

FOIA Marker

This is not a textual record. This FOIA Marker indicates that material has been removed during FOIA processing by George W. Bush Presidential Library staff.

National Security Council - European Affairs

Volker, Kurt - Subject Files

Stack:	Row:	Sect.:	Shelf:	Pos.:	FRC ID:	Location or Hollinger ID:	NARA Number:	OA Number:
V	17	8	10	1	34839	47593		NSC 0602

Folder Title:

ESDP (European Security and Defense Policy) [Folder 1] [5]

PRESIDENCY CONCLUSIONS TAMPERE EUROPEAN COUNCIL 15 AND 16 OCTOBER 1999

'Given that one of the focal points of the Union's work in the years ahead will be to strengthen the common foreign and security policy, including developing a European security and defence policy, the European Council expects the new Secretary-General of the Council and High Representative for the CFSP, Mr. Javier Solana, to make a key contribution to this objective. Mr. Solana will be able to rely on the full backing of the European Council in exercising his powers according to Article 18(3) of the Treaty so he can do full justice to his tasks. **His responsibilities** will include co-operating with the Presidency to ensure that deliberations and action in foreign and security policy matters are efficiently conducted with the aim of fostering continuity and consistency of policy on the basis of **the common interests of the Union.**'

CFSP Presidency Statement: Tampere (16/10/1999) - Press:0 Nr: 200/1/99
Paragraph (6)

PRESIDENCY CONCLUSIONS
NICE EUROPEAN COUNCIL MEETING
7, 8 AND 9 DECEMBER 2000

IV. COMMON EUROPEAN SECURITY AND DEFENCE POLICY

13. The European Council approves the Presidency report, plus annexes, on the European security and defence policy (see Annex).

14. The European Council calls on the next Presidency, together with the Secretary-General/High Representative, to take forward work within the General Affairs Council, in accordance with the tasks assigned in the Presidency report. The objective is that the European Union should quickly be made operational in this area. A decision to that end will be taken by the European Council as soon as possible in 2001 and no later than at its meeting in Laeken. The incoming Swedish Presidency is requested to report to the European Council in Göteborg on all of these matters.

Annex

ANNEX VI

PRESIDENCY REPORT

ON THE EUROPEAN SECURITY AND DEFENCE POLICY

Introduction

The aim of the efforts made since the Cologne, Helsinki and Feira European Councils is to give the European Union the means of playing its role fully on the international stage and of assuming its responsibilities in the face of crises by adding to the range of instruments already at its disposal an autonomous capacity to take decisions and action in the security and defence field. In response to crises, the Union's particular characteristic is its capacity to mobilise a vast range of both civilian and military means and instruments, thus giving it an overall crisis-management and conflict-prevention capability in support of the objectives of the Common and Foreign Security Policy.

In developing this autonomous capacity to take decisions and, where NATO as a whole is not engaged, to launch and conduct EU-led military operations in response to international crises, the European Union will be able to carry out the full range of Petersberg tasks as defined in the Treaty on European Union: humanitarian and rescue tasks, peace-keeping tasks and tasks of combat forces in crisis management, including peacemaking. This does not involve the establishment of a European army. The commitment of national resources by Member States to such operations will be based on their sovereign decisions. As regards the Member States concerned, NATO remains the basis of the collective defence of its members and will continue to play an important role in crisis management. The development of the ESDP will contribute to the vitality of a renewed Transatlantic link. This development will also lead to a genuine strategic partnership between the EU and NATO in the management of crises with due regard for the two organisations' decision-making autonomy.

The development of the European Security and Defence Policy strengthens the Union's contribution to international peace and security in accordance with the principles of the UN Charter. The European Union recognises the primary responsibility of the United Nations Security Council for maintaining peace and international security.

The value of cooperation between the Union and the United Nations, as well as with the OSCE and the Council of Europe, as the Union develops its crisis-management and conflict-prevention capabilities has been emphasised in the context of the work carried out during the Presidency. In this context, the Secretary-General of the United Nations has also submitted a proposal for closer cooperation between the EU and the UN. In this respect the European Union welcomes the recent contacts between the Secretary-General of the United Nations, the Secretary-General/High Representative, the Presidency and the EU Troika.

The development of European crisis-management capabilities increases the range of instruments for responding to crises available to the international community. The efforts made will enable Europeans in particular to respond more effectively and more coherently to requests from leading organisations such as the UN or the OSCE. This development is an integral part of strengthening the Common Foreign and

In connection with the submission of this report, the Presidency noted that Denmark drew attention to Protocol No 5 annexed to the Treaty of Amsterdam on the position of Denmark.

I. THE DEVELOPMENT OF MILITARY CAPABILITIES AND THE STRENGTHENING OF CIVIL CRISIS MANAGEMENT CAPABILITIES

(1) Elaboration of the headline goal and of the military capability goals established in Helsinki

The main challenge for Member States is to develop military capabilities which can be put at the disposal of the EU for crisis management purposes. The aim is to mobilise Member States' efforts in this sphere.

The Commitment Conference, which was held in Brussels on 20 November, demonstrated the Europeans' capability to satisfy fully, by their contributions in numerical terms, the needs identified to carry out the different types of crisis-management missions within the headline goal agreed in Helsinki.

At this Conference the Member States also signalled their determination to make the necessary efforts to improve their operational capabilities further in order to carry out in full the most demanding of the Petersberg tasks, in particular as regards availability, deployability, sustainability and interoperability. As for their collective goals, the Member States agreed to pursue their efforts in the area of command and control, intelligence and strategic air and naval transport capabilities.

The Council approved the military capabilities commitment declaration published at the close of its meeting on 20 November and the definition of a "mechanism for evaluating military capabilities".

Its aim is to enable the EU to ensure follow up and to facilitate progress towards the realisation of the commitments made with a view to achieving the headline goal, to review its aims in the light of changed circumstances and to contribute as well to ensuring compatibility of the commitments undertaken in the EU framework and, for the countries concerned, the goals accepted in the framework of NATO planning or the Planning and Review Process of the Partnership for Peace. These documents are annexed hereto.

