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Det Europæiske Råd i Sevilla den 21.-22. juni 2002 udkast til formandskabets  
rapport vedrørende den europæiske sikkerheds- og forsvarspolitik (ESDP),  
10160/02.

*P. H. Orskov*



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 18 June 2002 (OR. EN)**

**10160/02**

**LIMITE**

**COSDP 188**

**FORWARDING NOTE**

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From : Council

To : European Council

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Subject : Draft Presidency Report on European Security and Defence Policy

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Delegations will find attached the draft Presidency Report on European Security and Defence Policy and its Annexes, further to the General Affairs Council on 17 June 2002.

Paragraphs 8 (concerning the Capability Development Mechanism) and 26 (concerning EU-NATO permanent arrangements) of the report contain two alternatives in square brackets. The selection of either alternative will depend on the outcome of ongoing negotiations between capitals.

Annex I to the report (at present indicated with a placeholder) will be inserted if the first alternative in paragraph 8 will ultimately be selected.

The Report will be forwarded to the Seville European Council.

## **DRAFT ESDP PRESIDENCY REPORT**

### **I. INTRODUCTION**

1. Under the Spanish Presidency the European Union has continued its work on the European Security and Defence Policy. Following the Laeken declaration on the operational capability of ESDP, the development of military and civilian capabilities and of conflict prevention capacities has continued, the Union has taken its first decision to establish an EU crisis management operation and has conducted its first crisis management exercise.
2. In presenting this report, the Presidency has noted that Denmark has drawn attention to Protocol No. 5 on Denmark's position annexed to the Treaty of Amsterdam.

### **II. TOWARDS THE FIRST EU-LED CRISIS MANAGEMENT OPERATIONS**

3. The Union has taken a decision, with the agreement of the Bosnia and Herzegovina authorities, to conduct from 1<sup>st</sup> January 2003 an EU Police Mission in that country (EUPM) as a follow-on to the current United Nations police operation. This followed the acceptance by the Peace Implementation Council Steering Board on 28 February and the subsequent welcome in UN Security Council Resolution 1396 of the offer made by the Union. It thus constitutes the first decision on the establishment of an EU crisis management operation.
4. The Union also expressed its availability to take responsibility, following elections in FYROM and at the request of its government, for an operation to follow that currently undertaken by NATO in FYROM, on the understanding that the permanent arrangements on EU-NATO co-operation ("Berlin Plus") would be in place by then. The Union has actively engaged in the necessary preparatory work in this regard.

### **III. THE ROLE OF ESDP IN THE FIGHT AGAINST TERRORISM**

5. Recognising the important role that the European and Security and Defence Policy should play as part of CFSP in taking forward the fight against terrorism and in promoting peace and stability, the European Council has adopted a declaration on the contribution of CFSP, including ESDP, in the fight against terrorism.

#### IV. BUILDING THE CAPABILITIES OF THE UNION

##### Military capabilities

6. The implementation of the European Capability Action Plan is under way. This work was officially launched in the ECAP Opening Gathering which took place in Brussels on 11-12 February 2002. Many of the shortfalls in capabilities required to meet the Headline Goal, including most of the significant ones, are already under scrutiny by active ECAP panels reporting to the European Union Military Committee. In this process the Union will seek solutions, including multinational ones, and new forms of co-operation between Member States making optimum use of resources.

The principles on which the ECAP is founded are being applied. The bottom-up and voluntary character of the ECAP has been built into the mechanisms established for ECAP implementation. Co-operation with NATO has been initiated and further improvement is envisaged. Strong commitment on the part of Member States and their co-ordination are necessary and should be further encouraged.

7. Qualitative and quantitative aspects of military capabilities for achieving the Helsinki Headline Goal have been refined. Work in this regard was undertaken with the support of NATO in the framework of the Headline Goal Task Force Plus.
8. [The Capability Development Mechanism has been established, with the principles and framework for developing EU military capabilities and coherent and mutually reinforcing capability requirements with NATO (Annex I).]

OR:

[Substantial progress has been achieved in the definition of the details of the Capability Development Mechanism, as well in its internal aspects and concerning the interface between the EU and NATO. Every effort should be undertaken in order to further monitor and evaluate progress and address shortfalls in the development of EU military capabilities and to develop the principles and framework for coherent and mutually reinforcing capability requirements with NATO within the CDM.]

## **Co-operation in the field of Armaments**

9. Following the informal meeting of the EU National Armaments Directors in Madrid on 29 April 2002, the Council discussed how to enhance co-operation in the Armaments field in support of ESDP, as Member States consider appropriate. There was agreement on the need for further work on these issues, as Member States consider appropriate, taking into account the orientations by the Presidency resulting from the above meeting. A seminar on this matter took place in Madrid on 12 June 2002, in the presence of all relevant actors including European Armaments industry representatives. Further reflection concerning procurement and financing of capabilities will also continue within the framework of ECAP, following discussions which have taken place, inter alia, at the informal meeting of the Ministers of Defence in Zaragoza and on the occasion of the Council meeting of 13 May 2002.

