

THE DEVELOPMENT OF EUROPEAN UNION SECURITY POLICY

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Abstract *The article analyses the development of EU security policies. It reveals the development of EU political cooperation and cooperation in the field of Justice and Home Affairs. Important milestones are discussed: the development of European Political Cooperation (EPC), TREVI group, the system of EU pillars introduced by the Maastricht Treaty and the changes made by Lisbon Treaty. Lastly, the latest EU policies on security are addressed and the interdependence of internal and external security aspects is illustrated. The article concludes that the development of the EU's competence in security matters began with European Political Cooperation and efforts to address terrorism, serving as a transition from an economic to a political union concerned with internal and external security. The Maastricht Treaty established the Justice and Home Affairs (JHA) pillar, enhancing EU-wide security through cooperation on border controls, terrorism, illegal immigration, and judicial cooperation. The Treaty of Amsterdam and the Lisbon Treaty refined this framework, increasing the roles of EU institutions and prioritizing security coordination. The Common Foreign and Security Policy (CFSP), established in 1993, aims to preserve peace and enhance international security. The EU policies recognize the interconnected nature of threats arising to the security in the EU.*

Keywords: *EU security; security strategies; Lisbon Treaty; Common Foreign and Security Policy; Area of Freedom, Security and Justice*

Introduction

Presently, the security question in the European Union is set out in EU Security Union Strategy 2020-2025 (European Commission, 2020). It aims to protect everyone in the EU and promote the European way of life. “The strategy covers the period from 2020 to 2025 and focuses on priority areas where the EU can help Member States in fostering security for all those living in Europe, while respecting our European values and principles” (European Commission, 2024). On the other hand, Article 4 of the Treaty on the European Union (2016) states that “the Union shall respect [...] essential State functions [of the Member States], including ensuring the territorial integrity of the State, maintaining law and order and safeguarding national security. In particular, national security remains the sole responsibility of each Member State.” Thus an important question arises on the legal basis of EU competence on the issue of security and its extent.

The first official and comprehensive EU strategy, which focused on security, was “A Secure Europe in a Better World” in 2003 (European Council, 2003). This document addressed the EU external security aspects. It listed as key threats terrorism; proliferation of weapons of mass destruction; regional conflicts; state failure; organised crime. The EU internal security strategy of 2010, even though it was aimed at strengthening internal security of EU, also listed terrorism, serious and organised crime; cybercrime; cross-border crime; violence; natural and man-made disasters; other common phenomena (European Council, 2010). The strategy that followed, the European agenda on security for 2015-2020, listed terrorism and radicalisation; organised crime; cybercrime as the main areas of focus and included both internal and external dimensions (European Commission, 2015). The present strategy lists disruptions to public

services; cybersecurity; cybercrimes; influence of global environment; hybrid attacks; terrorist attacks; organised crime as the main threats (European Commission, 2020).

The strategy explicitly indicates that it encompasses questions of both internal and external security. The document indicates that internal and external security of EU are closely related (European Commission, 2020). Thus, we can see that internal and external security questions are intertwined in the EU security strategies. Speaking about the problem of the analysis, the security questions in the EU seem to be regulated by multiple legal bases. The allocation of competence principle in the EU is of fundamental importance, as the EU may act only in the fields that are indicated in its founding treaties (Treaty on the European Union and Treaty on the Functioning of the European Union). Thus a thorough analysis of the action of EU in the field of security is needed in order to determine the extent of EU action.

The **aim** of the present article will analyse the development of the competence of EU in the field of security. The historic and analytical methods were used to develop the topic and provide conclusions.

Initial competences of the European Communities and development of political cooperation

The initial European Communities (hereinafter also – EC) were aimed at the creation of common market for coal and steel (European Coal and Steel Community, founded in 1952), of a common market for the development of the peaceful uses of atomic energy (European Atomic Energy Community, founded in 1958) and of common market for all other goods through the elimination of most trade barriers and the establishment of a common external trade policy (European Economic Community, founded in 1958) (Britannica, 2024). The economic aims of the communities did not include questions of political cooperation or security issues. However, a certain degree of political cooperation was present even in the earliest stages of the development of European Communities, as the (then) six states and their representatives were present in common EC institutions, and the decisions taken had to be agreed politically.

