

THE LISBON TREATY AND THE NEW EUROPEAN TRENDS IN SECURITY AND DEFENCE POLICY

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The provisions on Common Security and Defence Policy (CSDP) introduced by the Lisbon Treaty provide a firm political statement of the Union's intention to act as a force for stability in the world and provide a clear legal framework for reinforcing its capacities to pursue its foreign and security policy through a comprehensive approach drawing upon all the instruments available to the EU and its Member States, to prevent and manage crises and conflicts, and to build lasting peace. Lisbon Treaty imposes an obligation on the EU to promote multilateral solutions, in particular within the UN, and that EU international action must be based on the principles of the UN Charter, international law and EU principles and values.

Keywords: UE; Common Security and Defence Policy (CSDP); defence; european security; the Lisbon Treaty.

The international system is undergoing rapid and profound change, driven by the shift of power towards emerging international actors and deepening interdependence, encompassing economic and financial problems, environmental deterioration and climate change, energy and resource scarcity, and interconnected security challenges.

In a turbulent global context and at a time of economic and financial crisis, the EU is being called upon to enhance its strategic autonomy to uphold its values, pursue its interests and protect its citizens by developing a shared vision of the main challenges and threats and by aligning its capabilities and resources to adequately respond to them, thereby contributing to the preservation of international peace and global security, including by pursuing effective multilateralism.

European Security building reflects the essential features of the geopolitical environment in which runs: the transition to multi-polar international system, competition between the Euro-Atlantic area for

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redistributing power roles, depth integration into the EU, Russian attempts to maintain great power status in the international arena and to occupy key positions in European security structures.

Using the full potential of the Lisbon Treaty, any common defense policy designed to lead gradually to a common defense should contribute to strengthening EU capacity to respond in a crisis and ensure long term peace and, above of all, to strengthen Europe's strategic autonomy and capacity to act.

The EU is strategic autonomy in the current global security environment through its ability to agree on policy objectives and shared strategic guidance, to establish strategic partnerships with States and relevant international organizations, including NATO, to collect adequate information and analysis and to develop common assessments, to enhance and, where necessary, to merge financial, military and civilian resources required to plan and conduct effective crisis management operations within the wide range of Petersberg tasks, and a framework to create and implement a common defense policy, placing the first concrete base building common defense.

It is of the view that enhancing strategic autonomy in security affairs entails, for the EU, the capacity to agree upon common political objectives and strategic guidelines, to establish strategic partnerships with relevant international organizations, including NATO, and States to collect adequate information and generate joint analyses and assessments, to harness and, where necessary, pool financial, civilian and military resources, to plan and run effective crisis management operations across the extended range of the Petersberg-type missions, and to frame and implement a common defence policy, laying the first tangible foundations on which to build common defence;

In the EU, the subsidiarity principle is considered a multistage security system: EU, OSCE, NATO and the UN today, the need for correlation, optimizing security cooperation between different institutions becomes more obvious than ever. Quite unpredictable developments in the EU, the rivalry between the EU and NATO, the emergence of major imbalances between the EU, the possibility that national interests take precedence over common ones are the main factors that influence and strength building a robust European security.

Construction IESA (European Security and Defence Identity) is, hopefully, an irreversible process that will be achieved by developing relations between NATO and the EU, together with the development of common security and defense policy. NATO has an important role in European defense, but the EU can turn to build a suitable and credible instrument of defense. EU can play a role that NATO neglected. And that's because the Union is not only interested in military matters, but rather seeks a comprehensive approach to crisis management. EU needs NATO and NATO

needs the European Union. European Union will never be strong without a strong NATO, and NATO will never be strong without a strong European Union.

Consistently, NATO and the EU have paid full attention to relations with Russia. After the fall of the Iron Curtain is obvious that to achieve a solid construction without Russia's participation in European security is not possible.

Based on the descriptions, the new provisions on security policy and defense policy (CSDP) introduced by the Lisbon Treaty is an expression of intent Union farm policy to act as a stabilizing force in the world. This option contained in the Treaty, the EU provides clear legal framework to strengthen its ability to pursue foreign and security policy through a comprehensive approach based on all instruments at its disposal and the Member States to prevent and manage crises and conflicts, and to build lasting peace.

The CFSP and the CSDP, which is an integral part thereof, have been placed within the legally binding institutional framework of EU principles (democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and principles of international law, including the Responsibility to Protect), and their objectives have been merged with the general objectives of the EU's external action

In conducting foreign and security policy, the EU should ensure constant and consistent relationship between areas of its external action and between foreign and domestic policies, a responsibility to do so by assuming the High Representative. This, in close cooperation with Member States, conducts the CFSP, proposed decisions and CSDP missions and national resources and Union instruments, together with the Commission and, where appropriate, coordinate their military and civil matters, chair the Foreign Affairs, is, at the same time, Vice-President responsible for the external relations and the coordination and coherence throughout the Union's external action. The High Representative has the power to submit proposals to the Council in foreign policy and security policy, either on its own initiative or at the request of the European Council, led by its general case the Council may decide by qualified majority.

