: The value of law in a country that is new to sovereign governance is certainly different than in the traditionally "ruling" states, peoples that are new to their own rule of law often have problems respecting this rule, finding a dialogue and

engaging into the functioning of their state. Very often, they are used to finding loopholes in the system and to live according to the rules of their own "parallel" law rather than the rules that are established by the authorities. [678]

Like every post- socialist state, also the Visegrad group had a problem to establish their own liberal democracies with a multiple- party system, as they were lacking parties and without a broad, differing political opinion. The communist mind-sets in the population made it also difficult to establish a functioning political system, at the beginning of transition, the countries were quick to establish democratic institutions, mainly with the help of NATO and EU, but they were simply lacking a democratic culture. It is difficult to create dialogues and cooperation between opponents when sentences like "Who isn't with us is against us" dominate the political conversation and individuals with opposing opinions aims to crush their opposition, not to work with it. Additionally, the complexity of a liberal democracy "democracy" being about the community and "liberalism" being about the individual- posed some problems for the peoples of Poland, Slovakia, Hungary, and Czechia, what happened in consequence was the establishment of a "simplified" democracy that did not encounter minorities and struggled with the public opinion in many aspects. To the top of it all, one could argue that in the age of globalisation, forming a democracy is even harder as it questions the idea of a nation state and did change means of communication and the relationship between media and politics, which was already complicated due to the missing tradition of political journalism during communist times.[9]

Looking at the present state of each individual Visegrad member state, Hungary is perhaps the most worrying example. Democracy in Hungary has been dissolving since 2010 when Viktor Orban was, for

the second time, elected president. Fidesz, Orban's party, received absolute majority with 53% of all votes and unilaterally voted a new Constitution after the took office, which centralised all power to the hands of the Prime Minister, constrains public and commercial media, cuts social benefits and limits characteristic freedoms of a liberal democracy, such as freedom of press, freedom to take popular initiatives and social rights. One of the reasons this happened is the base of Hungarian society on nepotism and informality, like mentioned above, all Visegrad states had or have a different perception on the obedience of the rule of law, but Hungary is even more extreme in that sense: as success in society is widely based on contacts and links between politicians and people, many jobs and positions are dependent on whoever is ruling, this is one of the reasons for the frequent changes of rule. This "democracy of privilege" is the consequence of the state's political institutions being established by intellectuals who did not question their decisions and found superficial solutions for transition. Orban understood exactly these principles and based his policies on the establishment of a central arena of power, with him as the middle. He eliminated the idea of political competition, replaced heads of media and other important positions with his allies and took measures to homogenise culture and national identity. The aspect of identity is very important, as there is a large number of Hungarian minorities in Hungary's neighbouring countries and ancient territories that the Hungarian government tries to include, Orban therefore follows the idea of ethnic nationalism, not civic, and leaves the minorities in his own territories out.[10] When it came to the vote on a migration- distribution quota in the European Council, Hungary voted against, even though it would have profited from a quota and could have earned €27 Mio. as a country with a lot

of immigration from third- country nationals- even though the migration to Hungary is motivated by its geographical position- Hungary, registered approximately 15 tsd. third- national migrants in 2015, even though it must have been crossed by many more people on their way to western Europe the same year.[11][12] The case of Czechia and Slovakia is a bit different, the countries, who left the Soviet bloc as one, divided peacefully in 1993 after elections surfaced two incompatible leading parties in the territories (the Civic party in Czechia and Public against violence in Slovakia) and paralysed the political machine, the new leaders worked on the peaceful split into two and neither of the countries had problems of getting recognised. Interestingly, the Czech Communist party, as the only one of the ex- Eastern bloc, was never dissolved or transformed into a far- left party. It remained a political force, even though Communism was officially banned in 1993. Czechia also faced problems during the privatisation of its economy, similar to the rule of law in society, people had problems understanding the rule of law of the market and corruption remains a problem, even until today.[13]

Both Slovakia and Czechia voted against the migration quota, maybe out of Visegrad- Solidarity towards Hungary. Both countries are rather against a further integration of the Union, they prefer being in the EU for economic and security reasons. Slovakia's Prime Minister Robert Fico is very well aware of this fact, he stated: "*For Slovakia I say it in one sentence: 86 percent of all public investments come from EU- sources. We would not survive without the EU.*"[14]

The most successful and most praised example of transition is Poland. While looking for information about the transformation, a lot of information surfaces, mostly economic, not political. Poland is the number one example of how economic transition should work,

privatisation was quick, today, there are no oligarchs in Poland, the amount of young people frequenting higher education institutions quintupled, Poland is the fastest growing economy in the European Union and was the only member state that managed to avoid contraction after 2008.[1516]
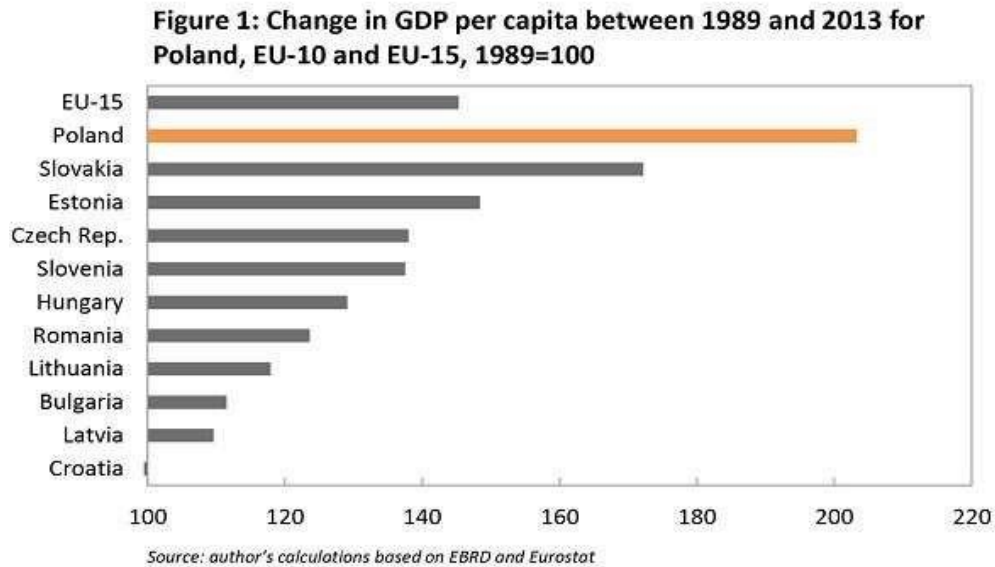
Graph 1. Change in GP per capita between 1989 and 2013. Source: Marcin Piatowski: How Poland Became Europe's Growth Champion: Insights from the Successful Post-Socialist Transition. Brookings. 11/02/2015.

 Yet, Poland has problems, especially on the political level, since 2015, the conservative PiS is in charge of power and takes a Christian-conservative political course, tried to sharpen abortion laws, cooperating closer with the church, changing the Constitution and distancing itself from the EU. The polish government did in fact not vote for the re-election of their own statesman Donald Tusk as the president of the European Council but proposed their own candidate Jacek Saryusz- Wolski, a man without experience in governance. This way, Poland did not only give the impression of taking the position of the President of the European Council for granted, but also showed

the government's immaturity in the way that the personal rivalry between Tusk and Kaczynski, who accuses Tusk of being involved in the death of his brother Lech Kaczynski in 2010, influences Poland's European politics.[17] Being the most ethnically homogenous country in Europe (97% of poles are Polish, 96% are catholic) it becomes difficult to imagine why a nation that did not have many experiences with migrants since 1945 has a generally more sceptic view about immigration from outside the Union (61% of Poles prefer immigrants from in the EU, 39% have positive feelings about non EU-immigration). Poland did initially vote in favour of the quota, but joined the other V4 members in their opposition after.[1819]

Ethnocentrism: definition and causes

The reason for not only Poland's, but the entire Visegrad group's strong opposition towards a quota and the propositions towards a migration policy that would force them to accept refugees can be explained with the phenomenon of ethnocentrism.

The Oxford dictionary defines ethnocentrism as an "evaluation of other cultures according to preconceptions originating in the standards and customs of one's own culture".[20] What can this tell us about the struggle to find a common EU migration policy?

Some countries, groups of countries- like Visegrad-, people, groups of people, do not want to welcome immigrants or refugees, others are very open about it, this places the heads of states of the EU in a dilemma: how to cooperate further and find appropriate solutions when national or regional interests collide?[21]

Political leaders generally "filter their decisions on foreign policy through the motives of their leadership"[22,] accordingly, to understand the discrepancies between the attitudes towards migration of different

governments, one has to understand what they promised their people and why they were voted. Did the citizens of the Visegrad countries vote for populist leaders because of their own ethnocentrism or are the citizens of these countries ethnocentric, maybe even racist, because of the tone used by their leaders while talking about different peoples?

Most probably it is a mutual influence, caused not only by the migrational isolation of the V4, but also by their economic problems and the earlier described sense of inferiority towards the richer West and North. Despite the measures undertaken by the EU to achieve regional equality, the discrepancies have grown since the 2004 eastern enlargement when poorer countries joined, but also since the financial crisis that hit some countries harder than others. Looking at statistics comparing the changes in trust in society and trust in social relations between 2006 and 2012 in North- Western European countries and South- Eastern European countries, it is easily understandable why certain regions have a higher amount of populist votes and Euroscepticism than others.

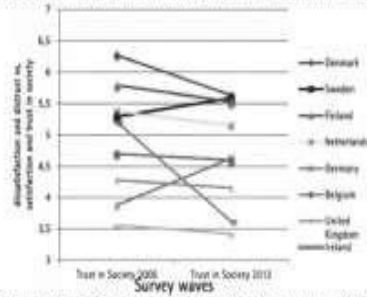Figure 6: Trust in Society: 2006 and 2012 (Northern and Western Europe)

Figure 8: Trust in Society: 2006 and 2012 (Eastern and Southern Europe)
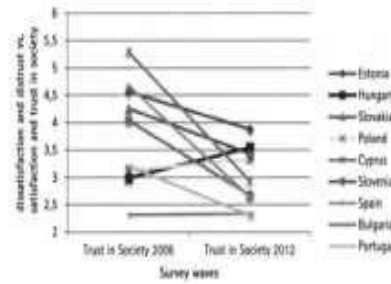
Figure 7: Trust in Social Relations: 2006 and 2012 (Northern and Western Europe)
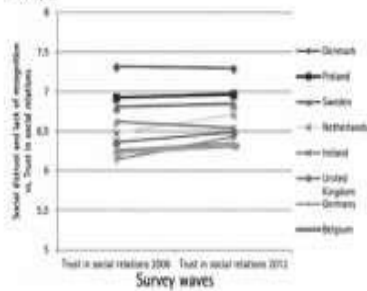
Figure 9: Trust in Social Relations: 2006 and 2012 (Southern and Eastern Europe)
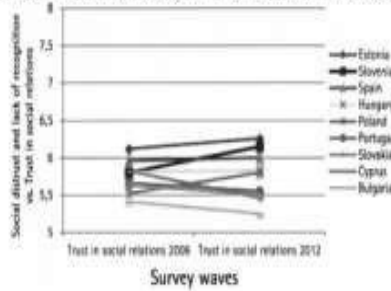
Trust in Society. Source: Wolfgang Aschauer. Societal Malaise and Ethnocentrism in the European Union: Monitoring Societal Change by Focusing on EU Citizens' Perceptions of Crisis. Historical Social Research / Historische Sozialforschung Vol. 41, No. 2 (156). GESIS- Leibniz Institute for social sciences. 2016.

While the North- West started at a higher level, they mostly improved or slightly decreased their trust in society, except for Belgium, and remained a stable level of trust in social relations. In the East- South on the contrary, Trust in society decreased, with the exception of Hungary while social recognition stayed stable too, but at a lower level than in the North- West.

Another measure of comparing European states and what they do for their people is the comparison between the different types of welfare states that exist in Europe.[23] In the European comparison of public expenditure for social protection, the Visegrad countries are at the bottom end, spending less than half of the European average on public protection, Poland being the only country to note a significant growth in expenditure from 21% to 28% percent of it GDP from 2003 to 2013,

Czechia a small growth and both Slovakia and Hungary keeping their spending stable.[24] The quality of the welfare state and the amount of trust that citizens can give to their social protection forces is a strong influencer on their fear of social decline. In the Visegrad countries, together with Slovenia, the minimalist welfare state system with the Bismarck model prevails. Especially since the economic crisis, the importance of the efficiency of a welfare state for its people has been shown. If more people are unemployed, more people are at the bottom of society and build a wider ground for radicalisation.

A survey conducted from in 2012 with 21 EU members participating classified the European welfare systems into six categories that reflect how much states spend for their citizen's welfare and where groups of countries come together.

Figure 2: A Typology of Six European Regions Based on the Varieties of Capitalism Approach and Welfare-State Research

| Coordinated market economies					Liberal market economies
Bismarck			Beveridge		
Conservative welfare states			Social-democratic welfare states		Liberal welfare states
Mediterranean welfare states	Conservative welfare states		Social-democratic welfare states		Liberal welfare states
Mediterranean welfare states	Conservative welfare states	Minimalist welfare states	Social-democratic welfare states		Liberal welfare states
Mediterranean welfare states (IT, ES, PT, CY)	Conservative welfare states (BE, DE, NL, FR)	State-oriented corporate welfare states (SI, SK, CZ, PL, HU)	Social-democratic welfare states (SE, FI, DK)	Neoliberal rudimentary welfare states (LT, EE, BG)	Liberal welfare states (UK, IE)

Note: Modified and extended according to Schröder (2013, 59).

Typology of Six EU Regions. Source: Wolfgang Aschauer. Societal Malaise and Ethnocentrism in the European Union: Monitoring Societal Change by Focusing on EU Citizens' Perceptions of Crisis.

The Macro-Micro-Macro Explanation Scheme illustrates the influences Macro level decision have on Macro radicalisation, but more strongly on Micro-level living restrictions, leading to social malaise

Figure 1: The Macro-Micro-Macro Explanation Scheme for Ethnocentrism
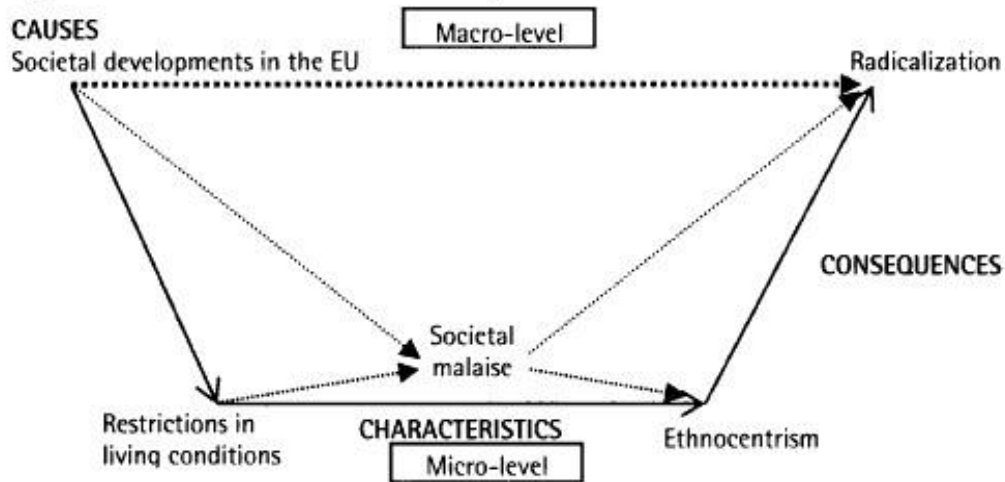
Macro-Micro Explanation Scheme for Ethnocentrism. Source: Wolfgang Aschauer. Societal Malaise and Ethnocentrism in the European Union: Monitoring Societal Change by Focusing on EU Citizens' Perceptions of Crisis. Historical Social Research / Historische Sozialforschung Vol. 41, No. 2 (156). GESIS- Leibniz Institute for social sciences. 2016.