However, the need to cooperate in matters outside the economic field has emerged quite early in the development of EC, as the countries needed to rebuild Europe after the war, and the cooperation on matters of foreign policy was seen as an integral part of this process. (*European Political Cooperation, 1988*). The concept of European Political Cooperation “had been under discussion since the early 1960s but had not been implemented due to the differences of opinion in this area between General de Gaulle and his partners. After de Gaulle’s retirement from political office, economic and political events taking place beyond the borders of Europe gradually made it necessary for the Member States to align their foreign policies more closely” (Deschamps, 2016). On October 27, 1970, the Foreign Ministers convened in Luxembourg and endorsed the Davignon Report, establishing the groundwork for political collaboration among Member States in the realm of foreign policy. This report, also called the ‘Luxembourg Report’, provided for consultation among the Six on foreign policy matters and the implementation of joint decisions but made no reference to consultation on matters of external security and defence. It formed the basis of the forum for European Political Cooperation (EPC) inaugurated in Munich on 19 November 1970 at the first ministerial meeting (Deschamps, 2016a; Alabduljabbar, 2018). In Paris on 9-10 December 1974, another stride toward European Political Cooperation was made as Heads of State or Government pledged to enhance their collaboration and synchronize their diplomatic efforts across all domains of international affairs pertinent to the European Economic Community. On November 30, 1976, the Nine reviewed the Tindemans Report on the European Union and acknowledged that European Political

Cooperation ought to foster convergence in the exercise of national sovereignty (Deschamps, 2016).

The creation and functions of TREVI group

The German Federal Home Office initially proposed the idea of a “European conference on internal security” in response to the Munich hostage crisis during the 1972 Summer Olympics. This crisis, where the Israeli Olympic team was attacked by Palestinians, highlighted the urgent need for a reassessment of West Germany's internal security, as internal security of West Germany could no longer be guaranteed solely within the classical framework of domestic policies. It became evident that international collaboration was essential as terrorists were operating across borders. The concept of such cooperation originated within the German ministerial bureaucracies and was subsequently advocated by the German Minister of Foreign Affairs (Oberloskamp, 2016).

A number of intergovernmental meetings on terrorism took place in 1971 and 1972 which indicated the need for more structured cooperation on these questions. At a Council of Ministers meeting in Rome in December 1975 UK Foreign Secretary James Callaghan proposed, and the Ministers agreed, to set up a special working group to combat terrorism in the EC (Bunyan, 1993).

“During the phase under consideration, an important motivation for TREVI was the new threat of terrorism operating across national boundaries. Another driving force was the hope that the exchange of experiences and knowledge in the areas of police technology and training would produce increased synergy. Furthermore, some states – in particular, West Germany – wanted TREVI to ascertain and to prepare appropriate measures for possibly opening the internal borders of the European Community (EC). Against this background, the conference was distinctly more than just a pragmatic response to pending security problems; it was also important for the further integration of the EC” (Oberloskamp, 2016).

TREVI (Terrorism, Radicalism, Extremism, Political Violence) group was set up by the Rome European Council in 1975, and took on a form of an intergovernmental network of national officials. Initially the group was dedicated to combating terrorism, but by the early 1990s its remit and organizational structure had grown to cover a wider range of crime control and public order matters (Baker, Harding, 2009).

The group's activities were based on intergovernmental collaboration among the 12 states, a process that excluded the primary EC institutions—the European Commission and the European Parliament. This proposition was formalized in Luxembourg on June 29, 1976, during a meeting of EC Interior Ministers. This decision mandated that, going forward, Ministers would be accompanied by high-ranking police and security service officials at these gatherings. In 1976, five working groups were established, reporting to the TREVI Senior Officials group, which, in turn, initially presented reports annually to meetings of the TREVI Ministers, comprising the 12 Interior Ministers of the EC. The TREVI “troika” consisted of three sets of senior officials from then-current EC Presidency, the previous Presidency, and the forthcoming one (for instance, in the latter half of 1992, it comprised Portugal, the UK, and Denmark). The role of the “troika” was to support and brief the current Presidency and its officials (Bunyan, 1993).

