

Common defence policy in the context of EU law

Abstract:

This thesis deals with the common defence policy in the context of EU law. The common defence policy is an undefined area of the EU's common defence and security policy.

The first part of the work is devoted to the necessary theory of security policy, the theoretical concept of grand strategy, deterrence strategy and a brief history of the security integration of Europe, up to the establishment of the European Union and the increasingly extensive legal regulation of the area of common security and defence policy. Special emphasis is placed on the presentation of less well-known concepts in the Czech Republic, such as the theory of grand strategy, the theoretical approach to the formation of an ends-ways-means strategy and peace research. Peace is seen in the work as an ideal state, which itself, however, needs wider theoretical research. An understanding of peace theory is important for understanding the steps the European Union must take towards potential allies and systemic adversaries in order to ensure the security of its sovereignty, democracy and the lives, health and property of its citizens and residents. Positive peace is built using soft power and international cooperation. Negative peace is maintained through hard power and a strategy of deterrence.

The following parts of the thesis are devoted to the adjustment of the common security and defence policy in the primary law of the EU, especially the Treaty on European Union and the conformity of the adjustment with the constitutional order of the Czech Republic. Special space is devoted to the TEU provisions on collective defence in the event of an attack on one member of the Union. Subsequently, the activities of selected entities implementing CSDP and selected CSDP implementation tools are presented. Russian aggression in Ukraine shows the importance of defining a common defence policy, therefore the work deals with the individual steps of the EU after the start of the war and the possible consequences for the future of European defence. The research question of the thesis is: "The current form of the legal anchoring of the common defence policy of the European Union and changes in its implementation in the period 1991-2023. How has the EU's common defence policy developed, how does it look now and how could it develop in the future?".

Klíčová slova: European Union, European defence fund, Common foreign and security policy, Common security and defence policy