(unwell being) and ethnocentrism, which again results in radicalisation. The forces that lead to ethnocentrism and radicalisation are the three D's: societal decline, political disenchantment, social distrust, these forces combined with the perception of crises.

Lastly, the Explanation Model and Operationalization Strategy illustrates how changes on the Macro-level, Meso-level and Micro-level in the temporal, structural and cultural dimension influence each other and play together to cause ethnocentrism, in the Model stated as "perception of an ethnic threat".[25]

On the Macro-level, there are political impositions from the side of the EU, economic inequalities between the eastern and the western States, internal inequalities, poverty and unemployment. On a cultural dimension, the Visegrad states still share a feeling of inferiority to the West.

On the Meso-level, in the temporal dimension, V4 have to obey EU norms and values, the countries change their norms and guidelines, this leads to a change of structure, some people that were at the top are now at the bottom and the other way around. Culturally, the radical transformation done by the state loosens the cohesion of peoples.

On the Micro-level, citizens are individually disappointed after what happened and lose their trust to the system, on a structural level, they start to fear decline. Culturally, they lose their trust in each other and in society. The factor in each dimension on the different levels influence each other. Macro-level events influence Meso-level events and the other way around. The same goes for Meso-level and Micro-level.

The total of these events leads to the perception of an ethnic threat, not only out of racism or fear of being taken away what should be theirs, but also to lift themselves up and make them feel better in comparison to the "others".

Figure 3: Overview of Explanation Model and Operationalization Strategy

	Macro-level (European developments)	First operationalization: Context effects	Meso-level (social disintegration)	Second operationalization: Restrictions in living conditions	Micro-level Third operationalization: Societal well-being	Fourth operationalization: Ethnocentrism
Temporal dimension	political impositions		crises of regulation		political disenchantment	
Structural dimension	economic inequalities		crises of structure		fears of societal decline	perceptions of an ethnic threat
Cultural dimension	cultural insecurities		crises of cohesion		social distrust	

Overview of Explanation Model. Source: Wolfgang Aschauer. Societal Malaise and Ethnocentrism in the European Union: Monitoring Societal Change by Focusing on EU Citizens' Perceptions of Crisis. Historical Social Research / Historische Sozialforschung Vol. 41, No. 2 (156). GESIS- Leibniz Institute for social sciences 2016.

In addition to the Model, the peoples of Eastern Europe face another feeling that greatly impact their relationship to the EU: disappointment. After the fall of the Iron Curtain and the difficult process of transition, people had hoped for so much more than what is their reality of living now, the process of transition has arrived in a vacuum: there is no more institution to join, no more democracy to develop, no more economy to privatise and yet, structural problems remained,[26] economic problems too and Brussels is perceived as a far-away parallel universe that treats its Eastern members like lower class citizens and gives them worse quality food as if they were the "rubbish bin of Europe".[27]

Lastly, the economic factors are not the only ones contributing to the level of ethnocentrism in a population, other influences can be the religious distinctions, social intelligence and education. The latter two are generally helpful when it comes to the prevention of ethnocentrism.[28]

ETHNOCENTRISM: CONSEQUENCES FOR THE EU

As mentioned in the introduction, the Visegrad group aims to block the European migration quota and is reluctant to the idea of welcoming migrants to the continent, let alone to their countries. To name just one example of politicians openly campaigning against refugees, the Hungarian government put up advertisement before the referendum about the quota on which was written: "Did you know that since the beginning of the refugee crisis, more than 300 people died during terrorist attacks?"*[29.] Márta Padavic from the Budapest Institute commented on the campaign and summarised its purpose in a very well- fitting way: "This, with governmental funding financed campaign could even lead to violence. The goal is to churn the sentiment towards the strangers. With strong, often unreasonable arguments that let the reader only take one idea: rejection."[30]

Now we know what the Visegrad group demands and why, but do their campaign really fruit outside of their own territories?

Reading through the declarations' conclusions made by the European council during the meeting on the Bratislava roadmap towards a reform of the EU, one can conclude that yes. All their demands, for the establishment of ETIAS, the improvement of border protection, the further cooperation with so- called transit countries, the improvement

of return rates and the investment into developmental aid to avoid migration in general are written in the Bratislava

Roadmap,[31] the European Council Conclusions on migration from October 2016,[32] the European Council Conclusions from December 2016,[33] the "Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean route" and the Conclusions from March 2017.[34]

Now why the Visegrad group is so active right now, what are the goals of their activity, besides preventing migration?

In the end of last chapter, the sense of disappointment was mentioned, it can definitely be seen as driving force in the suddenly more intensive cooperation among the Visegrad group. After Brexit, it is clear that Visegrad needs to focus more on regional cooperation to pursue their interests and to compete with the more dominant German and French interests. Especially the polish government has interests in leading the Visegrad group, standing alone against Germany and France is not possible for Poland, but with three other heads of states by its side, who take politically similar directions, it is possible to build a counter-axe on the East of Germany. This regional isolation might be dangerous, questionable is, if Poland can take a leading position in the group itself, if it will be tolerated as the leader, being the biggest country of all or if the isolation from the West might be harming Polish trade, economy and position in the EU rather than helping.

Ethnocentrism: A possible solution

After having established all the different causes of ethnocentrism in the Visegrad group, we identified economic, cultural and political causes. One of the main social and political causes was the discrepancy between the north-western and south-eastern Europe and the sense of inferiority that is imposed on the latter.

To prevent this discrepancy on the social level, a European passport should be introduced. People would not need to write down their specific nationality, even though they would keep their national identity and government, but they would be forced to write and to read "European" ever time they use their passport. Also, while travelling abroad, no could be distinguished or discriminated based on their passport, while crossing borders, while receiving a visa. Same has been done in France with the population of the Bretagne, they still identify as themselves in their region, but while travelling, they are predominantly identified as French and cannot be discriminated based on the fact that they come from a national minority.

Secondly, at least one of the EU institution should move to Central Europe, the feeling of being far away from decision making influences the attitudes of politicians and citizens too negatively to leave everything the way it is. It is often argued that Strasbourg as the seat of the European Parliament is indispensable because of the German-French history in the region, but any of the Visegrad countries undoubtedly has a similar, maybe even more moved history, especially with Germany and/or Austria. The move of a European institution to the region could be a measure to shift the "periphery" of the EU further to the outside and would allow Eastern Europeans who cannot travel as far as to France or Belgium to visit a European institution

and to get in touch with the European Union, which can be an important educational measure.

Lastly, the creation of a European conscription based army, which is an ancient but also a never realised idea, will help not only the citizens who forcefully get in touch with each other, to educate themselves and open up culturally, but it will also, just like the creation of a European passport, create an indistinguishable identity, everyone is in the same army, everyone goes through the same and defends the same continent during a time where NATO demands higher military expansions, the EU could unite its forces and be much more efficient and strong.

CONCLUSION

Even though ethnocentrism might be understandable in the framework of post- communist transition in Eastern Europe, the European Union should stay strong and not obey that easily to mind-sets that contradict the European idea of acceptance, tolerance and openness.

The EU's attitude towards migration as a "not in my backyard" issue and will to conclude agreements with the undemocratic governments of transit countries will not solve much in long-term. The agreements with transit countries like Turkey, concluded in spring 2016, and now, even worse, Libya, is a very unwise move from the Union. These countries could use the leaders' of the EU's fear of another migration crisis to blackmail them for their own interests, as Erdogan does already, asking for visa freedom for Turkish people and threatening to open the borders if he will not receive what he wants. Migrants will be stopped in Turkey, in Libya or in Serbia and for the Visegrad countries, who did not welcome many refugees anyways and were,

despite Hungary, not even directly affected by the refugee crisis, nothing will change.

What the EU really needs to establish during the Bratislava process and EU reform is an eye-to-eye, same- level dialogue with its Eastern members to identify their problems, their struggles and to establish a solution on how to continue a European Union where all member states are included on equal terms and no region is made feel like the "periphery". The migration crisis of 2014 and 2015 was not the cause of ethnocentrism in the Visegrad group, it was the indicator that surfaced ethnocentrism and showed us that something clearly is not right with the EU's internal balance of power.

The superficial short- term solution of the migration crisis that will lead to thousands of people living in inhumane conditions either in their own countries, in transit countries that do not respect human rights nor have acceptable accommodation standards or at the borders in the Balkans while waiting for the possibility to attain what should be a human right: the possibility to get a better life.

After the migration crisis, another crisis will come and if the EU won't sit down and find a solution that allows the fair functioning of the community, ethnocentrism is not gonna be defeated, not in the V4, nor in Eastern Europe nor in any other member state that has problems with its populist parties.

[1] Henryk Jarczyk, Stephan Ozsváth, Peter Lange; *Bremsklotz der europäischen Flüchtlingspolitik, D*eutschlandfunk, 25/08/2016

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ESSAY

V4 DEFENCE COOPERATION IN LIGHT OF THE DIFFERING THREAT PERCEPTION

WOLFORD ZSÓFIA

ABSTRACT

The cooperation of the Visegrad Group (V4) traces back to the regime changes in the region after the fall of the Soviet Union at the beginning of the 1990s. Until 2004, the regional cooperation of the V4 was driven by the group's aim to join the North Atlantic Treaty Organization (NATO) and the European Union (EU). Since their accession however, cooperation was lagging behind due to lack of joint concern and vision. Nevertheless, due to the annexation of Crimea and the migration crisis, discourse on the cooperation was brought back to life, however, this time it is not driven by a common political project but by the endeavour to represent the interest of the V4 against Western European member states.

Introduction

The cooperation of the Visegrad Group (V4), Poland, the Czech Republic, Hungary and Slovakia traces back to the regime changes in the region after the fall of the Soviet Union at the beginning of the 1990s. Until 2004, the regional cooperation of the V4 was driven by the group's aim to join the North Atlantic Treaty Organization (NATO) and the European Union (EU). Since their accession however, cooperation was lagging behind due to lack of joint concern and vision. Nevertheless, due to the annexation of Crimea and the migration crisis, discourse on the cooperation was brought back to life, however, this time it is not driven by a common political project but by the endeavour to represent the interest of the V4 against Western European member states of the EU whose opinion greatly differs from current "hot topic" of European security discourse, i.e. migration. Considering the differing threat perceptions of the V4 countries, a cooperation built on their joint stance against other EU countries on the issue of migration will not last long nor will it evolve into an institutionalized cooperation despite the current rhetoric that intends to flaunt a strong V4. In this essay, I first present a brief theoretical background to rationality and security communities, then, I provide an overview of the past cooperation in light of the introduced theories. Finally, I will draw conclusions regarding the future of the V4 security cooperation, claiming that due to the Visegrad countries belonging to different regional security sub-complexes, their current discourse on V4 cooperation serves different purposes than enhancing the security of the region, and that closer defence and security cooperation is unlikely between the four states.

Regional Security Complex and Security Community Theories in the Context of the Visegrad Group

For analysing the possible scope of cooperation between the Visegrad countries, a constructivist approach will be used along with the theories of regional security complexes (RSCs) and security communities. I apply the constructivist theory to analyse the V4 (non-)cooperation because both realism and liberalism has failed to give answers to the lack of common security policy in the region as they both presuppose that geographical vicinity and joint membership in both the NATO and EU would result in a cooperative security policy.

According to the realist idea, international actors have fixed identities and interest based on their geographical location which predestines them to a static regional interaction. They „tend to define regions on the basis of geography because of the assumption that proximity generates common interests that derive from a common culture, economic circumstances, and security concerns. But individuals can organize and define themselves based on markers that are not necessarily tied to space, suggesting something of an "imagined region," or a "cognitive region."[1]   The English school of liberalism focuses on "how states construct institutions to encourage cooperation and to further their mutual interest in survival, respectively"[2], however it cannot account for the lack of common security policy within the semi-institution V4 states. Constructivism, on the other hand, may provide an explanation for the volatile nature of the V4 cooperation, since it takes into consideration material, social and normative factors too.

The concept of security communities originates from Karl Deutsch's idea on pluralistic security communities. According to him, security communities are composed of states that share the same values and ideas making conflict unlikely between them. Deutsch's idea was elaborated on later in details in the works of Emanuel Adler and Michael Barnett, thus becoming an important part of the mainstream literature of international relations. The purpose of Adler and Barnett was to refine security policy analysis, which, according to them, was focusing solely on two levels of analysis, i.e. global and national, thus leading to insufficient or inappropriate answers.

When using the method of analysis developed by Buzan and Wæver, one has to differentiate between the discourse and practice related to the region and the individual security discourse and practices of member states of the RSC, the latter being the subject of analysis. In this essay, instead of studying the discourse of the region which is the Euro-Atlantic in this regard, the security discourse and practices of the Visegrad countries will be closely looked at. In the framework of the proposed analysis, security policy will be examined on four levels: the domestic security discourse and threat perceptions of member states, relations between the constituting states and that to the neighbouring regions, and the role of great powers in the RSC.

In order to refine the analysis, the concept of insulator[3] also has to be introduced. The term denotes a country or countries that are situated between two regional complexes: the V4 after the fall of communism could be considered as insulators, since they did not become members of another security community instantly, it took around a decade for them to integrate. After their accession in 1999 and in 2004 to the North Atlantic Treaty Organization[4] and to the European Union respectively, their roles and identities has changed differently, and

they are constantly changing even nowadays. Some countries are returning to the role of an insulator: for instance, Hungary introduced its Eastern Opening Strategy aiming for closer economic ties with Eastern regions parallel to a foreign policy that instead of enhancing Euro-Atlantic integration, aims to maintain a "balanced relations with the major powers that define of our region, including the United States, Russia, Germany, China and Turkey"[5], suggesting that the country now serves as a bridge between formerly two distinct security complexes.