Comparing the process of TREVI group with the European Political Cooperation, it can be noted that “Not only concerning its intergovernmental structure, but also its flexible and pragmatic character, the conference was substantially orientated toward the model of the EPC. Unlike the EPC, however, TREVI worked largely in secret and endeavoured to avoid even the

slightest contact with EC-institutions. The conference's rather technical field of activity thereby fostered a general tendency toward trans governmental cooperation among ministerial bureaucracies and security experts" (Oberloskamp, 2016).

Maastricht Treaty – a significant stride forward in European cooperation

The Maastricht Treaty came into effect on November 1, 1993, subsequent to its ratification by the then 12 Member States (Belgium, Denmark, Germany, Ireland, Greece, Spain, France, Italy, Luxembourg, Netherlands, Portugal, and United Kingdom). One of the most notable and fundamental aspects of the Maastricht Treaty was the restructuring of the European Union's powers into three domains, commonly referred to as pillars. These included:

1. The European Communities (EC) pillar
2. The Common Foreign and Security Policy (CFSP) pillar
3. The Justice and Home Affairs (JHA) pillar (Council of the European Union, 2018).

The introduction of the pillar framework introduced distinct decision-making processes. The first pillar, the 'European Communities,' established a structure allowing the Community institutions to exercise powers delegated by the Member States in areas outlined by the Treaty on European Community. This led to an expansion in the number of decisions to be made through qualified majority voting within the Council of the European Union. Conversely, the second and third pillars operated through intergovernmental cooperation, typically by consensus among the Member States, with lesser involvement from the Commission (Council of the European Union, 2018). As seen in the introduction, the questions covered in the security strategies of the EU fall under both second and third pillars under Maastricht Treaty.

Area of Freedom, Security and Justice in EU and security issues

As mentioned above, the Maastricht Treaty introduced the Justice and Home Affairs pillar into the Union's legal order. It continued from the work carried out by TREVI working groups. By establishing the third pillar "Justice and Home Affairs", the Union aimed to foster unified actions through intergovernmental methods to ensure citizens enjoyed high levels of safety within an area characterized by freedom, security, and justice. Under the Maastricht Treaty's third pillar, there were provisions addressing external border controls, combating terrorism, establishing Europol, creating a common asylum policy, curbing illegal immigration, and enhancing judicial cooperation in criminal and civil matters. The elimination of internal borders and the promotion of free movement necessitated harmonizing various national legislative and regulatory frameworks, which were often quite different. Some of these areas had previously seen intergovernmental cooperation under the Schengen Implementation Convention of 1990, but this cooperation was insufficient and required expansion. However, the responsibility for maintaining law and order and ensuring internal security remained with the Member States (Council of the European Union, 2018).

After Maastricht Treaty, significant changes were made by the Treaty of Amsterdam (Baker, Harding, 2009, p. 30-31):

- The part of the Third Pillar that related to population movement was transferred to a new Title of the Community Treaty and the remainder renamed "Police and Judicial Cooperation in Criminal Matters". The part transferred was the title on "Visas, Asylum, Immigration and Other Policies Related to Free Movement of Persons".
- A horizontal connection was established between the freshly severed parts through the device of linking both Titles to a new objective, inserted into Art. 2 TEU, to

“maintain and develop the Union as an area of freedom, security and justice”. Thus, Art. 29 TEU, the opening provision of Title VI, proclaims that, “without prejudice to the powers of the European Community, the Union’s objective shall be to provide citizens with a high level of safety within an area of freedom, security and justice”.

- The Commission, the Parliament and the Court of Justice were all afforded an increased presence in Third Pillar affairs.

