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NOTE

From:	Presidency
To:	Delegations
Subject:	Drones - internal security implications

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At the meeting of the Justice and Home Affairs (JHA) Council on 13 October 2025, Ministers addressed the issue of drone detection and protection, following a request from Germany¹. This discussion was prompted by the growing use and recent incidents across Europe with Unmanned Aircraft Systems (UAS)², commonly referred to as drones, to breach European airspace, potentially for espionage, sabotage and hybrid attacks. Knowledge and technology supporting the production of drones are evolving at fast pace, with various international actors in the lead, which makes it even more challenging to detect, track, identify and – depending on the circumstances – neutralise them with the development of effective counter-drone systems. The use of counter-drone mitigation measures for providing counter-drone coverage in the framework of high visibility events, the ordinary protection of public spaces, as well as the protection of critical infrastructure are under the responsibility of Member States' civilian authorities, including law enforcement authorities. Given

¹ 13696/25.

² The term UAS refers to the entire system required for unmanned flight operations, which includes drones, control stations and the communication systems and data links between them.

the security risks and disruptions such incidents have caused and may cause in the future, there is a need to discuss appropriate measures for law enforcement to address this issue.

In its conclusions of 23 October 2025, the European Council addressed recent violations of EU airspace by calling for strengthened joint efforts among Member States to enhance counter-drone and air defence capabilities. These efforts are to be pursued in a coordinated manner, leveraging existing financial instruments to their full potential³.

The multifaceted aspects of the issue encompass, inter alia, protection of European critical infrastructure, air transport security, hybrid threats, and defence capabilities. Drone-related incidents continue to be closely monitored by the Permanent Representatives Committee and various Council preparatory bodies, including the Working Party on Civil Protection – Critical Entities Resilience (PROCIV-CER), the Horizontal Working Party on Enhancing Resilience and Countering Hybrid Threats (HWP ERCHT), the Frontiers Working Party and the European Union Military Committee (EUMC).

The Presidency acknowledged the Ministers' interest, taking into account the latest events in several Member States, in further exploring this issue and plans to facilitate an exchange of views on the internal security implications with a particular focus on the law enforcement aspects of the multifaceted issue at the upcoming JHA Council meeting on 8 December 2025. The intention of this note is to prepare the discussions that will take place at JHA Council level.

Instruments in place at EU level

The 2023 Commission Communication on countering threats posed by drones is addressing the security risks of non-cooperative drones with 18 key actions⁴. These include the Commission-chaired Counter-drone Expert Group (C-UASG) with experts from ministries of the interior, of defence, law enforcement and national security services; an assessment of the harmonisation of Member States' laws and procedures for the use of counter-drone systems (C-UAS) with a view to proposing a regulatory initiative; upgrading the existing JRC living lab for testing counter-drone systems into a Counter-Drone Centre of Excellence; developing voluntary performance requirements as well as developing a harmonised testing methodology for counter-drone systems; further developing operational support measures for public and private stakeholders; extending a counter-drone training for law enforcement to other security authorities and private sector

³ EUCO 18/25.

⁴ 14394/23.

stakeholders (including the use of mitigation technologies); further developing the pooling & sharing of counter-drone capabilities managed by law enforcement networks (ATLAS, the High-Risk Security Network - HRSN) to countering the threat posed by non-cooperative drones in the contest of high-profile events.

In the area of research and innovation, the Horizon Europe cluster 3 will continue to support drone/counter-drone projects for security. In the future, as part of the next Multiannual Financial Framework, the Commission has proposed that the European Competitiveness Fund (ECF), as of 2028, would support the development and deployment of European civilian, dual-use and defence drone and counter-drone solutions. This would offer additional opportunities to support the development and deployment of EU counter-drone technologies in Europe. Also, the Commission is currently exploring whether (and how) to provide additional funding to support Member States on counter-drone civilian security capabilities, through a call for a Specific Action to support border surveillance, including drones and counter-drones, for a total amount of EUR 250 million from the Thematic Facility of BMVI (possibly through joint procurement). If confirmed, the call could be launched between the end of the year and early 2026. The Commission has also reiterated its commitment towards achieving EU strategic autonomy in security-related procurements.

JHA agencies also facilitate the activities of law enforcement authorities with regard to drones. The EU Innovation Hub for Internal Security has launched a thematic cluster focused on UAS and Counter-UAS technologies, led by Frontex and engaging the Commission's Joint Research Centre (JRC) and Europol, to harness the potential of UAS technologies for law enforcement and border management, and to mitigate the security risks posed by their illicit use. Europol's Innovation Lab is publishing a report in November 2025 about how unmanned systems impact law enforcement, including recommendations to build relevant capability.

Since 2022, Frontex and the European Border and Coast Guard community have been actively engaged in researching and innovating Counter-Unmanned Aircraft Systems (C-UAS) to address the growing threat of drones at the EU's external borders. Frontex has tested and validated in the field available market solutions for Detection, Tracking, and Identification (DTI) as well as neutralisation of UAS, through two Prize Contests: Detection of Low Flying Objects 2023 (Estonia) and Counter-UAS 2025 (Portugal). In addition, at the meeting of the Frontiers Working Party on 5 November 2025, Member States discussed the future role of Frontex' support to Member States faced with instrumentalisation and possibly other hybrid threats, such as recent airspace violations

by drones and other flying objects used for smuggling, provided that Member States request such assistance.⁵

Furthermore, the Critical Entities Resilience Directive⁶ lays down a cross-sectoral, cross-border framework for enhancing the resilience and physical protection of critical infrastructure. A full transposition and implementation of this directive will strengthen the Union' capacity to counter the threats posed by drones to critical infrastructure. The Commission will support Member States by adopting a Communication on non-binding guidelines for measures enhancing the resilience of critical entities, which will include general guidance for operators on countering threats posed by drones.

Preparation for the JHA Council

The Presidency is organising a meeting of JHA counsellors on 14 November 2025, where the Commission, Frontex and Europol will be invited to inform about their ongoing activities in support of Member States related to the internal security implications of the use of drones. In this regard, it could be useful to share best practices of law enforcement's involvement in countering illegal drone activities **DELETED**

In preparation of the envisaged exchange of views at the JHA Council on 8 December 2025, delegations are invited to respond to the following questions:

1. What are the main challenges faced by law enforcement authorities in responding to the threats posed by drones used for malicious purposes?
2. What action at EU level should be taken in your view to address the internal security implications of drones?

⁵ 14395/25.

⁶ Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC.