

EU COMMON SECURITY AND DEFENSE POLICY. PAST AND PRESENT

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Abstract: *The objectives of the European Union are to create an area of freedom, security and justice without internal borders, in accordance with the rule of law and fundamental rights. However, recently, security threats have become increasingly diverse and have violence and terrorism as sources of instability, requiring a coordinated policy at European level.*

Keywords: security; defense; policy; European; EU.

Introduction

The current challenges that the EU is facing need a new reminder of what the EU security and defence policy consists of. This important policy of the European Union has the role of ensuring a safe area for those who want to escape persecution and also to be attractive for the talent and entrepreneurship of students, researchers and workers. In order to obtain this it has to be found a balance between the need to respect international commitments and the need to ensure safer boarders.

So, the need for a set of measures and a clear and consistent common policy appears. In this context, Member States need to establish a common policy together with the EU institutions, the International Organisations, the civil society, the local authorities and the third countries.

1. General aspects regarding the EU Common Security and Defence Policy

The general regulations regarding the EU Common Security and Defence Policy are contained by the Treaty of Lisbon, which entered into force in 2009 and amended the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU). Articles 21-46, TEU, under Title V – General provisions on the Union's external action and specific provisions on the common foreign and security policy describe the Common Security and Defence Policy.(Craig & de Burca, p.385).

Also, the protocols to the Treaties that were added by the Treaty of Lisbon, mainly Protocols No 1 (on the role of National Parliaments in the European Union), No 10 (on permanent structured cooperation established by Article 42 TEU) and No 11 (on Article 42 TEU), as well as in Declarations 13 and 14 (declarations concerning the common foreign and security policy) describe the EU Common Security and Defence Policy.

During the recent decades, the European Commission established The European Agenda on Security. The European Commission tried to set a long term strategy that can ensure a secure area for its citizens and for the Member States.

In order to maintain a high level of security within the European Union, the strategies have to be regulated in a coordinated and smart way within the Member States.

2. A brief glimpse at the past strategy in the field of Common Security and Defence Policy at EU level

In the recent past years, at EU level important strategic objectives were set within the European Commission's Strategy regarding the

internal security¹ and we strongly believe that these objectives should continue to be followed within the next period of time.

The European Commission's objectives were set to be developed in long periods of time and to be implemented by the Member States. Among the most important we can mention:

- *Increased operational cooperation.* The cooperation between authorities of the Member States represents a field regulated by the Lisbon Treaty that provides legal ground to make operational this kind of cooperation.
- *Better information exchange.* The European Commission established various ways to facilitate the exchange of information between national law enforcement authorities. Thus, the Schengen Information System (SIS) is the most important tool that the national and European authorities can use².
- *Supporting action: training, funding, research and innovation.* EU provides support to security-related actions through training, funding and the promotion of security-related research and innovation. Research and innovation is very important because in this way security threats and their impacts on European societies can be identified.

¹ The Internal Security Strategy for the European Union: "Towards a European Security Model" (Internal Security Strategy) was adopted by the Council on 25-26 February 2010 and endorsed by the European Council on 25-26 of March 2010.

² On 6 April 2016, the European Commission adopted the legislative proposal for Smart Borders that contains: a Regulation for the establishment of an Entry/Exit System and a proposed amendment to the Schengen Borders Code to integrate the technical changes needed for the Entry/Exit System. This proposal aims to improve the management of the external borders of the Schengen Member States, and also to facilitate border crossings for pre-vetted frequent third country national (TCN) travelers. This proposal entered into force in 2017 and it is known as Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011.

An important moment was the launch of the Communication on Stronger and Smarter Information Systems in 2016 and also establishing an EU Travel Information and Authorisation System (ETIAS)¹. This system brought together information in order to assess and manage the potential irregular migration and security risks represented by third country nationals visiting the EU. (Singh (Gheoculescu), 2019, p. 209).

On November 16th 2016 the Commission published the Proposal for a Regulation of the European Parliament and of the Council establishing a European Travel Information and Authorisation System (ETIAS). The Regulation entered into force in 2018 and it is known as Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226.