As insulators, during their early years of membership the V4 countries could take up the role of a mediator, and were able and willing to lobby for establishing closer relations with both their Eastern neighbours such as Georgia and Ukraine and with the Western Balkans through the Eastern Partnership and the European Neighbourhood Policy. Nowadays, however, it can be observed that the V4 currently does not have a common mission, as it would be expected both from scholars and practitioners of security policy. They "Historical hatreds and friendships, as well as specific issues that trigger conflict or cooperation, take part in the formation of an overall constellation of fears, threats, and friendships that define an RSC."[6]

The Visegrad cooperation has started as a political project with the aim to help each other in the process of EU and NATO integration. Initial endeavours of integration were successful because the Visegrad countries were aspiring for political and economic integration to the liberal democracies in Western Europe and the importance of security policy was negligible at that time, the V4 articulated only the return of communism as a security threat[7]. It is important to note, that at the time of the V4 joining the EU and NATO, the two group of states both focused primarily on political and economic cooperation, while they

articulated distinct security concerns: while it was communism that was considered a security issue by the V4, EU member states started cooperating in order to prevent the return of "EU's past"[8] (which may be the reason for not having a common European army yet, the lack of shared fear from one external actor).

The fear from a possible war in Europe was reassured by the Yugoslav war, which further enhanced the integrational endeavours of the previous communist bloc. Thus, the security policy of the Visegrad Group cannot be examined independently from NATO and the EU since no matter how different the current threat perceptions of V4 states are, their security policy is confined to their membership to the two organizations.

REGIONAL SECURITY SUB-COMPLEXES WITHIN THE V4

Due to the great number of states belonging to the Euro-Atlantic security community and due to its great territorial extension, it is both extremely hard and futile to try to define one regional security complex to which the whole community belongs. In the Euro-Atlantic security community, states face security threats either on the borders of the regional security complex to which they belong or threats rooted in other security complexes but projected by the greater powers of the security community, like the United States, the United Kingdom or Germany. Thus, it is useful to define the term of sub-complex too, which "represents distinctive patterns of security interdependence that are nonetheless caught up in a wider pattern that defines the RSC as a whole."[9] The V4 may be part of a tightly-coupled security community, but the four countries are securitizing different threats,

and their defence and security policies are highly polarized, since they belong to different regional security sub-complexes at the same time.

For instance, Poland plays with the global league instead of the regional one (as distinguished by Buzan and Wæver[10]) due to the country's size, thus having a threat perception which differs from that of other V4 countries. During the Yugoslav wars, all V4 were affected, except for Poland because it did not share borders with the conflicted area, and it belonged to another regional security sub-complex than the rest of the Visegrad group. Instead of securitizing the Western-Balkan, Poland has been focusing on EU's Eastern neighbours, especially to the threat posed by the Russian Federation's aggressive power politics in the past years. As the Polish Minister of Defence stated, Poland now focuses also on deterrence besides defence[11]. As a result, a territorial defence force was established, and security cooperation with Western allies were enhanced: a new German-Polish brigade was formed as a reaction to the annexation of Crimea, indicating that some V4 states are entering into closer security cooperation with their Western-European allies despite the adversarial rhetoric of the Polish political leadership. Poland also joined the multinational Saber Junction[12] exercise along with Germany and many other states in 2017, however, Hungary and the Czech Republic did not take part in it.

It is also important to note that Poland has always put more emphasis on V4 security cooperation in its programmes for the Polish Visegrad presidency than other Visegrad countries. In 2000/2001, Slovakia's NATO accession was supported, in 2004/2005 they entered into cooperation with Austria in fighting political extremism in the region. In the same year, the Polish presidency also elaborated on the importance of the Eastern Neighbourhood Policy and energy security.

Then in 2008/2009, they lobbied for the integration of Ukraine, Georgia, and for closer cooperation with the Caucasus. In 2012-2013, emphasis was put on the establishment of the *Visegrad Battlegroup*, on *Pooling and Sharing* and *Smart Defence*. Nevertheless, during the latest Polish presidency starting last year, a shift could be perceived in a sense that in the program, Poland is taking a firm stance for the representation of V4 with regard to EU's future, and demands a greater role in tackling the Union's challenges[13]. It emphasizes the importance of V4's "strong voice" in the Union and the common heritage of Visegrad, with less focus on security cooperation with the Euro-Atlantic community in the program. This trend is also continued during the current Hungarian presidency which will be detailed below.

On the contrary to Poland, Hungary was greatly preoccupied by the Yugoslav wars in the 1990s: the country even allowed NATO aircrafts to use its airspace during the air campaign in spring 1999. Even nowadays, the Western Balkan bears a great importance with regard to Hungarian security policy due to its long border with it and to the Hungarian minorities living in Serbia. The importance of Southeast European stability was always a priority in Hungary's V4 programs along with the Eastern Neighbourhood Policy, however the active support of the latter one seems to sink into oblivion since the war in Ukraine has started. Also, maintaining troops in the Middle East and increasing capacity within NATO KFOR TACRES BN (Tactical Reserve Battalion) suggest a continued, permanent role in the Balkan rather than on the Eastern flank of NATO. However, Hungary is also taking part in other projects too on an ad-hoc basis. For instance, Hungary performed a Baltic Air Policing mission in 2015 (note that Poland and the Czech Republic has been contributing to the mission

since 2006 and 2009), it is planning to participate in the Trident Juncture NATO exercise in 2018. Notably, Hungary contributes to the work of the NATO Cooperative Cyber Defence Centre of Excellence along with all other members of the Visegrad Group.

Contrary to the offset of Bundeswehr-V4 cooperation, Hungary has proposed a national level security policy for the next decade, aspiring to outrun other V4 members in security spending and modernization within the framework of the so-called Zrínyi2026 plan, indicating that Hungary considers the rest of the V4 as its rivals rather than as possible actors for deepening defence cooperation.

Regarding the Zrínyi2026 plan on military force reform, István Simicskó, the defence minister of Hungary pointed out the main objectives: the improvement of the country's air defence capabilities, increasing spending and the size of the military reserve force, and promoting "national defence education" too. Enhancing V4 or EU level defence cooperation and interoperability was not mentioned with regard to the reform until now (however, the strategy is not public).

As opposed to the Poland's and Hungary's alienation from the Euro-Atlantic community, the Czechs have entered into military cooperation with Germany this year via the Framework Nations Concept by delegating one rapid deployment brigade to the German army, clearly signalling its position with regard to the recent fallout between the EU and the Visegrad Group despite the typically pro-Russian and Eurosceptic public opinion and rhetoric in the Czech Republic. Security cooperation with Western-Europe is beneficial for the Czech Republic also because of its export-oriented arms-industry.

During the Czech V4 presidencies, the emphasis was usually on deepening Visegrad cooperation, promoting democracy, enhancing

regional communication, and also on the project of tackling extremism together with Austria. The Czech presidency was outstandingly effective during 2015/2016, because it addressed one of today's greater security issues: cyber security. The Czechs founded the Central European Cyber Security Platform (CECSP) with the help of Austria already in 2013, and the Visegrad Group Military Educational Platform (VIGMILEP), thus achieving a greater level of institutionalization of the V4 cooperation.

Along with the Czech Republic, Slovakia was also focusing on integrational issues when they were presiding the V4, as opposed to Hungary or Poland. Despite possessing a military industry, Slovakia has the lowest defence spending with regard to NATO in the V4 region. Also, their activity on security policy issues is much lower than other states'. This is also indicated by the fact that they withdrew their forces from KFOR in 2014, and the largest size of Slovak troops are stationing in Cyprus under the flagship of the UN. Also, they are quite reluctant in delegating military capabilities to the EU Battlegroups: since its establishment, Slovakia delegated forces only twice to the Battlegroup: once in the framework of the Czech-Slovak Battlegroup in 2009 and within the Visegrad Battlegroup in 2016. This indicates that Slovakia usually takes a more passive role within the V4 than other states, however, it is not reluctant to cooperate when the framework for it is provided.

Their reluctance regarding NATO and V4 is also manifested in the public opinion: according to a survey conducted last year, almost half of Slovaks would support an exit from NATO[14], and one of the opposition parties, Kotleba (People's Party – Our Slovakia) that is gaining more and more support, has already started collecting signatures for holding a referendum on exit from NATO. This trend

seemingly affects V4 cooperation besides Slovakia's disputes with Hungary regarding minority rights.

CURRENT STATE OF THE V4 SECURITY COOPERATION AND ITS PROSPECTS

The regions to where each state delegates their greatest military power indicate the discrepancy between the states' threat perceptions. The largest Hungarian contingent is stationed in Kosovo, followed by the troops to Bosnia Herzegovina, and Afghanistan was only the third in the line until troops were withdrawn. The Czechs delegate the majority of their military force to the Resolute Support Mission in Afghanistan, the Polish army also has its greatest presence in the Middle East: they were the commander of the Multinational Division Central-South until 2008 (Iraq). And finally, Slovakia delegates its army primarily to Cyprus suggesting a low level of engagement with both NATO and with the security community of the region. Nevertheless, the 2016 deployment of the V4 Battlegroup is a significant achievement in the defence cooperation of the region which has been planned since 2011, originally with the contribution of Ukraine, but as the Euro-Atlantic community gave up on the country's integration, the Battlegroup was formed without Ukraine.

Military cooperation in the fields of research and development, education and training, and modernisation are also considered a long awaited progress of V4 which were adopted in the Long Term Vision of the Visegrad Countries on Deepening Their Defence Cooperation[15] in 2014. Nevertheless, enhanced defence cooperation cannot be achieved without interoperability, which could be facilitated by joint procurements or by the joint development of capabilities, for which Poland just introduced the Regional Security Assistance Program[16],

however the extent of V4 countries' extent of contribution is still to be announced. Despite the significant military industry the region had in the 20th century, no harmonization or re-establishment of the industry took place in the framework of the Visegrad cooperation on one hand due to the competition within the sector between member states, and on the other hand, due to the lack of a joint vision on security and defence projects. A coordinated armament industry in the region would significantly boost the V4's role on EU level, and member states could benefit greatly from the cost-effectiveness of joint procurements in which they are also lagging behind despite the fact that these objectives have been clearly articulated in almost every presidential program of the Visegrad Group since the early 2000s.

The V4 could not find a platform for concise joint military or security cooperation before 2014 since NATO missions took place primarily far away where Visegrad had no direct interest to intervene – due to their geographic distance – other than to take its fair share within the organization. At this point, it is important to note that the lack of V4 security cooperation cannot be blamed solely on member states that are reluctant to realize the impact of a possible cooperation, but it also stems from the nature of their wider security community.

On one hand, the European Union also lacks joint military capabilities and cooperation along with a common foreign policy which would serve as an incentive and framework for a deeper cooperation in the future. On the other hand, in the past decade NATO conducted primarily out-of-area missions, the support of which was not a question for Visegrad countries despite that those security threats were not securitized in V4 countries due to significant geographical distance, but, delegating military power for these missions served primarily the purpose of

showing solidarity with other NATO member states and allegiance to the alliance.

CONCLUSION

Considering that after decades of occupation by the Soviet Union and after a (more or less) parallel accession procedure to both the EU and NATO, one might think that the security policies of the four countries are driven by the same ideas, thus cooperation between them is self-evident. On a more theoretical level, it would be convenient to apply the idea of regionalism to the Visegrad Group, which denotes –as Joseph S. Nye put it – "a limited number of states linked by a geographical relationship and by a degree of mutual interdependence".[17] Nevertheless, despite the common historical and cultural background, there seems to be no Visegrad group, only a Visegrad project with occasional short-term joint projects.

Indeed, in the case of the Visegrad countries, there are several factors that could encourage their cooperation. Three out of the four are quite small countries, thus they can never have a decisive role in the international anarchy, however, by cooperating with each other their political capital could be increased significantly. The V4 has already realized it when aiming to join the Euro-Atlantic community. Since their accession, however, cooperation only existed on a rhetorical level.

As new threats are emerging over time, more closely to the V4, the lack of joint security policy is more conspicuous despite the current political leaderships' efforts to signal the image on a unified and potent cooperation. As both NATO and the EU are focusing more and more on the region's collective security instead of out-of-area missions, greater cooperation will be needed between member states, if they want to establish a permanent V4 cooperation. Nevertheless,

cooperation in different fields of security will be possible only if member states agree at least on the nature of security threats.

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2 Adler E., Barnett M. (1998). Security communities in theoretical perspective. In: Adler E., Barnett M. (eds.), *Security Communities*. Cambridge: Cambridge University Press. p. 11.

3 „Defines a location occupied by one or more units where larger regional security dynamics stand back to back" In B. Buzan & O. Wæver , (2003). *Regions and Powers: The Structure of International Security*. Cambridge: Cambridge University Press. p. 41.

4 Note: Slovakia joined NATO only in 2004.

5Press conference of the Hungarian Minister of Foreign Affairs and Trade on Hungary's foreign policy: http://www.kormany.hu/en/ministry-of-foreign-affairs-and-trade/news/this-year-the-goal-of-hungarian-foreign-policy-will-continue-to-be-the-representation-of-hungarian-interests   Accessed: 09/24/2017

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7History   of   the   Visegrad   Group: http://www.visegradgroup.eu/about/history Accessed 07/24/2017.

8 B. Buzan & O. Wæver (2003). *Regions and Powers: The Structure of International Security*. Cambridge: Cambridge University Press. p. 353.

9 Ibid. p. 51.

10 Ibid. p. 14.

11 The Defence Concept of the Republic of Poland, p. 6.: http://en.mon.gov.pl/p/pliki/dokumenty/rozne/2017/07/korp_web_13_06_2017.pdf   Accessed 24/07/2017

12Saber   Junction   Exercise: http://www.eur.army.mil/SaberJunction/   Accessed: 07/24/2017

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[14] https://spectator.sme.sk/c/20266421/poll-almost-a-half-of-slovaks-would-welcome-neutrality.html
Accessed 09/24/2017

[15]   http://www.visegradgroup.eu/calendar/2014-03-14-ltv Accessed 09/19/2017.

[16]
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COMMENTARY

The Czech Perspective towards the Defence Cooperation of Visegrad Countries

Vendula Pencikova

Abstract

From my point of view, defence policy is of huge importance in recent times, regarding mostly issues like the migration crisis and terrorism. Unfortunately, it might be said that some countries do not feel threatened and their defence budget is not increasing. Of course, it is not only the question of threats that makes questions of defence cooperation important, there are other significant indicators pointing to this direction. Visegrad countries share a very similar background and this should be conspicuous in their defence cooperation.

INTRODUCTION

The similar historical background is the reason why the Visegrad Group was created. During the past years, there has been a debate whether Visegrad Group is still „alive" or it is dropping off. However, threats we are facing nowadays had awakened the members of the Visegrad Group and its importance is rising again. The level of this so-called awakening, though, is not the same across the member states.

Another question to be asked is how Visegrad countries cooperate with the West and the East. In my point of view, we can divide Visegrad countries into two groups. The first group includes the Czech Republic and Poland, the countries that are not leaning towards the East, mostly because of the historical background. The situation in the Czech Republic is really confusing, however. Czech foreign policy is, namely, rather vague and we can see different spheres of interests that are showing up in media across Europe. On the other hand, there is Slovakia and Hungary, which are, in my point of view, quite positive towards the East, especially Russia.

This is one of the reasons why different approaches towards defence policy are present in the Visegrad Group. Visegrad countries declare that these different visions should not mean a problem when discussing defence policy. In my opinion, however, this question is a taboo, something that should not come to the fore.