A number of changes were introduced in this area, now titled “Area of Freedom, Security and Justice” (hereinafter – AFSJ) with the Lisbon treaty. Firstly, the Lisbon Treaty abolished the third pillar, based on intergovernmental cooperation, and indicated, that Community method would be applied in the AFSJ. As a rule, legislative proposals are now adopted under the ordinary legislative procedure set out in Article 294 of the TFEU. The Council acts by a qualified majority, and the European Parliament, as co-legislator, delivers its opinion via the codecision procedure (Bux, Maciejewski,2023). Secondly, increased powers were attributed to the Court of Justice of the European Union (it can give preliminary rulings on all aspects of AFSJ as well as decide on failure to fulfil an obligation) and the Commission (it may bring proceedings for failure to fulfil an obligation against Member States in AFSJ). Thirdly, “the Lisbon Treaty formally recognises the European Council’s preeminent role of ‘[defining] the strategic guidelines for legislative and operational planning within the area of freedom, security and justice’ (Article 68 of the TFEU). In June 2014, the European Council defined these guidelines over the coming years. They are in line with the priorities set in the strategic agenda for the EU, which was also adopted in June 2014” (Bux, Maciejewski,2023).

The importance of this area is illustrated by the fact that this policy is listed among the EU key objectives in Article 3(2) of TEU, even before the aim of establishing internal market. It states that “The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime“ (*Treaty on the European Union*, 2016). It is now shared competence of the EU (Article 4(2)(j) of TFEU) which means that „the Union and the Member States may legislate and adopt legally binding acts in that area. The Member States shall exercise their competence to the extent that the Union has not exercised its competence. The Member States shall again exercise their competence to the extent that the Union has decided to cease exercising its competence.“

Further provisions on AFSJ are established in Articles 67 to 89 TFEU (2016). The importance of the notion of security is underlined in Article 67(3), which states that „the Union shall endeavour to ensure a *high level of security* through measures to prevent and combat crime, racism and xenophobia, and through measures for coordination and cooperation between police and judicial authorities and other competent authorities, as well as through the mutual recognition of judgments in criminal matters and, if necessary, through the approximation of criminal laws.” Thus, important aspects to the internal security of the EU are the listed measures: measures to prevent and combat crime, racism and xenophobia, coordination of police and judicial authorities; mutual recognition of judgements in criminal matters and approximation of criminal laws.

The important safeguards regarding the functions of Member states are established in Articles 72 and 73 TFEU (2016). Article 72 indicates that the provisions regarding AFSJ in TFEU „shall not affect the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of internal security.“ Furthermore, the Member States have the right to cooperate and coordinate action „as they

deem appropriate between the competent departments of their administrations responsible for safeguarding national security.“

Security as the element of Common Foreign and Security Policy

Common Foreign and Security Policy of the European Union (hereinafter – CFSP), established in 1993 by the Treaty on European Union (TEU), aims to preserve peace, enhance international security, foster cooperation, and uphold democracy and human rights. The CFSP continued and enhanced the cooperation that had been carried out under the European Political cooperation. Under EPC, member states were encouraged to cooperate in foreign policy matters, whereas under CFSP, there's a commitment to strive for agreement on common positions and to adhere to them once agreed upon. This shift represents a move towards a more binding framework, where common positions and joint actions become international legal obligations, signalling a deeper level of commitment among member states. The introduction of joint actions under CFSP marks a departure from solely making policy together (as in EPC) to implementing agreed policies collectively. This is aimed at ensuring a more coherent and effective approach to foreign policy, with mechanisms in place to govern the actions of member states. Furthermore, CFSP expands the scope of cooperation beyond just economic aspects to encompass all security aspects of foreign policy. This broadening reflects the changing nature of security challenges and the recognition of the need for a comprehensive approach to addressing them (Hurd, 1993, p. 425).

Initially, the CFSP was the second pillar of the EU as established by the Treaty on the European Union (hereinafter – TEU). “In December 1999, the European Council established the role of the High Representative for the CFSP. The 2003 Treaty of Nice introduced further changes to streamline the decision-making process and mandated the Political and Security Committee (PSC), which had been established under a Council decision in January 2001, to exercise political control and strategic direction of crisis management operations.” (Malovec, 2023).

