

## SECURITY IN EUROPE: EUROPOL, FRONEX AND NATO

### SEGURANCA NA EUROPA: EUROPOL, FRONTEX E OTAN

Article received on: 11/10/2025

Article accepted on: 2/6/2026

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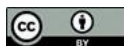
The authors declare that there is no conflict of interest

#### Abstract

Security in Europe is a multidimensional and dynamic field of political and operational action, especially in recent years, as the continent faces multifaceted challenges: terrorism, organized crime, refugee and migration flows, cyber threats (Smith, 2023) and geopolitical tensions. In this context, three key institutions play a crucial role: Europol, Frontex (now European Border and Coast Guard Agency-EBCGA) and NATO (NATO, 2022), (Lanoszka, 2022), (Walt, 2020). Europol (European Police Office) is an important institution of the European Union (EU) in the fight against organized crime (Korontzis, 2013, c) and terrorism. It focuses on the collection, analysis and exchange of information between Member States (MS), facilitating cross-border investigations. Although it has no executive powers, it functions as a hub for cooperation between national authorities, strengthening the collective capacity to respond to criminal networks. EBCGA has been significantly upgraded in recent years, acquiring a strengthened operational role. It is involved in the surveillance and management of the EU's external borders, especially in times of migration crisis. It supports MS with joint operations, technical assistance and personnel. However, its action has provoked reactions, as issues of transparency, accountability and respect for human rights are raised. NATO, although not an EU institution, remains the cornerstone of European collective defense. The Russian invasion of Ukraine in 2022 reminded us of the Alliance's crucial role in deterrence and security in the wider region. At the same time, EU-NATO cooperation is being strengthened to address common threats, such as hybrid warfare,

#### Resumo

A segurança na Europa é um campo multidimensional e dinâmico de ação política e operacional, especialmente nos últimos anos, à medida que o continente enfrenta desafios multifacetados: terrorismo, crime organizado, fluxos de refugiados e migração, ameaças cibernéticas (Smith, 2023) e tensões geopolíticas. Nesse contexto, três instituições-chave desempenham um papel crucial: a Europol, a Frontex (atualmente Agência Europeia da Guarda de Fronteiras e Costeira – EBCGA) e a OTAN (NATO, 2022), (Lanoszka, 2022), (Walt, 2020). A Europol (Escritório Europeu de Polícia) é uma instituição importante da União Europeia (UE) no combate ao crime organizado (Korontzis, 2013, c) e ao terrorismo. Seu foco está na coleta, análise e intercâmbio de informações entre os Estados-Membros (EM), facilitando investigações transfronteiriças. Embora não possua poderes executivos, funciona como um centro de cooperação entre as autoridades nacionais, fortalecendo a capacidade coletiva de resposta às redes criminosas. A EBCGA foi significativamente fortalecida nos últimos anos, adquirindo um papel operacional ampliado. Está envolvida na vigilância e na gestão das fronteiras externas da UE, especialmente em períodos de crise migratória. Apoia os Estados-Membros por meio de operações conjuntas, assistência técnica e fornecimento de pessoal. No entanto, sua atuação tem provocado reações, levantando questões relacionadas à transparência, à responsabilização e ao respeito aos direitos humanos. A OTAN, embora não seja uma instituição da UE, continua sendo o pilar central da defesa coletiva europeia. A invasão



disinformation and cyberattacks. In conclusion, security in Europe requires multi-level cooperation, strengthening institutions and adapting to new forms of threats (Biscop, 2021). The challenge lies in finding a balance between effective protection and the safeguarding of fundamental rights and values. The purpose of this brief study is to highlight common points and possibilities for cooperation between these bodies so that security in Europe is strengthened (Sloan, 2019). At the same time, problems will also emerge in such a development, especially after the election of D. Trump in the 2024 elections (Rosen, 2014), (Daalder, Goldgeier, 2021), (Sloan, 2020).

**Keywords:** NATO. Security Strategy. USA. EU. Europol. European Border and Coast Guard Agency (EBCG-Frontex).

*russe da Ucrânia em 2022 lembrou o papel crucial da Aliança na dissuasão e na segurança da região mais ampla. Ao mesmo tempo, a cooperação entre a UE e a OTAN vem sendo reforçada para enfrentar ameaças comuns, como a guerra híbrida, a desinformação e os ataques cibernéticos. Em conclusão, a segurança na Europa exige cooperação em múltiplos níveis, fortalecimento institucional e adaptação a novas formas de ameaça (Biscop, 2021). O desafio consiste em encontrar um equilíbrio entre a proteção eficaz e a salvaguarda dos direitos e valores fundamentais. O objetivo deste breve estudo é destacar pontos comuns e possibilidades de cooperação entre esses organismos, de modo a fortalecer a segurança na Europa (Sloan, 2019). Ao mesmo tempo, também surgirão problemas nesse desenvolvimento, especialmente após a eleição de D. Trump nas eleições de 2024 (Rosen, 2014), (Daalder; Goldgeier, 2021), (Sloan, 2020).*

**Palavras-chave:** OTAN. Estratégia De Segurança. Estados Unidos. União Europeia. Europol. Agência Europeia da Guarda de Fronteiras e Costeira (EBCG-Frontex).

## 1 INTRODUCTION

NATO (North Atlantic Treaty Organization) is the cornerstone of collective defense in the West, having evolved from a deterrent mechanism against the Soviet Union to a dynamic alliance that adapts to the new security challenges of the 21st century (Efthymiopoulos, 2008). Its expansion after the Cold War and the undertaking of missions in regions such as Afghanistan, the Balkans and the Middle East demonstrate its transformation from a regional defense organization to a global force for security and stability.

Security today is defined by a complex combination of conventional and asymmetric threats, such as cyberwarfare, energy security, terrorism, hybrid warfare and great power competition (Jones, 2020). The war in Ukraine has revived the classic confrontations between East and West, making NATO's role more crucial than ever. At the same time, internal disagreements between member states and the political situation in the USA after the recent re-election of Donald Trump as President pose challenges to

the cohesion of the Alliance (Arvanitopoulos, 2019), (Jones, 2020). Considering the above and the developments in the war in Ukraine, a key question arises for understanding the future of international security as it has been defined after the Second World War and after the collapse of the Eastern Bloc in 1989. What will be the main strategic security policy that NATO should shape-follow from now on and whether there are parallel actors in it. Modern states have created a society based on freedom, security and justice, respecting relevant international texts drawn up for this purpose, such as the Treaty of Lisbon (EU) and the European Convention for the Protection of Human Rights and Fundamental Freedoms. Today's modern society is characterized by an increase in criminal activities, especially organized crime, but also terrorism, which are international in nature, proving that illegal activities know no borders.

Modern criminal activities trivialize and corrupt legitimate economic activities, societies and the rule of law, through transnational criminal markets and the formation of international alliances of illegal trade. It is the responsibility of all EU institutions, the European Agencies set up, and governments, in the interest of their citizens, to undertake effective measures to combat crime and its causes, with full respect for the fundamental rights of individuals, including the protection of personal data. Recognizing the important role played by effective information exchange and close cooperation between law enforcement agencies in preventing and combating all forms of crime and serious crime, including terrorism, international police cooperation has been promoted through the establishment of international and European organizations.

These organizations include Interpol (international), Europol, EBCGA, Eurojust and the recently established European Public Prosecutor (EPPO). According to Article 3(2) of the Treaty on the European Union (TEU): “The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured in conjunction with appropriate measures with regard to external border controls, asylum, immigration and the prevention and suppression of crime.”

## **2 PART ONE- NATO**

### **2.1 Historical development of NATO after the cold war**

NATO, after the dissolution of the Soviet Union, entered a new phase of expansion and readjustment. With the addition of new members from Eastern Europe, it adapted to the new world order, focusing not only on deterrence but also on crisis management and peacekeeping (Vrettos, 2021).

Additionally, after the dissolution of the Soviet Union in 1991, NATO was faced with the need to redefine its role and mission in a world where the primary threat of the Cold War had disappeared. The Alliance entered a new phase of strategic adjustment, with its main features being its expansion to the east, the development of peacekeeping missions and the countering of non-traditional threats (Webber, 2016), (Smith, 2023).

### **2.2 NATO Enlargement**

Since the 1990s, NATO began to integrate former Soviet republics and countries of Eastern Europe. In 1999, Poland, Hungary and the Czech Republic became the first former members of the Warsaw Pact to join the Alliance. The 2004 and 2009 enlargements brought into NATO countries such as Estonia, Latvia, Lithuania, Bulgaria, Romania, Slovakia, Slovenia, Albania and Croatia. This enlargement provoked strong reactions from Russia, which viewed the expansion as a threat to its own security.

### **2.3 Military Operations and New Roles**

After the end of the Cold War, NATO began to undertake operations that went beyond its original mission of collective defense. Typical examples include:

- Bosnia and Herzegovina (1995): The Alliance intervened in the Bosnian War, supporting the Dayton Peace Agreement.
- Kosovo (1999): NATO carried out airstrikes against Serbia to stop violence against Kosovo Albanians.

- Afghanistan (2001-2021): After the September 11 attacks, NATO led the ISAF (International Security Assistance Force), in one of the largest military operations in its history.
- Libya (2011): The Alliance led a military operation to overthrow the regime of Muammar Gaddafi.

## **2.4 Addressing new threats**

NATO has gradually changed its strategy, focusing on asymmetric threats, such as international terrorism, cyberwarfare and energy security. The creation of the Cyber Defense Centre in Tallinn, Estonia in 2008 and initiatives to protect critical energy infrastructure are part of this adjustment.

## **2.5 The role of the US and Donald Trump's policy**

Donald Trump's presidency (2017-2021) has brought significant changes to NATO's dynamics, something that is already evident several months after his re-election as US President. Trump has expressed, as he already does, on many occasions his dissatisfaction with the Alliance's funding, demanding that members increase their defence spending. His approach has created tensions with European partners and raised questions about the US commitment to collective security. However, European countries' defense budgets have increased due to his pressure.

Donald Trump has been and remains one of the most controversial American leaders in relation to the US stance towards NATO, although his positions are clear regarding his overall approach. His questioning of the usefulness of the Alliance and his pressure on European members to increase defense spending have created significant tensions. The "America First" doctrine has challenged the long-standing US commitment to collective security, reinforcing concerns about the destabilization of the Alliance.

Particular importance is the fact that Trump has implied that the US would not militarily support countries that do not meet their financial obligations to NATO, which has called into question Article 5 of the NATO Treaty, which states that an attack on one member is an attack on all. Today, amid the war in Ukraine and the growing threat from

Russia, Trump's election in 2024 raises questions about the future of the Alliance. Will the US maintain its leading role or will a policy of isolationism be repeated?

## **2.6 The war in Ukraine and geopolitical implications**

Russia's invasion of Ukraine in 2022 has rekindled NATO's importance, leading countries such as Sweden and Finland to seek membership. The Alliance has strengthened its presence in Eastern Europe, while sanctions against Russia have shaped new balances in international politics.