## **Civilian capabilities**

10. A Rule of Law Commitment Conference was held in Brussels on 16 May 2002. Commitments made by Member States exceeded the target set in Göteborg of being able to provide by 2003 up to 200 officials for crisis management operations in this field. The declaration adopted by the Rule of Law Commitment Conference was endorsed by the Council on 13 June 2002 (Annex II).
11. In civil protection, a call for contributions in order to meet the concrete targets set in Göteborg was launched.
12. Considerable progress has been made in the implementation of the Police Action Plan, thus enhancing the qualitative aspects of police capabilities.

## **V. STRUCTURES, PROCEDURES AND EXERCISES**

### **Structures**

13. As agreed by the Council at its meeting of 18 February 2002, the Ministers of Defence met for the first time on 13 May 2002 in the General Affairs Council under the chairmanship of the Minister of Defence of the Presidency. On this occasion, the Council examined all relevant

aspects of the development of EU military capabilities as set out at Laeken. Further such meetings are envisaged.

14. The European Union Satellite Centre and the European Union Institute for Security Studies came into operation on 1<sup>st</sup> January 2002.
15. The Council Secretariat has made a number of structural and procedural changes including the further development of a Joint Situation Centre to enhance its capacity to analyse and make use of intelligence material and other information made available by Member States and to increase the sharing of intelligence and other information. This is improving support to the Council in the whole field of CFSP.

### **Procedures**

16. A significant review of the crisis management procedures referred to in Nice has been carried out. The review has focused on the interface between military and civilian components of crisis management operations. The Political and Security Committee has taken note of the revised version of the procedures.
17. In the military field, a substantial amount of conceptual and procedural work has been carried out by the European Union Military Committee with the support of the European Union Military Staff in a number of areas with a view to establishing internal procedures. In particular, in accordance with the Helsinki and Laeken mandates, work has continued to develop the procedures and concepts concerning the rapid response elements of the Headline Goal, as well as to ensure the improvement of command and control arrangements for national and multinational Headquarters, to facilitate an efficient and timely response to a crisis.
18. The modalities for the financing of crisis management operations with military or defence implications have been adopted (Annex III).
19. Work to improve the EU's civilian procedures in the four priority areas identified at Feira has continued. In the field of Police, the Political and Security Committee took note of the following concepts: guidelines for command and control structure for EU police operations in crisis management, EU concept for police planning, EU comprehensive concepts for police substitution missions and strengthening of local police missions.

Guidelines on police aspects of EU fact-finding missions have been elaborated. Further work has also been carried out on selection and training criteria in EU Member States for police missions, as well as on equipment lists for EU police missions. A seminar on "the role of European Police in civil crisis management" took place in La Toja on 11-13 March 2002.

20. In the field of Rule of Law, work continued on the elaboration of a set of guidelines for criminal procedure in crisis management operations. As a result, the EU offered to the United Nations High Commission for Human Rights a set of draft guidelines as an initial contribution to the work undertaken within the UN.
21. In the field of civilian administration, the Political and Security Committee took note of a set of basic guidelines for transitional administration in the context of crisis management.
22. The conference held in Madrid, on 27-28 May 2002, welcomed training modules developed by national training centres of EU Member States under a Community initiative, for rule of law and civilian administration experts in the context of crisis management. It was recommended that training co-operation should be further strengthened including through the organisation of pilot training courses.
23. In the field of civil protection, the Council adopted on 17 June 2002 conclusions regarding the use in crisis management referred to in Title V of the TEU of the Community Mechanism to facilitate a reinforced co-operation in civil protection assistance interventions (Annex IV).

### **Exercises**

24. The EU first crisis management exercise (CME 02), aimed at testing the decision-making procedures for ESDP and the co-ordination of the full range of its military and civilian instruments in the pre-decisional phase, was conducted in May. The exercise successfully demonstrated the functioning of, and interaction between, the structures established to enable the EU to conduct crisis management operations. The exercise has allowed the EU to draw a first set of lessons learned for the further development of EU crisis management mechanisms, in particular for the further strengthening of EU civil-military co-ordination.

## **VI. CO-OPERATION WITH NATO**

25. Consultation and co-operation between EU and NATO have continued in matters of security, defence and crisis management of common interest in order to make possible the most appropriate military response to a given crisis and ensure effective crisis management, while fully respecting the decision-making autonomy of NATO and the EU. In this regard, fruitful and exemplary close co-operation on issues of crisis management in the Western Balkans, notably in FYROM, Southern Serbia and Bosnia and Herzegovina, as well as the further deepening of the political consultations should be underlined. The consultations in the wake of the terrorist attacks of 11 September have also been pursued and intensified.
26. [Contacts with NATO have continued with a view to establishing as soon as possible the outstanding permanent arrangements on EU-NATO consultations and co-operation (including all aspects of "Berlin Plus") for the implementation of the conclusions of the Nice European Council with the aim to enhance EU-NATO consultations and co-operation in crisis management. These agreements are essential for the ESDP and will substantially increase the Union's available capabilities. The Presidency with the assistance of the Secretary General / High Representative has made every effort to find an acceptable solution to the remaining issues.]