This brings me to the second part of my essay. The GDP 2% commitment to NATO is something that not each member country is willing to meet. This commitment is essential for determining how each country is dealing with its defence budget and its defence spending in particular. As we can see in Graph 1, only Poland's

defence expenditures are rising significantly – in fact, Poland is one of the five NATO member countries which are able to meet the 2% criterion. The main reason for this is the above-mentioned aggressive

	2009	2010	2011	2012	2013	2014	2015	2016e
Current prices and exchange rates								
NATO Europe	**282,240**	**274,592**	**281,683**	**263,654**	**269,441**	**270,269**	**235,305**	**241,842**
Albania	183	186	197	183	180	178	132	133
Belgium	5,623	5,245	5,500	5,169	5,264	5,192	4,218	4,332
Bulgaria *	905	832	758	722	811	747	633	673
Croatia	1,014	920	996	865	850	805	669	611
Czech Republic	3,129	2,660	2,437	2,185	2,148	1,975	1,921	1,958
Denmark	4,337	4,504	4,518	4,423	4,216	4,056	3,364	3,521
Estonia	353	332	389	437	480	513	469	503
France	54,442	51,971	53,441	50,245	52,317	52,006	43,473	44,222
Germany	47,469	46,255	48,140	46,470	45,932	46,102	39,812	41,676
Greece	10,156	7,902	6,858	5,633	5,310	5,226	4,647	4,606
Hungary	1,476	1,351	1,472	1,322	1,280	1,210	1,131	1,258
Italy	30,486	28,656	30,223	26,468	26,658	24,448	19,566	22,146
Latvia	315	251	286	248	281	293	281	405
Lithuania	401	326	344	324	355	427	471	638
Luxembourg	202	248	232	214	234	253	249	248
Netherlands	12,131	11,220	11,339	10,365	10,226	10,332	8,668	9,127
Norway	6,196	6,499	7,232	7,143	7,407	7,336	5,815	6,068
Poland	7,475	8,493	9,106	8,710	9,007	10,104	10,596	12,706
Portugal	3,740	3,540	3,652	3,040	3,262	3,003	2,635	2,817
Romania	2,225	2,086	2,380	2,100	2,452	2,692	2,580	2,651
Slovak Republic	1,350	1,138	1,065	1,020	968	997	986	1,006
Slovenia	799	772	666	543	507	486	401	448
Spain	16,943	14,743	13,984	13,912	12,607	12,614	11,090	11,200
Turkey	12,647	14,134	13,616	13,895	14,427	13,583	11,957	12,097
United Kingdom	58,240	60,329	62,852	58,016	62,263	65,690	59,538	56,790

Graph 1. Defence expenditures by the European members of NATO. Source: NATO Public Diplomacy Division. Defence Expenditure of NATO Countries (2009-2016). URL: http://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2017_03/20170313_170313-pr2017-045.pdf. Accessed: March 24, 2017.

foreign policy of Russia, regarding to annexation of Crimea. The other reason is Poland's quick economic growth. Czech expenditures are rising really slowly, not to mention the case of Slovakia, where defence spending are the lowest in the region. In these latter countries, people do not perceive threats like, for example, Poland does.

The Czech Republic is not touched by the migration crisis and we are too small to be on the map of terrorism. This leads to the perception of some kind of an untouchable state. The other problem is that we rely on the West very extensively. The fact is that the influence of the United States in Europe is decreasing, and with the new American president, Donald Trump, we cannot be sure what is going to happen because his politics is rather vague. Some might argue what he said in the presidential campaign will never become reality. Let's hope for

that. On the other hand, our economy is doing really well recently and this should be the sign of our will to pay the 2% commitment by the year 2020. Slovakia has the same goal, but its economy is not developing as significantly as ours. In Graph 2, you can see how NATO members are dealing with their commitments.
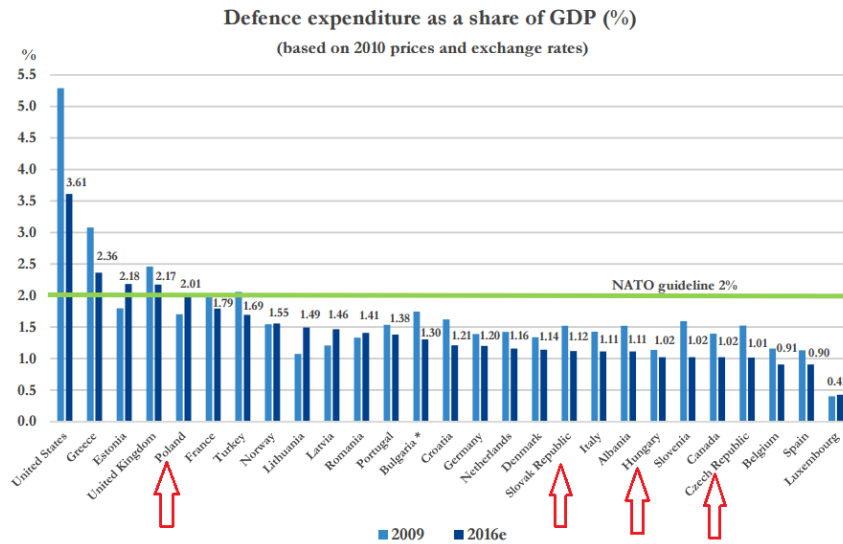
Graph 2. NATO expenditures by country. Source: NATO Public Diplomacy Division. Defence Expenditure of NATO Countries (2009-2016). URL: http://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2017_03/20170313_170313-pr2017-045.pdf. Accessed: March 24, 2017.

Regarding the problems discussed, my suggested improvements of defence cooperation are as follows. Firstly the Visegrad countries should share communication and information. This is essential to prevent terrorism not only within Visegrad countries, but also across Europe. Communication strategy should exist within the NATO countries as well. We can see the same effort in the Dublin system that is focused on migrants and their visas. Another improvement should concern the military equipment of Visegrad countries. Military equipment should be modernised and shared in a certain way. Of course, this question is a touchy one regarding the size of the Visegrad

Group. Also, for some Visegrad countries this is more expensive than for the others. Common training programmes should also be introduced for the soldiers not only from Visegrad countries, but also from other NATO countries. The final improvement that I suggest is to deepen the cooperation with V4+ countries, mainly Austria and Slovenia. We should share ideas of innovations as well as create common battlegroups.

As a conclusion, I would like to state that the Visegrad Group itself has the potential to cooperate on defence policy. On the other hand, there are many complications that lead to misunderstandings and overreactions that are visible.

COMMENTARY

VISEGRAD GROUP: SECURITY AND COOPERATION IN THE REGION

AGATA BAR

Abstract

The subject of the article is the issue of security in the Central European region which is implemented in the framework of the cooperation of the four states of the region forming a sub-regional organization established in 1991, which since 1993 officially known as the Visegrad Group. Among its main objectives, in addition to cooperation on the construction of democratic state structures, free-market economy, promotion of cultural community, cooperation in culture, science, education and youth exchanges, there are also the development of transport infrastructure and the strengthening of security in Central Europe are also recognized.

INTRODUCTION

The issue of the need for security in combination with the cooperation of the Visegrad Group member states is an extremely complex issue that needs to be analyzed from the ground up. Contemporary situation in Europe is very dynamic and a number of factors can affect the balance of power on our continent. Undoubtedly, the security of one country and the entire Group is closely linked to the issue of cooperation in the region. As history teaches us, the powers are stable, strong, defending citizens and inviolate their borders. All these goals can only be built on the basis of cooperation. To try to understand the aims and challenges of maintaining security in the region, it is worth looking at individual countries forming the Visegrad Group, the most important parts of history after 1989 and the origin of their cooperation. Out of doubt, this analysis requires careful scrutiny of what was going on in order to try to anticipate and safeguard what may come with the history that is forming right now.

VISEGRAD GROUP: GENESIS, MEMBER STATE, MAIN OBJECTIVES OF THE ORGANIZATION.

The Visegrad Group (V4) was signed on 15 February 1991 in the Hungarian city - Visegrad between the states, initially three : Poland, Czechoslovakia and Hungary, and with time between four - after the dissolution of Czechoslovakia to the Czech Republic and Slovakia. The founders and creators of the group were Polish President Lech Wałęsa, Czechoslovak President Vaclav Havel and Hungarian Prime Minister Josef Anatall. In 1993, the Visegrad Group was officially named. The idea of creating the Group was the development of cooperation for the construction of democratic state structures what is more the free

market economy and participation in the process of European integration.

Leadership in the Visegrad Group is rotating and lasts a year. From July 1, 2016 until June 30, 2017 the Presidency of the Group is exercised by Poland, and in July it replaces the position of Hungary. Member State cooperation focuses primarily on strengthening their stability in Central Europe, exchanging information, promoting the cultural community, cooperating in culture, science, education and youth exchanges. Significant areas of cooperation are also recognized as the development of transport infrastructure and the strengthening of energy security in the region. Mechanism of cooperation with third countries is implemented in the formula "V4 +".

The founding members of the Visegrad Group resurrected in November 1918 as a result of the end of the First World War and the breakup of the Austro-Hungarian Monarchy. After World War II, as a result of the liberation of Central Europe by the Union of Soviet Socialist Republics all were forced into the orbit of its influence. Without losing any formality of independence, they actually became his satellites, among others. As members of the Warsaw Pact military bloc (official name: Warsaw Pact, 1955-1999) and the Council for Mutual Economic Assistance (1949-1991).

The Republic of Poland is the largest state forming the Visegrad Group. After World War II, Poland was controlled by the USSR. After 1989, it regained its full sovereignty and rapidly developed and strived to level both economic and economic-military levels with the countries of Western Europe. Since 1999 he has been a member of NATO (North Atlantic Alliance) and since 2004 the European Union. The President of the Republic of Poland since 2015 is Andrzej Duda and Prime

Minister Beata Szydło. President Lech Wałęsa, signing the 1991 agreement with Hungary and Czechoslovakia, made a very good decision, which can be seen after nearly 30 years of the Group's activity. Poland, after 1989, would probably not have been able to handle such development efficiently without supporting countries that were in a similar situation. At the same time, over the years, Poland has become the leader of the Visegrad Group, and Prime Minister Beata Szydło is in talks with representatives of the rest of the V4.

Czechoslovakia, which after 1993 disintegrated peacefully into the Czech Republic and the Slovak Republic, also after 1945 was controlled by the USSR. Like Poland, in 1999 both the Czech Republic and Slovakia joined NATO and in 2004 to the European Union. One of the founders of the Visegrad Group was President Vaclav Havel, a former oppositionist, who is still remembered as an extremely important figure in the history of this nation. Undoubtedly, he had a strong influence on the relationship between Czechoslovakia, Hungary and Poland. The current president of the Czech Republic is Miloš Zeman - since 2013 and Prime Minister Bohuslav Sobotka. In Slovakia the head of state is Andrej Kiska - since 2014, while Prime Minister is Robert Fico. It is the only member - a member of the Visegrad Group, which has decided to adopt the euro as the national currency. The situation of both states after the breakup was unstable, which only exacerbated the problems of the USSR's out of control. Entering the Visegrad Group was an opportunity for development both for the Czech Republic and Slovakia. To date, all talks are jointly conducted by four states, and each decision must be made with the consent of all members. This represents a great opportunity for the development of both countries, which without the Group's support would develop much more slowly.

Hungary was also enslaved by the Communist regime after the Second World War, and it was only after the 1989 regime regained full sovereignty. Like the rest of the Visegrad countries, Hungary joined NATO in 1999 and the European Union in 2004. The President of Hungary is János Áder since 2012 and the Prime Minister Viktor Orbán. Like the previous member states, Hungary has evolved much faster thanks to the cooperation of the Visegrad Group. Premier Victor Orban promotes regional cooperation, and his "hard-handed" governments on European Union issues create a place for the Visegrad Group as a new leader in European affairs talks. The policy of the Prime Minister is a very good example of the fact that only the governments based on consistent actions are able to achieve much in dialogue with the countries of Western Europe. For the future of the Visegrad Group, this is a very important element of integration and giving a field of action.

The story, which in all the countries of the group was very turbulent but very similar, played a big part in the creation of the Visegrad Group and its coexistence. It forms an important element of integration, because countries with similar histories understand better and look beyond the experience they are able to counter similar situations in the future. The Visegrad Group countries, through multi-level cooperation, are able to counter potential threats, but only if they work together. It is not important to realize that history has such a big impact on the future, the events they experience and warn of potential future problems. Many situations, according to researchers from the Visegrad Group countries, were threatened by Western European countries, because these countries have not survived in the last decades as Poland, Czechoslovakia or Hungary. The idea accompanying the Visegrad Group as a subregional organization was

the desire for mutual assistance and cooperation in the economic development of Member States after 1989. The common history and common goals have strengthened this cooperation. V4 continues to develop and today the main objectives of the group are to develop regional cooperation on various levels; from information sharing and joint security checks to the cultural and scientific spheres. The Visegrad Group has a chance in the next few years to become a new driving force in Europe, but it can also become overwhelming in importance. The European Union, which is plagued by crises and many problems, will not be an equal partner for talks with countries like the United States, China or Japan. This is a good chance for V4, especially since there are no other European organizations so far. It is possible that this is connected with the belief that the European Union will survive everything, but the Visegrad Group countries, experiencing an uneasy common history, unanimously say that the future of the Union is uncertain and that a new leader, should join the international arena-

THE VISEGRAD GROUP.

The Visegrad Group has achieved a number of achievements in the area of cultural exchange and the integration of societies, especially among youth groups and students. For a number of years, various programs and competitions have been launched to bring societies closer, and educational and cultural development such as, for example, the Visegrad Summer School. This plays an important role in further co-operation in the Central European region because young people are the future of the region and the V4 itself, so investing in young people should become even more widespread in many areas.

Funds for such investments are large, but the forms of their promotion could still be much better. The social awareness of the V4 countries in relation to the V4 partnership is still too small, when its discussion with young generation, there are often do not know even what The Visegrad Group is. This kind of negligence on the part of the V4 developers is a serious mistake, because the driving force behind the actions of democratically governed states is the citizens, they have an influence on the actions of governments and they can also change a lot in regional cooperation.

From many months, talks have been taking place on the creation of Visegrad Television to integrate the Member States at the level of joint information and education programs. The programming assumptions of the projected television is to present news from Poland, the Czech Republic, Slovakia and Hungary and, in addition, the location of events from the Visegrad Group perspective. So far, this television has not yet been created, although already discussed about its seat, which would be created in Poland, in Cracow. This is a great idea that should be implemented as soon as possible, as it creates another regional cooperation line, further creating a positive opinion of the V4 internationally, as a strong, integrated and continuously developing group. This television would be an excellent source of proper propaganda, educate the member states and at the same time inform the international situation from the point of view of the interests of individual members of the group.