## **2.7 Hybrid threats and new technologies in security strategy**

NATO faces modern threats, such as cyberattacks, disinformation and artificial intelligence. Developing a defense strategy against these new threats is a critical issue for the Alliance.

# **3 PART TWO - EUROPEAN UNION**

## **3.1 The concept of the area of freedom, security and justice in the EU**

Two of the main institutional changes brought about by the Maastricht Treaty in 1993 (Anagnostopoulou, 2015) are European citizenship and the creation of the third pillar regarding cooperation in home affairs and judicial matters as now expressed by articles 20 and 67 of the Lisbon Treaty. Subsequently, with the Treaty of Amsterdam in 1999 (Ioakeimidis, 1998), the concept of the Area of Freedom, Security and Justice (AFSJ) was established, giving a greater degree of integration to the European Community by expanding its main economic orientation until then and emphasizing the European citizen (Papagiannis, 2001, 2012). The full institutional and value-based meaning that the AFSJ plays for EU citizens is formulated as already mentioned in Article

3, paragraph 2 of the TEU<sup>1</sup>. which reflects that the main basis of the EU is: A.-an area of freedom, security and justice without internal borders, B.-free movement of persons and C.-appropriate measures with regard to controls:

- i. asylum,
- ii. external borders,
- iii. the prevention and suppression of crime and

iv. immigration. In the context of what is stipulated in this article, it should be added that fundamental rights (Rozakis, 2015) as well as the different legal systems of the MS are respected, as is the rule of law (Tzortzis, 2015) and that the MS should in any case facilitate the free movement of persons<sup>2</sup> but at the same time should safeguard the security and protection of their peoples (Anagnostopoulou, 2015).

This development and the position of the MS are completely logical with regard to the AFSJ, as once internal borders are abolished in order to ensure the free movement of persons, security must be ensured and consequently the establishment of European organizations with supranational characteristics is also necessary in the sense that the MS have agreed to pursue specific policies, which are applied uniformly throughout the EU under the "umbrella" of organizations set up by the MS in order to achieve better coordination and interoperability.

The concept of the AFSJ refers to the protection of freedom, security, justice, respect for fundamental rights and the different systems and different legal systems and traditions of the MS (Perrakis, 2015) without aiming at the creation of a state<sup>3</sup>, as in any case the institutional framework of the AFSJ does not include the competences of the MS with regard to public order and security or otherwise the complex of competences that constitute the concept of internal security.

The "area of freedom" is understood as that geographical area in which, considering the wording of Article 67(2) of the Treaty on the Functioning of the EU

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<sup>1</sup> «The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured in conjunction with appropriate measures with regard to external border controls, asylum, immigration and the prevention and suppression of crime.».

<sup>2</sup>This includes European citizens as well as third-country citizens legally residing in the EU.

<sup>3</sup> See *«Article 67*

(ex Article 61 TEC and ex Article 29 TEU) 1. The Union shall constitute an area of freedom, security and justice, with respect for fundamental rights and the different legal systems and traditions of the Member States.

(TFEU), no checks on persons are carried out at internal borders and a common policy is developed by the EU in the areas of asylum, immigration and external border control. The aforementioned policy is based on solidarity between the MS and is fair towards third-country nationals. The same article also stipulates that stateless persons are assimilated to third-country nationals (Korontzis, 2022, a,b).

The most important role in the concept of freedom at EU level has been played and continues to be played by the Schengen Agreement, which was signed in 1985, when five EU MS (Belgium, Germany, France, Luxembourg and the Netherlands) decided to abolish internal border controls, creating the existing spatial concept of the Schengen area. The Schengen area is a territory where the free movement of persons, as well as goods, services and capital are ensured. The countries that have signed the agreement have abolished internal borders, replacing them with a single external border. Within this area, common rules and procedures apply with regard to short-stay visas, asylum applications and border controls. At the same time, to ensure security within the Schengen area, cooperation and coordination between police services and judicial authorities have been strengthened (Occhipinti, 2015), (Korontzis, 2022, a-b).

Schengen cooperation was incorporated into EU law by the Treaty of Amsterdam in 1997<sup>4</sup>.

Checks may be carried out for reasons of public policy and internal security. In particular, according to Article 26 of the Schengen Borders Code, in exceptional circumstances where the overall functioning of the area without internal border controls is jeopardized because serious deficiencies relating to external border controls persist, and to the extent that those circumstances constitute a serious threat to public policy or internal security within the area without internal border controls or parts thereof, internal border controls may be reintroduced for a period not exceeding six months. This period may be extended a maximum of three times for a further period of up to six months if the exceptional circumstances continue to exist.

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<sup>4</sup>See REGULATION (EU) 2016/399 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) [codified text].

The defining articles on the concept of security are Articles 67(2) and 82 and 87 TFEU in conjunction with Article 6 of the Charter of Fundamental Rights of the EU<sup>5</sup>.

The EU is developing police cooperation involving all the competent authorities of the Member States, including police and customs authorities and other law enforcement authorities specialized in the prevention, detection or investigation of criminal offences.