The Treaty of Lisbon eliminated the pillar structure introduced by the Treaty of Maastricht. CFSP now forms an integral part of the EU’s external relations. “The policy is aimed at fostering democracy, upholding the rule of law and promoting respect for human rights. 10 It also provides the legal basis for the EU to act as the guardian of international peace and security ensured by a sincere co-operation and coordination efforts worldwide. The policy currently regulates all foreign and security matters which often comprises dealing and preventing crises under the Common Security and Defence Policy” (Ryabtsev, Belhadj Ali, 2022).

The Lisbon treaty created new actors in CFSP, such as the High Representative of the Union for Foreign Affairs and Security Policy who also serves as Vice-President of the Commission (VP/HR), and the new permanent President of the European Council. Moreover, it created the European External Action Service (EEAS) and upgraded the Common Security and Defence Policy (CSDP), which forms an integral part of the CFSP (Malovec, 2023). The High Representative holds a double post: it combines tasks of both the Vice-President of the European Commission and the Chair of the Council of Foreign Ministers with the sole objective of facilitating co-ordination among different EU actors. “By acting as a bridge between EU institutions, the HR ensures the coherence the EU lacked in its external relations before the Lisbon Treaty has entered into force. Therefore, one can argue that the HR increases the overall effectiveness of the CFSP” (Ryabtsev, Belhadj Ali, 2022). The Commission has a restricted role to support the High Representative’s initiatives, it does not hold executive powers in this

field. The European Court of Justice does not have the power to challenge EU actions undertaking the CFSP. The main decision-making powers are vested in European Council and Council of EU, and each Member State may veto any CFSP proposal in case where its vital interests are threatened. The European Parliament is updated and consulted regarding aspects and issues arising from CFSP (Ryabtsev, Belhadj Ali, 2022). “Additionally, the Lisbon Treaty does not explicitly specify which type of EU competence this policy falls under. Such an institutional setting strongly points out that the CFSP preserves a particularly intergovernmental character as opposed to a supranational one, due to the distinct nature and dimension of this policy field” (Ryabtsev, Belhadj Ali, 2022).

The legal basis for the CFSP was set out in the Maastricht Treaty and revised in the Lisbon Treaty. The provisions regarding external action and also CFSP are set out in Articles 21-46, Title V, of the TEU. The Treaty on the Functioning of the European Union (hereinafter – TFEU), Articles 205-222 develop other aspects of EU external action, besides CFSP. Articles 346 and 347, also apply.

Regarding the question of security, it is already established in the title of the policy itself: “Common Foreign and *Security* Policy”. The provisions of the Treaty on European Union (2009) indicate, that the EU in the international relations may seek security in two aspects: it may seek to safeguard “its [...] security” (Article 21(2)(a)) and to “strengthen international security in accordance with the purposes and principles of the United Nations Charter, with the principles of the Helsinki Final Act and with the aims of the Charter of Paris, including those relating to external borders” (Article 21(2)(c)). Furthermore, Article 24 TEU indicates that the CFSP is aimed at ensuring the Union’s security: “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.”

National security clauses

The question of security, despite being extensively reflected in TEU and TFEU, still remains a sensitive and essential question also to the Member States. This is recognized by Article 4(2) TEU (2016), which indicates that “The Union shall respect [...] their essential State functions, including ensuring the territorial integrity of the State, maintaining law and order and safeguarding national security. In particular, national security remains the sole responsibility of each Member State.” Thus, the policies on security may not encroach this responsibility of the Member States, and should focus only on transnational aspects of both internal and external EU security issues.

As mentioned, further safeguards are provided in Articles 72 and 73 TFEU (2016), which preserve the responsibility of Member States with regard of maintenance of law and order and the safeguarding of internal security and their ability to cooperate and coordinate with each other in the field of safeguarding national security.