One of the last V4 cooperation activities was the signing of the Warsaw Declaration, which focuses on digital collaboration, promotion, research and development in this area. This is an important program that is becoming more and more frequent attacks in the Cyberspace. Countries in Western Europe, the United States and highly developed

Asian countries spend enormous amounts of money to fight cybercrime, which is growing at an extremely fast pace. The countries of Central and Eastern Europe have so far not paid much attention to this type of crime, which is extremely unreasonable. Cyberattacks are constantly increasing, fighting them is extremely difficult, but is still possible. Visegrad Group countries should set up joint cybercrime fighting bodies, as sooner or later these problems will also affect this countries. Proper preparation for potential cyber terrorist attacks will surely help fight the new kind of war - cyber war.

Future cooperation for the Visegrad Group would certainly also provide citizens of the Member States with much better infrastructure and development of transport between Member States, at least between their major cities and industrial centres. These include both transport related to economy and industry as well as public transport. The creation of cheap air or rail services, whose cost would be reduced to the level of domestic connections, would certainly improve the conditions for regional cooperation.

COOPERATION TO ENSURE REGIONAL SECURITY

There is no way to ensure the security of individual states or the entire region without intensive and effective cooperation. It is not enough to arrange ministry meetings to make changes. Indigenous people are inherent in the changes in democracies, and governments should be the only tool for their actions. Cooperation should grow from the ground up, so all efforts to bring societies closer together and the citizens they create are desirable in order to build a strong relationship between the Visegrad countries.

Undoubtedly, the most important element in building a safe state is the army, all four V4 states have been building their army practically

from scratch for less than 30 years, compared to other Western European countries we have a difficult situation in the past with the Union of Soviet Socialist Republics. Nevertheless, the Visegrad Group countries are thriving both through their own internal actions and by regional cooperation. Very often V4 ministers meet, which demonstrates the great commitment of each party. The outdated army should militarize, which should be the first step towards improving security in the Visegrad Group countries. Governments should start allocating more funds to the army so that the armies can grow. Another idea for improving the level of security in the Central European region was the idea of creating joint forces, and a direct agreement on establishing a Visegrad Group of Fighters in cooperation with the European Union was signed by four V4 ministers in March 2004.

Creating forces which are working together, gives you the opportunity to better control external borders by increasing the number of responsible units. Of course, this would not have the form of NATO opposition, but only the improvement of cooperation in the Central European region, in cooperation with countries also covered by NATO.

After more than a ten-year break, the idea of creating a joint combat force resurfaced at the end of 2015. On January 1, 2016, the newly formed Visegrad Battalion Group, under the auspices of the European Union, launched its first half-year war service, which ended June 30, 2016. The military unit numbered 3,900 soldiers, among whom the largest group was polish people. Poland became the leading country in this venture, and the main force of the V4 combat group is the 12th Szczecin Mechanized Brigade, one of the most modern units of the Polish Army, from which it has divested 1,000 troops. In November 2015, the V4 Combat Team, code-named Common Challenge-15, was

tested at the *Drawsko Pomeranian Training Ground* to test its combat readiness. Polish soldiers, Czechs, Slovaks, Hungarians and representatives of Ukraine were trained by Polish soldiers. On November 14, 2015, the European Union Operational and Strategic Command was opened in Cracow for the duty of the V4 Battle Group of the EU, which served 230 troops, including 144 Poles, 30 Czechs, 25 Slovaks and 31 Hungarians, and 18 November of the same year, Also in Cracow, the headquarters of the Group was formed, consisting of officers from four Member States: Poland, Slovakia, the Czech Republic and Hungary.

Probably the right weapon and protection against aggressors in this day and age is only the atomic weapon, it is the only weapon of the 21st century. Individual Visegrad Group countries cannot afford to create such weapons, but joint actions in this area are more likely to succeed. The world's greatest powers have nuclear weapons not to attack, but only to respect possible attacks on their territories. This only demonstrates that the strength of a given state unit or international organization depends to a large extent on the degree of militarization. Thinking and trying to create joint projects and research into the possibility of creating nuclear weapons as a sort of "repellant" against the Visegrad Group would surely secure its strong international leadership position. In addition, through uncertainty in many world regimes, especially on the eastern border of the Visegrad countries, nuclear weapons would provide them with peace and security. The international situation is not stable and it would be unreasonable to assume that World War III would not explode because exactly this approach had many before the tragedies of mankind. It is very important to keep a balance in anticipating what may come. Both too rational and too good an approach to the future can hurt, but

rationalism is much better from a security point of view. The famous statement "you want to have peace, get ready for war" did not lose its importance. Nuclear weapons are at this point a key point in building a secure state, and in this case safe four members of the Visegrad Group.

It is worth to notice, that the Visegrad Group has a key geopolitical position on the European continent. V4 countries are located in the very centre of Europe, which has had a great influence on their history for many centuries. Central Europe separates Western Europe from the east, thus separating the "European powers" from Russia, and therefore for centuries the geographical position of the Visegrad countries has had a major impact on the conflicts that have taken place in Poland, but also in the rest of the member states. On the one hand, it is a "flammable" area for conflicts, and on the other hand, it is a communications area that is the source and the ideal grounds for building a power that has influenced the course of many international events. The last few years brought a whole lot of challenges to Europe in terms of safety. History is shaping up to our eyes, and growing conflicts among world leaders in the fields of economy and military produce many of the dangers that affect the world, and especially Europe.

Responding to the many threats from the world as well as from Europe itself or the internal affairs of the Visegrad Group countries may be much better cooperation and actions aimed at the rapprochement of the member states.

Cooperation between Poland, the Czech Republic, Slovakia and Hungary with the rest of the EU countries is a key element in the development of relevant international relations. It is important for V4

countries to cooperate with other European countries, but to keep their distance and to create their own structures that accompany the development of a community with great political and defence potential. Both in actions consistent with the principles of the European Union and in the internal affairs of the Visegrad Group, Member States should insist on their own rights and privileges.

The greatest challenges of the last few years for Europe have undoubtedly been the problem of the sustainability of the European Union and Brexit, Russia's aggression against Ukraine, mass migration of refugees from countries affected by armed conflict, and terrorist attacks linked to the Islamic state. Cybercrimes are also a threat not only to Europe, but to the whole world. While the V4 countries have not yet had direct contact with terrorist attacks, the conflict in Ukraine, the problems of the European Union and refugee migration concern the Visegrad Group countries directly. A series of growing problems in Europe poses a serious threat to many countries. The downplaying of the present situation seems to be at least unreasonable.

Additional challenges for the Visegrad Group countries are the form of military development, potentially involving nuclear arms, aimed at securing states from the armed forces of potential aggressors. This also includes the issue of energy security cooperation, which should be much better managed in the V4 countries.

Countries of the Visegrad Group almost 100% of gas supplies are taken over from Russia, dependence on one supplier is very unfavorable because it is fully capable of controlling the supply. In the current situation, due to the war in Ukraine, the issue of gas supply is further complicated. The European Union is trying in many ways to

differentiate energy supplies in terms of suppliers so that there is no monopoly on this market. However, it seems that the European Union is not able to influence the changes that it has proposed itself. In this situation, the Visegrad Group is facing a new challenge. Energy security is an important element in building a strong and secure state, but unfortunately our situation is not good, owing to having only one supplier. The governments of Poland, the Czech Republic, Slovakia and Hungary should take more steps in regulating gas supply and at the same time think about new solutions, taking into account the changes to be made in 2019 from Russia (reducing gas transmission to Europe through Ukraine to minimum).It would be worthwhile to consider, therefore, the start of energy in another, alternative way. The first attempts have already been made in this regard, inter alia by importing liquefied petroleum gas from Qatar, but the future plan should be to create alternative energy sources also in the Group's countries. Our geographic location is a great opportunity for development. Of course, the costs of building power plants such as water or wind power are huge, but we are back to the starting point, cooperation.

Four countries have a much larger budget than a single country. Creating alternative energy sources or changing suppliers would certainly improve future security. The talks on the nuclear power plant should also take place at the forthcoming Visegrad Group ministers meeting, as only states can build energy power together, and they are undoubtedly able to achieve that.

The Visegrad Group as a leader in the Central European region is gaining new "quality" in the international arena today. So far covered up by the European Union, it has grown in shadow. The future of the European Union is uncertain since the crisis in Greece, through the

more recent Brexit or the migration crisis, which Europe is not quite able to cope with. Unfortunately, the problem of unequal treatment of member states has unfortunately exposed many of the problems the Union has to deal with and the future of the successor to the League of Nations is uncertain. One of the main factors for which the Visegrad Group is likely to be a European leader is the fact that all member states have a similar history, and that their cooperation is based on mutual assistance but does not oblige anything. Much stronger relationships can be built on mutual development through shared profits. Equity policies and evenly distributed benefits have a much better chance of success than borrowing policies and "charging" for the problems of other members. The crisis in Greece, whose effects have been felt by members of the European Union for years, was the beginning of a wave of problems. The Visegrad Group is supposed to help other members, but it is not sanctioned, the state itself decides whether and to what extent it decides to help. The imposition of injunctions on aid to Greece was fatal to the Union, because many other states, in spite of poor conditions, were forced to help Greece. Brexit, which is another challenge for the European Union, is really the answer of the British to the problems that already exist. Of course, as the researchers predict, before the UK comes out of the Union it will take a long time, but it is an irreversible process, and without a major member of the Union, it will not be able to function properly.

The biggest challenge for the Visegrad Group is the potential aggressor in the form of Russia, which after entering Georgia and later Ukraine is trying to implement the eternal goals of merging the lands considered by it to be Russian (the so-called "Overseas"). Historical events such as the Anschluss (incorporation) of Austria and the embattled Bohemian Sudetes in 1938 show that the concession policy

most often does not stop the aggressor's actions, especially those justified by the policy of joining the lost territories. Many scholars and historians fear that Russian plans are much larger than those propagated in Western Europe. Countries such as Germany and France are not fully aware of Russia's assumptions regarding further conquests. The Visegrad Group, experienced by the history of aggression and political control by the USSR, has a much more horizontal view of Russian aggression. Certainly the sanctions imposed on Russia hindered her further actions in Ukraine and potential actions in the Baltic states, but it is hard to believe that Russia, which has since the tsarist period of creating multinational Russia, suddenly renounces Vladimir Putin's goals after imposing economic sanctions. In such situation, security of the V4 countries can only provide regional cooperation, also in the area of armaments, information transmission and joint military missions operating on the border with Russia. The Visegrad Group could be a powerful force in the international arena in the military field, which would provide security for citizens who are undoubtedly afraid of Russian military action.

The problem of refugees, which according to the media mainly concerns Western Europe is also beginning to touch the V4 countries. By the much smaller range of social assistance in these countries we have a much smaller influx of refugees from countries like Syria. Refugees treat the Visegrad Group as a stopover to Western Europe or Scandinavia. However, our migration problem concerns the Eastern countries, including Ukraine, which is covered by armed forces, so the status of Ukrainians arriving in Poland, the Czech Republic, Slovakia or Hungary is often a refugee status. However, most migrants come to Poland for purely economic reasons (many Ukrainians have Polish

roots and it is easier for them to obtain a visa), plus Ukraine borders Poland, which facilitates the transfer. In this regard, the Visegrad Group's activities may involve assistance to those who are seeking employment. Taking into account the declining demographic indicators in these countries, driving the economy through the influx of "cheap labour" is most appropriate. However, Member States should be attentive and monitor the influx of emigrants who come to treat V4 as an opportunity for education (for example, students) for government money to later travel to Western Europe and return the education costs to other countries than those in which this education Was downloaded. I think that this is a big problem, unmolested by governments. Exiting from this situation could be so. Student loans (and other forms of student support) returned after graduation. For the situation of Visegrad Group countries it is much better for refugees coming to us to be culturally similar. On refugees who are Muslims, governments should take far more radical precautions because of accidents in Western Europe in connection with the Islamic State (ISIS). I do not think we need to worry about attacks in the Visegrad Group members, but if Western Europe is no longer dealing with radical Islamists, problems will also emerge in Central and Eastern Europe.

It seems that the issue of terrorism does not concern the Visegrad Group for the time being, but perhaps this is a false conviction, because this threat can only be a matter of time and the development of terrorist groups, as already mentioned above. Evidently, the West is not coping with the spread of terrorism. V4 countries should stand ready and support, among others. On the flow of information for the security of all countries, which will facilitate potential anti-terrorist cooperation. All precautions are needed, but still as a precaution. The

situation in which Western European citizens are afraid of their own lives while going to work clearly demonstrates the very bad control and security in these countries. The Visegrad Group should stand ready for potential terrorist attacks, mainly related to the Islamic state so far.

It is also worth discussing the impact of the Visegrad Group on the rest of the world, not limited to European countries. So far, no cooperation programs have been taken or any cooperation programs of the Visegrad Group with non-European countries or the United States have been established.

Member States seem to be able to work more closely, including with Japan or China, but also develop development programs in Africa that could benefit both sides of the cooperation. Security in Central Europe would seem to depend only on neighbouring countries, but there are times when conflicts in the Middle East or Africa can be heard, which are triggering conflicts far greater than those in the war zone at the outset. In addition, the promotion of the Visegrad Group countries in less developed countries is likely to benefit now, by promoting in the United States or in Western Europe V4 as a group of countries working together not only within their own group (though this should be its primary objective).In addition, looking ahead, African countries have a chance to grow quickly and sooner or later they can become partners for discussions on cooperation with the Visegrad Group as a whole. This is a rare topic, but I think it is important to think about building alliances on other continents. It is very likely that the Visegrad Group countries will pay in the near future.

CONCLUSIONS

Undoubtedly, Poland, the Czech Republic, Hungary and Slovakia should take care of the safety of their citizens, especially after recent events in Europe. By cooperating on many levels that are needed to preserve the internal and external security of the Visegrad Group Member States, experienced through their own stories, they know how valuable freedom and sovereignty are.

Security and cooperation in the region are two key issues that are closely linked. Properly maintained security is the result of appropriate cooperation in the region. This is a very comfortable situation as the objectives of the Visegrad Group Member States are very close, so the future of V4 is very certain. In the face of many of the dangers of the world, in recent years the Visegrad Group has the potential to be a leader in taking appropriate action, while continuing to grow and integrate bottom-up, starting from units - a citizen after the heads of government. All initiatives that deepen cooperation between Poland, the Czech Republic, Hungary and Slovakia form the foundations for security structures. It is very important for the Visegrad Group to take care of its interests and not be subdued. Cooperation with the European Union should acquire a completely new quality in which the Visegrad Group puts its conditions.

In conclusion, it is essential to integrate societies to talk about regional cooperation and, in addition, facing new challenges in Europe, the Visegrad Group should be united. In addition, meetings on security enhancements in the Member States should be more frequent. Changes in the military, in energy and in the new quality of defence and in the prevention of dangers should be a key issue at many government leaders' meetings. However, despite the turbulent talks

about the future and the quality of the V4, I think it is one of the few sub-regional groups in Europe that have a chance to grow and take the lead in international talks on our continent. Everything is in the hands of the Member States and their politicians who, by virtue of regional cooperation, are only able to secure the situation and secure the situation in the Visegrad Group countries and thus become a leading player internationally.

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ESSAY

Digital Public Sector Innovation: V4's Chance to Shine

Tomáš Petrů

Abstract

On May 6, we have marked two years since Juncker's European Commission introduced the Digital Single Market (DSM) strategy as one of its sectoral policies within the European Single Market framework. And it was long before that when the so called Digital Era started. Ever since, Information and Communications Technology (ICT) has found its way to virtually every aspect of our lives and has been transforming the way we think, work and live. As the latest edition of The Economist[1] puts it, "Data are to this century what oil was to the last one: a driver of growth and change."

Digital Single Market Strategy & Public Sector Innovations

On May 6, we have marked two years since Juncker's European Commission introduced the Digital Single Market (DSM) strategy as one of its sectoral policies within the European Single Market framework. And it was long before that when the so called Digital Era started. Ever since, Information and Communications Technology (ICT) has found its way to virtually every aspect of our lives and has been transforming the way we think, work and live. As the latest edition of The Economist puts it, "*Data are to this century what oil was to the last one: a driver of growth and change.*" The European Commission had fully acknowledged the potential technology bears for increasing the speed and breadth of knowledge turnover. That applies not only to economy but government too. In this paper, prioritization of the DSM agenda is discussed, arguing that innovation in public sector needs to gain much more momentum than it is supplied by the key strategic documents. Furthermore, it is claimed that such innovation in public sector can provide viable answers to political challenges shared among the V4 countries.

The key objective of the DSM strategy is to establish the European Union (EU) as one of the main innovators irrespective of the sector concerned. Part of this task is to eliminate the so far present reactionary character of dealing with serious issues that globalization and technological development has brought upon us (lack of jobs due to increasing robotization of labour, informational overload, issues related to the so called Digital Divide etc.). But while it is possible to see the irreversible process of rapidly progressing Digital Innovation as a glass that is half empty, we must also acknowledge its "half-fullness" represented by almost endless opportunities that, when

addressed properly, can bring immense good to people regardless of their social status, ethnicity or beliefs. And that is why Juncker's commission has set the DSM as one of its key priorities and why we need to think very carefully about how to reach its completion.

Backbone of the DSM strategy is concerned with regulatory environment that holds back potential of ICT innovations and its positive effects on economy. In a European Commission Staff Working Document "A Digital Single Market Strategy for Europe – Analysis and Evidence" it is noted that bringing down the online barriers that are in the physical European Single Market (ESM) already non-existent could "contribute an additional EUR 415 billion to European GDP[2]." The strategy is built on three main pillars: Better access for consumers and businesses to online goods and services across Europe, Creating the right conditions for digital networks and services to flourish and Maximising the growth potential of our European Digital Economy. One could say that basis for public sector innovation are within these three pillars somewhat hard to find. But regardless of the unclear wording the third pillar provides quite a solid ground for these principles summed up under a magic word "E-government."

In the DSM strategy, European Commission chose to approach the E-government agenda from a similar perspective as the main body of the document concerned with building a Data Economy. Within this approach, it is possible to find several common denominators shared among the outlined goals for both public and private sector. These are following: better quality services, interoperability, stronger implementation of big data analysis and data oriented decision making. I argue that this approach towards public sector innovations fails to discover their full potential for it ignores much deeper political consequences than it is recognised in the document. Without having

any proof, I suggest that it is the lack of willingness from the national states' point of view to engage in such political reforms put on the table in Brussels no matter how positive the outcomes may be what prevents all the potential of the DSM E-government agenda to be uncovered.

E-government Goals and Tools

Before discussing the already mentioned potential and its relevance for the V4 countries, I outline four key aspects of the suggested public sector innovations and their support in strategic EU documentation. First, there is a clear demand for Transparency that is supplied mainly within the framework of EU e-Government Action Plan 2016-2020[3,] a supplementary document to the DSM strategy that is, unlike the DSM, focused solely on the digital transformation of government. Transparency of a government can be achieved only by opening its data ranging from salaries of public officials to geospatial information. Successful opening of government data in its achievable entirety can bring much more than it might seem. The key outcome is public trust in its respective public body, whose good behaviour can be controlled via consulting the open data (that should be unbiased and monitored by an independent public body). Such newly acquired trust is conditioned by development of new communication channels that would effectively "digest" published data and transform it to be more appealing to the majority of citizens who are not interested in crunching the numbers themselves. Data opening also creates new space of tremendous economic potential for private sector that is encouraged to use this data and develop new digital services from which both citizens and the developers can profit.

Second set of innovations in public sector sets out to boost government's Efficiency, both in terms of spending and citizens' experience while dealing with bodies of public administration. Development of data driven public services can bring substantial cuts in public expenditures when combined with development and implementation of so called smart solutions (e.g. smart cities, smart health or smart transport) that tell the respective public administration when and where it is necessary to act. Plus, it provides additional sources of data that can be used by the administration itself or third parties as it was previously outlined. On the side of citizen's experience there is one major principle that, when applied correctly, saves lots of time and unnecessary labour and makes dealing with public officials much easier. This principle is called "Once-Only" and aims at creating an effective ICT network among different levels of public administration that can share all kinds of information and thus require a citizen to provide a needed piece of information once only, not each time public body needs it. We must not forget that creating such environment bears serious challenges to securing one's privacy. Thus, significant amount of attention and resources should be invested in making such services better also from security perspective.

Third area of innovation is concentrated in the principle of Interoperability that aims to achieve one of the key European Single Market's (SME) postulates, free movement, in the world of data and information. Establishing fully developed interoperability by default and standardisation requires all public services to be designed to work seamlessly across different organisational silos and even borders. Strive for full interoperability transcendents across boundaries of public and private sector. For public bodies, it can bring more efficient sharing of information, gaining new sources of data that can be used

to create better services based on what people really need or enable learning from foreign counterparts. In the domain of private sector reaching full interoperability, we are looking at substantial boost based on assessing information that was previously difficult to obtain due to different national or corporate standards. Current interoperability agenda is set by the revised European Interoperability Framework that replaced the previous document on March 23, 2017[4].

Participation is the last goal to strive for and probably the most important one as far as its direct influence on citizens that are the primary beneficiaries of any public sector innovation is concerned. There are E-government tools already developed and implemented that reach out to bring citizens closer to the process of decision making. Such participatory aspects of often involuntary relationship between public administration and citizens aim at overcoming this deep-rooted animosity and introduce citizens to a natural and very much needed attitude of personal involvement and responsibility towards their community and their corresponding body of government. This can be achieved by conscious reaching out in order to gain knowledge about citizens' opinions, inviting them to participate in certain parts of local budget planning, as part of a so called public budgeting, or asking them to raise their voice via online interpellation. These are just some of available techniques to make public services more efficient and more people-oriented and to bring citizens to the table, making their participation easier, more efficient and notably more beneficiary for the parties involved.

The Visegrád Group: Its Needs and Abilities

The four Visegrád countries (V4) share much more than just a regional affinity. Their common history of being Soviet satellites for more than four decades determined the way they transformed in the 90s and how successful their quest for integration into the Western world has been. Great future was foretold to the V4 after the Czech Republic, Hungary and Poland joined NATO in 1999 and the Group pathed its way to the EU successfully five years later in 2004. After proving the V4 one-voice strategy viable a new challenge emerged. The four countries had to step out of their own shadow and find a new meaning for the alliance and its position on the EU playing field. Ever since, the V4 has been walking a thin line between acting as EU's sick man in terms of its willingness to support some of the key policies and proving the V4 model of regional cooperation helping to counterbalance the European heavyweights thus making the power-distribution within the Union more symmetrical.

This never-ending story of searching for the substance of V4 cooperation in 21st century has been taking heavy blows lately. The four countries have been challenged by their own domestic issues championing the international playing field and posing a threat not only to the V4 but to the EU as well. All European countries watched closely when Hungarian Prime Minister Viktor Orbán had a barbed wire fence built on the border with Serbia and Croatia in 2015 when the so-called migration crisis hit hard. And all the other V4 countries helped. Nationalist sentiment, fed mainly by anti-immigration fears is observable throughout the Visegrád four. Such fears are abused and amplified by populists, for whom the V4 countries, all in their unique respect, could serve as a textbook. New kind of politicians and political

parties emerge, whose rhetoric challenges the nature of the status quo. Traditional parties are being called out as obsolete for serving their own interests rather those of their voters. Political and intellectual elites are accused of knowing too little about lives of common people. We can observe decline in voters' turnout and political participation in general. And the changing patterns of economy that are causing new sources of social insecurity do not help either. All these issues are the root causes of mistrust towards State and Government that needs to be addressed cautiously if we don't want it to become a new standard.

I argue that a truly consolidated Digital Single Market can represent a significant step forward towards eliminating the origins of previously described phenomena. And the E-government agenda can play a leading role in such process. Europe needs to remain economically prosperous to satisfy needs of as many of its citizens as possible. But this struggle for prosperous, innovative and competitive Europe needs to be counterbalanced by informed and carefully implemented reforms for the economic growth means nothing if it is not reflected in people's relationship towards the State (or the EU for that matter). Innovations should be introduced throughout the public sector but I argue that trust of people can be regained only on the local level of public administration. There are no simple solutions to complicated questions that are discussed in so called "big politics" on a central level of State. These policies, too big and too complicated to be understood by the majority population, are abused to reach political goals. Thus, I suggest that people need to be approached on the local level of government that is much closer to their every-day lives and gives them feedback on their political involvement that is more direct and tangible than casting their vote once every few years. The goals are clear. So, what role can V4 play to reach them?

The V4 countries acknowledge the importance of digital innovation in terms of the DSM strategy but they pay equally limited attention to digital innovations in public sector as the key EU document. Although word has it that priorities of the following Hungarian presidency of the V4 that is due in July this year should be more than ever Digital Agenda-focused, one can only guess how big the portion dedicated to E-government issues will be. Public sector innovation initiative of the previous three presidencies (Slovak '14-'15, Czech '15-'16 and Polish '16-'17) was rather modest. First two countries failed to recognize E-government in their respective priorities completely. Polish presidency defines development of E-government in its strategic document5 from a rather minimalistic perspective as "exchanging experience on solutions necessary to ensure the interoperability of information and communication systems of public entities, common mechanisms of identification and authentication in the systems of the public administration and the adopted model of rendering public e-services." It is obvious that the V4 is not putting public sector innovation in the forefront of its Digital Agenda activities even though it could benefit from the already established institutional relations to cooperate effectively on development, implementation and experience sharing of such innovations. Regional specifics play an essential role in designing the right policies and the V4 countries should take advantage of the fact how uniquely similar background they share. Furthermore, with the Digital Agenda currently in the limelight among EU policies, the V4's initiative on the issue could save its face on the European stage as a relevant, progressive and even trustworthy partner. These arguments, if acknowledged by the governments of the V4 countries, could provide much needed momentum for public sector innovations with all the positive implications for society.

CONCLUSION

The European Commission's Digital Single Market strategy along with other complementary documentation sends a clear message to the EU member states: European Union is looking to reach and hold position of a global leader in the field of digital innovation. More than ever it is necessary to view the Digital Agenda as a complex system of innovative policies that have direct effect on each other. Furthermore, considering the current political challenges shared among many EU countries, it is wrong to play down innovations in public sector as an agenda of lesser importance. It is suggested that public sector innovations can play a key role in combating such political challenges and that the V4 should consciously utilize its more than 25-years long experience of cooperation and use it towards acting as a relevant player in introducing innovative public sector policies.

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ESSAY

CITIZENS' CYBERSECURITY IN THE VISEGRAD GROUP

ALEKSANDRA SAMONEK

ABSTRACT

In the programme of the Slovak presidency in the V4 Group from 2014 we find the following desiderata related to enhancing the growth of V4's digital economy: the Slovak Presidency focuses on protecting human rights and fundamental freedoms in connection with the use of information and communication infrastructure in order to harmonize the approaches taken by V4 countries.[1] This paper will present the legislative and political examples which stand to show that none of the desiderata has been properly pursued since 2014 by the Slovak presidency, or made up for by the Czech (2015 – 2016) and Polish (2017 – 2018) presidencies in the Visegrad Group.

I NTRODUCTION

In the programme of the Slovak presidency in the Visegrad Group „Dynamic Visegrad for Europe and beyond" from 2014 we find the following desiderata related (although perhaps indirectly) to enhancing the growth of V4's digital economy:

1. the Slovak Presidency focuses on protecting human rights and fundamental freedoms in connection with the use of information and communication infrastructure (including the Internet), and

2. completing mutual consultations in order to harmonize the approaches taken by V4 countries.[2]

I will present the legislative and political examples which stand to show that none of the desiderata has been properly pursued since 2014 by the Slovak presidency, or made up for by the Czech (2015 – 2016) and Polish (2017 – 2018) presidencies in the Visegrad Group. In order to see this argument clearly, we shall

1. inspect the nature of protecting human rights and fundamental freedoms related to information and communication technology at the state level (section 2) and then

2. establish the means necessary to foster effective cooperation concerning such protection internationally within the Visegrad Group (section 3).

In parallel I will conduct an analysis of the progress made so far by the V4 countries in ensuring that human rights and fundamental freedoms are guarded in the domain of information and communication infrastructure, especially mobile and digital. The following conclusions shall shed new light on the stake of the V4 countries cooperation and coordination and their role in maintaining

the rule of law and state's respect for democracy in the Visegrad Group.

The issue raised here becomes even more pressing in the perspective of recent V4 Cybersecurity Conference, which was held on March 7 2017 at the Google Office in Washington, DC by the Embassy of the Republic of Poland and at which the issue of protecting human rights and fundamental freedoms was not raised at all, but neglected in favour of the start-up presentations and discussions about the future of US-EU cooperation in business.[3] This contribution aims to renew the interest declared by the Slovak presidency in 2014 and recommend the steps to be undertaken in the future, possibly even during the Hungarian presidency in the years 2017 – 2018. My main thesis is that

1. in its core the citizens' right to privacy of digital and mobile communication and information is not dependent on the discussion between the proponents and opponents of liberal policies, and

2. because this independence is not widely acknowledged among the EU politicians, the standing of national governments on liberal policies is an obstacle for cooperation on the EU-V4 axis and so

3. the international assembly of the V4 members is the only viable platform capable of facilitating the debate about protecting the citizens' right to privacy of digital and mobile communication in the V4 countries.

State-level protection of human rights related to information and communication

We can only discuss the protection of human rights and fundamental freedoms in the V4 countries after introducing the following division: on one hand we consider the protection of the rights of citizens (either of the given state, or V4, or the EU in general), on the other we extend this protection to the foreigners, usually defined as non-EU citizens. This division may strike us as counterintuitive, because it would seem that human rights protection should benefit whoever qualifies as a human. The practice, however, especially in the domain of digital and mobile technology forces us to confront a rather different situation.

All V4 countries share a particularly defensive attitude towards the foreigners, be it the refugees coming from the Middle East or just foreign students who legalized their stay in order to pursue higher education. The distrust that V4 countries display towards the EU and the non-EU actors (with the exception of business allies like the US) has been on the rise recently and even though V4 countries lost their blocking minority in the European Council in 2014, the strong wave of illiberalism and the belief in the existence of various extra-national threats spreads from V4 and influences countries like Romania and Bulgaria[4]. And so it would be rather naive to ask of the V4 countries to invest significant resources into protecting the foreigners, even if the protection relates to rights and freedoms guaranteed by the European Convention on Human Rights (ECHR). Nevertheless one could still hope that the restrictions and violations of human rights which are inflicted on the foreigners should not harm V4 countries' citizens. As we shall see, upon careful analysis of legislation and mass surveillance data, this hope quickly disappears.

