

## THE UNION'S EXTERNAL ACTION

### Articles 2 and 3 TEU (guiding values and principles)

Union to « **uphold and promote its values and interests...** ». It shall **contribute to peace, security** [...] as well as to the strict observance and the development of **international law**, including respect for the principles of the **UN Charter** »

### Article 21 TEU (objectives)

[...] (b) consolidate and **support democracy, the rule of law, human rights and the principles of international law**;  
(c) **preserve peace, prevent conflicts** and strengthen **international security...**  
[...]  
(h) **promote an international system based on stronger multilateral cooperation** and good global governance.

# CFSP

## A wide scope:

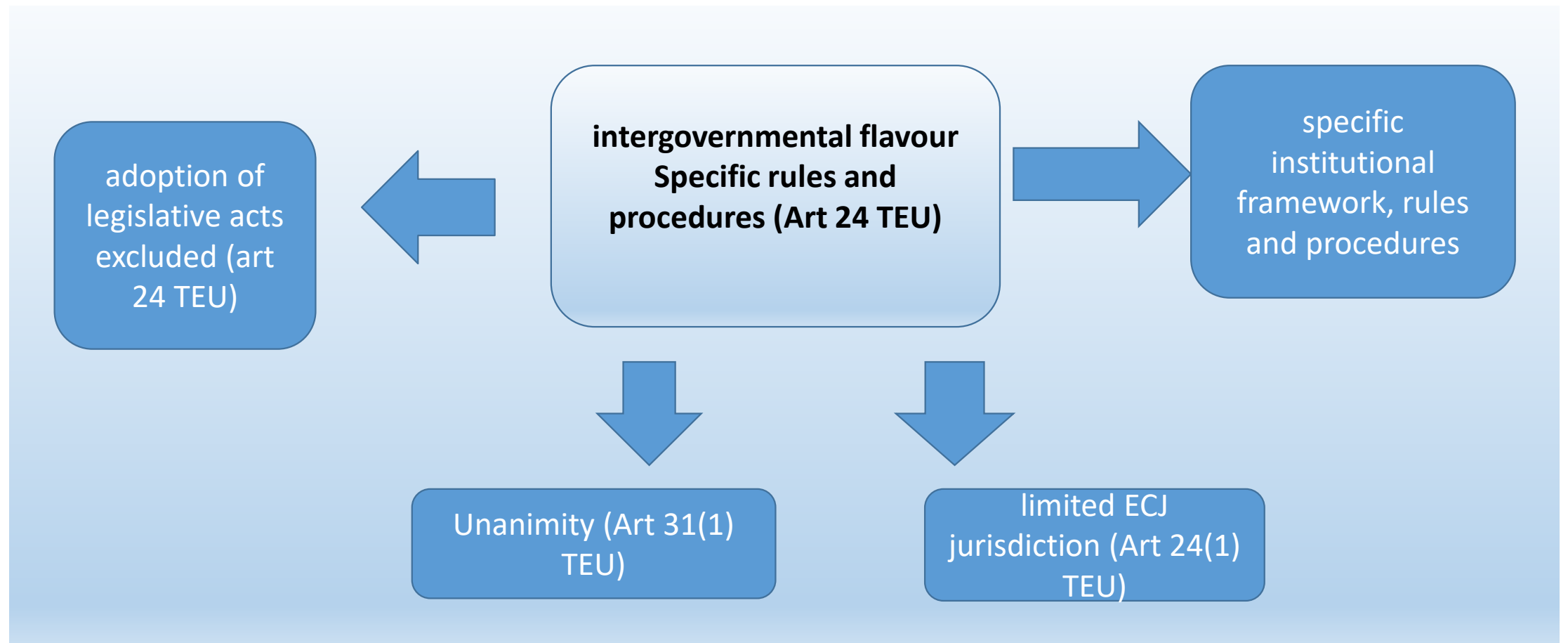
- Article 24(1) TEU: The Union's competence in matters of common foreign and security policy shall cover **all areas of foreign policy and all questions relating to the Union's security**, including the progressive framing of a common defence policy that might lead to a common defence.[...]

# CSDP as part of CFSP

- Article 42(1) TEU:

The common security and defence policy **shall be an integral part of the common foreign and security policy. It shall provide the Union with an operational capacity drawing on civilian and military assets.** The Union may use them on **missions outside the Union for peace-keeping, conflict prevention and strengthening international security** in accordance with the principles of the United Nations Charter. The performance of these tasks shall be undertaken using capabilities provided by the Member States.

# CFSP's distinctive governance features



# CFSP distinctive governance features

- The ToL for the first time qualifies the CFSP as a « competence of the EU » (Art. 24(1) TEU and Art. 2(4) TFEU).
- The nature of the competence however remains unclear. CFSP is not mentioned in Articles 3-6 TFEU. But one could qualify it as a *suis generis* competence, as MS retain the right to take foreign policy action even if the EU has acted, subject to the principle of loyalty (Art. 24(3) TEU).
- Intergouvernemental or supranational? CFSP is not intergovernmental – cf. constructive abstention and possibilities to act by QMV (Art. 31(2) TEU)

# The Member States

## Article 24(3) TEU (**loyalty**)

MS shall **support** the Union's external and security policy **actively and unreservedly in a spirit of loyalty and mutual solidarity** and shall **comply** with the Union's action in this area. They shall **refrain from any action** which is contrary to the interests of the Union or likely to impair its effectiveness.