Furthermore, Articles 346 and 347 TFEU (2016) also are of relevance here. Article 346 provides that “The provisions of the Treaties shall not preclude the application of the following rules: (a) no Member State shall be obliged to supply information the disclosure of which it considers contrary to the essential interests of its security; (b) any Member State may take such measures as it considers necessary for the protection of the essential interests of its security which are connected with the production of or trade in arms, munitions and war material; such measures shall not adversely affect the conditions of competition in the internal market regarding products which are not intended for specifically military purposes.” Thus it concerns

provision of information and the regulation of specific field: trade in arms, munitions and war material. Furthermore, Article 347 TFEU indicates the possibility of taking steps interfering with the functioning of internal market “in the event of serious internal disturbances affecting the maintenance of law and order, in the event of war, serious international tension constituting a threat of war, or in order to carry out obligations it has accepted for the purpose of maintaining peace and international security” and provides for consultations of Member states in order to mitigate the effect of such actions to the internal market. “Article 347 deals with situations of serious internal disturbances affecting the maintenance of law and order, situations of war, or threat of war, and implies an obligation of consultation between the Member States. It could not be invoked unless extreme conditions are present, and a mere reference to the requirements of defence of the national territory cannot suffice to justify discrimination on grounds of nationality” (Slepek, 2019).

EU security policies and their scope: interdependence of internal and external security of the EU

The internal and external EU security facets are closely intertwined. The former European Commissioner for Justice, Freedom and Security, Jacques Barrot has underlined that ‘Justice and Home Affairs (JHA) policies have increasingly had an impact on international relations and play a vital role in the European Union’s (EU) external policies. Conversely, many of Europe’s internal policy goals depend on the effective use of external policy strategies’ (Carrapico, Barrinha, 2017, p. 1254).

Todorut (2018, p. 204) points out that “The first attempts the EU has made to systematically integrate internal security issues - in this case Justice and Home Affairs (JHA) - into its foreign and security policy have taken place at the Tampere European Council in 1999. The Presidency Conclusions at that time stressed the need for a “stronger external action” in the field of JHA.” As the author states, “Conflicts and instability in other regions of the world are producing ever increasing reverberations on European countries. For example, a direct link can be identified between organized crime phenomena such as trafficking in human beings or drug trafficking and countries or regions in the Middle East or Africa with an extremely volatile internal situation” (Todorut, 2018, p. 204).

The EU’s first official and comprehensive security strategy “A Secure Europe in a Better World” in 2003 addresses EU external security aspects (European Council, 2003). It analysed and defined the EU’s security environment, identifying key security challenges and subsequent political implications for the EU. It singled out five key threats: terrorism, proliferation of weapons of mass destruction, regional conflicts, state failure, and organised crime. However, it can be seen that these topics and issues are also dealt within the framework of AFSJ (internally in the EU). The strategy addresses the external aspect of these policies. A review in 2008 confirmed the validity of the ESS and the need to be ‘more capable, more coherent and more active’ in order for the EU to reach its full potential (European Council, 2003). The adoption of this strategy “may be seen (aside from any practical results it leads to) as a conceptual and procedural turning point in the development of the EU’s Common Foreign and Security Policy (CFSP). Set against its specific political background, it was also an important stage in the developing self-awareness and ambition of the EU as a player in the global arena” (Bailes, 2005).

“With the Lisbon Treaty in place, new provisions sketching out further ambitions and a ‘communautairization’ of internal security policymaking added to what could be categorized

as a growing degree of strategic content in the area of EU internal security cooperation” (Bossong, Rhinard, 2013, p. 46).

The Stockholm Programme, adopted by the European Council in Brussels, 10-11 December 2009, foresaw the strategy for the Area of Freedom, Security and Justice for the years 2010-2014 (European Council, 2009). In light of the Lisbon Treaty’s entry into force on 1 December 2009, which brought about significant changes to the provisions relevant to the area of Freedom, Security, and Justice (Title V of the Treaty on the Functioning of the European Union), the Stockholm Programme established the framework for police and customs cooperation, rescue teams, cooperation on criminal and civil affairs, and policy on asylum, immigration and visas, for the 2010-2014 period (The Stockholm Programme, 2017).

The Stockholm Programme sets the following priorities: promoting citizen rights, improving their everyday lives, protecting citizen, ensuring access to Europe in a globalised world, solidarity and partnership in migration and asylum matters, as well as the external dimension of the area of freedom, security and justice. Regarding EU security, it stated that “An internal security strategy should be developed in order to further improve security in the Union and thus protect the lives and safety of European citizens. The strategy should be aimed at strengthening cooperation in police matters and law enforcement and making Europe more secure” (European Council, 2009).