DATA PROTECTION AND MASS SURVEILLANCE IN THE V4

From the perspective of the state, citizens only need to be protected against other citizens, corporate or institutional actors or foreign intelligence. The usual meaning of the expression "citizen's right to privacy" corresponds to state's obligation to provide necessary means of protection against the above mentioned third parties. In line with this description, V4 countries are well-equipped in institutions dedicated to pursuing this type of privacy protection, generally referred to as DPAs (Data Protection Authorities).

In Poland the Inspector General for Personal Data Protection (GIODO) is responsible for supervising the compliance of data processing with the provisions on the protection of personal data, initiating the steps necessary to improve the protection of personal data, issuing administrative decisions and considering complaints with respect to the enforcement of the provisions on the protection of personal data, based on the provisions of the Act of 29 August 1997 on the Protection of Personal Data[5]. The Office for Personal Data Protection in the Czech Republic was created to supervise the fulfilment of the legal obligations laid down for processing of personal data, maintain the register of notified data processing operations, deal with initiatives and complaints from citizens concerning breach of law (mostly concerning the commercial sector), based on Act No. 101/2000 Coll. of April 4, 2000, on the Protection of Personal Data and on Amendment to Some Acts[6].

Similar responsibilities are covered by the Office for Personal Data Protection of the Slovak Republic.[7] Seemingly none of the institutions mentioned above undertakes any activities aimed at protecting the

citizens from the mass surveillance conducted by the state, either legally or illegally. The very topic of preventing illegal mass surveillance or educating the citizens about their rights to privacy was not brought up during the meeting of the DPAs of the V4 counties which took place on March 23 2017[8]. Among the V4 DPAs, the only one declaring its extended competence in the state sector is the Hungarian National Authority for Data Protection and Freedom of Information.[9] Its operation is regulated by Act CXII of 11 July 2011, on Informational Self-determination and Freedom of Information. The Hungarian Act CXII is more comprehensive than data protection acts of other V4 counties and covers protecting personal data, data in the public interest and data made public on the grounds of being in the public interest. The DPAs of the other V4 countries also boast some involvement in the state sector, but only to the extent of controlling mass databases created and maintained by the organs of the public administration for the sake of public service (healthcare, education system *etc.*) and everything that is tagged as the matter or state security or public interest remains outside the scope of their competence. Therefore in practice preventing illegitimate surveillance by the state in all V4 counties, including Hungary, remains the domain of the national and constitutional courts, and citizen initiatives, but not of the DPAs.

THE CASE STUDY OF POLAND

For a long time after the fall of communism in Central Europe the citizens of the V4 countries have taken their right to privacy for granted. Since the new governments had no apparent agenda to spy on their citizens, who would we invest resources and lobby for protection of our privacy? Under the Polish law for example, the first and last place where the right to privacy is mentioned is Article 47 of

the Constitution. It is not at all clear in the legal doctrine that the right to privacy is a standalone right at all, as every time one needs to refer to their right to privacy under the Polish law, they need to use it via proxy of article 23 of the Civil Code and refer privacy to the more general right to maintain personal dignity and good name for oneself. But what if mass surveillance does not harm our good name, because the results of surveillance are never made public? Does it take away our dignity to be spied on if we do not know what is happening? Both questions need to be taken up every time we face the need to exert citizen's right to privacy under the Polish law. To make matters worse, on the wave of retreat from liberalism, in 2016 Poland has adopted an act known the *Antiterrorist Act.*[10] Under the laws contained in this act, the government is entitled, among other things, to seize the belongings or real estate of a citizen, or conduct surveillance in their workplace or home without answering to any independent institution, whenever the government sees fit for the sake of public safety. The motivation of the government, however, is not in any way controlled by the public, does not demand justification and does not involve informing the citizen about what exactly is going on and whether the operations of the government are appropriate to the threat. In many cases, so far mostly involving the foreigners who are being successively expelled from Poland, it becomes more and more evident that the threat is purely fictional, conjured up for the purposes of abusing the antiterrorist laws. The Antiterrorist Act does not confine the list of potential threats to foreigners. It is not clear who and for what reason may become a threat to the public safety. In 2016 and early 2017 the Polish police took up on publishing and pursuing the non-violent protesters who gathered in front of the Polish parliament at the night of December 16-17 2016. Although the demonstration in front of the

Parliament gathered to peacefully support the protest conducted by the opposition inside the election chambers, the people who were photographed participating in it were wanted for what was described as "breaking the law", even though no particular article was ever mentioned. The images showing the faces of some of the protesters are still available now in the police public database.[11] As the main economy in the region, Poland created a terrifying example likely to spread to other members of the Visegrad Group and provided a preliminary display of a dystopian future of the whole EU.

The recent events in Poland allow the hypothesis that without outside support Polish citizens do not stand a chance against the government even in cases which ought to be – and without any controversy – resolved in their favour in a democratic state. In the absence of anti-surveillance laws, potent data protection authority and with only a stub of a civil society, the Polish have no tools to counter the hostile government policies. The rule of law is being gradually eliminated from the Polish political order and in many ways it hangs on privacy and public safety. How can one prevent further negative changes in political systems like the Polish? Due to the current hostile political relations between the government of Poland and the European Commission, it seems unbelievable that intervention from the EU authorities would bring any effect. But one can still uphold the case that human rights should not be reserved for the enthusiasts of liberal politics. In this essay I aim to offer a perspective in which the right to privacy in its basic dimension is neutral in the liberalism – anti-liberalism debate. The failure to acknowledge this neutrality results in political isolation of countries which embrace new liberal policies and those who avoid or reject them. This in turn makes the cooperation among all the EU countries impossible. But since V4

countries share the propensity to adopt increasingly illiberal politics, intensive international cooperation within the V4 might be the last chance to salvage whatever is left from the right to privacy of their citizens.

CITIZEN'S RIGHT TO PRIVACY OF MOBILE AND DIGITAL COMMUNICATION

Let us now examine the ethical and legal basis for protecting citizen's right to privacy of mobile and digital communication and information. We shall refer this right to the problem of maintaining public order and ensuring public safety, in particular:

1. protecting the citizens from attacks on their life and well-being (including the threat to the functioning of the public institutions insofar it makes citizens' situation financially or practically more difficult), and

2. protecting the members of government administration or the public institutions from the citizens or protecting the national budget from spending which will not bring immediate economic returns.

PRIVACY LAWS VS THE RIGHT TO PRIVACY

One of the key arguments in the debate over the right to privacy in general is that of existence or absence of certain privacy rights. The common perception overestimates how well-established and protected is our right to privacy. The ECHR mentions the right to privacy in Article 8 as ensuring respect for one's family life and their private life, and for their home and correspondence. There is no reason to suspect that mobile and digital communication could be excluded from under Article 8 of the ECHR. Restricting the right to privacy is allowed under ECHR o n l y *in accordance with the law necessary in a democratic*

society. Respective national constitutions cover the right to privacy either directly (like in Poland) or indirectly, as for example the Constitution of the United States of America, where the right to privacy is derived from the 4th Amendment, *i.e.* the right to be secure at home and in person, safe from unjustified searches and seizures. More often than not the right to privacy is assumed, seen as a given in countries considered modern democracies. But how does one go to protect the right the protection of which is not strongly embodied in legal acts, not accompanied by effective, affordable and available procedures of executing one's right in the situation of the right violation? The DPAs fill the gap in those cases which do not involve the leverage of public safety, terrorism and conflict of interest between the citizen and the state. Their role boils down to protecting us against abuse by the commercial actors and fellow citizens. No matter how well DPAs fulfil their roles in this respect, their work will not be enough to ensure the full protection of our right to privacy, especially the right related to mobile and digital communication and information. In other words, the DPAs cannot protect us from the governments.

A sensible question to ask at this point is the following: does the lack of privacy rights (or the lack of their proper implementation) entail the lack of the right to privacy? To follow up on the Polish example, does the lack of protective laws indicate that Polish citizens do not have the right to privacy of mobile and digital communication as long as it involved their relationship to the state itself? Of course not. However, one may immediately ask the reverse question: what does it mean when the state does not provide privacy laws to cover the existing right to privacy of its citizens? Such state would be ignoring its most basic responsibility and so its representatives should be held

responsible. Again, using the Polish case study described above, one could immediately ask: do legal acts like the Antiterrorist Act count as the law abiding by the order of a democratic society when no apparent threat is present? The answer again must be negative.

And so we conclude that the lack of privacy laws is not an indication of the lack of the right to privacy, but rather a sign of the governmental failure, either deliberate or incidental, to do justice by the state's most basic responsibility, namely to protect the human rights and fundamental freedoms related to mobile and digital communication and information of its citizens.

How is privacy related to digital communication and information?

Before the age of digital and mobile communication, the right to privacy has been a subject of a heated debate in almost any legal system. Most agreed that privacy was among the most fundamental values of a modern society and was worth protection at all costs. For this reason, the right to privacy found its way into the ECHR and more than 120 national constitutions. As our communication and information storing evolved, we lost sight of how privacy relates to modern technology. As a result, the main arguments for protecting privacy of digital communication and information and also for limiting or even giving it up altogether are, at least at face value, the same as they used to be when the debate on the right to privacy was originally initiated. In the following paragraphs we devote some attention to the most commonly used arguments in this debate and examine how they relate to digital communication and information in the state-related context.

Arguments supporting the right to privacy of digital communication and information include the following claims:

1. Given that the right to privacy of digital communication and information is just the instance of a more general right to privacy, there exists a privacy law (or a bundle of privacy laws) 7/18 which constitutes the right to privacy in a given legal system. Therefore, one has the right to privacy of digital communication and information. We shall refer to this claim as the statutory law argument.

2. Protecting the right to privacy is the only way to protect various private affairs and interests of an individual which should be of no interest to the state and which do not in themselves pose threat to public safety. This includes the behaviours and methods of conduct which are not ethically uncontroversial, but which are not a crime (*e. g.* some torts which formally do break the law, but in no way constitute a victim, like walking on the red light when no cars are in view). Such private affairs and interests are needed to make human life meaningful and satisfactory. Therefore, one must protect the right to privacy, including the privacy of communication and information. We shall call this claim the freedom of an individual argument.

3. It becomes more and more evident that – with enough information at hand – the state can easily override any citizen initiatives and gain control (even total control) over the living conditions and possibilities available to the citizens. The standard of a rule of law is lost and the perspective of regaining control over the authorities becomes fictional. One must protect the democratic state of law and this means protecting the right to privacy, which naturally extends

to privacy of digital communication and information. Therefore, one must protect the right to privacy, including its digital aspect. This argument shall be recalled as the rule of law argument.

First, let us deal with the statutory law argument. In the light of the above remarks on the relationship of the privacy laws and the right to privacy, one must discard this argument immediately. This does not mean of course that the premise of the argument is false. Indeed, when the right to privacy of an individual is violated, one searches for an appropriate privacy law. The situation becomes increasingly hard if the legal system is not equipped in appropriate laws, as the citizen cannot execute the protection over the right which they nevertheless have, as every human right serves every person from the moment of birth throughout their lifetime. This is a scenario in which the legal system does not protect what it should be protecting and very often it is not possible for a private person to overcome a pathology of this sort. However, as we have established already, the lack of the privacy rights does not mean that there is no right to privacy, as laws ought to naturally follow the rights and not the other way round, they are a mere expression of the fact that a certain right exists and is available to anyone. Why then do we use the statutory law argument? The existence of a right evokes action and solidarity, however the existence of a law evokes a procedure. So the statutory law argument is not one for protecting privacy, but rather to start a process of executing the protection in a particular instance of the right's violation. Nevertheless, the statutory law argument points us in the right direction. Namely, the appropriate procedures of privacy protection are necessary. Otherwise, our right can be violated and we are left with no tools to prevent, reverse or stop the violation. This fact is widely recognized when it comes to the affairs within the commercial

sector, but dangerously often they are ignored, underestimated or denied when the state is involved. The freedom of an individual argument is a crucial element of liberalism. However, one should acknowledge that protecting private data of an individual against the state's abuse is not the same as claiming that the value of the freedom of an individual is more than the security or wellbeing of a community. Obviously enough, the state does not equal community. As becomes more and more evident in the V4 counties like Poland, the community is always at the risk of being misunderstood or misrepresented by the government and no individual citizen should pay the price for such systematic mistakes. Of course, the debate over the right to privacy and its place in the moral and political systems which are not liberal goes much deeper. For our purposes it suffices to say that everyone, a liberal or not, has something to hide, even from the government. The debate is mostly concerned with *what exactly* we have to hide and *what reasons* we have to keep it secret. In fact, the research conducted in the US suggests that an average person commits around three felonies a day and does so without even knowing it.[12] In absence of well-examined and thoughtfully structured protection procedures, we are all at risk of being exposed at our most vulnerable, and therefore being punished without a good reason. Finally, the rule of law argument brings us to the most crucial aspect of privacy protection in the V4 countries. Illiberal tendencies within the Visegrad Group are significantly motivated by the increasing feeling that the citizens have less and less control over their livelihood and legislature because of the fact that certain decisions are outsourced from the national to the EU level. The key part here is the citizens not having control over what is happening to their community and not that the national government loses control in favour of the EU institutions. The latter

was the very idea of the EU, so how why would it come as a surprise to anyone? Even a nation which primarily resents liberalism for being naive or short-sighted has no business in supporting the government it cannot control. The rule of law, when breached, takes away the control that we as citizens have over the government. And so, even though the citizens of the V4 countries may oppose various decisions and resolutions originating from the EU-level structures, protecting the right to privacy is a key step to maintaining the leverage that the V4 citizens hold in the struggle to shape the future direction of their country, completely independently from whether the desired direction is liberal or not. We are now ready to consider arguments for restricting the right to privacy or eliminating it from certain contexts. For each of the arguments we ask the following two questions: how does this context relate to the privacy of digital and mobile communication and information? Moreover, how do those particular arguments play out in the context of a relationship between the citizen and the state? Two arguments will be crucial to our purposes: the "nothing to hide" argument and the threat of terrorism argument. The former boils down to a claim that unless the mass surveillance or data processing uncovers some illegal conduct of a citizen, they have nothing to fear from the government. As the examples is the following section will show, this argument is simply misguided. Even if in certain cases data processing may end up uncovering some wrong doing on the side of the citizen (like in the example of emp@tia which I present later), there are numerous contexts in which this so called "rule" would be broken. We shall present an example of a digital assistance tool used by the Polish labour office to manifest the existence of situations where the citizen is denied access to assistance even though no fault on their side can be detected. A large number of

others have rejected this argument, among them Adam D. Moore, author of "Privacy Rights: Moral and Legal Foundations"[13], on the basis of right's resistance to any kind of consequentialist arguments from the government and Emilio Mordini, who stressed that the experience of inability to hide details of one's life are psychologically damaging and humiliating even in a situation when one has nothing to hide.[14] The latter argument seems to be more popular among within the V4 countries. The question whether the declared threat of terrorism is real or not is outside the scope of our considerations. However, the question to ask here is this: do we really need to trade our human rights for security? There is no well-documented case in which massive surveillance of digital communication resulted in preventing any terrorist attack and not just in V4, but in *any* country. Considering the immense benefits such documented case would bring to the state operations, it is reasonable to suspect that the two problems, massive surveillance and terrorism prevention, are actually unrelated. As of now terrorists are being profiled and tracked using leads from informants or based on the connection with another person who was already uncovered to be a threat to public security. With this perspective in mind, allowing the government to use mass surveillance, including mass data processing, immediately invokes the already described rule of law argument.