### **3.2 Police cooperation in the EU**

Modern states have created a society based on freedom, security and justice, respecting relevant international texts that have been drawn up for this purpose, such as the Lisbon Convention (Perrakis, 2015), the European Convention for the Protection of Human Rights and Fundamental Freedoms (Rozakis, 2015). Today's modern society is characterized by an increase in criminal activities, especially organized crime, but also terrorism that are international in nature, proving that illegal activities know no borders. In order to tackle organized crime, corruption (Korontzis, 2012, a,b, 2013, a,b, Korontzis 2015, a,b) as well as financial crime (Voskopoulos, 2015) and mainly cross-border crime, organizations have been developed in the international and European environment, which have been assigned police-prosecution duties, aiming to protect European societies. These organizations have developed close cooperation among themselves, which is known as police cooperation (Korontzis, 2022, b). In particular, with regard to the EU and as mentioned in previous chapters, the establishment of the single market and consequently the free movement of citizens, meant the abolition of controls at the borders of the Member States.

Consequently, it was necessary to establish European organizations that, after the Treaty of Lisbon and the creation of the AFSJ, could assume responsibilities at a supranational level with the further aim and purpose of strengthening the security environment in the EU.

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<sup>5</sup> See Charter of Fundamental Rights [C 364, Official Journal of the European Communities, 18/12/2020]. This article states that “Everyone has the right to liberty and security of person”.

Organized crime (Korontzis, 2022, a,b) today, due to the globalization of the economy and the increase in flows between states, has taken on international dimensions.

The increase in international contacts, as distances have been reduced due to technology, has led to the internationalization of criminal activities that are particularly profitable. The result of these was, among other initiatives, the signing by approximately 120 states of the Palermo Convention in December 2000, which referred to the fight against International Organized Crime.

The development of international police cooperation (Gottschalk, 2019) is one of the means used by the international community to systematically and methodically address organized crime and terrorism (Boer, 2015) (Boer & Walker, 2015) (Korontzis, 2022, b). International police cooperation is developed in three areas:

- A.- by the establishment of international organizations by states, which are used as means of more effective and direct cooperation in the judicial and police sectors,
- B.- by the formation of common legislative frameworks and security policies and
- C.- by the development of bilateral cooperation between states for the more effective treatment of international cross-border crime (Occhipinti, 2015).

The EU in particular was the place where the main policies related to international police cooperation were developed and implemented (Occhipinti, 2015). European organizations were established whose main task was to is the effective prosecution of international organized crime and terrorism at the level of judicial (Zimianitis, 2007), (Korontzis, 2022, b) and police cooperation. It was preceded by the establishment of Interpol, which was the springboard for international police cooperation.

In particular, the EU, with the participation of all the competent authorities of the MS (Law Enforcement Agencies-L.E.A.) (Hartmut, 2018), (Korontzis, 2014) which include police, customs and other law enforcement authorities that specialize either in the field of prevention and/or in the field of detection of criminal acts or their investigation (Boer, 2015), is developing police cooperation.

In order to achieve the above objectives and in particular the development of police cooperation, the Council and the European Parliament, acting jointly and in accordance with the ordinary legislative procedure, shall decide and adopt measures concerning the following:

(a) the collection, processing, analysis, storage and exchange of relevant information,

(b) the provision of support in terms of personnel training, but also cooperation in terms of exchanges of personnel, equipment and forensic research, and

(c) common investigative techniques in terms of the detection of serious forms of organized crime.

### **3.3 The European Police Office (Europol) (Benyon, 1996), (Boehm, 2012) (Boer, Walker, 1993)**

The establishment of the European Police Office (Europol) (Korontzis, 2022,a) was agreed in the framework of the Treaty on European Union of 7 February 1992, while the relevant arrangements were included in the Convention on the Establishment of a European Police Office (the “Europol Convention”)<sup>6</sup>.

With Council Decision 2009/371/JHA of 6 April 2009<sup>7</sup>, the provisions of the Convention mentioned above were replaced and Europol, based on this Decision, is considered the successor of Europol as established by the Europol Convention (Korontzis, 2022, a).

In 2016, with the issuance of Regulation 794 of the European Parliament and of the Council of 11 May<sup>8</sup>, the previous provisions were repealed and replaced, and Europol operates under this institutional framework.

Consequently, it was necessary to establish or improve the institutional framework of existing European organizations which, after the Treaty of Lisbon and the creation of the AFSJ, could assume responsibilities at a supranational level with the further aim and purpose of strengthening the security environment in the EU as a countervailing force to the abolition of internal controls at the borders of the MS.

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<sup>6</sup> See OJ C 316, 27-11-1995] pursuant to Article K.3 of the Treaty on European Union.

<sup>7</sup>See [OJ L 121, 15-05-2009] which entered into force on 01-01-2010.

<sup>8</sup>See Regulation (EU) OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA.

The purpose of Europol<sup>9</sup>, according to Article 3 of the said Regulation, is to support and strengthen the actions of the competent authorities of the Member States and their mutual cooperation in preventing and combating serious forms of crime affecting two or more MS, terrorism and forms of crime affecting common interests covered by a Union policy, as listed in Annex I.

Europol's objectives also cover related criminal offences, such as offences committed with the aim of acquiring the means to commit offences falling within its field of competence, offences committed with the aim of facilitating or committing offences also falling within its field of competence and offences committed with the aim of ensuring impunity for those who commit offences falling within its field of competence (Marotta, 1999).

Europol's facilities also house the liaison officers of the 27 MS as well as the liaison officers from other countries or organizations with which it has signed cooperation agreements (the agreements are divided into strategic and operational) such as the USA, Canada, Colombia, Australia, Switzerland, Albania, Norway, Croatia, Interpol, etc.

They number around 120, they are attached to the National Unit of the Member State from which they are seconded and represent the interests of their country at Europol, in accordance with the national law of the Member State from which they are seconded and in accordance with the provisions applicable to the administration of Europol.

