UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

European Union Common and Security Defence Policy

2324-4-A5810219

Learning objectives

The course aims to consolidate the knowledge of the organisational and institutional structure of the European Union and to deepen knowledge of the role and practice of the Union in crisis management and the maintenance of peace and security.

Contents

The course deals with the policies of the European Union in the areas of security, defence and crisis management. Excluded for almost fifty years from the area of competence of the European Union, the Common Security and Defence Policy (CSDP) has emerged as an important aspect of the Union's external relations. The Treaty on European Union, as amended in Lisbon in 2007, has provided this policy with new operational tools and new objectives, which could empower the Union to play a role as a global actor in the fight against threats to international security. In a relatively short timeframe the European Union has engaged in a significant number of military operations and civilian missions in various areas of the world, aimed at stabilising areas and countries in turmoil. It is now facing the new challenges linked to the deterioration of the security situation on the European continent.
The course addresses the general legal issues raised by the new role of the European Union as a global security actor as well as the specific legal and operational issues related to the military and civilian peacekeeping missions carried out under the aegis of the Union. The following aspects will be specifically touched upon: the basic characters of the European Union's external relations with particular regard to CFSP; the institutional aspects of CSDP and its integration in the legal order of the European Union; the CSDP missions and operations carried out by the European Union, their typology, structure and functions; questions related to military and civilian capabilities; the operational solutions developed at EU level to address the legal issues raised by these missions (e.g. rules of engagement of the missions, the protection of human rights in the territories where the missions take place, the distribution of responsibilities between the European Union and its Member States for the activities carried out by the missions); the applicability of international humanitarian law to CSDP missions; the European Union's relations with the United Nations and the role of the Union as a regional organisation within the meaning of Chapter VIII of

the UN Charter; the Union's reaction to recent challenges to peace and security in Europe and the EU-NATO relationship. In addition, recent events have shown the close correlation between the EU's external and internal security. The course will thus also address the relationship between CSDP and the Area of Freedom, Security and Justice (AFSJ) in relevant areas such as the fight against terrorism or illegal migration, with a particular focus on the role of the European Public Prosecutor's Office (EPPO) and recent initiatives to extend the competences of the EPPO to cross-border terrorist crimes.

Detailed program

The course will deal, in particular, with the following issues: 1) The origins and development of the European cooperation on security and defence from the EDC to the CSDP; 2) The legal and institutional structure in place after the Treaty of Lisbon with regard to the Common Foreign and Security Policy (CFSP) of the European Union and the specific characteristics of this policy; 3) The institutions, actors and bodies dealing with the CFSP; 4) Acts and instruments of the CFSP; 5) The limited role of judicial review of the CFSP and the boundaries between it and other EU policies; 6) The Common Security and Defence Policy (CSDP) as an integral part of the CFSP; 7) Typology of missions established under the CSDP, distinctions between military operations and civilian missions; 8) Steps and procedures for the planning, financing and launching of CSDP missions; 9) The legal basis and contents of agreements related to CSDP; 10) Relations between the EU and other international organisations, in particular the UN and NATO; 11) The new challenges related to security in Europe: the European Strategic Compass and the European Peace Facility; 12) The relationship between external and internal security: CSDP/AFSJ cooperation; 13) The role of the European Public Prosecutor's Office (EPPO).

Prerequisites

Basic knowledge of the institutional aspects of European Union law is recommended.

Teaching methods

The course will be taught in English and developed through seminaries, discussions, 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

In line with the indications of the Department, the exams will consist of 3 tests:

1. a written test in original project work (development of an original project) which could be carried out in groups;
2. a written test in the form of a short essay (exposition of the topics covered in class);
3. a final exam, oral and individual, consisting of a discussion interview on the written test as of point 2)

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.

Sustainable Development Goals

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