The ministerial meetings with the non-EU European NATO members and other countries which are candidates for accession in the follow-up to the Capabilities Commitment Conference made it possible to draw together pledges of additional contributions from these States with a view to their participation in EU-led operations. The Member States welcome these contributions, which increase and bolster the capabilities available for EU-led crisis-management operations.

(2) Definition and implementation of EU capabilities in the civilian aspects of crisis management

The European Union has continued developing civilian capabilities in the four priority areas established by the Feira European Council: police, strengthening of the rule of law, strengthening civilian administration and civil protection. Discussions have focused on the implementation of the specific goal regarding police capabilities, whereby Member States should be able to provide 5 000 officers by 2003 for international missions, 1 000 of whom could be deployed within less than 30 days, and on the definition of specific goals in connection with strengthening the rule of law. The proceedings of the Committee for Civilian Aspects of Crisis Management enabled considerable progress to be made in elaborating the police objective. Methods were devised and ideas for deployment were developed. It is now necessary to flesh out Member States' commitments by calling for voluntary contributions. Moreover, the need to equip the General Secretariat of the Council with expertise in police matters on a permanent basis has been identified.

Discussions on strengthening the rule of law, the second priority identified in Feira, will make it possible to establish specific objectives in this area compatible with the development of European Union police capabilities. At the seminar organised in Brussels on 25 October it was possible to determine initial views and guidelines for further work within the Committee for Civilian Aspects of Crisis Management. In connection with these discussions, a database to record Member States' capabilities regarding the re-establishment of a judicial and penal system was set up within the General Secretariat of the Council.

Discussions have been initiated on cooperation with the UN, the OSCE and the Council of Europe.

They will need to be followed up.

The contribution of non-EU Member States to the EU's civilian crisis management operations, in particular in EU police missions, will be studied in a positive spirit, in accordance with procedures to be determined.

A document setting out the main aspects of the work on the civilian aspects of crisis management is annexed hereto.

II. ESTABLISHMENT OF PERMANENT POLITICAL AND MILITARY STRUCTURES

The process initiated since the Cologne European Council is intended to enable the European Union to assume its responsibilities for crisis management as a whole. If it is to play fully its role on the international stage, the EU must be in a position to have at its disposal the whole range of instruments required for a global approach to crisis management, and in particular:

- develop a coherent European approach to crisis management and conflict prevention;
- ensure synergy between the civilian and military aspects of crisis management;
- cover the full range of Petersberg tasks.

To enable the European Union fully to assume its responsibilities, the European Council has decided to establish the following permanent political and military bodies, which should be made ready to start their work:

- the Political and Security Committee;
- the Military Committee of the European Union;
- the Military Staff of the European Union.

The documents detailing the composition, competences and operation of these bodies are annexed hereto.

The build-up of the resources needed for the operation of such bodies, in particular the Military Staff, will have to take place without delay.

The development of a mechanism to ensure synergy between civilian and military instruments is essential if the civilian and military aspects of crisis management are to be efficient and consistent.

To this end, a document (13957/1/00 REV 1 + COR 1) constituting a reference framework has been submitted by the Secretary-General/High Representative and has been noted with interest. Another document, concerning crisis management procedures, including an Annex on the European Union Situation Centre, has also been circulated by the General Secretariat of the Council. This document will be the subject of a detailed study, followed by tests and exercises so that it can be adapted in the light of experience, and subsequently approved.

In this crisis management mechanism the PSC has a central role to play in the definition of and follow-up to the EU response to a crisis. The Secretary General/High Representative, who may chair the PSC, plays an important role in providing impetus. He also contributes to the effectiveness and visibility of the Union's action and policy.

III. ARRANGEMENTS WHICH WILL PERMIT IN THE EU'S MILITARY CRISIS MANAGEMENT THE CONSULTATION AND PARTICIPATION OF NON-EU EUROPEAN NATO MEMBERS AND OTHER COUNTRIES WHICH ARE CANDIDATES FOR ACCESSION TO THE EU

The EU project is open. If there is to be efficient crisis management, the European Union wishes to receive contributions from the non-EU European NATO members and other countries which are candidates for accession to the EU, in particular those which have the determination and capability to commit considerable resources to participate in the Petersberg tasks. This openness must, of course, respect the principle of the European Union's decision-making autonomy.

In implementing the arrangements agreed in Feira, the Presidency has initiated and developed a regular and substantive dialogue on the ESDP with the countries concerned. Ministerial meetings

were thus held on 21 November as a follow-up to the Capacities Commitment Conference. This dialogue has also been developed at the level of the IPSC, which held meetings in the inclusive structure on 27 July, 2 October and 17 November, and through meetings comprising military experts to prepare non-member states' contributions to the capability goals. These consultations were in addition to the meetings held in connection with the Union's political dialogue with its partners.

The document on "arrangements for non-EU European NATO members and other countries which are candidates for accession to the EU" is annexed hereto. In accordance with the undertakings given, these arrangements will make it possible to consult such countries on a regular basis when there is no crisis and to associate them to the greatest possible extent in EU-led military operations in times of crisis.

IV. PERMANENT ARRANGEMENTS FOR EU-NATO CONSULTATION AND COOPERATION

Not Set

On the basis of the decisions taken by the Feira European Council and in close consultation with NATO, the European Union has, during the French Presidency, continued preparations for establishing a permanent and effective relationship between the two organisations. The attached documents on the principles for consultation, cooperation and transparency with NATO and the modalities for EU access to NATO assets and capabilities (Berlin plus) constitute the EU's contribution to work on future arrangements between the two organisations. The EU hopes for a favourable reaction from NATO so that these arrangements can be implemented on a mutually satisfactory basis.

Consultations and cooperation between the two organisations will be developed 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.