## Article 32 TEU (**inform and consult each other**)

MS shall inform and consult one another within the European Council and Council [...] on any matter of foreign and security policy of general interest.

## Article 34 TEU (**coordination**)

Member States shall **coordinate their action** in international organisations and conferences and **uphold** the Union position in such forums.

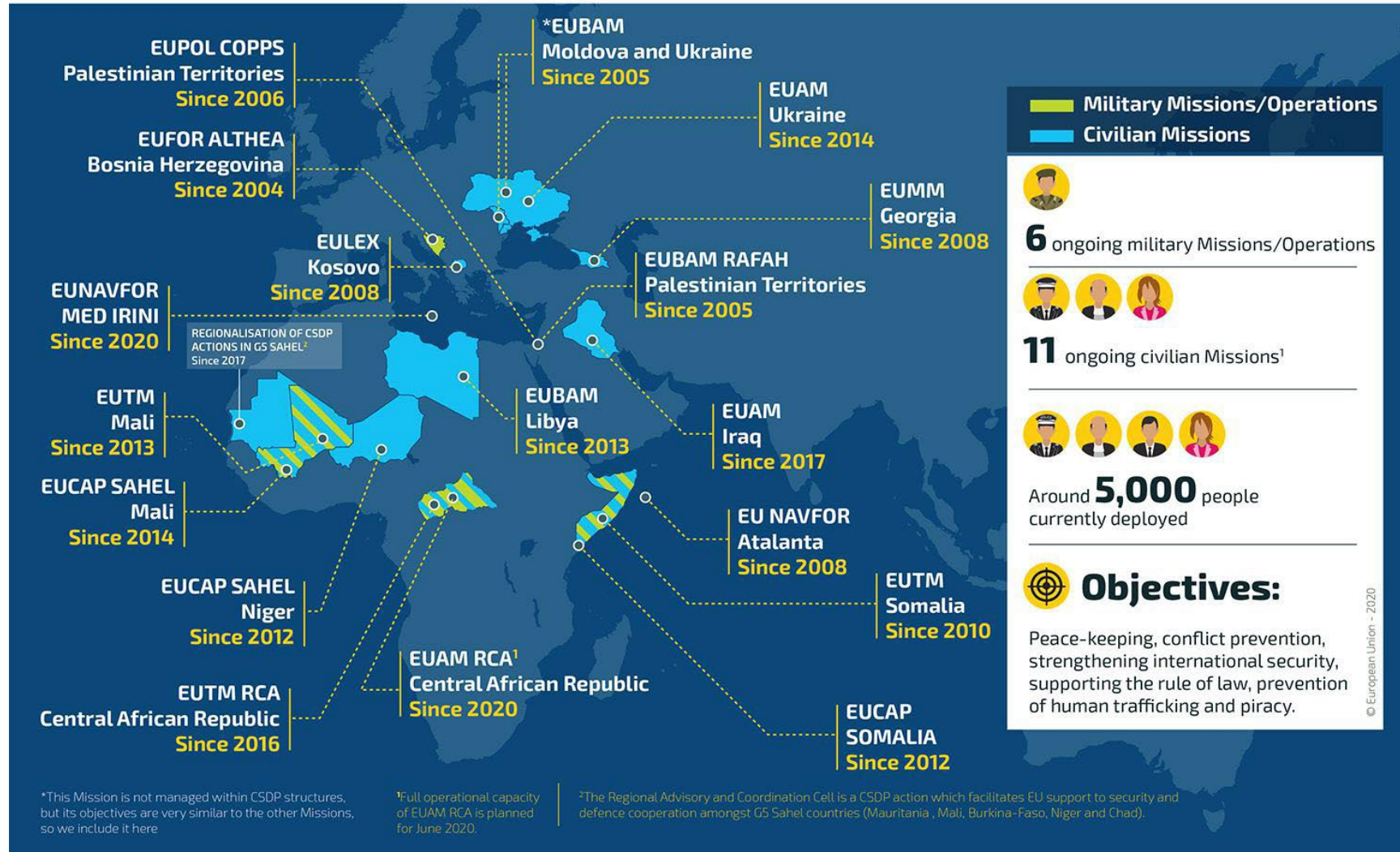
# EU's toolbox of CFSP instruments

- Military missions/operations
  - Civilian missions
  - Restrictive measures
- EU Special Representatives
  - non proliferation and disarmament
- PESCO
  - European Peace Facility (EPF) etc





# EUROPEAN UNION CSDP MISSIONS AND OPERATIONS 2020



**CFSP in action:  
EU's response to  
Russia's invasion of  
Ukraine**

Council  
conclusions,  
declarations,  
statements  
etc...

Global outreach:  
Diplomatic  
demarches :  
dialogue with UN,  
G7, third countries  
etc...

EPF - Military  
support: equipment  
including lethal

Restrictive measures  
on over 2 500 individuals  
and entities  
Sectoral measures, media  
outlets, services including  
legal services,  
Oil price cap  
etc

Support to  
Ukraine:  
Reconstruction,  
accountability  
efforts...

CSDP Mission  
EUMAM  
Ukraine

CSDP  
Mission  
EUAM  
Ukraine

**But it does not end here...  
Questions?**