By article 4 of the Regulation are set the most important objectives of the European Commission regarding the security policy which can be obtained by the European Travel Information and Authorisation System:

- to contribute to a high level of security by providing for a thorough security risk assessment of applicants;
- to contribute to the prevention of irregular migration by providing for an irregular migration risk assessment of applicants prior to their arrival at the external borders crossing points (Gheoculescu, 2022, p.101);
- to contribute to the protection of public health by providing for an assessment of whether the applicant poses a public health risk prior to their arrival at the external borders crossing points;
- to enhance the effectiveness of border checks;
- to support the objectives of the Schengen Information System (SIS) related to the alerts in respect of persons wanted for arrest or for

¹ See also Communication from the Commission to the European Parliament, the European Council and the Council. Enhancing security in a world of mobility: improved information exchange in the fight against terrorism and stronger external borders, Brussels, 14.9.2016 COM(2016) 602 final.

surrender or extradition purposes, on missing persons, on persons sought to assist with a judicial procedure and on persons for discreet checks or specific checks;

- to contribute to the prevention, detection and investigation of terrorist offences or of other serious criminal offences.

The ETIAS Information System had to ensure the interoperability with other information systems such as the Entry/Exit System (EES), Europol Information System (EIS)¹, the Visa Information System (VIS), the Schengen Information System (SIS), the Eurodac², the European Criminal Records Information System (ECRIS)³.

After this moment, the Common and Security Defence Policy launched a few very important programmes, and we mention the Permanent Structured Cooperation (PESCO), representing a permanent command and control structure for planning and conducting non-executive military missions; the European Defence Fund, the Commission's instrument to support Research and Development in defence with a budget of nearly €7.3 billion for 2021-2027; the 2018 Civilian Common and Security Defence Policy Compact; the Civilian Common and Security Defence Policy Compact, reviewed and updated in 2023; and an off-budget European Peace Facility.

3. Present developments in the field of EU Common Security and Defence Policy

The Russian war of aggression against Ukraine that began on 24 February 2022, generated the need to rethink the EU Common

¹ Launched in 2005, the EIS contains information on serious international crimes, suspected and convicted persons, criminal structures, and offences and the means used to commit them.

² EURODAC, which stands for European Dactyloscopy, is the European fingerprint database for identifying asylum seekers and irregular border-crossers.

³ The computerized system ECRIS was established in April 2012 to create an efficient exchange of information on criminal convictions between Member States.

Security and Defence Policy in order to respond to the current situation that the Member States were facing. Before 24 February 2022, in 2021, the EU was developing a policy roadmap for strengthening the EU's security and defence over the coming decade, by providing an action framework for developing a shared vision in security and defence named *A Strategic Compass for Security and Defence*.

Taking into account the destabilisation of the European security order, the document was modified and in March 2022 was published the final version, that contains four pillars regarding the security and defence policy: *act*- presence and engagement on the ground, *secure*- anticipate threats and protect citizens, *invest*- increased and improved spending and *partner*- a key source of strength and resilience.

Nowadays, Europe has to face various changes in the geopolitical landscape that bring instability and severe threats. In this context, the war in Ukraine emphasised the vulnerabilities in the EU's defence technological and industrial base. So, many initiatives are needed in order to develop defence industry cooperation.

By 2024 Parliament's annual report on the implementation of the CSDP¹ was highlighted the need to enhance the EU's strategic autonomy and reinforce its role as a global security provider. Thus, are mentioned the importance of shared security challenges, even in the field of the hybrid threats, and the importance of NATO partnerships.

Also, the Commission and the High Representative's Joint White Paper for European Defence Readiness 2030 *ReArm Europe Plan/Readiness 2030* adopted on 19 March 2025, highlights the priority areas where gaps are identified: air and missile defence; artillery systems; ammunition and missiles; drones and counter-drone systems; military mobility; cyber and electronic warfare; strategic enablers; and protection of critical infrastructure.

The White Paper represents an important document that provides the framework for defence investment. The Member States are invited to

¹ adopted in Parliament's plenary session on 10 February 2025

collaborate and replenish their stocks of ammunition, weapons and military equipment, in order to rebuild European defence. Also, a set of Defence Projects of Common European Interest has to become a priority for the Member States and the White Paper contains some directions that lead to stimulating research and creating an EU-wide market for defence equipment.

Conclusions

The EU Common Security and Defence Policy is put to a hard test during this period of time by the migration, the refugee crises, the terrorist and the Russian war of aggression against Ukraine.

In this context, Member States and also the European citizens wish to feel secure within the EU, so the security strategy of the European Union needs to change in order to meet its citizens expectations and to continue to be a space of free movement by being first a secure area for its citizens.

The current situation generates changes in the international order very profound and Europe is writing a new page of its history by making fundamental choices with determination, collective action and a clear strategy

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