The EU reiterates the importance which it attaches to being able, when necessary, to make use of the assured access to NATO's planning capabilities and to the presumption of availability of NATO's assets and capabilities as envisaged in the Communiqué of the Washington Summit. The European Union will call on NATO for operational planning of any operation using NATO assets and capabilities. When the Union examines options with a view to an operation, the establishing of its strategic military options can involve a contribution by NATO's planning capabilities.

The EU would stress the importance of appropriate provisions giving those who so wish access to Alliance structures in order, when necessary, to facilitate effective participation by all Member States in EU-led operations which make use of NATO assets and capabilities.

The meetings between the Interim Political and Security Committee and the North Atlantic Council on 19 September and 9 November marked a decisive stage in the development of a relationship of confidence between the EU and NATO. The discussions by the ad hoc working parties set up at Feira and the working party of experts on military capabilities (HTF plus) have led to progress in transparency and cooperation between the two organisations. The Interim Security Agreement concluded by the two Secretaries-General has encouraged the development of these relations by authorising initial exchanges of documents and opened the way to a definitive arrangement between the European Union and NATO.

V. INCLUSION IN THE EU OF THE APPROPRIATE FUNCTIONS OF THE WEU

The European Union has confirmed its intention of itself assuming the crisis-management function of the WEU. It took note in this context of the measures adopted by the WEU Council of Ministers in Marseilles to enable the latter to take account of developments which have occurred in the EU.

The Council adopted the following decisions of principle on the inclusion of the appropriate functions of the WEU in the field of the Petersberg tasks:

- the setting up in the form of agencies of a Satellite Centre and an Institute for Security Studies which would incorporate the relevant features of the existing parallel WEU structures;
- the direct management by the EU of a police technical cooperation mission in Albania to take over from the Multinational Advisory Police Element in Albania, implementation of which had been entrusted to the WEU by the Council on the basis of Article 17 of the TEU. The Council took note of the assessment that the mine-clearance operation in Croatia will have achieved its

objectives, in its current form in the WEU, upon expiry of its mandate.

The Council also agreed to enrich the Transatlantic dialogue by asking the ISS to undertake activities similar to those currently being conducted by the Transatlantic Forum, in accordance with modalities to be agreed which would enable all the States concerned to participate in these activities.

VI. ARRANGEMENTS FOR THE CONSULTATION AND PARTICIPATION OF OTHER POTENTIAL PARTNERS

In Feira, it was recalled that Russia, Ukraine, other European States with which the Union maintains political dialogue and other interested States such as Canada could be invited to participate in EU-led operations.

To that end, the Union proposes stepping up dialogue, cooperation and consultation on security and defence issues with the countries concerned within the framework of existing agreements on the basis of the following principles:

In the routine phase, the Union will conduct exchanges of information on questions relating to the ESDP and military crisis-management through meetings on this topic, which will normally be held once every six months by the PSC Troika. Additional meetings will be organised if the Council deems it necessary. In a crisis situation, when the possibility of a military crisis-management operation is being considered, such consultations conducted in Troika format or by the Secretary-General/High Representative will constitute the framework making it possible for exchanges of views and discussions on possible participation by potential partners to be held.

The European Union has already welcomed the interest shown by Canada. 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.

The countries participating in an operation may appoint liaison officers to Planning Staff and, together with all the EU members, attend the Committee of Contributors with the same rights and obligations as the other participating States as far as day-to-day management of the operation is concerned.

These initial principles are without prejudice to any specific consultation and/or participation mechanisms which may be concluded with some of the countries concerned. The EU has, for example, adopted with Russia a joint declaration on strengthening dialogue on political and security questions in Europe, providing in particular for specific consultations on security and defence issues.

VII. CONFLICT PREVENTION

The European Councils in Cologne, Helsinki and Feira decided that the Union should fully assume its responsibilities in the sphere of conflict prevention. To that end, the Feira European Council invited the Secretary-General/High Representative and the Commission to submit to the Nice European Council concrete recommendations for improving the cohesion and effectiveness of action by the European Union in the field of conflict prevention.

The report was submitted to the European Council, which welcomed the concrete recommendations made by the Secretary-General/High Representative and the Commission and highlighted the need to continue these discussions.

VIII. MANDATE FOR THE NEXT PRESIDENCY

1. On the basis of the present report, the Swedish Presidency is invited, in association with the Secretary-General/High Representative, to continue work within the General Affairs Council on developing the Common Security and Defence Policy and to implement the measures necessary for the following:

- (a) to achieve the objective of making the EU quickly operational. A decision to that end will be taken by the European Council as soon as possible in 2001 and no later than the European Council in Laeken.

To that end, the Swedish Presidency is invited to:

- take the measures necessary for implementation and validation of the crisis-management mechanisms, including structures and procedures;
- continue discussions with NATO with a view to establishing arrangements between the EU and NATO;
- report back to the European Council in Gothenburg.

(b) the follow-up of the military capabilities objectives and the commitments in the Declaration of Military Capabilities Commitment, in particular by defining the details of the follow-up and evaluation mechanism, which have been outlined in the document annexed to Annex I hereto;

(c) the continuation of the work begun on civilian aspects of crisis management, including the development of a capability for planning and conducting police operations and the request for voluntary contributions with respect to police, as well as the definition of specific objectives;

(d) the implementation of the decisions taken at the present European Council on permanent arrangements with non-EU European NATO members and other countries which are candidates for accession to the EU and the submission of proposals for the modalities of participation by third countries in the civilian aspects of crisis management;

(e) the implementation of the arrangements for the consultation and participation of other potential partners, the principles of which are laid down by this European Council;

(f) the setting up in the form of agencies within the EU of a "Satellite Centre" (responsible for producing satellite and aerial images) and an "Institute for Security Studies" which would incorporate the relevant features of the similar existing WEU structures;

(g) the identification of possible areas as well as modalities of cooperation between the European Union and the United Nations in crisis management;

(h) the definition of proposals for improving the cohesion and effectiveness of Union action in the sphere of conflict prevention.