The main function of the liaison officers, as detailed in Article 8 of Regulation 794 of the European Parliament and of the Council of 11 May, is to serve as the link between the Europol National Units of their countries and Europol on the one hand and with the corresponding liaison offices on the other. In addition, they play an effective role in the coordination of international police operations. It should be noted that in order to simplify the exchange of information and data between the law enforcement authorities of the EU MS, Council Framework Decision 2006/960/JHA of 18 December 2006 has been adopted.

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<sup>9</sup> Europol, which has legal personality, is headquartered in The Hague, the Netherlands. It has a staff of around 1000 officials from the 27 EU Member States. Its staff are recruited from different law enforcement agencies, including police, customs, coast guards, border police and security services.

With this Decision, the MS ensure that their procedures allow them to respond within 8 hours at the latest to urgent requests for information and data concerning the offences referred to in paragraph 2 of Article 2 of Framework Decision 2002/584/JHA<sup>10</sup>, where the requested information and data are held in a database to which the law enforcement authorities have direct access (Björn, 2010).

Europol's main activity is to support MS in the collection, analysis and dissemination of crime-related information (Frank, 1998) as well as the coordination of operations (Janson, 2018). For this purpose, Europol has over 100 intelligence analysts.

MS facing a specific criminal phenomenon affecting two or more EU MS can request Europol to open a Focal Point to support investigations in this area. Europol provides assistance for ongoing operations through two Analytical Work Files (Serious Organized Crime and Terrorism) in which 23 Focal Points (FP) have been developed for illegal activities falling within its competence<sup>11</sup>.

An important activity carried out by its staff is its participation in Joint Investigation Teams (JITs) (Korontzis, 2012, b) and to provide assistance for all activities and exchange information with all members of the JIT. In any case, when a JIT is established, the terms of participation of Europol staff in the agreement should be determined, it can also request the MS to initiate, conduct or coordinate criminal investigations in specific cases where cross-border cooperation would bring benefits, with its obligation to inform Eurojust about such requests.

The Supervisory Authority for Europol, as clearly stated in the Regulation, is the Council of the EU. It selects the Director and the Deputy Directors and approves its budget together with the European Parliament. Its organs are the Management Board and the Executive Director.

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<sup>10</sup> EE L 190, 18-07-2002.

<sup>11</sup> See Article 18 of Regulation 794/2016. In accordance with Article 18 of the said Regulation, the Focal Points of the Analytical Work Files (A.W.F.) are renamed Analysis Projects (hereinafter referred to as "Analysis Projects"). The Focal Points of the Analytical Work Files (A.W.F.) are the means by which EUROPOL provides operational assistance to ongoing investigations by the Law Enforcement Services of the Member States in cases of: a) serious – organized crime and b) terrorism. The operational framework of the Focal Points covers the highest priority areas of serious and organized crime that have an impact on the EU.

Based on the new legal regime governing its responsibilities, duties and organization, it aims to assist the enforcement forces law of the MS in order to combat specific forms of criminal acts (Mounier, 2009).

Its tasks under Article 4 of the aforementioned Regulation include:

- a) collecting, storing, processing, analyzing and exchanging information and data,
- b) immediately informing the competent authorities of the Member States, through the national unit referred to in Article 8, of information concerning them and of any links that may be established between criminal offences,
- c) facilitating investigations carried out in the MS, in particular by transmitting all relevant information to the national units,
- d) submitting a request to the competent authorities of the MS concerned to initiate, conduct or coordinate investigations, and proposing the setting up of JITs in specific cases,
- e) providing information and analytical support to the MS in relation to major international events,
- f) preparing threat assessments, strategic analyses and general reports on the progress of work on the fulfilment of its objective, including threat assessment in relation to organized crime” (Oldrich, 2008).

Europol has been entrusted with the following additional tasks:

“a) developing expertise in the investigation procedures of the competent authorities of the MS and providing advice in relation to ongoing investigations,

b) providing strategic information in order to facilitate and promote the effective and efficient use of resources available at national and Union level for operational activities and in support of those activities. In addition, within the framework of its objective under Article 4, Europol may assist the MS by providing support, advice and investigations in the following areas:

(i) providing specific training and assistance to MS in organizing training activities, and by providing financial support, within its field of competence and within its staff and budgetary resources, in cooperation with the European Union Agency for Law Enforcement Cooperation and Training (EATC);

(j) cooperating with Union bodies established under Title V of the TFEU and with OLAF, in particular by exchanging security intelligence and providing analytical support in the areas falling within their competence;

(k) providing information and support to the EU crisis management structures and EU crisis management missions provided for in the TEU in the framework of the Article 3 of Europol's objectives,

(l) developing centers of expertise in the Union to combat certain forms of crime falling within the scope of Europol's competence, in particular the development of the European Cybercrime Centre,

(m) supporting the actions of the Member States to prevent and combat forms of crime listed in Annex I<sup>12</sup> which are facilitated, promoted or committed through the use of the internet, including, in cooperation with the MS, reporting online content by which such forms of crime are facilitated, promoted or committed to online service providers, with a view to their voluntary examination of the compatibility of such online content with their terms and conditions:

Europol also acts as a Central Office in relation to counterfeiting of the euro in accordance with Decision 2005/511/JHA of the Council, of 12 July 2005<sup>13</sup>. Also, within the framework of its competences, it has the possibility to encourage the coordination of measures implemented by the competent authorities of the MS with regard to the fight against counterfeiting and counterfeiting of the euro or within the framework of a JIT, after consultation with EU bodies and authorities of third countries. Among the notable features of the new Regulation is that Europol must allow access to Eurojust and the

