



DIPARTIMENTO DI
GIURISPRUDENZA
SCHOOL OF LAW

THE EPPO and EU law: a step forward in integration



Co-funded by the
Erasmus+ Programme
of the European Union

EPPO AND EU LAW: A STEP FORWARD IN INTEGRATION

TOPIC 5: THE EPPO, JUDICIAL
COOPERATION AND
INTERNAL AND EXTERNAL
SECURITY

Funded by the European Union. However, the views and opinions expressed are only those of the author(s). They do not necessarily reflect those of the European Union or the European Education and Culture Executive Agency (EACEA). Therefore, neither the European Union nor EACEA can be held responsible for them.

EU INTERNAL AND EXTERNAL SECURITY

ANTONIO TANCA



**Co-funded by
the European Union**



Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Education and Culture Executive Agency (EACEA). Neither the European Union nor EACEA can be held responsible for them.

EU INTERNAL AND EXTERNAL SECURITY CLOSELY RELATED

AREAS OF INTEREST:

- FIGHT AGAINST TERRORISM
- CROSS BORDER CRIME
- CYBERSECURITY
- COUNTERING FOREIGN INTERFERENCE (HYBRID THREATS)

COMMON SECURITY AND DEFENCE POLICY TO ADDRESS THREATS AND CHALLENGES

THIS COULD INCLUDE THE USE OF MILITARY AND CIVILIAN MEANS

WHAT IS THE EU COMMON SECURITY AND DEFENCE POLICY

PART OF CFSP

PROVISIONS SET IN TITLE V, CHAPTER 2, SECTION 2 TEU:

- MAIN GOALS: ARTICLE 42
- MAIN TASKS: ARTICLE 43
- DELEGATION TO MEMBER STATES: ARTICLE 44
- MILITARY CAPABILITIES: ARTICLE 45
- PERMANENT STRUCTURED COOPERATION: ARTICLE 46

WHAT SHOULD EUROPEAN DEFENCE MEAN IN PRACTICE

- Military capabilities and the appropriate mechanisms to create them, pool them together and use them
- Decision making mechanisms allowing strategic goals to be identified and the right decisions to pursue them to be taken rapidly
- The political will to act in pursuit of these goals (with all the risks this entails)

THE MAIN CHARACTERS OF CSDP:

- Run from Brussels (EEAS)
- Both Military and Civilian
- Armed Forces and Civilian Personnel (Police, Judges etc.) Provided by Member States
- Capabilities Provided by Member States
- Hybrid Financing

RE-LAUNCHING CSDP: THE STRATEGIC COMPASS

Developing a shared assessment of the strategic environment

- Achieving a greater coherence and common sense of purpose
- Developing new ways and means
- Setting up targets and milestones

This will be done through: ACTING; SECURING; INVESTING AND PARTNERING

ACTING:

On Missions and Operations:

- More robust and flexible mandates
- Quicker decision-making process
- Greater Financial Solidarity
- Civilian Component reinforced

A New Rapid Deployment Capacity:

- 5000 troops fully operational by 2025

Strengthening Command and Control:

- Enhancing Military Mobility
- Regular Live Exercises (notably for the RDC) and
- Including on Article 42(7) TEU and Article 222 TFEU scenarios

SECURING:

- Boost Intelligence capacities
- Create a EU Hybrid Toolbox
- Develop a EU Cyber Defence Policy
- Coordinated Maritime presence
- Space Strategy

INVESTING AND PARTNERING

INVESTING:

- Invest more in capabilities (to improve development and planning)
- Make full use of the PESCO and EDF

PARTNERING:

- Reinforce Strategic partnerships in particular with NATO and UN
- Reinforce cooperation with other International Organisations and third countries (e.g. UK)
- Develop a Security and Defence partnership Forum

STRATEGIC COMPASS SPECIFIC ENGAGEMENTS ON INTERNAL/EXTERNAL SECURITY:

1. GREATER COOPERATION BETWEEN CSDP AND EU JHA ACTORS

Agencies involved:

- EUROPOL
- EUROJUST
- CEPOL
- FRONTEX

This includes:

- shared situation awareness
- regular consultation and exchanges
- tailored sequential or plug-in deployments

Build on Past Experience In LIBYA, UKRAINE, SAHEL, HORN OF AFRICA

STRATEGIC COMPASS SPECIFIC ENGAGEMENTS ON INTERNAL/EXTERNAL SECURITY:

2. FIGHT AGAINST TERRORISM

Use of CSDP Tools Including Civilian Crisis Management

Use of Other JHA Tools

Support of Partner Countries Through:

- DIPLOMATIC ENGAGEMENT AND POLITICAL DIALOGUE
- STABILISATION EFFORTS
- PROGRAMMES FOR PREVENTING AND COUNTERING VIOLENT EXTREMISM
- COOPERATION IN THE AREA OF RULE OF LAW
- TACKLING NEW TECHNOLOGIES FOR TERRORISM FINANCING AND DISSEMINATION OF TERRORISM CONTENT ON LINE

STRATEGIC COMPASS SPECIFIC ENGAGEMENTS ON INTERNAL/EXTERNAL SECURITY:

3. DEVELOPMENT OF A HYBRID TOOLBOX BY 2022

- Provide a Framework for a Coordinated Response to Hybrid Campaigns
- That Would Entail: Preventive, Cooperative, Stability Restrictive and Recovery Measures
- Creation of a EU Hybrid Rapid Response Team for:
 - MEMBER STATES
 - CSDP MISSIONS AND OPERATIONS
 - PARTNER COUNTRIES

STRATEGIC COMPASS SPECIFIC ENGAGEMENTS ON INTERNAL/EXTERNAL SECURITY:

4. CYBER DEFENCE POLICY

- INCREASE IN SITUATION AWARENESS AND STRATEGIC FORESIGHT THROUGH A EU SINGLE INTELLIGENCE CAPACITY
- FURTHER DEVELOP THE EU CYBER DEFENCE POLICY
- A NEW EUROPEAN CYBER RESILIENCE ACT

EXAMPLES OF NEXUS BETWEEN INTERNAL AND EXTERNAL SECURITY:

FAILED STATES:

- BASIS FOR TERRORIST THREATS
- BASIS FOR FOREIGN ATTACKS BY PROXY
- BASIS FOR ORGANISED CRIME AND DRUG TRAFFICKING
- BASIS FOR ILLEGAL MIGRATION AND SMUGGLING OF MIGRANTS

AREAS TO FURTHER DEVELOP THE EXTERNAL/INTERNAL SECURITY LINK

GREATER COOPERATION AMONG MEMBERS STATES (WITHIN CSDP AND INDIVIDUALLY), COMMISSION AND JHA AGENCIES

- ENHANCE SYNERGIES AND COHERENCE:
 - EU INFORMATION SHARING AND DATABASES
 - CRIMINAL JUSTICE
 - EXTENDING COMPETENCE OF EPPO TO CROSS-BORDER TERRORIST CRIMES?