2. The Swedish Presidency is invited to submit a report on these matters to the European Council in Gothenburg.

ANNEX I to ANNEX VI

MILITARY CAPABILITIES COMMITMENT DECLARATION

1. Since the Cologne European Council in June 1999, and in particular thanks to the work carried out by the Finnish and Portuguese Presidencies, it has been a priority of the Union to develop and introduce the civil and military resources and capabilities required to enable the Union to take and implement decisions on the full range of conflict-prevention and crisis-management missions defined in the Treaty on European Union ("Petersberg tasks" (2)). The Union has in this respect highlighted its determination to develop an autonomous capacity to take decisions and, where NATO as a whole is not engaged, to launch and conduct EU-led military operations in response to international crises. For that purpose, Member States have decided to develop more effective military capabilities. This process, without unnecessary duplication, does not involve the establishment of a European army. These developments are an integral part of strengthening the Common Foreign and Security Policy. The Union will thus be able to make a greater contribution to international security in keeping with the principles of the United Nations Charter, the OSCE Charter and the Helsinki Final Act. The Union recognises the primary responsibility of the United Nations Security Council for the maintenance of international peace and security.

2. In the field of military capabilities, which will complement the other instruments available to the Union, at the Helsinki European Council in December 1999 the Member States set themselves the headline goal of being able, by 2003, to deploy within 60 days and sustain for at least one year forces up to corps level (60,000 persons). These forces should be militarily self-sustaining with the necessary command, control and intelligence capabilities, logistics, other combat support services and additionally, as appropriate, air and naval elements.

In Helsinki the Member States also decided rapidly to develop collective capability goals, particularly in the field of command and control, intelligence and strategic transport. At the Feira

European Council in June 2000 the Union also encouraged the countries which have applied for membership of the EU and the non-EU European members of NATO to contribute to improving Europe's capabilities. The work conducted since the Feira European Council has enabled the Union to define the variety of measures needed successfully to carry out the full range of Petersberg tasks, including the most demanding among these. It has made it possible to specify the Union's needs in terms of the military capability and forces required to attain the headline goal. The needs identified are outlined in a capability catalogue. As agreed at the Feira European Council, NATO's military expertise has helped in drawing up this catalogue.

3. On 20 November 2000 in Brussels the Member States took part in a Capabilities Commitment Conference, making it possible to draw together the specific national commitments corresponding to the military capability goals set by the Helsinki European Council (3). The conference also made it possible to identify a number of areas in which efforts will be made in upgrading existing assets, investment, development and coordination so as gradually to acquire or enhance the capabilities required for autonomous EU action. The Member States announced their initial commitments in this respect.

This conference constitutes the first stage of a demanding process of reinforcing military capabilities for crisis management by the Union with the purpose being to achieve the headline goal set by 2003 but continuing beyond that date in order to achieve the collective capability goals. At the Helsinki European Council the Member States had also decided rapidly to identify the collective capability goals in the field of command and control, intelligence and strategic transport, and had welcomed decisions of that nature already announced by certain Member States: - to develop and coordinate monitoring and

early warning military means; - to open existing joint national headquarters to officers coming from other Member States; - to reinforce the rapid reaction capabilities of existing European multinational forces; - to prepare the establishment of a European air transport command; - to increase the number of readily deployable troops; - and to enhance strategic sea lift capacity. This effort will continue. It remains essential to the credibility and effectiveness of the European security and defence policy that the Union's military capabilities for crisis management be reinforced so that the Union is in a position to intervene with or without recourse to NATO assets.

4. At the Capabilities Commitment Conference, in accordance with the decisions taken at the Helsinki and Feira European Councils, the Member States committed themselves, on a voluntary basis, to making national contributions corresponding to the rapid reaction capabilities identified to attain the headline goal. These commitments have been set out in a catalogue known as the "Force Catalogue". Analysis of this catalogue confirms that by 2003, in keeping with the headline goal established in Helsinki, the Union will be able to carry out the full range of Petersberg tasks, but that certain capabilities need to be improved both in quantitative and qualitative terms in order to maximise the capabilities available to the Union. In this respect, Ministers reaffirmed their commitment fully to achieve the goals identified at the Helsinki European Council. To that end, they will aim to identify as soon as possible the complementary initiatives which they may implement, either on a national basis or in cooperation with partners, to respond to the needs identified. These efforts will be in addition to the contributions already identified. For the countries concerned, their efforts here and those they devote to the NATO Defence Capabilities Initiative will be mutually reinforcing.

A) Concerning forces

In quantitative terms, the voluntary contributions announced by Member States make it possible to achieve in full the headline goal established in Helsinki (60 000 persons available for deployment within 60 days for a mission of at least a year). These contributions, set out in the "Force Catalogue", constitute a pool of more than 100 000 persons and approximately 400 combat aircraft and 100 vessels, making it possible fully to satisfy the needs identified to carry out the different types of crisis management missions within the headline goal.

By 2003, once the appropriate European Union political and military bodies are in a position to exercise political control and strategic management of EU-led operations, under the authority of the Council, the Union will gradually be able to undertake Petersberg tasks in line with its increasing military capabilities. The need to further improve the availability, deployability, sustainability and interoperability of forces has, however, been identified if the requirements of the most demanding Petersberg tasks are to be fully satisfied. Efforts also need to be made in specific areas such as military equipment, including weapons and munitions, support services,

including medical services, prevention of operational risks and protection of forces.

B) Concerning strategic capabilities

As regards command, control and communications, the Member States offered a satisfactory number of national or multinational headquarters at strategic, operational, force and component levels. These offers will have to be evaluated further in qualitative terms so that the Union can, in addition to possible recourse to NATO capabilities, have the best possible command and control resources at its disposal. The Union pointed out the importance it attaches to the speedy conclusion of ongoing talks on access to NATO capabilities and assets. The European Union Military Staff, which will acquire an initial operating capability in the course of 2001, will bolster the European Union's collective early warning capability and will provide it with a predecisional situation assessment and strategic planning capability.