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<sup>12</sup>LIST OF TYPES OF CRIME REFERRED TO IN ARTICLE 3(1) — terrorism, — organized crime, — drug trafficking, — money laundering, — nuclear and radioactive crime, — illegal immigration, — trafficking in human beings, — motor vehicle crime, — intentional homicide and grievous bodily harm, — illicit trade in human organs and tissues, — kidnapping, unlawful detention and hostage-taking, — racism and xenophobia, — robbery and aggravated theft, — illicit trafficking in cultural goods, including antiquities and works of art, — embezzlement and fraud, — criminal acts against the financial interests of the Union, — insider trading and manipulation of the financial market, — money laundering and extortion, — counterfeiting and piracy of products, — forgery and trafficking of administrative documents, — counterfeiting of money and means of payment, — computer crimes, — corruption, — illicit trafficking in weapons, ammunition and explosives, — illicit trade in endangered animal species, — illicit trade in endangered plant species and plant varieties, — environmental crimes, including pollution from ships, — illicit trafficking in hormones and other growth factors, — sexual abuse and sexual exploitation, including child pornography and the sexual exploitation of children, — genocide, crimes against humanity and war crimes.

<sup>13</sup> EE L 185, 16.7.2005, σ. 35.

European Anti-Fraud Office (OLAF), based on a match/no match system, to data available to it, with the ultimate aim of strengthening interinstitutional operational cooperation and in particular the correlation of data already available to the various organizations.

Furthermore, all MS are linked to Interpol, which, in order to fulfil its mission, receives, stores and provides data in order to assist the competent law enforcement authorities in preventing and combating international crime.

Consequently, cooperation between Europol and Interpol is strengthened through the effective exchange of personal data while ensuring respect for fundamental rights and freedoms related to the automatic processing of personal data.

As regards Europol and considering the previous analysis and the typology of the characteristics described in ANNEX 2, it is an intergovernmental European Organization, with a specific mission and responsibilities, it should be noted that its officials, in the context of exercising their duties, cannot apply coercive measures [Article 4(5), Regulation (EU) 2016/794]. In addition, when Europol staff participate in a JIT (Article 5 of the aforementioned Regulation) they act in accordance with the terms of participation included in the relevant agreement, which also includes information on the rules of liability. In addition, Article 4 of the commented Regulation (EU) and specifically in paragraph 1.(c) it is stipulated that Europol, in order to carry out the tasks and objectives of Article 3, shall coordinate, organize and implement investigative and operational actions to support and reinforce the actions of the competent authorities of the Member States, which shall be carried out jointly with the competent authorities of the MS or within the framework of the JITs as defined in Article 5 of the Regulation and in consultation with Eurojust.

Operational responsibilities are observed here as in the responsibilities of Frontex staff and in particular of the staff of the European Border and Coast Guard Standing Corps which, according to Article 54(3) of Regulation (EU) 1896/2019, “When providing support to Member States, members of the standing corps deployed as members of the teams shall have the capacity to carry out border control or return tasks, including tasks requiring executive powers and which are defined in the relevant national legislation or, for permanent staff, tasks requiring executive powers in accordance with Article 55(7)”. In this regard, in this European Agency, there is the EU's will for joint action by officials

of competent European and National Agencies to achieve the maximum possible result in terms of combating organized crime and terrorism.

With regard to the management of Europol, it is worth noting that, under point (18) of the preamble, "The Commission and the MS should be represented on the Management Board of Europol (the "Management Board") in order to effectively monitor its functioning. The members and alternate members of the Management Board should be appointed on the basis of relevant managerial, administrative and budgetary skills and knowledge of law enforcement cooperation. The alternate members should be able to act as members in the absence of the member".

Europol, after careful study of the legal texts concerning its organization, operation and mission, is an intergovernmental European organization, where MS, E. Parliament and E. Commission agreed that it will support and strengthen the actions of the competent authorities of the MS as well as their mutual cooperation in preventing and combating serious forms of crime that affect two or more MS and affect common interests covered by EU policy. These policies are distinguished by supranational characteristics.

### **3.4 European Border and Coast Guard Agency (Frontex)**

The primary objective of European policy has always been, and continues to be, the integrated management of the EU's external borders. This policy aims to create a comprehensive approach to the management of external borders, focusing on high-level controls and consistent, effective surveillance of sea and land borders.

These objectives are the key elements of the AFSJ, which is based on the EU policy of allowing free movement within the Union, while abolishing internal border controls between MS. To achieve this, common rules on border specifications and control procedures at external borders have been established (Korontzis, 2022,a,b, 2013,b, 2012,c, Korontzis, 2015,b).

In response to these needs, the European agency Frontex was established in 2004. Equipped with the necessary expertise, Frontex coordinates the operational cooperation

between the competent authorities of the EU MS for the management of external borders, intervening and improving where necessary <sup>14</sup>(Gäckle, 2020).

A key aspect of Frontex’s role, within the broader framework of EU foreign policy, is to facilitate operational cooperation between Member States and third countries. Frontex is based in Warsaw and its tasks have been and remain mainly operational<sup>15</sup>.

It should be noted that the members of the Rapid Border Intervention Teams (RABITs)<sup>16</sup>, which have been established within the framework of the above organization and are available to respond to emergencies, may carry weapons, make arrests, etc., always in the presence of officials of the responsible local competent authorities of each Member State<sup>17</sup>.

