

Introduction

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doi: <http://dx.doi.org/10.18543/ced-65-2021pp19-21>

Abstract: The conclusion of the trade agreement with United Kingdom, the post-Covid 19 recovery plans, the vaccination process and the launch of the Conference on the Future of Europe are some of the relevant events that have determined the first months of 2021 in the European Union (EU). In this evolving and changing context in which uncertainty is opening way to hope, the EU continues to face major challenges that are not new and will persist in the post-Covid era, among them climate change, external border management, immigration and threats to international security.

Keywords: Cybersecurity, economic and monetary union, Syrian refugees, *res iudicata*, integrated external borders management.

The onset of 2021 in the EU has been marked by the beginning of a new relationship with the United Kingdom as a third country, the initiation of a mass vaccination campaign in Europe and the development of post-Covid 19 recovery plans. Immersed in this whirlpool of difficulties, challenges and ambitions, the EU is committed to looking to the future by undertaking a thorough revision of the Treaties that would allow consolidating the European construction process in the coming decades. This dynamic of self-assessment and foresight has already begun with the establishment of the Conference on the Future of Europe on 9 May 2021.

In this context of crossroad, this issue 65/2021 of *Deusto Journal of European Studies* includes five contributions about some of the issues and challenges that the EU will continue to face in the coming years.

Agnes Kasper, Senior Lecturer of Law and Technology in Tallinn University of Technology (Estonia), and **Vlad Vernygora**, Lecturer in International Relations at Tallinn University of Technology and PhD in Social Sciences at the University of Lapland (Finland), address the issue of cybersecurity. With the title “The EU’s cybersecurity: a strategy narrative of a cyber power or a confusing policy for a local common market?”, the study highlights how in the last decade the EU has been developing a strategic narrative to address the cyber threat to security. Given this

narrative and the EU's participation in bilateral and multilateral fora addressing this challenge, the article argues that the EU could transform itself into a global cybersecurity power.

Nuno Albuquerque Matos, PhD candidate at the Global School of Law of Portuguese Catholic University (Lisbon), places his analysis in the context of the Economic and Monetary Union. Under the title “Judicialization of Economic and Monetary Union: between a rock and a soft place?”, the author specifically highlights the role played by the European Central Bank (ECB), in recent years of strong economic recession, through various stimulus plans, such as the Outright Monetary Transactions and Public Sector Purchase Programs. Both initiatives were contested by the German Constitutional Court with the argument that they exceeded the ECB's powers expressly attributed by the Treaty on the Functioning of the EU. Asked for a preliminary ruling, the Court of Justice of the EU endorsed the measures decided by the ECB. However, the author concludes, this degree of judicialization of the ECB's activities shows the need to advance in economic integration by transferring adequate powers on economic policy to the EU.

Javier Lión Bustillo, Lecturer at the Department of Political History, Theories and Geography in Complutense University of Madrid, analyses the EU's policy towards Syrian refugees in the context of its relations with Lebanon. Under the title “La Unión Europea, Líbano y los refugiados sirios”, the author highlights the contradiction between the objectives of the Common Foreign and Security Policy (CFSP), which pursues the political and social stability in Lebanon by promoting democracy, human rights and good governance, and those of the Area of Freedom, Security and Justice (FSJA), which seeks to ensure that Syrian refugees remain in neighbouring countries and prevent their resettlement in EU Member States. However, the growing presence of Syrian refugees in Lebanon has contributed precisely to increasing tensions in a country already hit by political instability and widespread poverty. This situation shows, according to the author, the need to establish a coherent link between the objectives of the CFSP and the FSJA.

Joaquín Sarrión Esteve, *Ramón y Cajal* Researcher at the UNED, reviews the Court of Justice of the EU (CJEU)'s case law about the principle of *res judicata* force in relation to the EU law primacy and internal effectiveness. Under the title “Apuntes sobre la autoridad de la *res iudicata* en la jurisprudencia del Tribunal de Justicia de la Unión Europea”, the author highlights the possible incompatibility that national jurisdictions' firm decisions may arise with respect to EU law that enjoys absolute primacy in areas of EU power. Against this background, the author analyses some relevant judgments of the CJEU in this regard. He concludes that, in general,

the force of *res judicata* limits the possibility of reviewing final judicial decisions, although the CJEU's case law has showed a casuistic approach up to now, according to the circumstances. In this sense, the CJEU does not totally rule it out, as is the case of an area of EU exclusive competence.

Miguel Ángel Acosta Sánchez, Associate Professor of Public International Law and International Relations at the University of Cadiz offers an analysis of the International Association of Gendarmeries and Police Forces with Military Status (FIEP) as a singular case of cooperation between EU Member States and third countries in the control of irregular immigration and international crime. Under the title “The International Association of Gendarmeries and Police Forces with Military Status (FIEP): an instrument available for integrated European borders management?”, the author analyses the FIEP as a new framework for border control towards irregular immigration. Unlike other cooperation structures, such as the European Gendarmerie Force (Eurogendfor) or the European Border and Coast Guard Agency (Frontex), the FIEP includes police forces from third countries as full members, mainly from the southern shore of the Mediterranean. The study also assesses the compatibility of the FIEP with other police structures, as well as its potential contribution to the development of an integrated management of the EU's external borders.

About the autor

Beatriz Pérez de las Heras is Professor of European Union Law and Jean Monnet Chair on European Integration at the University of Deusto (UD). PhD in Law (UD), she accomplished post-graduate studies at the Centre Européen Universitaire de Nancy (France), where she obtained the DESS and DEA en Droit Communautaire. She was Director of the European Studies Institute at UD from 1996 to 2009, and Academic Coordinator of the Jean Monnet Centre of Excellence on European Union Law and International Relations from 2013 to 2016. She also served as Vice-Dean for Research and International Relations at Deusto Faculty of Law from 2013 to 2015. She has been a visiting scholar at the Universities of Oregon (2009), Georgetown (2012), Fordham (2013), Boston College (2014) and Florida International University (2016). She is currently Editor-in-Chief of *Deusto Journal of European Studies* and Main Researcher of the “Integración Europea y Derecho Patrimonial” research team. She is author of various books and articles on European legal issues. As of September 2019, she is the Coordinator of the Jean Monnet Project “European Union-Asia Pacific Dialogue: promoting European Integration and mutual Knowledge across Continents” (EUNAP).

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