OR:

[An agreement has been reached concerning the outstanding permanent arrangements on EU-NATO consultations and co-operation (including all aspects of "Berlin Plus") for the implementation of the conclusions of the Nice European Council. The competent Council bodies have been tasked to prepare the implementation of the decisions in this regard as appropriate.]

27. Following authorisation by the Council to the Presidency, the EU has sent on 30 April 2002 a proposal to NATO to start negotiations on a Security Agreement.

## **VII. CO-OPERATION WITH INTERNATIONAL ORGANISATIONS**

28. Co-operation with International Organisations relevant in the field of crisis management has continued. High level contacts with the UN, OSCE and the Council of Europe have continued.

A seminar on the development of instruments in the civilian field of crisis management was organised in Brussels by the Presidency on 16-17 April 2002. Representatives from those organisations and NATO participated in this seminar. Specific steps for co-operation were proposed and are being implemented or considered as part of the further development of the practical aspects of EU's co-operation with international organisations.

## **VIII. CO-OPERATION WITH THIRD COUNTRIES**

29. Consultation on EU crisis management efforts with non-EU European NATO members and other countries which are candidates for accession to the EU has continued. These States, as well as other non-EU OSCE Members currently contributing to UN IPTF, have been invited to contribute to EUPM.
30. Arrangements were adopted for consultation and co-operation in crisis management with Russia, Canada and Ukraine (Annexes V, VI and VII). At the EU-Russia Summit in Moscow on 29 May 2002, and at the EU-Canada Summit in Toledo of 8 May 2002, the importance of co-operation in this field was underlined.
31. A seminar on the Mediterranean dimension of ESDP took place in Barcelona on 20-21 May 2002.

## **IX. CONFLICT PREVENTION**

32. CFSP including ESDP has contributed to the improvement of the EU's capacity for the prevention of violent conflicts, inter alia by developing a "systematic approach". In order to evaluate the implementation of the EU Programme for the Prevention of Violent Conflicts, a seminar was organised in Seu d'Urgell on 18-19 March 2002. A report on the implementation of this Programme is presented separately.

## **X. HUMANITARIAN LAW**

33. In order to reaffirm the importance that the EU attaches to the respect of international humanitarian law and to the dissemination of its rules and principles, a seminar on International Humanitarian Law and EU crisis management operations took place in Salamanca on 22-24

April 2002 to study aspects relevant to EU-led operations.

## **XI. PARLIAMENTARY DIMENSION AND PUBLIC OPINION**

34. The Presidency has continued its dialogue with Parliamentary Assemblies on the development of ESDP, through inter alia a meeting which took place in Madrid on 4-5 February 2002.
35. Special attention has been paid to improving the information available on ESDP. A seminar on Public Communications on Defence and Security matters took place in Cartagena on 4-5 June 2002.

## **XII. MANDATE FOR THE INCOMING PRESIDENCY<sup>1</sup>**

36. On the basis of the present report, the incoming Presidency, assisted by the Secretary General/High Representative, is invited to continue work within the General Affairs Council on developing the ESDP, paying particular attention to the following:

- the need to reach, as a matter of urgency, a comprehensive agreement on all outstanding permanent arrangements between the EU and NATO, in full conformity with the principles agreed and the decisions taken at the Nice European Council;
- to further promote the European military capabilities with a view to achieving the Headline Goal and the collective capabilities goals;
- to enhance co-operation in the field of Armaments, as Member States consider appropriate;
- to implement fully the agreed arrangements for consultation and participation with non-EU European NATO members and other countries which are candidates for accession to the EU, as well as other potential partners, in conformity with the principles adopted and the decisions taken at Nice and other European Councils;

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<sup>1</sup> *In accordance with the Danish Report presented to the Council on 8 October 2001 and based on the relevant legal instruments on the special position of Denmark annexed to the treaties, Denmark will not preside in matters involving the elaboration and the implementation of decisions and actions of the Union which have defence implications. In these matters Greece is the Presidency..*

- to continue work in order to finalise as a matter of urgency the financing arrangements related to the implementation of military and civilian crisis management operations and to start work on its practical modalities;
- to further strengthen EU's crisis management mechanisms by taking into account the lessons learned from CME 02, by developing the conceptual and practical aspects related to civil-military co-ordination and by taking forward the implementation of the Exercise Programme, and in particular the Council decision of 18 March 2002;
- to improve civilian capabilities in the four priority areas, including organising, as necessary, a comprehensive Capability Conference, and to further develop modalities for contributions of non-EU states to EU civilian crisis management operations;
- to continue the implementation of the European Programme for the prevention of violent conflicts.

The incoming Presidency, assisted by the Secretary General/High Representative, is invited to report to the European Council in Copenhagen.