In 2019, the “European Agency for the Management of Operational Cooperation at the External Borders of the EU Member States” was renamed the “European Border and Coast Guard” (EBCGA). The name changes coincided with the 2015 refugee crisis and the increase in migratory flows, which led to the development of a new institutional framework. This framework extended the mission and responsibilities of the EBCGA, in order to enhance the effectiveness of external border management. The EBCGA is composed of the Member States and includes authorities responsible for external border management, border control, national return operations and the EBCGA itself.

The main functions of the EBCGA include:

- Carrying out risk analyses and assessments for the effective management of the external borders (Regine, 2017).
- Providing increased operational and technical support to MS and third countries, where necessary, including joint operations and interventions at the external borders.

<sup>14</sup> REGULATION (EU) 2019/1896 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624.

<sup>15</sup> Articles 10, 36-42, 48-50, 54-59, 82 and 85 of the Reg. (EU) 2019/1896.

<sup>16</sup> European Commission, FRONTEX and RABITs: the European Union is stepping up its operational efforts combating illegal immigration, διαθέσιμο στην ιστοσελίδα [https://ec.europa.eu/commission/presscorner/detail/en/MEMO\\_07\\_142](https://ec.europa.eu/commission/presscorner/detail/en/MEMO_07_142), Frontex and the Rabbit Operation at the Greek –Turkish border, διαθέσιμο στην ιστοσελίδα [https://ec.europa.eu/commission/presscorner/detail/en/MEMO\\_11\\_130](https://ec.europa.eu/commission/presscorner/detail/en/MEMO_11_130), Frontex, Frontex launches rapid border intervention on Greek land border available at <https://frontex.europa.eu/media-centre/news/news-release/frontex-launches-rapid-border-intervention-on-greek-land-border-J7k21h>.

<sup>17</sup> See article 82 of the Reg. (EU) 1896/2019.

- Providing technical and operational assistance to MS in emergencies at the external borders.
- Assisting in maritime search and rescue (SAR) operations.
- Organizing, coordinating and carrying out return operations (Korontzis, 2022, b).  
The Management Board is composed of representatives of the MS, as well as Norway, Iceland, Liechtenstein and Switzerland, which are associated with the Schengen Agreement but are not members of the EU. In addition, two members of the European Commission sit on the Board. The Board is responsible for appointing the Executive Director and Deputies, as well as for adopting the annual budget, the work programme and the organizational structure.

To strengthen border control operations, manage the return of irregular migrants and combat cross-border crime, the new The EBCGA institutional framework established a standing corps, known as the Standing Corps<sup>18</sup>.

The European Integrated Border Management Policy (EIBMP) is structured as follows<sup>19</sup>:

- Cooperation with third countries and the implementation of measures within them, together with a unified visa policy.
- Measures for the control of external borders.
- Risk analysis procedures.
- Measures applied within the Schengen area.
- Procedures for the management of returns. The assessment of the proper functioning of the Schengen area is carried out through vulnerability assessments and the Schengen<sup>20</sup> evaluation mechanism, established by Council Regulation

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<sup>18</sup> The permanent corps in question will reach the operational number of 10,000 officers as defined in Reg. (EU) 1896/2019 [Annex I] with executive powers and participation in operations for the effective guarding of the external borders and with an on-site presence in the officers' MSs of these. In this way they will also contribute to dealing with cross-border crime, but also to the return of illegal immigrants. Frontex careers, European Border and Coast Guard Standing Corps, available at <https://frontex.europa.eu/careers/standing-corps/about/> and additionally articles of the Reg. (EU) 2019/1896, 54,55,56,57,58,61,82. Specifically see more in the article 82 «Tasks and powers of the members of the teams», of the specific Regulation.

<sup>19</sup> Article 3 of Reg. (EU) 2019/1896

<sup>20</sup> REGULATION (EU) No 656/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 May 2014 establishing rules for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union.

(EU) 1053/2013<sup>21</sup>. The tasks of the Agency are set out in Article 10<sup>22</sup>. It is noted that Article 82 of the Regulation defines the tasks and responsibilities of the members of the teams deployed by the EBCGA, in order to carry out tasks and fulfil responsibilities aimed at achieving the objectives set out in Regulations (EU) 656/2014, (EU) 2016/399 and Directive 2008/115/EC, while the exercise of executive powers is subject to the approval of the host Member State, in accordance with the provisions of Regulation (EU) 656/2014.

As regards joint operations at sea, these are carried out on the basis of risk assessments prepared by the EBCGA or in response to existing risks at the EU borders (Coopens, 2012). Each operation defines the objective, the operational area and the resources —human and technical— that will be involved. Many of these operations are financed by the EBCGA. The deployment of resources and forces is carried out either through RABITs or through the Standing Corps, which consists of available staff from Member States and the EBCGA, as well as equipment provided by Member States and the EBCGA itself.

The EBCGA also cooperates with third countries in support of European integrated border management and migration policy, providing technical and operational assistance in the context of the Union's external action [see Articles 71, 72, 73, 74 and 75 of Regulation (EU) 1896/2019]. In this context, the Agency is empowered to deploy experts from its permanent and other staff to third countries as liaison officers.

Finally, Cooperation between Frontex and NATO has developed primarily at the operational level, particularly in maritime domains. One of the most notable examples is their parallel engagement in the Aegean Sea, where NATO assets supported surveillance and information gathering aimed at disrupting migrant smuggling networks, while Frontex coordinated border control and search and rescue operations.

This cooperation enhances situational awareness by combining military-grade intelligence with civilian law enforcement expertise. NATO's capacity to monitor large

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<sup>21</sup> COUNCIL REGULATION (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen.