In regard to intelligence, apart from the image interpretation capabilities of the Torrejon Satellite Centre, Member States offered a number of resources which can contribute to the analysis and situation monitoring capability of the Union. Nevertheless, they noted that serious efforts would be necessary in this area in order for the Union to have more strategic intelligence at its disposal in the future.

As regards the strategic air and naval transport capabilities at the Union's disposal, improvements are necessary to guarantee that the Union is able to respond, in any scenario, to the requirements of a demanding operation at the top of the Petersberg range, as defined in Helsinki.

5. In accordance with the decisions of the Helsinki and Feira European Councils on collective capability goals, the Member States also committed themselves to medium and long-term efforts in order to improve both their operational and their strategic capabilities still further. The Member States committed themselves, particularly in the framework of the reforms being implemented in their armed forces, to continue taking steps to strengthen their own capabilities and carrying out existing or planned projects implementing multinational solutions, including in the field of pooling resources.

These projects as a whole relate to:

- improving the performance of European forces in respect of the availability, deployability, sustainability and interoperability of those forces;
- developing "strategic" capabilities: strategic mobility to deliver the forces rapidly to the field of operations; headquarters to command and control the forces and the associated information and communication system; means of providing the forces with intelligence information;
- strengthening essential operational capabilities in the framework of a crisis-management operation; areas which were identified in this context were: resources for search and rescue in operational conditions, means of defence against ground-to-ground missiles, precision weapons, logistic support, simulation tools.

The restructuring of the European defence industries taking place in certain Member States was a positive factor in this. It encouraged the development of European capabilities. By way of example, the Member States concerned cited the work they are engaged in on a number of vital projects which would contribute to bolstering the capabilities at the Union's disposal: Future Large Aircraft (Airbus A 400M), maritime transport vessels, Troop Transport Helicopters (NH 90). Some Member States also announced their intention to continue their efforts to acquire equipment to improve the safety and efficiency of military action. Some undertook to improve the Union's guaranteed access to satellite imaging, thanks in particular to the development of new optical and radar satellite equipment (Helios II, SAR Lupe and Cosmos Skymed).

6. In order to ensure continuing European action to strengthen capabilities, the Member States agreed on the importance of defining an evaluation mechanism enabling follow-up and progress towards the realisation of the commitments made with a view to achieving the headline goal, in both quantitative and qualitative terms.

The mechanism, the broad outline of which will be approved at the Nice European Council, will provide the Union with an assessment and follow-up mechanism for its goals (based on the HTF - Headline Goal Task Force) on the basis of a consultation method between the Member States. In order to avoid unnecessary duplication, it will, for the Member States concerned, rely on technical

data emanating from existing NATO mechanisms such as the Defence Planning Process and the Planning and Review Process (PARP). Recourse to these sources would be had, with the support of the EU Military Staff (EUMS), via consultations between experts in a working group set up on the same model as that which operated for the drawing up of the capabilities catalogue (HTF Plus). In addition, exchange of information and transparency would be appropriately ensured between the Union and NATO by the Working Group on Capabilities set up between the two organisations, which would take steps to ensure the coherent development of EU and NATO capabilities where they overlap (in particular those arising from the goals set out at the Helsinki European Council and from the NATO Defence Capabilities Initiative).

This mechanism would be based on the following principles:

- (a) preservation of the Union's autonomy in decision making, in particular in the definition, evaluation, monitoring and follow-up of capability goals;
- (b) recognition of the political and voluntary nature of the commitments made, which implies that the Member States are responsible for any adjustment of the commitments in the light of the evaluation made;
- (c) transparency, simplicity and clarity, in order among other things to enable comparisons to be made between the commitments of the various Member States;
- (d) a continuous and regular evaluation of progress made, on the basis of reports enabling ministers to take the appropriate decisions;
- (e) the flexibility necessary to adapt the commitments to newly identified needs.

Regarding relations with NATO:

The arrangements concerning transparency, cooperation and dialogue between the Union and NATO should be set out in the document on permanent arrangements between the Union and NATO. The evaluation mechanism will take account of the following additional principles:

- (f) the need, for the countries concerned, to ensure the compatibility of the commitments taken on in the EU framework with the force goals accepted in the framework of the NATO Defence Planning Process or the PARP;
- (g) the need for mutual reinforcement of the Union's capability goals and those arising, for the countries concerned, from the Defence Capabilities Initiative;
- (h) the need to avoid unnecessary duplication of procedures and of information requested.

Concerning relations with third countries:

- (i) the mechanism will ensure that the contributions of European States which are members of NATO but not part of the EU, and of the applicant countries, are taken into account, in order to enable an evaluation to be made of their complementary commitments which contribute to the improvement of European capabilities, and to facilitate their possible participation in EU-led operations in accordance with the Helsinki and Feira decisions.

The examination of the work carried out within the Union will benefit from the support of EUMS, in the framework of its mandate, and will be the subject of reports to the Council.

* * *

The Member States welcomed the intentions expressed with a view to the ministerial meetings on 21 November 2000 by the countries applying for membership of the EU and the non-EU European NATO Members in reply to the invitation made to them at the Feira European Council to make their contribution, in the form of complementary commitments, to improving European capabilities.

Contributions received at the ministerial meetings on 21 November 2000 will extend the range of capabilities available for EU-led operations, thus enabling the Union's intervention capability to be strengthened in the manner most appropriate to the circumstances. They would be welcomed as significant additional contributions to those capabilities offered by the Member States. In this context, the Member States signalled their agreement for those contributions to be evaluated, in liaison with the States concerned,

according to the same criteria as those applied to the Member States.