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Placeholder for:

**DEFINING THE EU CAPABILITY DEVELOPMENT MECHANISM (CDM)**

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**RULE OF LAW CAPABILITIES COMMITMENT CONFERENCE  
DECLARATION**

1. Successive European Councils have reaffirmed the need to develop civilian capabilities in support of conflict prevention and crisis management missions as referred to in article 17 of the Treaty of the European Union (the so called "Petersberg tasks") and in a manner which is in keeping with the principles of the UN Charter and the Helsinki Final Act. In the field of civilian capabilities the European Council of Feira identified four priority areas of work: Police, strengthening the Rule of Law, strengthening Civilian Administration and Civil Protection.
2. The Göteborg European Council decided that Member States should strengthen in phases their ability to provide judges, prosecutors, and further categories of officials and experts in the field of Rule of Law, to international missions. It was also acknowledged that "strengthened capabilities in the field of Rule of Law will serve both to enable the EU better to respond to requests from an international lead organisation, and to carry out autonomous EU missions". It further stated that "while Rule of Law missions would usually be deployed as a complement to a police component, they could also be undertaken without such a component".
3. The Göteborg European Council further set the following concrete targets in this field, to be attained through voluntary contributions by 2003:
  - "Within the general target for overall capabilities, Member States should in particular develop their capacity to deploy officials to public prosecution, courts and detention activities in crisis management operations, primarily in order to ensure a complete and functioning criminal justice process in operations in which international police perform an executive role."
  - "Strengthening their capabilities in phases, Member States should, on a voluntary basis, by 2003 be able to contribute up to 200 officials adequately prepared for crisis management operations in the field of rule of law. There should be an appropriate balance between the various officials needed, which includes prosecutors and judges as well as correctional officers."
  - "This target should include a capability to supplement police rapid deployment units and fact-finding missions with officials with broad knowledge in the field of rule of law, enabling an

early planning of rule of law support, which could be deployed within 30 days”.

4. The Rule of Law Capabilities Conference, at high official level, took place in Brussels on 16<sup>th</sup> May 2002, in order to draw together the voluntary national Commitments to meet the Rule of Law capability goals set by the Göteborg European Council. The Conference also evaluated current and future work in this field with the aim of further strengthening the EU’s capabilities and thus allow the EU to contribute more efficiently to conflict prevention and crisis management operations.
  
5. At the Conference, Member States, on a voluntary basis, have made the following quantitative and qualitative Commitments to build up the EU Rule of Law capacities for crisis management operations. In doing so, they contribute to the creation of a new and essential capacity for crisis management, which will allow the deployment of EU Rule of Law missions as a complement of a Police component, as well as without such a component. The EU’s strengthened capabilities in the field of Rule of Law will enable the EU both to better respond to requests from international lead organisations, as well as to carry out autonomous EU missions.

a) Quantitative aspects

By 2003:

- With regard to the overall objectives, Member States have undertaken to provide up to 282 officials for crisis management operations in the field of Rule of Law.

Within this overall number:

- With regard to the objectives of deployment on such missions within 30 days, Member States have undertaken to provide up to 60 officials.
  
- Finally, with regard to the objective of participating in fact finding missions, Member States have undertaken to provide up to 43 officials.

## b) Qualitative aspects

Two broad categories of Rule of Law officials (i.e., pertaining to the judiciary system and to the penitentiary system), as well as a third general category of "others", have been identified. Within the judiciary system, sub-categories of judges, prosecutors, and administration services have been set. The Commitments made by EU Member States are proportionally distributed between these categories. (72 judges, 48 prosecutors, 38 administration services, 72 penitentiary system, and 34 others).

These capabilities will provide the EU with a significant rapid deployment capability within the field of Rule of Law, as well as for fact-finding missions. They will also allow the EU to provide an important number of officials of main professional categories needed for crisis management operations.

As required by the Göteborg European Council, this information has been fed into the Rule of Law database established at the Council Secretariat as part of the Co-ordinating Mechanism for Civilian Aspects of Crisis Management.

6. Thus the Commitment Conference was able to confirm that the concrete targets set at Göteborg have been met. The Conference acknowledged that deployment will remain for sovereign decision by each Member State.
7. The Commitment Conference underlined the importance of satisfactorily addressing the financial aspects of missions involving Rule of Law officials.
8. The Commitment Conference noted the particular factors relevant to these commitments. These include:
  - The fact that these officials constitute a scarce resource in their countries (since their number has, until now, been determined by national needs and not in view of international deployments).

- The independent status enjoyed by some of the officials concerned with respect to their national administrations.
  - The variety of officials' backgrounds, itself reflecting the variety of competent organs in each Member State.
9. The Commitment Conference also welcomed progress made by the EU on guidelines for criminal procedure in crisis management operations, which will be offered, as an intellectual contribution, to support the efforts carried out by the UNHCHR to implement recommendations made in the Brahimi Report regarding the Rule of Law sector. It also welcomed, and took note, of the important exchange of views on the issue of Rule of Law in crisis management, that took place in the Seminar organised by the Spanish Presidency, in Brussels, on the 16<sup>th</sup>/17<sup>th</sup> of April, between experts of the EU, and of relevant international organisations involved in crisis management.
10. The Commitment Conference expressed great interest in the current work on development of common crisis management training modules, which might be available for some Rule of Law officials, that are currently being developed in the context of the EC pilot project for training of civilian crisis management personnel (Rule of Law, Civilian Administration). These training modules are expected to contribute positively to provide qualified personnel in this field for crisis management operations.
11. The Commitment Conference also recognised that contributions in the Rule of Law sector require other kind of personnel, such as defence attorneys, that cannot be provided by governments. To that end, the importance of co-operating with competent NGO's was underlined.
12. The Conference looks forward to further progress in the field of Rule of Law in the period ahead.

