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NOTE

From:	Political and Security Committee
On:	14 November 2016
To:	Permanent Representatives Committee

Subject:	Draft Council conclusions on implementing the EU Global Strategy in the area of Security and Defence
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The Political and Security Committee met on 13 November 2016, and agreed on draft Council conclusions on implementing the EU Global Strategy in the area of Security and Defence.

One delegation:

- in the middle of paragraph 7(c), referring to European Council conclusions, wanted to reinforce the language on irregular migration with the notion of the need "to stem irregular migration flows";
- in the first sentence of paragraph 11(a), wanted to delete the word "irregular" before "migration".

Neither requests could be accepted by all other delegations.

Coreper is therefore invited to examine and approve the draft Council conclusions as set out in the Annex, with a view to submitting them to the Council for adoption.

**DRAFT COUNCIL CONCLUSIONS ON IMPLEMENTING THE EU GLOBAL
STRATEGY IN THE AREA OF SECURITY AND DEFENCE**

Foreign Affairs Council, 14 November 2016

Introduction

1. Europe's security environment requires a strong European Union, able to promote peace and guarantee the security of its Member States and citizens. This demands a concerted and cooperative response by the EU and its Member States to address evolving security threats and challenges, making full use of the Treaties. In this respect, the Global Strategy for the European Union's Foreign and Security Policy (EUGS) provides a shared vision and proposes common action.
2. The Council is committed to strengthening the Union's ability to act as a security provider and to enhance the Common Security and Defence Policy (CSDP) as an essential part of the Union's external action. This will enhance its global strategic role and its capacity to act autonomously when and where necessary and with partners wherever possible. The Council underlines the need to discuss and decide on security and defence issues on a regular basis. It recalls the European Council's commitment to keep Security and Defence regularly on its agenda.
3. Further to the Council conclusions on EUGS follow-up of 17 October, the Council welcomes the Implementation Plan on Security and Defence as a proposal by the HR/VP and Head of the European Defence Agency. Drawing on this Implementation Plan, the Council sets the level of ambition of the EU through these conclusions and prioritises concrete actions needed to implement the EUGS in the area of security and defence. These should assist the EU and its Member States in addressing further Europe's current and future security and defence needs, enhance its strategic autonomy and strengthen its ability to cooperate with partners.

4. The Council underlines the close link with the wider implementation of the EUGS in other sectors, in line with the Council conclusions of October 2016. The implementation on security and defence is also part of a wider package. The Council underlines the close link with the forthcoming Commission European Defence Action Plan. Moreover, the Council underlines that work is also to be taken forward in a complementary way on the implementation of the Joint Declaration signed in Warsaw by the leaders of the institutions of the EU and NATO, in full respect of the decision-making autonomy of both organisations, based on the principle of inclusiveness and without prejudice to the specific character of the security and defence policy of all EU Member States.
5. The Council recalls the Conclusions from the European Council in December 2013 and June 2015, as well as the Council conclusions on CSDP adopted in November 2013, November 2014 and May 2015, which should be fully implemented. In line with the European Council Conclusions of December 2013 on security and defence, the Council reiterates the need to enhance the effectiveness of CSDP and the development and maintenance of Member States' capabilities, supported by a more integrated, sustainable, innovative and competitive European Defence Technological and Industrial Base (EDTIB), which also contributes to jobs, growth and innovation across the EU and can enhance Europe's strategic autonomy, strengthening its ability to act with partners. The Council recalls that these efforts should be inclusive, with equal opportunities for defence industry in the EU, balanced and in full compliance with EU law.
6. A proactive and coordinated strategic communication, directed both inwards to the EU citizens and outwards to partners and other organisations, should be given a special focus.

