

This research deals with Article 42 paragraph 7 of the Treaty of Lisbon amending the Treaty on the European Union which is a new type rule concerning the law of the European Union. By signing this provision, the Member States commit themselves to provide assistance in the event that at least one of them is affected by an armed attack. The passage explicitly refers to article 51 of the United Nations Charter and is teleologically and historically in close relations to the arrangements of collective defense in North Atlantic Treaty and Western European Union Treaty. This Volume examines the conditions of the application of this article and the legal consequences for the international law level and for the constitutional law level (Germany) as well as its impacts and its relation to the solidarity clause of article 222 of the Treaty on the Functioning of the European Union and article 5 of the North Atlantic Treaty. In particular, the impact of the immanent reservations to the Union and to the Member States had to be considered. Due to the fact that they are induced partly by constitutional law of the Member States, partly by international law, these impacts relate in its entirety to the specific constitution of the ESDP. The conditions are interpreted in the light of international law. The result is a binding legal obligation to provide assistance, with some exceptions for the military.