## FINANCING OF EU-LED CRISIS MANAGEMENT OPERATIONS HAVING MILITARY OR DEFENCE IMPLICATIONS

### 1. Introduction

1.1- Article 28 of the TEU sets the principles for financing of crisis management operations:

a- Under Title V of the TEU, administrative expenditure entailed for the Institutions (whether or not arising from operations having military or defence implications) is to be charged to the EC budget, in accordance with the provisions of article 28.2 TEU.

b- Operational expenditure arising from operations having military or defence implications must be charged to the Member States in accordance with article 28.3 TEU. This implies the use of military assets for military tasks as well as the use of non-military assets (e.g. medical, means of transport) strongly related to the overall military operation<sup>1</sup>.

c- It should also be recalled that, following the provisions of article 28. 3, "as for expenditure arising from operations having military or defence implications, Member States whose representatives in the Council have made a formal declaration under article 23 (1), second paragraph, shall not be obliged to contribute to the financing thereof".

1.2- Definition of the modalities for funding crisis management operations raises however a number of questions. Such modalities should, in particular, allow the force generation process to be conducted efficiently and rapidly and enable operations to be launched and conducted in a cost-efficient and military effective manner. Member States will expect that the operation is conducted in such a way as to minimise the budget whether borne through national expenditure or through a repartition of common costs.

### 2. General Principles

2.1- The financing of operations having military or defence implications will be based on the combination of the three following components:

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<sup>1</sup> This excludes the police aspect of an operation, the use of military logistic assets to provide assistance, etc. This expenditure is to be considered as not having military or defence implications.

- common costs are costs that cannot be allotted to individual States taking part in a crisis management mission, as limitatively enumerated in section. 2.4 below.
- when launching an operation, the Council will decide on a case-by-case basis, taking into account the particular circumstances of the operation, whether the costs for the transportation of the forces, the barracks and the lodging for the forces will be funded in common.
- all other costs will be considered as "individual costs", financed on a "costs lie where they fall" basis.

2.2- Common financing of incremental costs for ESDP operations with military or defence implications does not entail financing of military assets and capabilities offered by participant States on a voluntary basis and compiled in the Helsinki Force Catalogue (HFC), or of shortfalls in capabilities that occur in the course of the Force Generation Process.

The Helsinki Headline Goal Catalogue (HHC) as agreed by Member States imposes that the sending nations are responsible for obtaining transportation resources to deploy, sustain and redeploy its forces. Therefore, the present arrangements on financing specific operations do not put this objective into question and do not interfere in equipment plans

2.3- When it comes to costs arising from operations having military or defence implications, a number of expenditure exist regardless of whether assets are deployed or not in an operation (e.g. staff salary, equipment and accommodation). This expenditure will not be taken into account when establishing the budget of an operation. For this purpose it is thus necessary to focus on additional or incremental costs related to the deployment of assets in operations

2.4- As far as "common costs" are concerned:

- a- it is proposed that the EU concept of common funding cover the following items (the relevant definitions are contained in the annex):

Incremental costs for (deployable<sup>1</sup> or fixed) headquarters for EU-led operations

- transport costs
- administration
- locally hired personnel

- communications
- transportation/travel within the operations area of HQs.
- barracks and lodging/infrastructure
- public information
- representation and hospitality

Incremental costs incurred for providing support to the forces as a whole

- infrastructure
- additional equipment
- identification marking
- medical

b- Precise financial arrangements (which could include a budget or a post-operation settlement of costs, as necessary) intended to cover the common costs of a crisis management operation having military or defence implications will be established on a case by case basis by the unanimous Council decision launching the operation. These financial arrangements will be implemented by the Presidency with the assent, adopted unanimously, of a special committee which shall assist it and which shall be made up of representatives of the Member States which contribute to the financing of the operation in accordance with Article 28(3) TEU, having the necessary authority. The Committee of Contributors will be kept informed of the action taken by the Presidency. The administration of the financial arrangements may be entrusted, as appropriate, to the financial controllers of the operation headquarter.

### 3. Review

The above mentioned financing solution is an interim one. A full review will take place after the a first operation is concluded or by June 2004 or earlier if necessary, taking into account the lessons learnt from the conduct of operations and their administration.

### 4. Further work to be done

The proposed financing solution provides a general framework. However more detailed work will be necessary in order to finalise the outstanding issues. In particular the following items need more clarification and elaboration:

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<sup>1</sup> "Deployable HQ" means a HQ which is movable and which can be dismantled to be transported.

- the possible need for a separate budget for EU common costs as well as for adequate control and auditing related to the revenue and expenditures in such a budget.
- consideration of the modalities of post-operation settlements of costs, which should take into account those cases in which common funding have financed investments that are to be allotted to individual Member States.
- consideration of a possible start up fund for common preparatory costs, and, as appropriate, modalities of management of any such fund.
- the financial modalities for EU use of NATO common assets and capabilities, which will be defined through EU-NATO agreement on the Berlin Plus arrangements.
- modalities for contribution of third countries.
- consideration should be given to civil-military interaction in the appropriate fora.
- further refinement of the annexed list of common costs and definitions
- modalities for the retention and maintenance of any commonly purchased equipment if considered necessary.

ANNEXLIST OF COMMON COSTS + DEFINITIONS

Common expenditure on goods and services shall be spent only for requirements over and above those which could reasonably be expected to be covered from national resources.

**I. Incremental costs for (deployable or fixed) headquarters for EU-led operations**

*Headquarters (HQ):* Operation, Force and Component Headquarters

*Operation Headquarters (OHQ):* the static, out-of-area Headquarters of the Operation Commander, which is responsible for building up, launching, sustaining, and recovering an EU-force.

*Force Headquarters (FHQ):* the Headquarters of an EU force deployed to the area of operations

*Component Headquarters (CCHQ):* the headquarters of an EU Component Commander deployed for the operation (i.e. Air, Land, Maritime and other specific functions Commanders that could be deemed necessary to designate depending on the nature of the operation).

- **transport costs** : transport to and from the theatre of operations to deploy, sustain and recover FHQs and CCHQs
- **administration** : management of internal affairs of a headquarters (such as additional office and accommodation equipment, contractual services and utilities, maintenance costs of the buildings)
- **locally hired personnel** : civilian personnel, international consultants and locally hired (national and expatriate) personnel needed for the conduct of the operation over and above the normal operational requirements (including any overtime compensation payments)
- **communications** : capital expenditure for the purchase and the use of additional communications and IT equipment and costs for rendered services (lease and maintenance of modems, telephone lines, satphones, cryptofax, secure lines, internet providers, data lines, local area networks...).

- **transportation/travel<sup>3</sup> within the operations area of HQs** : expenditure related with vehicle transportation and other travel by other means and freight costs, including travel by national augmentees and visitors; incremental costs of fuel over and above what normal operations would have cost; lease of additional vehicles; costs of official journeys between the operational location and Brussels and/or EU-organised meetings; travel costs of HQ members to operation-related conferences and activities for conduct of operations; third party insurance costs imposed by some countries upon international organisations conducting operations on their territory.
- **barracks and lodging/infrastructure** : expenditure for acquisition, rental or refurbishing of required HQs facilities in theatre (rental of buildings, shelters, tents), if required and appropriate.
- **public information** : costs related to information campaigns and to inform media at OHQ and FHQ, in accordance with the information strategy developed by the operational HQ.
- **representation and hospitality** : representational costs; costs at HQ level necessary for the conduct of an operation.

## II. Incremental costs incurred for providing support to the force as a whole :

The costs defined below are those incurred following the force deployment to its location

- **infrastructure** : expenditure absolutely needed for the force as a whole to fulfil its mission (common used airport, railway, harbours , roads, power and water supply)
- **essential additional equipment** : the rental or purchase in the course of the operation of unforeseen specific equipment essential for the execution of the operation, required by the EU commanders and approved by the special committee as defined in para 2.4.b, insofar as the purchased equipment is not repatriated at the end of the mission.
- **identification marking** : specific identification marks, badges, flags or other Force or HQ identification marking (excluding clothes, hats or uniforms)
- **medical** : the rental of emergency medevac (medical evacuation) flight where medical treatment cannot be provided in theatre.

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<sup>3</sup> excluding "per diem" costs

**THE USE IN CRISIS MANAGEMENT, REFERRED TO IN TITLE V OF THE TREATY OF THE EUROPEAN UNION, OF THE COMMUNITY MECHANISM TO FACILITATE THE REINFORCED CO-OPERATION IN CIVIL PROTECTION ASSISTANCE INTERVENTIONS**

1. The European Council of Feira identified Civil Protection, within the framework of Crisis Management operations, as one of the priority areas in which the European Union should reinforce its capabilities in pursuing the development of ESDP.
2. The European Council of Göteborg stressed that the “Community Mechanism to facilitate the reinforced co-operation in Civil Protection assistance interventions” will play a key role in the implementation of the concrete targets established in Göteborg.
3. Preambular paragraph 12 of the Council decision of 23<sup>rd</sup> October 2001 establishing the above mentioned Community Mechanism states that “such a Community Mechanism could, under conditions to be determined, also be a tool for facilitating and supporting crisis management referred to in Title V of the Treaty of the European Union”.
4. In order to implement the mandate received from the European Council, where a civil protection emergency occurs outside the European Union within the context of crisis management referred to in Title V of the Treaty of the European Union, the Member State entrusted with the Presidency of the Council of the European Union, on behalf of the Council and following consultations with the Member States and the Commission in the appropriate Council bodies, may request Civil Protection assistance, in accordance with the provisions of articles 5 and 6 of the above mentioned Council decision. The Presidency will take into account other international efforts that may take place, in order to ensure co-ordination and avoid unnecessary duplication.
5. Further work on civil protection interventions as part of EU crisis management operations is required. The work will be developed in the context of the procedures for EU crisis management. It should include, inter alia, the following issues:

- further guidance on the role of the Presidency
  - in the field co-ordination with other EU elements of a complex crisis management operation
  - co-ordination with other international actors, in particular humanitarian actors
  - the possible contributions by potential partners of the EU in civil protection interventions which may arise under Title V of the TEU
  - financing
  - conditions of deployment
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## ARRANGEMENTS FOR CONSULTATION AND COOPERATION BETWEEN THE EUROPEAN UNION AND RUSSIA ON CRISIS MANAGEMENT

*On the basis of what was decided at the EU-Russia Summits in Paris, Moscow and Brussels and the conclusions of the Nice European Council, the arrangements for consultation and cooperation between the European Union and Russia on crisis management will be as follows:*

### **I. Arrangements during non-crisis periods**

The frequency of and procedures for consultation will depend on requirements and should be guided by considerations of pragmatism and efficiency, with ESDP issues being discussed regularly within the framework of existing mechanisms (meetings at the level of Heads of State, ministers and political directors, PSC). The PSC Troika and the Russian Ambassador to the EU will play a leading role in the implementation of these arrangements.

This meeting schedule is indicative. Extra meetings may be organised if circumstances require, for the purpose of information exchange between the EU and Russia.

In order to facilitate Russia's involvement in the Union's military activities, Russia may appoint a contact person accredited to the EU Military Staff. At least two briefing meetings in the course of each Presidency will be organised with that contact person.

### **II. Arrangements during crisis periods**

#### **A) PRE-OPERATIONAL PHASE**

In accordance with the Nice conclusions and the Paris, Moscow and Brussels declarations, in the event of a crisis, dialogue and consultation will be intensified during the period leading up to the Council decision. When a crisis develops, these intensified consultations will provide an opportunity for exchanges of views on evaluation of the situation and for mutual information on the positions of the European Union and Russia.

When the possibility of an EU-led military crisis management operation is under consideration, the aim of those consultations will be to ensure that Russia, as a potential contributor to an EU-led crisis management operation, is informed of the EU's intentions, particularly with regard to the military options being envisaged.

## **B) OPERATIONAL PHASE**

Once the strategic military option has been chosen, contacts may be arranged to allow Russia, should it so wish, to express its intention in principle to take part in the operation.

Once the concept of operations (CONOPS) has been approved, Russia may be invited to participate in the operation. Russia will then provide the EU with an initial indication of its contribution, which will be further specified during exchanges with the Operation Commander, assisted by the EUMS.

In the case of an operation requiring recourse to NATO assets and capabilities, Russia may be involved in planning according to procedures laid down within NATO. In the case of an autonomous operation in which Russia is invited to take part, Russia may send a liaison officer to the European Military Staff bodies at strategic level. This will allow for exchange of information on operational planning and the contributions envisaged.

On the occasion of the Force Generation Conference preceding the launch of the operation, Russia will be invited to confirm the level of its contribution.

## **C) COMMITTEE OF CONTRIBUTORS**

This committee will be set up at the time of the decision to launch the operation. To the extent to which Russia deploys significant military forces within the framework of a European Union-led operation, it will be invited to participate in the proceedings of the Committee of Contributors which will play a key role in the day-to-day management of the operation. In its capacity as a contributing State, Russia will have the same rights and obligations in terms of day-to-day management of the operation as EU Member States participating in the operation.

### **III. Civilian aspects**

The specific arrangements for consultation, cooperation, and contribution regarding civilian aspects of crisis management, in particular police operations, will be established in due course in accordance with, inter alia, the guiding principles in Annex II to the conclusions of the Göteborg European Council.

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## ARRANGEMENTS FOR CONSULTATION AND COOPERATION BETWEEN THE EUROPEAN UNION AND CANADA ON CRISIS MANAGEMENT

*On the basis of the conclusions of the Nice European Council and the EU-Canada Ottawa Summit, the arrangements for consultation and co-operation between the European Union and Canada on crisis management will be as follows:*

### **I. Arrangements in non-crisis periods**

ESDP issues will be discussed regularly within the framework of existing mechanisms (meetings at the level of Heads of State, ministers and political directors, PSC). The frequency and modalities of consultation will be adapted to the circumstances and based on considerations of pragmatism and efficiency. The PSC Troika and the Canadian Ambassador to the EU shall play a leading role in the implementation of these arrangements.

Depending on the course of events, supplementary meetings may be organised in order to exchange information between the EU and Canada.

In order to facilitate Canada's association with the Union's military activities, Canada should designate a contact person accredited with the EU Military Staff. At least two briefing meetings will be organised during the course of each presidency with this contact person.

### **II. Arrangements in periods of crisis**

Consultations with Canada will be stepped up in times of crisis. Participation by Canada will be of particular importance in the case of EU operations drawing on NATO assets and capabilities. In this context, when the Union embarks on detailed examination of an option making use of NATO assets and capabilities, particular attention will be paid to consultation with Canada.

