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## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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Subject: COUNCIL RECOMMENDATION concerning a roadmap for the  
implementation of PESCO

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## COUNCIL RECOMMENDATION

of ...

concerning a roadmap for the implementation of PESCO

(2018/.../CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the European Union, in particular Article 46(6),

Having regard to Protocol No 10 on permanent structured cooperation established by Article 42 of the Treaty on European Union attached to the Treaty on European Union and to the Treaty on the Functioning of the European Union,

Having regard to Council Decision (CFSP) 2017/2315 of 11 December 2017 establishing permanent structured cooperation (PESCO) and determining the list of participating Member States<sup>1</sup>,

Having regard to the proposal from the Federal Republic of Germany, the Kingdom of Spain, the French Republic and the Italian Republic,

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<sup>1</sup> OJ L 331, 14.12.2017, p. 57.

Whereas:

- (1) The European Council of June 2017 agreed on the need to launch an inclusive and ambitious permanent structured cooperation (PESCO), to strengthen Europe's security and defence to contribute to the fulfilment of the Union level of ambition as derived from the EU Global Strategy and as defined in the 14 November 2016 Council conclusions on implementing the EU Global Strategy in the area of Security and Defence. It noted that this work is to be consistent with Member States' national defence planning and commitments agreed within NATO and the UN by the Member States concerned.
- (2) On 13 November 2017, the Council and the High Representative of the Union for Foreign Affairs and Security Policy (the High Representative) received a joint notification in accordance with Article 46(1) of the Treaty on European Union (TEU) from 23 Member States, and on 7 December 2017 from two other Member States.
- (3) Decision (CFSP) 2017/2315 established PESCO and provided that the governance of PESCO will be organised at Council level and in the framework of projects implemented by groups of those participating Member States which have agreed among themselves to undertake such projects.
- (4) On 11 December 2017, Member States that participate in PESCO also adopted a Declaration expressing their intention to prepare, in different groupings, the first collaborative PESCO projects as set out in the Annex to the Declaration.

- (5) On 14 December 2017, the European Council welcomed the establishment of an ambitious and inclusive PESCO and stressed the importance of quickly implementing the first batch of projects and called on participating Member States to deliver on their national implementation plans.
- (6) On 6 March 2018, the Council adopted Decision (CFSP) 2018/...<sup>+</sup> establishing the list of projects to be developed under PESCO.
- (7) Article 4(2) (a) of Decision (CFSP) 2017/2315 confirms that the Council, acting in accordance with Article 46(6) of the TEU, may adopt decisions or recommendations providing strategic direction and guidance for PESCO.
- (8) The Council should therefore adopt a recommendation providing such strategic direction and guidance for the implementation of PESCO,

HAS ADOPTED THIS RECOMMENDATION:

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<sup>+</sup> OJ: Please insert reference to the Council Decision in doc ST 6393/18.

I. Objectives and scope

1. The objective of this recommendation is to provide strategic direction and guidance for the implementation of PESCO, in order to structure the necessary further work on processes and governance, including as regards the projects, with a view to participating Member States fulfilling the more binding commitments they have made to one another, as set out in the Annex of Decision (CFSP) 2017/2315.

II. Implementation

Sequencing of the fulfilment of commitments and specification of more precise objectives

2. Article 4(2) (b) of Decision (CFSP) 2017/2315 provides that the Council should adopt decisions and recommendations on sequencing the fulfilment of the more binding commitments set out in the Annex to that Decision in the course of the two consecutive initial phases (the years 2018-2020 and 2021-2025) and specifying at the beginning of each phase the more precise objectives for the fulfilment of the more binding commitments.
3. It is therefore appropriate for the Council to adopt a recommendation by June 2018 on the sequencing of the fulfilment of the commitments for the phases 2018-2020 and 2021-2025 and specifying more precise objectives, including the commitments to be fulfilled before 2020. This recommendation should also define commonly agreed indicators to assist participating Member States in fulfilling the commitments and to assess progress in that regard.

4. The PESCO secretariat, provided jointly by the European External Action Service, including the European Union Military Staff (EUMS), and the European Defence Agency, as set out in Article 7 of Decision (CFSP) 2017/2315, is invited to provide initial feedback by the end of March 2018 with regards to the type, granularity and structure of information provided in the national implementation plans communicated by participating Member States in December 2017, in light of the fulfilment of their commitments. This feedback should help to inform the development of the recommendation on sequencing, to be adopted by the Council in line with Article 4(2) (b) of Decision (CFSP) 2017/2315. The PESCO secretariat could also individually support each participating Member State, at their request, to improve the quality of their national implementation plans.
5. Following the adoption of the recommendation on sequencing, participating Member States should review and update as appropriate their national implementation plans accordingly, and communicate them to the PESCO secretariat by 10 January 2019, in accordance with Article 3(2) of Decision (CFSP) 2017/2315. As of 2020, these plans should be submitted annually to the PESCO secretariat by 10 January, taking into account the Council's review of PESCO – based on the previous annual report of the High Representative referred to in Article 6 of Decision (CFSP) 2017/2315 –, the Capability Development Plan and the recommendations of the biennial CARD report.