Appendix to ANNEX I to ANNEX VI

ACHIEVEMENT OF THE HEADLINE GOAL

REVIEW MECHANISM FOR MILITARY CAPABILITIES

INTRODUCTION

1. The Helsinki European Council on 10 and 11 December 1999 decided to press ahead with the achievement of capability goals (a headline goal and collective capability goals in the fields of command and control, intelligence and strategic transport) in order to be able to carry out the full range of Petersberg tasks defined in the Amsterdam Treaty, including the most demanding among them.
2. The European Council also instructed the General Affairs Council (GAC) to elaborate the headline and capability goals, together with "a method of consultation through which these goals can be met and maintained and through which national contributions reflecting Member States' political will and commitment towards these goals can be defined by each Member State, with a regular review of progress made."
3. The Feira European Council noted the progress made and reaffirmed how important it would be to "create a review mechanism for measuring progress towards the achievement of those goals".

PROGRESS MADE SINCE HELSINKI

4. Since Helsinki

- (a) the headline goal has been elaborated by Member States' military experts who, assisted where necessary by NATO experts, have detailed in quantitative and qualitative terms a reservoir or "catalogue of forces" essential to the achievement of the full range of proposed Petersberg tasks. The Member States have announced their national contributions and have identified areas in which progress still needs to be made if the requirements of the most demanding of the Petersberg tasks are to be met in full;
- (b) at the capability-pledging Conference on 20 November 2000, the Member States pledged both existing means and measures aimed at making up the remaining requirements;
- (c) contributions in terms of capability and forces by European NATO Member States not part of the EU and by countries which are candidates for accession to the EU have been taken into account and welcomed as a further valuable contribution towards improving the European military capability.

EU REVIEW MECHANISM GOALS

5. Following the elaboration of the headline goal set forth in a detailed catalogue of the necessary capability and the announcement of national pledges to make the latter available, the review mechanism proposed at Helsinki should now be defined in detail. The mechanism has three specific aims:
 - (a) to enable the EU to monitor and facilitate progress towards the honouring of undertakings to achieve the overall goal, in both quantitative and qualitative terms;
 - (b) to enable the EU to evaluate and, if necessary, to review its defined capability goals in order to meet the requirements of the full range of Petersberg tasks in the light of changing circumstances;
 - (c) to help to achieve consistency between the pledges undertaken in the EU framework and, for the countries concerned, the headline goal force agreed to in the context of NATO planning or the Partnership for Peace (PARP).

As agreed at Helsinki, the Member States concerned will also deploy existing defence planning procedures, including, if appropriate, those of NATO and of the planning and review process (PARP) of the Partnership for Peace.

PRINCIPLES

6. The method of consultation and the process of evaluation pursued at Helsinki must observe the following principles:

- (a) preservation of the EU's autonomy in decision making, in particular in the definition, evaluation, monitoring and follow-up of capability goals;
- (b) recognition of the political and voluntary nature of the commitments made, which implies that the Member States are responsible for any adjustment of the commitments in the light of the evaluation made;
- (c) transparency, simplicity and clarity, in order among other things to enable comparisons to be made between the commitments of the various Member States;
- (d) a continuous and regular of evaluation of progress made, on the basis of reports enabling ministers to take the appropriate decisions;
- (e) the flexibility necessary to adapt the commitments to newly identified needs.

Regarding relations with NATO:

The arrangements concerning transparency, cooperation and dialogue between the EU and NATO should be set out in the document on permanent arrangements between the EU and NATO. The evaluation mechanism will take account of the following additional principles:

- (f) the need, for the countries concerned, to ensure the compatibility of the commitments taken on in the EU framework with the force goals accepted in the framework of NATO planning or the PARP;
- (g) the need for mutual reinforcement of the EU's capability goals and those arising, for the countries concerned, from the Defence Capabilities Initiative;
- (h) the need to avoid unnecessary duplication of procedures and of information requested

Concerning relations with third countries:

- (i) the mechanism will ensure that the contributions of European States which are members of NATO but not part of the EU, and of the applicant countries, are taken into account, in order to enable an evaluation to be made of their complementary commitments which contribute to the improvement of European capabilities, and to facilitate their possible participation in EU-led operations in accordance with the Helsinki and Feira decisions.

EU EVALUATION PROCESS: TASKS

7. Progress since Helsinki constitutes the initial stages of a planning and evaluation exercise which will be maintained on a regular basis.

The process will continue to be based on the method used with success initially in the elaboration of the headline goal, in particular the involvement of Member State and NATO experts through expert groups based on the Headline Task Force/Headline Task Force Plus (HTF/HTF Plus) formats, with the EUMS assisting in the process of elaborating, evaluating and reviewing capability goals in accordance with its remit.

All work carried out will be the subject of reports to the EU's Military Committee, which will draft any necessary recommendations for the PSC.

The EU mechanism encompasses the following main tasks:

- (a) identification of EU capability goals for military crisis management. The original goals set by the Helsinki European Council will be evaluated and, if necessary, revised. New capability goals and an appropriate timetable will be determined by the European Council when the latter considers it necessary for EU political decisions to be reflected in the development of the CEDSP.

(b) monitoring, under the direction of the EU Military Committee, of a "catalogue" of the necessary forces and capabilities resulting from these goals. Monitoring will involve the preparation and analysis of possible planning scenarios by a group of national experts, assisted by the EU military staff (HTF) which will call on NATO expertise in the form of an experts group based on the HTF Plus format.

(c) identification and harmonisation of national contributions in the light of the required capability. This task was originally performed at the ministerial capacity-pledging Conference in November 2000, which was preceded by a feedback process under the direction of the EUMC which recorded Member States' original offers, their quantitative and qualitative scrutiny, the identification of requirements not entirely met and additional offers. National contributions will need to be re-evaluated and re-harmonised in the light of the revision of approved needs. For the countries concerned, this will need to be done in such a way as to ensure consistency with Defence Planning Process (DPP) and the Planning and Review Process (PARP).

(d) the quantitative and qualitative review of progress towards honouring previously approved national pledges, including requirements in terms of the interoperability of forces (C3, exercises, training, equipment) (4) and forces availability standards. This evaluation will be made by the EU Military Committee on the basis of the detailed work of the experts group (HTF), assisted where necessary by NATO in the form of the experts group based on the HTF Plus format. The EU Military Committee will be required to spot any shortcomings and to make recommendations to the PSC regarding measures guaranteeing that Member States' undertakings are consistent with requirements.

(e) the modification of national pledges, if necessary.

EU EVALUATION PROCESS: MECHANISMS

8. In the light of the positive experience gained in the context of post-Helsinki discussions on the elaboration of capability goals, teams of military experts, particularly those from the various capitals, assisted by EU, NATO/SHAPE and international military staff (based on the HTF and HTF Plus formats) must be able to continue their activities on a regular basis in order, among other things, to:

- permit the exchange of necessary information (in particular, from the DPP and the PARP for the Member States concerned and to prevent futile duplication);
- provide a technical assessment of progress with pledges, including pledges in respect of such qualitative issues as availability, standards and interoperability.

The EU Military Committee will draw conclusions from experts' exchanges with a view to referring the appropriate recommendations to the PSC.

9. A group on EU/NATO capability, based on the ad hoc group set up by the Feira European Council, will act to ensure the consistent development of EU and NATO capabilities where they overlap (in particular, those arising under the overall EU goal and NATO's DCI (5)). This group will participate in the transparent exchange of information and in the dialogue between the two organisations:

It will act to promote:

- the exchange of information on capability issues;
- a mutual understanding of the state of their respective capabilities;
- a consistent overview of EU goals and, for the countries concerned, the goals arising from the NATO planning process, including defence planning and the PARP;
- discussion among experts on such qualitative issues as availability, standards and interoperability.

It will be for the Member States concerned and for both the EU and NATO to draw the appropriate conclusions from the work of the group.

RELATIONS WITH THIRD COUNTRIES

10. Additional contributions from European non-EU members of NATO and other countries which are candidates for accession to the EU will be taken into consideration and welcomed as further valuable contributions towards the improvement of European military capabilities. These contributions will be examined, in conjunction with the nations concerned, on the basis of the same criteria as those applying to Member States' contributions.

Reports may also be made within the single consultations structure, including non-EU countries.

11. The setting of a detailed timetable will be examined further in the light of the need for the nations concerned to ensure consistency with NATO planning disciplines. In principle, the mechanism described above will trigger reports to the Council at least every six months on progress achieved towards accomplishing capability goals. At the initial stage at least, the EU mechanism is likely to require relatively frequent monitoring by Defence Ministers of the progress of collective national undertakings in guaranteeing that the headline goal is achieved by 2003. However, this should not require a complete evaluation of every feature of the headline goal process. The details of this military capability assessment mechanism should be made clear under the incoming Presidency and may also be subject to review in the light of experience gained.

ANNEX II to ANNEX VI

STRENGTHENING OF EUROPEAN UNION CAPABILITIES FOR CIVILIAN ASPECTS OF CRISIS MANAGEMENT

I. INTRODUCTION

In order to be able to give an effective response to the challenges of crisis management under the European security and defence policy the European Union has committed itself to increasing and improving its capabilities, including those for civilian aspects of crisis management. In Santa Maria da Feira, the European Council accordingly identified policing, strengthening the rule of law, strengthening civilian administration and civil protection as the four priority areas of work in which the Union intends to establish specific capabilities for use in operations conducted by lead agencies, such as the United Nations or the OSCE, or in EU-led autonomous missions.

Action by the Union in these areas will enable it to make a greater contribution to conflict prevention and crisis management in accordance with the principles of the United Nations Charter.

On the basis of the recommendations made by the European Council in Santa Maria da Feira, the Committee for Civilian Aspects of Crisis Management set up by Council Decision of 22 May 2000 has given priority in its work to implementing the specific target for policing. It has dealt with strengthening the rule of law, with a view to setting specific targets in that area. A meeting has been organised with representatives of the United Nations, the OSCE and the Council of Europe with a view to identifying areas and principles for cooperation with those organisations.

This paper presents the essential elements of the work carried out by the Committee for Civilian Aspects of Crisis Management.

II. POLICING CAPABILITIES

In Feira, Member States committed themselves to providing by 2003, by way of voluntary cooperation, up to 5 000 police officers, 1 000 of them to be deployable within 30 days, for international missions across the full range of conflict-prevention and crisis-management operations.

In order to achieve that specific target, the Committee for Civilian Aspects of Crisis Management has established a "method through which phased targets can be met and maintained through voluntary contributions". It has been agreed that this will be a basis for work under successive Presidencies.

The method singles out four steps:

- preparation of generic planning scenarios and identification of the resultant missions;
- definition of the capabilities needed for the performance of the missions identified;

- call for contributions from Member States and identification of the capabilities on offer;
- possible measures to ensure follow-up for concrete targets.

Based on a pragmatic approach, the Committee's work has thus made it possible to establish more clearly the underlying principles of the Union's approach to the policing aspects of crisis management, consider ways of using European police forces and make substantial progress towards identifying the kinds of capabilities required.

1. Guiding principles

The following guiding principles have been identified.

1) A full range of assignments: the European Union must be capable of carrying out police missions ranging from advice, assistance or training assignments to substituting for local police. Member States have available all of the various policing capabilities required for the purpose, which should be deployable so as to complement one another, while not losing sight of their specific features.

Particular arrangements of Member States for national policing and the type of police expertise they can provide will be taken into account. This variety of police forces in the Member States is a valuable asset since it enables the Union to carry out a wide range of police missions.

2) A clear remit and appropriate mandate: The deployment of EU police forces requires clearly defined guidelines regarding their tasks and powers as well as an appropriate mandate.