Level of Ambition

7. Drawing on the proposal in the Implementation Plan, the Council hereby determines the level of ambition which sets out the main goals which the EU and its Member States will aim to achieve in order to implement the EUGS in the area of security and defence, including through CSDP, in support of three strategic priorities identified in the EUGS: (a) responding to external conflicts and crises, (b) building the capacities of partners, and (c) protecting the Union and its citizens. In doing this, the EU will pursue an integrated approach linking up different EU instruments in a coordinated way, building on the EU's Comprehensive Approach and promoting civil-military cooperation. While respecting the autonomy of the EU's decision-making processes, it will also continue to work closely with its partners, particularly with the United Nations and NATO.
- a) *Responding to external conflicts and crises* covers the full range of CSDP tasks in civilian and military crisis management outside the Union. The aim is to enhance the EU's awareness and responsiveness in all phases of the conflict cycle, including conflict prevention, in order to promote peace and security within a rules-based global order underpinned by the United Nations. The EU's ambition remains to be able to respond with rapid and decisive action through the whole spectrum of crisis management tasks covered by Article 43 of the TEU.
- b) *Capacity building of partners* is the objective of CSDP missions or operations with tasks in training, advice and/or mentoring within the security sector. The aim is to strengthen CSDP's ability to contribute more systematically to the resilience and stabilisation of partner countries recovering from or threatened by conflict or instability, in synergy with other EU instruments and actors, including also along the nexus of security and development. CSDP can also be used to provide expertise and assistance to strengthen partners' resilience and counter hybrid threats.

This could include the areas of strategic communication, cyber security and border security. Promoting respect for international law, in particular international humanitarian and human rights law, as well as gender sensitivity, United Nations Security Council Resolution 1325 and subsequent resolutions, protection of civilians, and principles of democracy and good governance is integral to these efforts.

- c) *Protecting the Union and its citizens* covers the contribution that the EU and its Member States can make from a security and defence perspective, notably through CSDP in line with the Treaty, to tackle challenges and threats that have an impact on the security of the Union and its citizens, along the nexus of internal and external security, in cooperation with Freedom, Security and Justice (FSJ) actors. Respecting that CSDP missions and operations are deployed outside the Union, the EU can contribute from a security and defence perspective to strengthening the protection and resilience of its networks and critical infrastructure; the security of its external borders as well as building partners' capacity to manage their borders; civil protection and disaster response; ensuring stable access to and use of the global commons, including the high seas and space; countering hybrid threats; cyber security; preventing and countering terrorism and radicalisation; combatting people smuggling and trafficking; complementing, within the scope of CSDP, other EU efforts in addressing challenges posed by irregular migration flows; promoting compliance with non-proliferation regimes and countering arms trafficking and organised crime. Existing EU policies in these areas should be taken forward in a comprehensive manner. The importance of Mutual Assistance and/or Solidarity in line with Article 42.7 TEU and Article 222 TFEU respectively is highlighted in this context as well. The Council recalls that NATO remains the foundation for the collective defence for those States which are members of it. The specific character of the security and defence policy of all EU Member States will be fully respected.

8. The Council underlines that these priorities are mutually reinforcing. CSDP missions or operations outside the EU's borders can, directly or indirectly, support the EU's own security needs by fostering human security, tackling root causes of conflict and thus resolving crises and their spill-over effects into the Union. Capacity building can contribute to the transition strategy of executive operations aimed at crisis response. The Council supports the types of possible CSDP missions and operations, derived from the level of ambition, as set out in the Annex.
9. The Council stresses that the level of ambition needs to be underpinned by the necessary financial coverage. It recalls the European Council's call in June 2015 on Member States to allocate a sufficient level of expenditure for defence. The Council also underlines the need to consider encouraging financial solidarity and other forms of burden sharing. Finally, availability, flexibility and eligibility of EU financial instruments to support security and defence should be enhanced.
10. In pursuing these objectives, the Council underlines that the EU will continue to act in cooperation with partners, notably the United Nations, NATO, the OSCE and the African Union, with due respect for the autonomy of EU decision-making and the principle of inclusiveness. It recalls that, as Member States have a 'single set of forces' which they can use in different frameworks, the development of Member States' capabilities through CSDP and using EU instruments will thus also help to strengthen capabilities potentially available to the United Nations and NATO.