<sup>22</sup> Tasks of the European Border and Coast Guard Agency

maritime areas complements Frontex's mandate to manage borders and support Member States. Information sharing and coordination mechanisms help prevent duplication of efforts and improve crisis response. Additionally, Frontex has exchanged experts acting as liaison officers with EUNAVFOR MED IRINI and the NATO Operation in the Aegean Sea (<https://www.frontex.europa.eu/what-we-do/beyond-eu-borders/liaison-officers/>). **Additionally**, «Transatlantic cooperation remains an important part of Frontex's cooperation efforts in responding to the more evolving global threats, mainly by exchange of knowledge and best practices. The United States of America, Canada, and Australia are among valuable interlocutors in this regard. Interconnected with the EU in a wide range of areas, including on countering of global threats to security at the borders - such as terrorism and transnational crime, these countries share common challenges and similar capacities with the EU. The agency continues to strengthen collaboration with strategic partners through the exchange of expertise and good practices in areas such as ETIAS, fundamental rights, operational response and law enforcement» (<https://www.frontex.europa.eu/what-we-do/beyond-eu-borders/areas-of-cooperation/>).

#### **4 CONCLUSIONS AND PROPOSALS ON THE FUTURE OF NATO AND COOPERATION WITH FRONTEX AND EUROPOL**

Security in Europe, as revealed by the analysis of the role of Europol, Frontex and NATO, can no longer be seen within the traditional boundaries of national sovereignty. On the contrary, it is a complex and multidimensional challenge that requires the creation of a single framework of cooperation, capable of responding to both classic and new forms of threats. Terrorism, organized crime, hybrid attacks and migratory flows know no borders and therefore cannot be tackled in isolation.

Europol is emerging as a central coordinator of information and operational support, although it lacks executive powers, nevertheless succeeding in functioning as a hub for connecting national authorities. Frontex, for its part, has developed into an organization with increased operational capabilities, capable of providing immediate assistance to member states facing strong pressure at their borders, although its action is accompanied by concerns about transparency and respect for human rights. NATO

remains the cornerstone of collective defense in the West, with the Russian invasion of Ukraine underlining its irreplaceable strategic importance.

The great challenge for Europe is to combine efficiency with legitimacy. On the one hand, it must strengthen the interoperability of its institutions, the exchange of information and the joint operational capacity. On the other, it needs to unwaveringly safeguard the principles of the rule of law, so that security should not become a tool for restricting freedoms. In this context, cooperation with the United States, despite the fluctuations caused by its political scene – especially after the re-election of Donald Trump-will be crucial, as NATO and the EU need the continued American commitment to maintain the strategic balance in the wider region.

The future of European security requires not only institutional strengthening, but also political will. Faced with a world where instability is the rule and not the exception, Europe is called upon to demonstrate that it can defend its societies in an effective, fair and solidarity-based manner. Security is not an end in itself; it is the foundation on which freedom, democracy and prosperity are built. And that is precisely why the continuous deepening of cooperation, both within the EU and with NATO, will determine whether Europe will rise to the occasion or remain vulnerable to the challenges of the 21st century.

The debate on European security highlights a fundamental dilemma: Europe is faced with threats that go beyond borders and classic forms of warfare, but at the same time it is called upon to manage its internal contradictions, lack of cohesion and political dependencies on the United States. Europol, Frontex and NATO are pillars of the security system, but their role is neither one-dimensional nor free from controversy. Europol is strengthening cooperation without executive powers, Frontex is expanding operationally but is being heavily criticized for rights violations, while NATO is back in the spotlight due to the Russian threat, at the same time that American policy – especially under Trump – is creating uncertainty about the stability of the Alliance.

The reality is that the EU remains strategically dependent on the US. Without American military power, Europe finds it difficult to guarantee its own security, which limits its ambitions for “strategic autonomy”. The question, therefore, is not only how to strengthen European institutions, but also whether member states are willing to truly share sovereignty and resources to form a credible pillar that, in addition to the defense dimension, will also have a police dimension.

The migration crisis, the war in Ukraine, the rise of hybrid threats and the uncertainty surrounding the role of the US are reminders that security is not a given. Europe is called upon to balance the need for effective protection with the preservation of its democratic identity. The risk is twofold: on the one hand, the threat of destabilization by external actors and on the other, the temptation of internal authoritarianism in the name of security.

The future will depend on three parameters:

(a) whether institutions such as Europol and Frontex will acquire greater political and operational weight,

(b) whether the EU will be able to consolidate its strategic autonomy without breaking its ties with NATO, and

(c) whether European societies themselves will support the idea of a common security that goes beyond narrow national interests.

In a rapidly changing world, Europe will either choose the path of unity and collective strength or remain trapped in its internal weaknesses and external dependencies. Security, after all, is not just a military or police issue; it is a political issue, inextricably linked to the future of European integration itself.

Maintaining NATO's cohesion requires strengthening cooperation between members, adapting to new threats and maintaining American engagement. Strengthening Europe's strategic autonomy can complement the Alliance, enhancing stability, but it is an issue that has been of great concern to EU Member States for a long time, but has not yet become a clear policy in the direction of an autonomous EU defense policy, even after the crisis in US-EU relations over the management of the war in Ukraine.

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### Authors' Contribution

All authors contributed equally to the development of this article.

### Data availability

All datasets relevant to this study's findings are fully available within the article.

### How to cite this article (APA)

Korontzis, T., & Sdrolias, L. (2026). SECURITY IN EUROPE: EUROPOL, FRONEX AND NATO. *Veredas Do Direito*, 23(5), e235454. <https://doi.org/10.18623/rvd.v23.5454>