In February 2010, under the six-month Spanish Presidency, the Council, implementing the Stockholm programme, complemented the European security strategy by adopting the EU internal security strategy. The internal security strategy was approved by the European Council on 25 and 26 March 2010 (European Council, 2010). Given that many security challenges (cybercrime, terrorism, illegal immigration and organised crime) are cross-border and cross-sectoral in nature, no single EU Member State is able to respond effectively to these threats on its own. In addition, the EU needed to improve its resilience to crises and disasters. The Internal security strategy was the EU's joint agenda to use all the resources and expertise available to tackle these challenges (Internal Security Strategy, 2024). The strategy sets out the challenges, principles and guidelines for dealing with security threats relating to organised crime, terrorism and natural and man-made disasters. The communication sets out five strategic objectives, with specific actions for each objective, for overcoming the most urgent challenges in order to make the EU more secure. “The ISS raised expectations that the sprawling and contested field of AFSJ might become subject to an overarching ‘strategic approach’ – defined as the adoption of a unifying vision, a set of principles for guiding action, a statement of priorities, and a pairing of ends with means – as connoted by the sub-title of the ISS: ‘towards a European security model’” (Bossong, Rhinard, 2013, p. 46).

This was followed, by the European agenda on security 2015-2020, adopted by the European Commission on 28 April 2015, which, in the wake of the Charlie Hebdo attacks in Paris that year, placed considerable emphasis on addressing the issues of terrorism and radicalisation, international organised crime and cybercrime (Internal Security Strategy, 2024). It is a shared agenda between the Union and Member States. The result aimed was an EU as an area of internal security where individuals are protected in full compliance with fundamental rights. The Agenda aimed at better information exchange, increased operational cooperation and mutual trust, drawing on the full range of EU policies and tools. It aimed to ensure that the internal and external dimensions of security work in tandem. Whilst the EU must remain vigilant to other emerging threats that might also require a coordinated EU response, the Agenda prioritised terrorism, organised crime and cybercrime as interlinked areas with a strong cross-border dimension, where EU action can make a real difference (European Commission, 2015).

Speaking about the link between internal and external security, the Strategy states that “we need to bring together all internal and external dimensions of security. Security threats are not confined by the borders of the EU. EU internal security and global security are mutually dependent and interlinked. The EU response must therefore be comprehensive and based on a coherent set of actions combining the internal and external dimensions, to further reinforce links between Justice and Home Affairs and Common Security and Defence Policy. Its success is highly dependent on cooperation with international partners. Preventive engagement with third countries is needed to address the root causes of security issues” (European Commission, 2015).

The European Union Global Strategy of 2016 (“Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union’s Foreign And Security Policy”) reflects on the external aspect of EU security. It states that one of EU priorities in this field is “The Security of our Union. The EU Global Strategy starts at home. Our Union has enabled citizens to enjoy unprecedented security, democracy and prosperity. Yet today terrorism, hybrid threats, economic volatility, climate change and energy insecurity endanger our people and territory. An appropriate level of ambition and strategic autonomy is important for Europe’s ability to promote peace and security within and beyond its borders. We will therefore enhance our efforts on defence, cyber, counterterrorism, energy and strategic communications. Member States must translate their commitments to mutual assistance and solidarity enshrined in the Treaties into action. The EU will step up its contribution to Europe’s collective security, working closely with its partners, beginning with NATO“ (*European Union Global Strategy*, 2016). Thus even in a document setting out priorities for external action, internal aspects of security (mutual assistance of Member States, solidarity) are present.

The European Union has developed the Security Union concept, which was first introduced in the 2016 European Commission Communication “Paving a way towards an effective and genuine Security Union”. This concept was built on the 2015 European Agenda on Security. It proposed a new approach based on shared responsibility between the European Union and the EU countries (European Security Union, 2024).