Actions

Recalling the European Council Conclusions of December 2013 and June 2015, the Council today agrees on the following actions to implement the level of ambition:

Setting Capability Development Priorities:

11. The Council invites the High Representative to make proposals as early as possible by spring 2017 on further improving the development of civilian capabilities as required by the continuous demand for rapidly deployable and well trained civilian experts, through:
 - a. Reviewing the priority areas of civilian CSDP missions, initially agreed at the Feira European Council in 2000 and subsequently taken forward, in light of evolving political priorities and in order to better respond to current and future security challenges related inter alia to irregular migration, hybrid threats, cyber, terrorism, radicalisation, organised crime and border management. The review should address where CSDP can have added value in line with the EU's Comprehensive Approach throughout the entire conflict cycle, including prevention, early warning, crisis management, stabilisation and peace-building, inter alia by building resilience, capacity building and support for stability and security. Promoting civil-military cooperation in the field as well as strengthening ties with FSJ actors, where appropriate, should be pursued in this context.
 - b. Enhancing the responsiveness of civilian crisis management to new challenges and threats. In that regard, work will be taken forward, notably on:
 - i. improving rapid response in civilian crisis management and ensuring more effective and rapid force generation and fast deployment, including by considering pre-configured specialised teams of experts and revisiting the Civilian Response Team (CRT) mechanism;
 - ii. explore the possibilities for quick deployment of small numbers of experts for a limited timeframe, in order to deal with specific issues in a targeted way;
 - iii. identifying the required capabilities on the basis of the work on the list of generic civilian CSDP tasks and revising the Civilian Capability Development Plan accordingly, including the establishment of concrete timelines for implementation;

- iv. strengthening capacities for the generic functions common to all missions and build on the establishment of the Mission Support Platform as a part of an effort to take forward a Shared Services Centre concept; this should include strengthening the capacity and capability of human resources management for missions;
- v. improving mission staff training, inter alia through the forthcoming CSDP training policy and the European Security and Defence College network;
- vi. enhancing the systematic use of lessons learned to benefit the planning and conduct of CSDP missions.

12. Further to the defence capability priorities welcomed by the European Council in 2013 and those in the 2014 Capability Development Plan and the EUGS, the Council:

- a. Takes note of the priority areas in which Europe needs to invest adequately and develop collaborative approaches, such as: Intelligence, Surveillance and Reconnaissance (ISR), Remotely Piloted Aircraft Systems, satellite communications, and autonomous access to space and permanent earth observation; high end military capabilities including strategic enablers; response to hybrid threats; as well as other capabilities, in particular those needed to ensure cyber and maritime security, and force protection.
- b. Invites Member States, working through the EDA and in close coordination with the EU Military Committee (EUMC), to specify and complement the identified preliminary capability priorities on the basis of the level of ambition and in the framework of the forthcoming review of the Capability Development Plan (CDP) by spring 2018, taking also into account Member States' priorities.
- c. Tasks to review the military requirements stemming from the EUGS and the level of ambition and to develop the related illustrative scenarios, in line with the agreed procedures and as a contribution to the CDP review, while ensuring coherence of outcomes and timelines with the NATO Defence Planning Process, where requirements overlap.

- d. Bearing in mind that capability development falls under the competence of Member States, encourages the Commission to support them in implementing the identified capability priorities through, notably, the measures that will be proposed in the forthcoming European Defence Action Plan.

Deepening defence cooperation:

- 13. Reiterating its call to deepen European defence cooperation and make it more systematic in order to deliver the key capabilities Europe needs, and bearing in mind that the EU can act as an enabler for security and defence cooperation in line with the Treaties while respecting the primacy of Member States' competences in defence, the Council:
 - a. Invites the High Representative/Head of the European Defence Agency, in full consultation with Member States, to present proposals to Ministers in spring 2017 for their decision on the detailed scope, methods and content of a Member States-driven Co-ordinated Annual Review on Defence. In full respect of Member States' prerogatives and commitments in defence, including, where it applies, in collective defence, and their defence planning processes, such a review would foster capability development addressing shortfalls, deepen defence cooperation and ensure more optimal use, including coherence, of defence spending plans. Building on the Policy Framework for Systematic and Long-Term Defence Cooperation, the objective of the review would be to develop, on a voluntary basis, a more structured way to deliver identified capabilities based on greater transparency, political visibility and commitment from Member States.
 - b. Calls on the EDA, in close cooperation with Member States, to develop proposals to strengthen European defence cooperation with a view to their expeditious implementation:

- i. Translating defence capability priorities into concrete collaborative programmes, through a more output-oriented CDP. EDA is invited to initiate consultations with Member States and the EUMC in order to improve the EU capability development process and present proposals by February 2017, including in view of taking into account R&T and industrial aspects in the CDP review;
- ii. Refining the link between existing processes on defence capability priorities, overarching R&T priorities and Key Strategic Activities (e.g. technologies, skills and industrial capacities to be identified, including by establishing a structured dialogue with Industry) in order to promote investments and to inform the implementation of the European Defence Action Plan;
- iii. Supporting Member States on the coherent and complementary use of R&T resources in Europe;
- iv. Developing proposals and business cases for replicating the success of the multinational European Air Transport Command (EATC) in other domains;
- v. Improving critical enablers for co-operation such as standardisation, certification, test and evaluation, as well as training and military education, while ensuring coherence and avoiding unnecessary duplication with national and multinational structures;
- vi. Improving Security of Supply through a holistic approach based on Member States' political commitment and existing programme/sector-specific agreements.

c. Looks forward to the Commission's European Defence Action Plan aimed at strengthening the EU's defence industry and incentivising cooperation involving as much as possible all Member States. In that context the Council calls for concrete proposals in particular on: a possible future EU-funded Defence Research Programme to be examined under the next multiannual financial framework (MFF) (based on an assessment of the related Preparatory Action); fostering investments in defence EU supply chains and ensuring fair access to cross border markets and international supply chains, in particular for SMEs, involving all stakeholders (including contracting authorities and industry), enhancing security of supply and strengthening the defence internal market. The Council takes note of the Commission's intent to submit a proposal to create a European Defence Fund to finance capabilities agreed by Member States and calls for further work in that respect. The Council will take note with interest of the outcome of discussions on the eligibility of funding for the defence industry under the European Investment Bank (EIB), including through the European Fund for Strategic Investments (EFSI).

14. Within the European Defence Action Plan framework, these proposals should contribute to developing an open, competitive, innovative and inclusive European Defence Technological and Industrial Base retaining its leading edge, competencies and ability to meet Europe's current and future security and defence needs while stimulating jobs, growth and innovation across the EU.
15. The Council underlines that its conclusions concerning the enhancement of military capability development and the deepening of defence cooperation addressed to the EDA constitute the Council guidelines for EDA for its work in 2017 (Council Decision (CFSP) 2015/1835 of 12 October 2015).

Adjusting structures, tools and financing:

16. To improve the EU's capacity to react in a faster, more effective and more seamless manner, as part of an effective EU's Comprehensive Approach, the Council prioritises the following:

- a. Adapt the existing EEAS structures to develop the necessary structures and capabilities for the permanent planning and conduct of CSDP missions and operations in view of enhancing civil-military synergies and more seamless planning and conduct, *with distinct but coordinated civilian and military chains of command*. To this end, the Council invites the High Representative to present proposals, as soon as possible, with a view to their implementation in the first semester of 2017, to establish as a short term objective, and in accordance with the principle of avoiding unnecessary duplication with NATO:
- (i) enhanced political strategic level planning and oversight of missions and operations with particular emphasis on civ-mil synergies;
 - (ii) a permanent operational planning and conduct capability at the strategic level for non-executive military missions, working jointly and ensuring an integrated civilian-military CSDP engagement, with the planning and conduct capability for civilian missions.

These will work under the political control and strategic direction of the PSC.

- b. Invites the EEAS together with Member States to reinforce the existing network of EU and Member States' structures contributing to autonomous situational awareness in order to better inform the EU's prevention and decision-making capacity, as well as to make optimal use of the lessons learned process. To enhance decision-making capacity, regular exercises in line with the three strategic priorities should be conducted.
- c. Welcomes the current contribution of national and multinational structures to CSDP (such as EUROCORPS and EUROGENDFOR). It encourages Member States to reinforce cooperation of their relevant multinational structures/initiatives with the EU. In this context, it agrees to explore the possibilities for making better use of existing national or multinational deployable headquarters made available to the EU, on a rotational basis, with special focus on training, mentoring and advising.