The duty of consistency as defined by the Treaty, the new wording of Article 40 TEU (which states that the implementation of both the CFSP and the other EU policies shall not affect the application of the respective procedures) and recent ECJ case law (see the SALW case) protect both the primacy of the Community method and the distinguishing features and prerogatives of the CFSP, while encouraging the convergence of different policies, instruments, resources and legal bases in a holistic, comprehensive

approach, whereby contributing to peace and security in the world becomes a cross-cutting objective of EU external and internal action and the CSDP is one of its instruments; notes that military assets can be also deployed in the event of natural and man-made disasters, as shown in practice by the EU Military Staff coordination of military capabilities in support of civilian-led humanitarian relief operations during the Pakistan floods in 2010, in accordance with the applicable UN guidelines on the use of military and civil defence assets in international disaster relief (Oslo guidelines) and following the request by the Commission;

In the 2011 report on the development of common security and defense policy following the entry into force of the Lisbon Treaty is concerned because, more than a year after the entry into force of the Lisbon Treaty, there are still clear signs of a comprehensive approach to post-Lisbon EU, which can overcome traditional institutional barriers and procedural but at the same time, these legal powers are at stake when security of European citizens and also reaffirms that credible external security policy requires a deeper interdependence between Member States and improved internal cohesion, mutual trust and solidarity with, the same as what was done in the field of internal security in the Schengen cooperation.

The same report expresses deep concern about the danger of believing that ad hoc coalitions or bilateral cooperation based on the will could be viable substitutes of CSDP, since no European country has the capacity to be an actor with significant security and defense in the twenty-first century world.

In summary, the Lisbon Treaty provides the possibility to entrust the implementation of crisis management operations of a group of Member States, but only within a Council Decision defining the objectives, scope and conditions for implementation. A common reaction to events in Libya was an essential opportunity to formulate a new approach credible southern neighborhood policy. Also, develop a strategy for the Sahel and the Horn of Africa is still a concrete opportunity to demonstrate the EU's ability to meet the security challenges and the related development.

Role conferred upon the body directly representing EU citizens, the Treaty makes the European Parliament a vital source of democratic legitimacy for the CFSP.

In the not too distant future, the EU will need a White Paper on European security and defense, to have the background review of defense and national security policies undertaken in all Member States agree on a common model and allow direct comparison of the strengths and weaknesses of current capabilities and planning assumptions.

Permanent structured cooperation as stipulated in the Treaty, provides legal guarantees and obligations and is also a tool to promote better use of

assets during periods of economic austerity CSDP and to overcome the lack of consensus among member states. It requires Member States together with the Council to immediately establish the objectives and substance of such cooperation.

The provisions introduced by the Treaty of Lisbon provide great potential for promoting the development of EU military capabilities and to establish a progressive framework for EU defense policy.

Future success depends on the current European defense policy and common security to complete a single policy in this area. European Defence advancing with sure steps, mostly because of international events leads European leaders to strengthen cooperation. PESAC is a tool for building better capacities, because the European public could be more easily convinced that we must support its development of military capabilities in the EU than in a NATO context.

The same ships, planes and troops will be used for both NATO and EU missions. From this perspective, PESAC is not a so radical concept, but rather an adaptation to political realities. It is a mean to improve the EU's ability to assume responsibilities in activities that NATO refuses to participate.

Regardless of how it will evolve PESAC will play an important role in European security and transatlantic relations will not be affected. It is important to keep in proper perspective PESAC. European Security and Defence Policy has been created as a competitor to NATO in terms of mission, purpose and size. However, the EU is trying to develop a force for maximum intensity operations, but focuses on stabilization, humanitarian and other similar operations.

The Common Foreign and Security Policy (CFSP) and European Security and Defence Policy, European Union adds a greater political role of economic and commercial power. There are many steps to go before the actual weight of the political dimension will become clear. Despite their commitment to the CFSP will become a successful policy, caountries sometimes face difficulties in their national policy changes to certain third countries or regions, on behalf of European solidarity.

Although the EU has introduced some flexibility in voting procedures, allowing in some cases governments to refrain, establishing a majority vote, and allowing groups of states to act separately, unanimity is still required in decisions on military or defense implications.

Military analysts consider that the success of building a European defense, a division of powers and responsibilities of procurement in Europe is needed, each country will, according to tradition and capacities produce only a specialized component defense system for example, Germans, armored, British, aircraft and missiles, the French and Italians, telecommunications and radar, Dutch, etc.

Provisions on the common security and defense policy (CSDP), introduced by the Treaty of Lisbon is an expression of strong political intention of the European Union to act as a stabilizing force in the world and provides a clear legal framework to strengthen its capacity to pursue foreign and security policy through a comprehensive approach based on all instruments available to European Union and Member States to prevent and manage crises and conflicts and to build lasting peace.

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