6. At the end of the first phase, in accordance with Article 4(2) (c) of Decision (CFSP) 2017/2315, the Council will update, and enhance if necessary, the more binding commitments set out in that Decision in light of achievements made through PESCO, in order to reflect the Union's capability and operational needs and evolving security environment. Such a decision will be based on a strategic review process assessing the fulfilment of the PESCO commitments.
7. At the beginning of the next phase, the Council should adopt a second set of more precise objectives for the phase 2021-2025, taking into account Article 4(2) (c) of Decision (CFSP) 2017/2315.

#### List of projects to be developed under PESCO

8. Following the adoption of a Decision by the Council on 6 March 2018 establishing the list of projects to be developed under PESCO, participating Member States should make substantial efforts to define objectives and timelines for each project.
9. The Council should update this list by November 2018 to include the next set of PESCO projects, in accordance with the procedure set out in Article 5 of Decision (CFSP) 2017/2315.

10. Subsequently, with a view to a sustainable and effective implementation of PESCO, this procedure to assess new projects submitted by participating Member States should in principle be completed every year in November, following a call for new project proposals by the beginning of May of that same year. The assessment of the PESCO project proposals by the PESCO Secretariat should follow transparent criteria which cover both the capability perspective as well as the operational view, and which should be further developed with participating Member States. In line with Article 5 of Decision (CFSP) 2017/2315, the Military Committee of the European Union (EUMC) will provide military advice on the High Representative's recommendation concerning the identification and evaluation of PESCO projects.
11. Participating Member States which intend to propose an individual project should inform the other participating Member States in due time before presenting their proposals, in order to gather support and to give them the opportunity to join in collectively submitting the proposal. Detailed project proposals including timelines for their implementation should be submitted with sufficient time for the PESCO secretariat to assess them with a view to a recommendation by the High Representative to the Council in accordance with Article 5(1) of Decision (CFSP) 2017/2315. The Council invites the PESCO secretariat to develop a template for the projects to be submitted and to support participating Member States in distributing their individual PESCO project proposals to other Member States.



## Common set of governance rules for projects

12. The common set of governance rules for projects in accordance with Article 4(2) (f) of Decision (CFSP) 2017/2315, which the participating Member States taking part in an individual project could adapt as necessary for that project, should be adopted by the Council by June 2018. It should provide a framework that will ensure a coherent and consistent implementation of PESCO projects and include modalities to regularly inform the Council about the development of individual projects, in accordance with Article 5(2) of Decision (CFSP) 2017/2315, and to allow the necessary oversight by the Council. In this regard, the roles and responsibilities of the participating Member States, including *inter alia* the role of observers if appropriate, as well as the PESCO secretariat should be further specified. This framework should also provide general guidance to participants in designing the suitable arrangements for the management of each project, in accordance with Article 5(3) of Decision (CFSP) 2017/2315. In this context, the Council will also revert by June 2018 to the issue of coordination functions of the participating Member States within the projects.

General conditions for exceptional third-state participation in individual projects

13. In accordance with Articles 4(2) (g) and 9(1) of Decision (CFSP) 2017/2315, the Council will adopt a decision establishing, in due time, the general conditions under which third States could exceptionally be invited to participate in individual projects; and it will determine in accordance with Article 9(2) of Decision (CFSP) 2017/2315 whether a given third State satisfies these conditions. The work to develop these general conditions should start as soon as the common set of governance rules for the projects and the sequencing of the fulfilment of commitments are in place by June 2018 and, subject to a further assessment by the Council, a Decision should in principle be adopted before the end of 2018.

HR Annual Report to the Council and assessment mechanism

14. In accordance with Article 6(3) of Decision (CFSP) 2017/2315, and on the basis of updated national implementation plans presented by participating Member States, the High Representative will present an annual report to the Council, describing the status of PESCO implementation, and including the fulfilment, by each participating Member State, of its commitments, in accordance with its national implementation plan. It should focus on the concrete actions and provisions undertaken by the participating Member States to fulfil their commitments, including through PESCO projects, and on the basis of more precise objectives and sequencing defined for the two consecutive initial phases. In this context, the PESCO secretariat is invited to provide the updated template for the national implementation plans.

Participating Member States should include in their national implementation plans information on the concrete actions and provisions undertaken to fulfil their commitments, including information on contributions to projects. In addition, informal consultations may help clarify the information provided therein.

15. The High Representative should present her first annual report in April 2019 or at least prior to the relevant Foreign Affairs Council in the first semester of the year so as to take into account updated national implementation plans presented by participating Member States by 10 January 2019. As of 2020, the annual report should be presented in March or April, taking into account the revised and updated national implementation plan presented in January of the same year.
16. On the basis of the report provided by the High Representative, the EUMC should provide the Political and Security Committee with military advice and recommendations to enable it to prepare the Council's review on whether the participating Member States continue to fulfil the more binding commitments, by May each year. In this context, the Council should also review the progress made towards the fulfilment of the Union's Level of Ambition, thus enhancing the Union's capacity to act as a security provider and its strategic autonomy, and strengthening its ability to cooperate with partners and to protect its citizens.

Done at Brussels,

*For the Council*

*The President*

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