Patrycja Dąbrowska-Kłosińska (ed.), *Essays on Global Safety Governance: Challenges and Solutions*, Centre for Europe, University of Warsaw, Warszawa: 2015, pp. 282

ISBN 978-83-7545-599-1

A peculiar feature of our times is the idea, increasingly shared by all, that we live in a world which is facing mounting risks and threats, both natural and man-made, and that they are of a growing transnational and global nature. Today, risk is a critical dimension of the globalisation processes, furthered by technological progress and the international mobility of capital and people. In addition, the mass media and, with increasing intensity, the new social media's reporting of crises and disasters worldwide has had the effect of spreading public awareness about the risks, as well as fuelling feelings of insecurity. Hence, the idea of a risk society - an expression coined by the late Ulrich Beck in the 1980s, which at the time referred primarily to ecological risk - has been expanded to encompass ever more domains, from climate change to terrorism, from energy to finances, thus evincing the forward-looking and anticipative potential of the theory. In some way, such diverse threats are being perceived as part of a common phenomenon.

Against this backdrop, *Essays on Global Safety Governance: Challenges and Solutions* is a most timely book, providing a comprehensive and well-grounded panorama of the challenges brought about by global risks, with a special focus on how regulatory and governance mechanisms are handling the widening spectrum of risks and threats, and the related difficulties in the design and implementation of a global safety governance agenda.

Based on an interdisciplinary research project pursued under the Global Governance Programme at the Robert Schuman Centre for Advanced Studies of the European University Institute this book, which has been edited by Patrycja Dąbrowska-Kłosińska and published by the Centre for Europe of the University of Warsaw, gathers contributions from scholars and practitioners from Poland, France, Italy, the United Kingdom, and the USA. In diverse, albeit coherent ways, all the authors discuss recent developments in law and regulation at the universal, regional and even domestic level aimed at preventing risks, managing crises and responding to disasters when they occur. The volume is structured into three parts: Part I – Financial and Economic Stability; Part II – Energy and Climate; and Part III – Citizen Protection and Defence.

One of the original features of this collection of essays, as described in the illuminating introduction by Patrycja Dąbrowska-Kłosińska, rests on the intent (and one indeed successfully attained) to draw from a cross-domain and interdisciplinary study of contemporary global safety issues to reach an instructive understanding about the main obstacles to the prevention and management of global risks, while identifying the best management practices.

To start with, a major contribution of this work lies in its conceptual clarification of the rather ambiguous concepts at issue, namely safety and security, risk, threats,

hazards, and disasters. One might wonder whether the imprecision and ambiguity in this instance, in particular regarding the distinction between safety and security, is not a sign of the multifaceted nature, interdependence and pervasiveness of the current risks and threats, plus the multi-actor involvement of public and private agents, both as risk producers and/or managers.

As pointed out by Anna Visvizi in the first chapter of Part I, "safety collapsed into security". While security has been traditionally understood as the function of a state to ensure protection against external or internal threats, mostly of a military nature, safety has been linked to technical considerations related to protection from malfunctioning systems. However, as the scope of security has tended to widen under the UN human security agenda, and perhaps more conspicuously in the context of global terrorist threats, the border between security and safety as state responsibilities has somehow become attenuated. Interestingly, the author recalls that the risk society is not about security, but rather about safety broadly understood as the modern condition of society.

Throughout the chapters, some critical requirements emerge for global safety to be fostered across the different policy domains considered, in particular the availability of suitable information and knowledge allowing for efficient risk assessment and management; preventive action to anticipate the risks and prevent them from materialising; and effective international cooperation. As most chapters render fairly clear, the complexity and global nature of the risks call for broad and cohesive involvement of governments, businesses, civil society organisations, and ultimately individuals.

Yet the way forward is often tricky. Several authors converge in pointing to factors hampering effective global safety governance, namely the fragmentation of transnational systems, weakness of available information and knowledge, and lack of solidarity. Among these difficulties, the "epistemic puzzle" (see p.7) surfaces as a key topic. Indeed, experience shows that controversies about the nature of the risks or threats, which are typically uncertain and incalculable with respect to their probability or potential effects (telling examples range from climate change to the current financial crisis), underscore the critical importance of designing suitable arrangements which may help find further consensus on both the problems and the solutions.

Focusing on safety, risk and governance in the light of the Eurozone crisis, the first chapter under Part I (Financial and Economic Stability), by Anna Visvizi, actually sets the tone for the entire volume as it introduces the "conceptual merits of 'Global Safety Governance'". In examining the Eurozone crisis from the risk society angle, Anna Visvizi sheds light on the limited reflexivity and actual lack of consensus on the sources of the present economic and financial crisis, hindering effective governance in this domain. Likewise, in centring on the on-going restructuring of global governance of the financial system as a framework for preventing systemic risk, Laura Ammannati's chapter links the difficulties in anticipating the current financial crisis to both a belief in the self-regulatory ability of financial markets and the flawed remedies initially applied. Ammannati surveys the international efforts undertaken in recent years to regulate the financial system, showing how they have been hampered by contradictory stances with

regard to organisational design, placing in opposition those who advocate for a multi-lateral financial body with effective powers and those who fear the impact of increasing regulation.