How is privacy in the commercial sector related to privacy in the state-related context?

In the era of the omnipresent social networks, mobile and digital services one could think that the right to privacy should be reserved to non-digital means of communication. After all at least three generations of citizens have been conditioned to exchange their

private data for various services and products offered by commercial actors like Facebook, Twitter, Ebay or Google. By deciding to use these much needed services, we lose privacy of communication, but we also gain *the means* of communication, the means of acquiring the necessary goods and finding places and contacts otherwise out of our reach. How does this situation translate into a non-digital exchange of privacy rights for services or products? Imagine for example only being able to have a house or an apartment if it is under constant and versatile surveillance conducted by someone you will never get to see or make contact with. If no alternative accommodation was available and you had no roof over your head, would you take the house? Thus we learned to bear with digital surveillance as long as it does not become too evident in our everyday life and does not interfere too much with our use of commercial products and services. Whatever solution we find to the discussion about whether the situation of privacy rights in a commercial sector is acceptable or not, we should never regard the state and its public services as in any way similar to a private company and its commercial operations. As companies are established and operated to serve the interest of its shareholders and management and adjusted to satisfy the needs of their clients only when profits and revenue are at risk, treating the state analogously will result in allowing the public servants to use the process of income redistribution to their benefit at the cost of those who should be receiving public service and governmental financial assistance. In a democratic state of law, providing good quality of necessary public service is the most basic function of the government. Obviously, different domains of public service demand different information about the citizen. In practice we can divide the information which citizens provide to the state into the following categories:

1. the information necessary for citizen's well-being (*e. g.* address during emergency calls),

2. the information necessary for states' community's well-being (*e. g .* income declaration so that taxes are justly claimed),

3. the superfluous information which serves the agenda of strengthening or widening state's control over the citizen or abusing various categories of the national budget.

As we reject the analogy between the state and the commercial sector, we note that while we most of the time choose to swap privacy for services of a private company, no one should be forced to make this swap in case of a public service. Generally speaking in order to ensure that our rights are not violated by the state we should only be required to share the information necessary to use the public service properly and safely, *e. g.* our address when calling for help of the fire department or the ambulance, our income when we demand a tax return. Moreover, we should have full control over how our data is processed by the state, how long it is retained in the state registers and also have some reasonably limited power to remove it from the system. Such tools are rooted deeply in modern legal systems and manifest themselves in the form of, for example, the erosion of the entry in the register of convictions (after a certain period) and public service data retention regulations supervised by the DPAs. The latter is based on requirements analogous to those laid out before the commercial actors, although the data retention time and procedures in case of the citizen-state interaction are not contractual and so there is no way for a citizen to influence or customize the period or range of such retention. One could apply either of the two perspectives present in contemporary privacy rights policies: the perspective of the citizen

in need of public service, or the perspective of the state in need of information. Let us briefly consider both perspectives.

From the perspective of the citizen, only the first two types of information I mentioned *should be provided* to the government, but not type III. From the perspective of the state, however, the third type of information also benefits the functioning of the state. Citizens oppose state control as a matter of principle and naturally aim at putting constraints on the government. Sometimes the effect of such citizen initiatives can be detrimental to the public safety and national well-being. Note for example that in Poland (as in many other countries) certain matters of extreme importance are excluded from under the referendum initiated by the citizens, for example the national budget and other decisions directly concerning the sector of public finance cannot be proposed to be made in a referendum *via* citizen's right of legislative initiative. The idea behind this restriction is based on the suspicion that citizens, if given an option to not pay taxes as all, would chose to do so without considering the consequences it would bring to the community. And so in matters of grave importance, the government takes over full control over the legislative initiative. Similar arguments are used in justifying the fact that the state keeps certain matters secret from the public for the sake of public safety. Whenever citizen's privacy is involved in cases like the ones mentioned here, it is reasonable to expect the state to disregard the citizens' right, be it privacy or freedom to vote on the desired law, simply because if the rights of state's citizens would be valued over the task at hand, it is likely that soon there would be no state to speak of. Thus we have conceived the notion of state emergency – the class of situations when the well-being of the state comes before the needs of any or all of its citizens. Ever more often the state choses to interpret

the events concerning the country as a threat to public security. Consequently the presumption of state emergency becomes a principle of states' operations. From matters of utmost importance to democracy, like the Polish Antiterrorist Act mentioned above, to relatively mundane abuse of public funds, the state demands more and more information and restricts our freedoms and public service availability accordingly. Let us recall two cases described by J. Niklas.[15] The first concerns the Polish national-wide service canned emp@tia (Polish for "empathy"). The second one sums up the digital assistance tool used by Polish labour offices that is institutions providing support to the unemployed. The electronic social support registry, emp@tia, was a tool introduced in 2007 and funded from the budget reserve dedicated to helping families in need of financial assistance. The declared motivation for creating the digital registry was to customize the support a person is receiving to better serve their individual needs. And so every person who received social support was obliged to register in the system. However, the actual use of the system was to monitor how many times each person receives help and ensure that the recipients do not double on their monthly allowance. No other customization was performed, as the information from this system was never used to justify increasing the amount of support for anyone registered, even those who lived in extreme poverty. And so, the state used public funds directed to social support to increase its control over the citizens for no additional service and with no increase in the quality of service already in operation. Information in this particular database could be counted as type III of information that citizens provide the state with. Another case concerns the digital assistance tool used by the Polish labour offices. The declared purpose of the assistance tool was to assess the chances of a person registered

in the labour office at the job market and customize the office's assistance to fit their individual needs.[16] Each person was placed in one of the three categories, depending on the total points for the answers in a questionnaire. The first category included those who were likely to find a job quickly and easily, perhaps even by themselves, so mostly people who in practice could do without the assistance of a labour office, but used it to browse through the recent post openings. The second category included people who were employable, but less likely to find a job offer on current listings of open post available to a labour office. The third category included people who were "permanently away from the job market", the unemployables. One could fall into the third category surprisingly easy and based on qualification that had nothing to do with one's availability, skill, education or qualification. For example, single middle-aged woman who had someone under her care, especially if the person was chronically ill, falls under the third category – she is unemployable. Hence the labour office will not try to help her too much. The "assistance" is intensified only for the first category of registrars, so people who do not really need assistance at all. Thus with a simple operation on personal data, the operators of Polish labor offices can maximize their success rate instead of helping the ones who need assistance the most. Both databases mentioned here were financed from the funds directed to helping the poor and the unemployed. Instead of fulfilling their task, the branches of the public administration used citizens' personal data to estimate the threat that citizens pose to the national budget, single out those who would cost the most and eliminate them from the assistance programs. They also cut off the help for those who would be too hard to help out, *i.e.* those who were in actual need of increased funding or assistance. Such

unjust and illegal agenda, motivated solely by the economic factors, could not be realized if citizens' right to privacy was properly protected and its processing supervised.

HOW TO ESTABLISH COORDINATION AND COOPERATION IN THE VISEGRAD GROUP?

We have overviewed the situation of citizens' cybersecurity in the Visegrad Group. As I have shown, not much was done to increase and ensure the citizens' cybersecurity with respect to the citizen-state relations since the Slovak presidency in 2014. In particular:

1. We have seen significant examples (based on Polish political and legislative situation) of violation of human rights and fundamental freedoms in connection with the use of information and communication infrastructure (which shows that the pursuit of the first desiderata of the Slovak presidency was not effective and upheld), and

2. approaches taken by the V4 countries are far from harmonized, as the citizens' cybersecurity with respect to the citizen-state relation still remains outside the competence of the most DPAs and is not protected in any coherent way (which shows that the undertaken harmonization efforts were undertaken, brought no noteworthy effect). Moreover, the lack of public consultations and systematic education concerning the right to privacy related to mobile and digital communication and information in the V4 countries proves that no conclusive consultations were conducted at the V4-level. Since the extra-V4 intervention concerning the problems described here is likely to be more detrimental than helpful to the protection of the right to privacy in the domain of citizen-state relations, I argued that the solutions must be pursued by the V4-level

institutions. In this specific area, Visegrad must solve its own problems.

DESIDERATA FOR THE HUNGARIAN PRESIDENCY (2017 – 2018) AND BEYOND

We now proceed to propose the means of fostering effective cooperation concerning the protection of the right to privacy in the domain of citizen-state relations internationally within the Visegrad Group. I propose the following desiderata, which cover both legislative and institutional solutions and shall allow to effectively reach to a social-political understanding of how the right to privacy should be protected in cases of digital and mobile communication and information in the V4 countries.

The proposed solutions include establishing and maintaining the V4- and national-level legislative bases, procedures and means of execution related to:

1. Creating the V4 assembly of the independent institutions dedicated to protecting the right to privacy of communication and information in the domain of citizen-state relations. Accordingly, creating national institutions or offices responsible for successful implementation of the regulations and measures undertaken by the V4 assembly.

2. Extending the competence of the DPAs to include the full domain of citizen-state relations.

3. Fostering the international discussion in the public media over the problem of protecting the right to privacy of communication and information in the domain of citizen-state relations. In particular, include the continuous lifelong education on the problem itself and

also the procedures available to the citizens into the program of operation of the DPAs or the V4 assembly national representatives.

4. Introducing the problem into the school curriculum ranging from the kindergarten to higher education, ensuring easy availability of information about all privacy matters relating to student's newly undertaken activities, in particular their political activity and everyday life conduct related to privacy and in the domain of state's authority.

My proposal's desired results are:

1. a shared control over the democratic procedures concerning state's interference in citizens' digital and mobile communication and the processing of citizens' information;

2. proper and unbiased risk assessment concerning cyber-terrorism and outside threats;

3. V4-level evaluation of state's policies concerning anti-terrorist laws etc. (including laws against citizens) conducted by the international assembly of independent institutions;

4. a *prima facie* agreement to involve international organizations in the V4 assembly debates when necessary;

5. continuous education of the society in the topics of cyber-security in the domain of citizen- state relations, citizens' rights in cyberspace *etc.*;

6. promoting and making available all information about the protection procedures and the status of national privacy protection laws.

SUMMARY AND CONCLUSIONS

We examined the political, ethical and practical bases of protecting human rights and fundamental freedoms related to information and communication technology at the state level. I provided the overview of the political situation in the V4 and the analysis of some of the recent legislation using the case study of Poland and paying special attention to the problems of mass surveillance and wrongful data processing. Subsequently, we scrutinized the arguments for and against citizen's digital privacy protection and related them to the current situation in the V4 countries. The clarification which followed the overview of the debate was to show how privacy in the commercial sector relates to privacy in the state-related context.

Then I proceeded to establish what means are necessary to foster effective cooperation concerning citizen's digital privacy protection internationally within the Visegrad Group. The two important observation were made which shed new light on the stake of the V4 countries' cooperation and coordination and their role in maintaining the rule of law:

1. the desiderata mentioned in the programme of the Slovak presidency in the Visegrad Group „Dynamic Visegrad for Europe and beyond" from 2014 were not met, and

2. considering the current political mood of the V4 (that is the retreat from various liberal policies), V4 countries' cooperation and coordination in solving the problem of insufficient protection of the right to privacy of digital and mobile communication and information is not optional, but is rather a matter of public safety, national system stability and survival of the rule of law.

However, one must remember that there is no V4-level legislation that would protect citizens from state's abuse of their personal data (by the DPAs or else). Instead, the examples were given of "antiterrorist" and other state laws that actually hurt and disadvantage the citizens (where I used Poland as a case study). Finally, I proposed the four desiderata for the Hungarian presidency starting in 2017 and the following years. I also briefly indicated their desired results.

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[1] The Programme of the Slovak Presidency of the Visegrad Group, June 2014 – June 2015. „Dynamic Visegrad for Europe and Beyond", section 3. 1. 1. Information/Cyber Security, p. 12.

[2] The Programme of the Slovak Presidency of the Visegrad Group, June 2014 – June 2015. „Dynamic Visegrad for Europe and Beyond", section 3. 1. 1. Information/Cyber Security, p. 12.

[3] The programme of a V4 Cybersecurity Conference held at Google Offices in Washington DC in 2017. URL: http://we4startups.wbc.us/wp-content/uploads/2017/02/Cybersecurity-Conference-Invite-Print.pdf (web access: March 22, 2017).

[4] Illiberal central Europe. Big, bad Visegrad, The Economist, The Economist Newspaper Limited (Jan 30, 2016).

[5] The Act of 29 August 1997 on the Protection of Personal Data – Ustawa z dnia 29 sierpnia 1997 r. o ochronie danych osobowych (t.j. Dz. U. z 2015 r., poz. 2135).

[6] More information can be found here: https://www.uoou.cz/en/vismo/zobraz_dok.asp?

id_org=200156&id_ktg=1107&n=act-no-101-2000-coll-on-the-protection-of-personal-data (web access: 15 March 2017).

[7] More information can be found here: https://dataprotection.gov.sk/uoou/en (web access: 15 March 2017) and https://www.dataprotection.gov.sk/uoou/sites/defau lt/files/kcfinder/files/Act_122-2013_84-2014_en.pdf (web access: 15 March 2017)

[8] More information can be found here: http://www.giodo.gov.pl/259/id_art/860/j/en (web access: 15 March 2017).

[9] More information can be found here: https://www.naih.hu/general-information.html (web access: 15 March 2017).

[10] Ustawa z dnia 10 czerwca 2016 r. o działaniach antyterrorystycznych, Dz.U. 2016 poz. 904.

[11] 10 More information can be found here: policja.waw.pl (web access: 15 March 2017).

[12] Harvey A. Silverglate, Three Felonies a Day: How the Feds Target the Innocent. Encounter Books. 2011. ISBN 9781594032554.

[13] Adam D. Moore, 2010, Privacy Rights: Moral and Legal Foundations, Penn State Press, ISBN 0271036869.

[14] 13 Harvey A. Silverglate, 2011, Three Felonies a Day: How the Feds Target the Innocent, Encounter Books, ISBN 9781594032554, pp. 257-260.

[15] Jędrzej Niklas, 2015, Wolność, tolerancja i dyskryminacja w społeczeństwie nadzorowanym, w: "Granice wolności" (red. Alicja Bartuś), wyd. przez Miasto Oświęcim, ISBN: 978-83-940335-7-6.

[16] More information about the system can be found here: https://empatia.mpips.gov.pl.

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