#### **A) Pre-operational phase**

In accordance with the Nice conclusions and the EU-Canada Ottawa Summit, in the case of an emerging crisis, dialogue and consultation shall be intensified during the period preceding the

Council decision. On the emergence of a crisis, this intensification of consultations shall enable an exchange of views to take place to evaluate the situation and allow mutual information on the positions of the European Union and Canada.

When the eventuality of an EU-led military crisis management operation is examined, these consultations will ensure that Canada, in its capacity as a potential contributor, is informed of the Union's intentions, particularly with regard to the military options being envisaged.

### **B) Operational phase**

Once the strategic military option has been chosen, contacts may take place to allow Canada, should the need arise, to express its initial intention to take part in the operation.

Once the concept of operations (CONOPS) has been approved, Canada may participate, if it so wishes, in EU-led operations using NATO assets and capabilities, and, on a decision by the Council, may be invited to participate in other EU-led operations. Canada will then address the EU with an initial indication of its contribution, which will be refined through exchanges with the Operation Commander, assisted by the EUMS.

In the case of an operation using NATO assets and capabilities, Canada will be involved in planning in accordance with modalities defined within NATO. In the case of an autonomous operation to which Canada is invited to participate, Canada may appoint a liaison officer with the European strategic level Military Staffs. This will allow an exchange of information on operational planning and the contributions envisaged.

On the occasion of the Force Generation Conference, Canada will be invited to confirm the level of its contribution.

### **C) Committee of Contributors**

This committee will be set up at the time of the decision to launch the operation. To the extent to which Canada deploys significant military forces within the framework of a European Union-led operation, it will be invited to participate in the work of the Committee of Contributors which will play an essential role in the day-to-day conduct of the operation. In its capacity as a

contributing State, Canada will have the same rights and obligations as regards the day-to-day conduct of the operation as the EU Member States participating in the operation.

### **III. Civilian aspects**

The precise modalities for consultation, co-operation, and contribution in civilian aspects of crisis management, in particular police operations, will be established in due time based inter alia on the guiding principles in Annex II to the conclusions of the Göteborg European Council.

## ARRANGEMENTS FOR CONSULTATION AND COOPERATION BETWEEN THE EUROPEAN UNION AND UKRAINE ON CRISIS MANAGEMENT

*On the basis of the conclusions of the Nice European Council and the EU-Ukraine Summits of Paris and Yalta, the arrangements for consultation and co-operation between the European Union and Ukraine on crisis management will be as follows:*

### **I. Arrangements in non-crisis periods**

ESDP issues will be discussed regularly within the framework of existing mechanisms (meetings at the level of Heads of State, ministers and political directors, PSC). The frequency and modalities will be adapted to the circumstances and based on considerations of pragmatism and efficiency. The PSC Troika and the Ukrainian Ambassador to the EU shall play a leading role in the implementation of these arrangements.

Depending on the course of events, supplementary meetings may be organised in order to exchange information between the EU and Ukraine.

In order to facilitate Ukraine's association with the Union's military activities, Ukraine should designate a contact person accredited with the EU Military Staff. At least two briefing meetings will be organised during the course of each presidency with this contact person.

### **II. Arrangements in periods of crisis**

#### **D) Pre-operational phase**

Dialogue and consultation shall be intensified during the period preceding the Council decision. This intensification of consultations shall enable an exchange of views to take place to evaluate the situation and allow mutual information on the positions of the European Union and Ukraine.

When the eventuality of an EU-led military crisis management operation is examined, these consultations will ensure that Ukraine, in its capacity as a potential contributor, is informed of the Union's intentions, particularly with regard to the military options being envisaged.

### **E) Operational phase**

Once the strategic military option has been chosen, contacts may take place to allow Ukraine, should the need arise, to express its initial intention to take part in the operation.

Once the concept of operations (CONOPS) has been approved, Ukraine may be invited to participate in the operation. Ukraine will then address the EU with an initial indication of its contribution, which will be refined through exchanges with the Operation Commander, assisted by the EUMS.

In the case of an operation using NATO assets and capabilities, Ukraine may be associated to planning in accordance with modalities defined within NATO. In the case of an autonomous operation to which Ukraine is invited to participate, Ukraine may appoint a liaison officer with the European strategic level Military Staffs. This will allow an exchange of information on operational planning and the contributions envisaged.

On the occasion of the Force Generation Conference, Ukraine will be invited to confirm the level of its contribution.

### **F) Committee of Contributors**

This committee will be set up at the time of the decision to launch the operation. To the extent to which Ukraine deploys significant military forces within the framework of a European Union-led operation, it will be invited to participate in the work of the Committee of Contributors which will play an essential role in the day-to-day conduct of the operation. In its capacity as a contributing State, Ukraine will have the same rights and obligations as regards the day-to-day conduct of the operation as the EU Member States participating in the operation.

### III. Civilian aspects

The precise modalities for consultation, co-operation, and contribution in civilian aspects of crisis management, in particular police operations, will be established in due time based inter alia on the guiding principles in Annex II to the conclusions of the Göteborg European Council.

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