In fact, the dilemma between a binding ("hard") or "soft" regulatory system is a recurrent issue in the global governance debate. As illustrated by Laura Ammannati, in the highly heterogeneous international arena loose networks and modes of cooperation, i.e. "soft law", tend to be regarded by some as more likely to bring about consensus than compulsory decision-making. According to Ammannati "[g]athering and analysing information, reducing fragmentation of responsibility, and using warnings and recommendations…" are key factors for furthering "global safety governance" of the financial system. In sum, envisioning effective governance tools while maintaining their non-mandatory character is the key challenge in the financial domain – though not only there, as shown by the other chapters.

In Part II (on Energy and Climate), the chapters by Roberto Domínguez and Bartłomiej Nowak address regional energy security issues in North America and in the European Union, respectively. In the field of energy, the term 'security' fundamentally means ensuring the availability of sufficient supplies. Both Domínguez and Nowak show how internal politics and the contrasting policies of importing and exporting countries play a crucial role, underlining the difficulty in reaching agreement among sovereign states in such a vital, strategic domain. Yet today, climate change negotiations and the development of international standards on the use of fossil fuels are hopefully shaping the gradual harmonisation of national governments' energy policies.

Still, in her analysis of the global climate change negotiations in the third chapter of Part II, Joanna Maćkowiak-Pandera signals the somewhat isolated stance of the European Union as a leader in the promotion of global environmental standards. The European Union's common energy policy – as Bartłomiej Nowak also indicates – may actually offer an instructive, perhaps even exemplary case of a safety governance effort matching energy supply and solidarity among the partners. But, as Maćkowiak-Pandera underlines, even within the European Union the development of joint plans in the field of energy, including in terms of crisis prevention, is rendered difficult by the political tensions among the Member States and their occasionally conflicting policies vis-à-vis third countries.

Joanna Maćkowiak-Pandera observes that global climate negotiations to reduce carbon emissions are even more so obstructed by the divergent energy policies moulded by contrasting political and economic interests. She deduces that currently international organisations seem ultimately too weak to take the lead in climate change. Yet one might say that the scepticism shown by the author concerning the outcome of the yet-to-come [at the time of her writing] COP21 may have been ameliorated by the global, albeit "soft", agreement reached in December 2015 in Paris.

Hanna Machińska's chapter, the fourth in Part II, introduces a crucial, though less usual, angle from which to look at global environmental safety, i.e. human rights. The author specifically considers the right to a healthy environment and the somewhat instrumental right to access to environmental information guaranteed, in Europe, under

the Aarhus Convention. To render this right effective, the public must have proper access to the studies and analyses on the environmental risks and threats to life and health. The role of the Council of Europe as well as of the European Court of Human Rights' case law emerge in this context as decidedly important, though maybe not obvious, "regulatory" devices. However, the margin of appreciation commonly left by the Court to states to define the scope of the right to a healthy environment (not formally recognised under the European Convention on Human Rights yet) underscores the well-justified plea by Hanna Machińska for a rethinking of the very notion of human rights in the environmental sphere, as well as for climate change to become a priority in the Council of Europe's agenda.

Part III of the book, entitled Citizen Protection and Defence, conveys a complementary and equally inspiring perspective on global safety governance, centred on the responsibilities of public authorities to protect individuals by, alongside with their obligation to defend collective interests and values, providing critical infrastructures.

Agnieszka Nimark examines the European Union's emergent and remarkable joint response to the management of crises and disasters under the solidarity clause enshrined in Article 222 of the Treaty on the Functioning of the European Union. Member States are obliged, under this clause, to act jointly if a Member State is the object of a terrorist attack or the victim of a man-made or natural disaster. The evolving Union's "internal security strategy" highlights how security and safety, remitted customarily to the responsibility of each Member State separately, are increasingly demanding coordinated responses, and the widening and deepening of international cooperation as the changing nature of the risks, their interdependence, and large-scale impacts are realised. In Europe, a succession of major crises in recent times – from BSE to Chernobyl, and from the war in Yugoslavia to terrorist attacks – have heightened the political and public perceptions of risks, together with the perceptions of their plurality, imbrications, and transnational nature, which overwhelm the capacities of single states. Strikingly, the aforementioned joint response embodies an explicitly "more integrated all-hazards and all-instruments approach" to the prevention and management of emergencies and disasters. This integrated approach features an "integrated situational awareness" and harmonisation of risk assessment methodologies, information and consultation, including early warning and coordination of responses in times of crisis and, of course, agreeing on appropriate funding. Unsurprisingly, the European Union appears to offer here again an exemplary model for global safety governance.