- d. Agrees to extend the current Council Declaration on the common funding of the deployment of EU Battlegroups after its expiration by the end of 2016. This issue should also be further considered in the context of the upcoming review of the Athena mechanism in 2017. Moreover, it invites the High Representative in consultation with Member States to present proposals by mid-2017 on strengthening the relevance, usability and deployability of the EU's Rapid Response toolbox, including the EU Battlegroups – particularly to reinforce their modularity, their preparation and their effective financing.
- e. Agrees to consider financing in the area of security and defence in a comprehensive manner in order to reinforce solidarity, effectiveness and flexibility, while respecting the role of Member States. As part of this, the Council looks forward to a comprehensive revision of the Athena mechanism, by the end of 2017.
- f. Underlines that it is crucial to allow the EU to provide capacity building assistance in an effective, responsible and seamless way. In this context, the Council underlines the importance of quickly finalising solutions for the implementation of the Capacity Building in support of Security and Development (CBSD) initiative. The Council invites the High Representative to put forward proposals to fully cover all requirements, in view of sustainable and long term arrangements within the existing export control framework to further support partner countries to prevent and manage crises on their own. In that context, the Council recalls the need to address the identified pilot cases in Africa. It reiterates the flexible geographical scope of CBSD and calls to identify new projects.

Drawing on the full potential of the Treaty: PESCO

17. To strengthen CSDP, the Council agrees to also explore the potential of an inclusive Permanent Structured Cooperation (PESCO), including a modular approach as regards concrete projects and initiatives, subject to the willingness of Member States to undertake concrete commitments. It invites the High Representative to provide elements and options for further reflection as soon as possible.

Taking forward CSDP Partnerships:

18. Stressing the importance of taking forward the cooperation with partner organisations and partner countries, the Council invites the High Representative to present options for a more strategic approach to CSDP partnership cooperation with partner countries which share EU values and are able and willing to contribute to CSDP missions and operations, in full respect of the EU's institutional framework and its decision-making autonomy. This strategic approach should also include possibilities to strengthen the resilience of partners to our East and South, including in Africa, also taking into account the importance of security under the review of the European Neighbourhood Policy.

Way Forward

19. The Council stresses that implementation should start without delay in line with these conclusions, ensuring Member States' ownership and in consultation with Commission services. It welcomes the intention of the HR/VP and Head of the European Defence Agency to submit a first yearly progress report by June 2017, as part of the overall implementation process of the EUGS. This should include as well reporting on the progress in implementing outstanding issues from the previous Conclusions. The Council looks forward as well to receiving strategic orientations by Heads of State and Government in December.

Types of possible CSDP civilian missions and military operations derived from the EU level of ambition

To be able to undertake rapid and decisive action in support of the level of ambition and its three strategic priorities, across the whole spectrum of crisis management tasks covered by Article 43 of the TEU, CSDP needs to be backed up by credible, deployable, interoperable, sustainable and multifunctional civilian and military capabilities. As a security provider, the EU should have wide reach, while focusing on its surrounding regions. It will act with partners wherever possible and always in compliance with international law. Based on previously agreed goals and commitments,¹ the EU should thus be capable to undertake the following types of CSDP civilian missions and military operations outside the Union, a number of which may be executed concurrently, in different scenarios², including in situations of higher security risk and underdeveloped local infrastructure:

- Joint crisis management operations in situations of high security risk in the regions surrounding the EU;
- Joint stabilisation operations, including air and special operations;
- Civilian and military rapid response, including military rapid response operations inter alia using the EU Battlegroups as a whole or within a mission-tailored Force package;
- Substitution/executive civilian missions;
- Air security operations including close air support and air surveillance;
- Maritime security or surveillance operations, including longer term in the vicinity of Europe);
- Civilian capacity building and security sector reform missions (monitoring, mentoring and advising, training) inter alia on police, rule of law, border management, counter-terrorism, resilience, response to hybrid threats, and civil administration as well as civilian monitoring missions;

¹ Including the Headline Goal 2010, the Civilian Headline Goal 2010 as well as the ambition agreed by the European Council in December 2008.

² As appropriate, some of these missions and operations may also be deployed to provide assistance in the context of a global response to natural disasters and pandemics outside the EU, in particular when such situations can lead to large scale destabilisation.

- Military capacity building through advisory, training, and mentoring missions, including robust force protection if necessary, as well as military monitoring/observation missions.

This non-exhaustive list provides input for the follow-on work to derive requirements based on a review of the Illustrative Scenarios, in line with agreed procedures under the Capability Development Mechanism, under the control of the Political and Security Committee.
