UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

European Union Common and Security Defence Policy

2122-4-A5810219

Learning objectives

The course aims at consolidating the knowledge of the institutional and structural aspects of the European Union, as well at enhancing the comprehension of the Union's role and practice in the field of crisis management and of the maintenance of peace and security

Contents

The course deals with the European Union policies in the field of security, defence and crisis management. While excluded from the competences of the EU for almost fifty years, the Common Security and Defence Policy (CSDP) has recently emerged as an important facet of the EU's external action. Moreover, the Treaty on the European Union as amended by the Lisbon treaty has provided this policy with new tools and objectives which allow the Union to act globally against security threats. In a relatively short time the EU has engaged in a number of civilian and military missions across the world which aim at contributing to the stabilisation of areas or countries in turmoil. The course addresses the basic legal issues raised by development of the the EU's new role as a global security actor, as well as the legal and operational questions involved in civilian and military peacekeeping mission carried out under the aegis of EU. The course will cover the following issues: the basic features of the EU's external relations policy with particular regard to CFSP; the institutional aspects of the CSDP and the latter's place in the EU legal order; CSDP missions carried out by the EU, and namely their typology, structure and functions; the operational solutions devised by the EU addressing the legal implications of its missions (e.g. rules of engagement, human rights protection in the territories where the EU is operating, the sharing of responsibilities between the EU and its Member States for the activities carried out by the missions); the international humanitarian law rules applying to CSDP operations; EU relationship with the UN and its role as a regional agency under Chapter VIII of the UN Charter. Moreover, recent events have shown the extent to which EU's external and internal security are closely related. Questions concerning internal security will therefore also be addressed, notably the newly established European Public Prosecutor's office (EPPO) as well as the current initiatives aimed at extending

EPPO’s competences to cross border terrorist crimes.

Detailed program

The Course will deal in particular with the following topics: 1) The origin and development of the European political cooperation in the field of Security and Defence from the EDC to CSDP 2) The current (post-Lisbon) legal and institutional framework for EU Common Foreign and Security Policy (CFSP) and the specific characters of this policy; 3) The institutions and actors involved in CFSP; 4) The instruments of the CFSP; 5) The limited role of judicial review in the field of CFSP and the boundaries between the latter and other EU policies; 6) The Common Security and Defence Policy (CSDP) as a component part of the CFSP; 7) Typologies of EU missions launched under CSDP, military operations and civilian missions; 8) Steps and procedures for planning, financing and launching CSDP missions; 9) Legal basis and contents of agreements relating to CSDP missions 10) The relationship between the EU and other international organisations, particularly the UN and NATO; 11) EPPO.

Prerequisites

The knowledge of the institutional aspects of European Union law is recommended

Teaching methods

The course will be taught in English and developed through seminaries, discussion prompts, critical examination of required or recommended readings and materials circulated to students attending the class; students will be required to prepare and present selected cases

Assessment methods

Oral exam (in English)

Textbooks and Reading Materials

B. Van VOOREN, R. WESSEL, EU External Relations Law. Text, Cases and Materials, Cambridge University Press, Cambridge, 2014.

Further readings and materials will be provided to students through the e-learning platform