Yet even within the European Union, and despite the progress which it has made, the way ahead is not straightforward. Agnieszka Nimark notes that "the Member States do not seem ready or willing yet to enable the EU to play a leading role in response to complex crises." Besides, governments look reluctant to share sensitive security information and, remarkably, to even standardise risk assessment methodologies. One might evoke, in this context, the inner tensions that underlay the rejection, during the Treaty of Lisbon negotiations, of a more comprehensive solidarity clause dealing with mutual defence. Addressing safety from the viewpoint of the citizens' protection, Dag-

mara Jasińska and Filip Jasiński focus, in turn, on diplomatic and consular protection of European citizens in third countries, and on the European Union's visa policy. Dagmara Jasińska points out that Article 23 of the Treaty on the Functioning of the European Union entitles the citizens of the European Union to diplomatic and consular protection and European citizenship opens up wider protection beyond the borders of individual Member States. She adds that today, the escalating tendency of natural or man-made disasters raises the demand for diplomatic and consular protection of European citizens when they travel abroad, together with the need to better clarify the scope of their rights to be protected, particularly for unrepresented citizens (i.e. those who do not benefit locally from protection from their national authorities). The author notes that interesting developments are under way in this direction within the European Union and the existing provisions of the Treaty of Lisbon on European citizenship which, together with a number of soft law instruments and coordinating structures, now offer appropriate civil protection whenever the life or safety of citizens may be at risk. Nonetheless she postulates that diplomatic or consular protection in third countries should be reinforced in the future by the means of specific diplomatic and consular protection, under international law, by the European Union itself through its own delegations.

As Filip Jasiński notes, not surprisingly in the European Union consular authorities are confronted with mounting responsibilities in the face of increasing pressures at the borders of the European Union arising from migration and security concerns. The evolving EU visa policy, he observes, has oscillated between liberalisation and simplification, also facilitated by digital technologies and Member States' driven specifications, risking destabilising the Schengen Agreement. The substantiated survey and comments offered by the author on the recent trends in EU visa policy provide a precious guide for a reform of this policy; one that, while ensuring safety, would not unduly endanger basic European values.

As pointed out at the outset, information and communication technologies underlie globalisation; mostly for the better, but sometimes for the worse as well. Cyberspace could not be left out of this work's all-inclusive panorama of global safety challenges in our day. Cyber security and cyber safety definitely present a paradigmatic case for global safety governance in a society relying more and more on the Internet and Internet-enabled devices across all spheres of collective and individual life.

The "dark side of cyberspace", Patryk Pawlak explains, involves various sorts of threats, from cybercrime to cyber-espionage or cyber-war, and includes other illicit practices affecting organisations and individual users. Interestingly, the requirements of safety and of security in cyberspace are especially hard to disentangle in view of the ubiquity of digital technologies. Another noteworthy trend in the emergent digital safety and security risk management framework rests on the feature of multi-actor involvement. Risk prevention and management in cyberspace illustrate how the role of states and governments in the definition of legal rules and standards, as well as in law enforcement, needs to be combined with private regulation by the operators, and ultimately with self-defence by users. It is also increasingly recognised that cyber security and cyber safety should become

a permanent element in awareness-raising campaigns, and in education and training curricula. A human rights approach plays a key part in this sphere as well, both as an obligation and mission on the part of public authorities, and specifically of data protection agencies, and as a means to empower individuals to defend their freedoms and autonomy *vis-à-vis* data controllers. So understood, global safety governance of cyberspace provides a model for safety governance across various sectors and spheres of activity.

It goes without saying that international cooperation at the governmental and nongovernmental levels through information sharing and technical exchange is a determinant in such a rapidly progressing and expanding technological domain. Here again, international attempts to advance a binding code for information security, in the United Nations in particular, have been confronted by those who maintain that cyber strategies based on soft law and non-binding arrangements will ultimately be more compatible with multi-stakeholder involvement, and presumably more effective.

By recalling that information systems and networks are critical infrastructures in and for national security, Patryk Pawlak paves the way for the last chapter of Part III, authored by Marc R. DeVore. This chapter brings back the topic of security in its conventional sense, i.e. of the function of the military to ensure collective protection from external or internal threats. DeVore focuses on the pressures placed on the defence-industrial systems of small states by the rapid technological developments in military equipment and the inherent rising costs. Contrary to a widespread belief that such changes undermine the national security of small states, the author demonstrates that in reality small states, at least the small states he examines (Israel, Serbia, and Singapore) have adapted successfully to the new circumstances. While acknowledging their growing technological and industrial dependence on larger producers, the small states studied have managed to keep up their defence-industrial capabilities, including a "reservoir of skilled scientists and engineers" in selective or "niche" domains, perceived as critical for national security, namely in intelligence and communication systems. The author infers that "small is beautiful" when it comes to defence industries and armed forces, particularly "once fighting begins".

To conclude, the editor and the authors of *Essays on Global Safety Governance: Challenges and Solutions* should be commended for producing such a timely, instructive, and thoughtful book. The book provides invaluable reading for legal and political science scholars and students looking for a better and truer understanding of global risks and their demands on global governance. In addition the book is essential reading for practitioners in international, regional and national institutions or administrations across the multiple and diverse fields where safety and security issues call for continually strengthened collective efforts to prevent risks and threats from materialising, as well as to respond to crises and disasters when they occur.

*Maria Eduarda Gonçalves**

* Professor of Public Law, ISCTE–IUL, Lisbon University Institute; Director, DINÂMIA'CET – IUL, Centre for Socioeconomic and Territorial Studies, ISCTE-IUL