The European Commission adopted in 2020 the present EU Security Union Strategy designed to safeguard all individuals within the EU and uphold the European way of life. Encompassing the timeframe from 2020 to 2025, this strategy hones in on key domains where the EU can assist its member states in cultivating security for the entire populace residing in Europe. This is pursued while maintaining a commitment to our European values and principles (European Security Union, 2024; European Commission, 2020).

The strategy states that “significant legal, practical and support tools are already in place, but need to be both strengthened and better implemented. Much progress has been made to improve the exchange of information and intelligence cooperation with Member States and to close down the space in which terrorists and criminals operate. But fragmentation remains. The work must also go beyond the EU’s boundaries. Protecting the Union and its citizens is no longer only about ensuring security within the EU borders, but also about addressing the external dimension of security. The EU’s approach to external security within the framework of the Common Foreign and Security Policy (CFSP) and the Common Security and Defence Policy (CSDP) will remain an essential component of EU efforts to enhance security within the EU. Cooperation with third countries and at global level to address common challenges is central to an effective and comprehensive response, with stability and security in the EU’s neighbourhood critical to the EU’s own security” (European Commission, 2020).

“This Strategy covers the period 2020-2025 and focuses on building capabilities and capacities to secure a future-proof security environment. It sets out a whole-of-society approach to security that can effectively respond to a rapidly-changing threat landscape in a coordinated

manner. It defines strategic priorities and the corresponding actions to address digital and physical risks in an integrated manner across the whole Security Union ecosystem, concentrating on where the EU can bring further value. Its goal is to offer a security dividend to protect everyone in the EU” (European Commission, 2020).

Thus, we can see that policies carried out by the EU in the context of CFSP and Common Defence and Security Policy do not directly have the internal dimension, but do influence the state of internal security in EU. On the other hand, the actions taken in the context of AFSJ may have both internal (EU wide) and external dimensions, as the threats that are considered have both these dimensions, and may not be effectively countered by only addressing the internal dimension.

Conclusions

The development of the EU competence in security questions started with the development of European Political Cooperation and the development of cooperation on internal security matters, in particular terrorism (TREVI working group). These measures were a transitional step for the EU to develop from purely economic union to political union, which concerned itself with the internal and external security issues.

The security issues reflected in strategic documents of the EU fell under both new pillars introduced by the Maastricht Treaty - Common Foreign and Security Policy (CFSP) pillar and the Justice and Home Affairs (JHA) pillar.

The Maastricht Treaty established the Justice and Home Affairs pillar to enhance EU-wide security through intergovernmental cooperation, addressing border controls, terrorism, illegal immigration, and judicial cooperation. The Treaty of Amsterdam refined this framework, emphasizing an area of freedom, security, and justice and increasing the roles of EU institutions in security matters. The Lisbon Treaty further reformed the system, abolishing the third pillar and adopting the Community method, which increased legislative efficiency and the roles of the Court of Justice and the European Commission. It prioritized security by ensuring coordination among police and judicial authorities, mutual recognition of criminal judgments, and approximation of criminal laws, while safeguarding Member States' responsibilities for internal security as outlined in Articles 67, 72, and 73 of the TFEU.

The Common Foreign and Security Policy (CFSP) of the European Union, established by the Treaty on European Union (TEU) in 1993, aims to preserve peace, enhance international security, foster cooperation, and uphold democracy and human rights. Initially part of the EU's second pillar, the CFSP evolved with the Treaty of Lisbon, which integrated it into the EU's external relations. The CFSP, now a comprehensive framework encompassing the Common Security and Defence Policy (CSDP), focuses on safeguarding the EU's security and strengthening international security in line with UN principles.

The EU policies on security show that the internal threats encountered by the EU have external dimensions, and the latest policies encompass both internal and external security of the EU. Policies carried out by the EU in the context of CFSP and Common Defence and Security Policy do not directly have the internal dimension, but have a significant influence on the state of internal security in EU. On the other hand, the actions taken in the context of AFSJ may have both internal (EU wide) and external dimensions, as the threats that are considered have both these dimensions, and may not be effectively countered by only addressing the internal dimension.

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