3) An integrated approach: European Union action on Petersberg-type assignments requires a strong synergy between the military component and the civilian component (police, rule of law, civilian administration, civil protection). The military and police components must therefore, where necessary, be part of an integrated planning process and should be used on the ground in a closely coordinated manner, making allowance for the constraints on deployment of Member States' police forces.

4) Close coordination with international organisations: The European Union should ensure that its own efforts and those of the United Nations, the OSCE and the Council of Europe are consistent and mutually reinforcing, without any unnecessary duplication. The European Union should notably take into account the recommendations set forth in the Report of the Panel on United Nations Peace Operations ("Brahimi report").

2. Concepts of police forces

In order to identify the capabilities required, two generic concepts, based on recent experience in Guatemala, Croatia, Albania, Mostar and El Salvador, as well as in Bosnia and Herzegovina, East Timor and Kosovo, have been identified: strengthening of local police forces and substituting for local police forces.

Strengthening of local policing capabilities is a key function in conflict prevention, crisis management, and post-conflict rehabilitation. In this case European Union police forces are deployed essentially to educate, train, assist, monitor and advise local police, with the aim of bringing their capabilities and conduct up to international standards, in particular in the field of human rights, and making them more effective. Use of highly skilled police officers will enable the results of such missions to be sustained; the training given should be able to cover the full range of police work and be directed at all levels.

In the second function, the European Union police force is to substitute for local police notably where local structures are failing. A Kosovo-style complex crisis situation may thus involve three stages:

- an initial stage of an essentially military operation to establish overall control on the ground;
- a transition stage, focusing on restoring public security as a prime condition for a return

to normality;

- a post-crisis stage of civil reconstruction and a gradual return to proper operation of local institutions.

In this context, the military and police components of a crisis management operation must be part of an integrated planning process for carrying out such operations to contribute to ensure a coherent and effective overall EU response. The main task of the police forces, which should be deployed as early as possible, is to contribute to restoring public security (keep order, protect people and property). This means tackling violence, reducing tension and defusing disputes of all kinds, particularly by facilitating the reactivation of judicial and penal facilities.

In substitution missions international police forces perform executive functions. Such functions can be carried out by all types of EU police forces. In some instances it may be necessary to rapidly deploy integrated, flexible and interoperable police units on the basis of cooperation among a number of Member States. Subject to their national rules and legislation, such police forces may be placed temporarily under the responsibility of the military authority entrusted with the protection of the population.

With a view to reestablishing a functioning local police force as quickly as possible, the European Union will in parallel, wherever necessary, also provide support for police instruction, advice, assistance and training.

3. Capabilities required

The two functions (strengthening of and substituting for local police forces) draw on all specialist policing techniques available in the Member States (NB: "police forces" here covers both police forces with civilian status and police forces with military status of the gendarmerie type). It has been found that European police forces have developed within their ranks a variety of skills, based on similar professional criteria, available for use at various stages of crisis management.

More specifically, in assignments to strengthen local police, the spectrum of required capabilities covers, inter alia:

- monitoring of and advice for local police in their day-to-day work, including criminal investigation work. This may include recommendations for police reorganisation;
- training of police officers as regard international standards, both for senior officers and for ordinary law enforcement officers. Special emphasis should, where necessary, be placed on training in police professional ethics and human rights;
- training of instructors, particularly through cooperation programmes.

In substitution assignments, the spectrum of required capabilities covers, inter alia:

- public surveillance, traffic regulations, border policing and general intelligence;
- criminal investigation work, covering detection of offences, tracing of offenders and transfer to the appropriate judicial authorities;
- protection of people and property and keeping order in the event of public disturbances. The risk of situations getting out of control with a resulting need for supporting military forces should be borne in mind here.

In order to develop capabilities required to carry out both kinds of missions, the following needs have been identified as priorities:

- maintaining and developing the policing capabilities database produced by the coordinating mechanism established by the European Council in Helsinki;
- information-sharing between Member States by way of a network of contact points;
- quantitative and qualitative identification of policing capabilities to be used in

accordance with the scenarios envisaged;

- preparation of generic documents, drawing on United Nations work, as a frame of reference for police missions (rules of engagement, standard operating procedures, legal framework, etc.);
- planning of logistical requirements for rapid implementation of international policing operations, their incorporation into the general planning process and logistical support throughout a mission (equipment, staffing, etc.);
- furthering cooperation between Member States in the field of training for police missions;
- identification of precursor elements (advance teams, stand-by leadership and logistic capabilities) for EU police operations;
- interaction with military structures.

The Union's policing activities should be integrated, as from the planning stage, into a coherent overall crisis management operation. This requirement means that the General Secretariat of the Council should be provided with a permanent police expertise as soon as possible. Preliminary work has been carried out on the development of a policing operations planning and conduct capability as part of a "detailed study on the feasibility and implications of EU autonomous police missions".

POLITICAL AND SECURITY COMMITTEE

The approach adopted at Helsinki makes the PSC the linchpin of the European security and defence policy (ESDP) and of the common foreign and security policy (CFSP): "The PSC will deal with all aspects of the CFSP, including the CESDP ...". Without prejudice to Article 207 of the Treaty establishing the European Community, the PSC has a central role to play in the definition of and follow-up to the EU's response to a crisis.

The PSC will deal with all the tasks defined in Article 25 of the TEU. It may convene in Political Director formation.

After consulting the Presidency and without prejudice to Article 18 of the TEU, the Secretary-General/High Representative for the CFSP may chair the PSC, especially in the event of a crisis.

1. In particular the PSC will:

- keep track of the international situation in the areas falling within the common foreign and security policy, help define policies by drawing up "opinions" for the Council, either at the request of the Council or on its own initiative, and monitor implementation of agreed policies, all of this without prejudice to Article 207 of the Treaty establishing the European Community and to the powers of the Presidency and of the Commission;
- examine the areas of GAC draft conclusions in which it is involved;
- provide guidelines for other Committees on matters falling within the CFSP;
 - maintain a privileged link with the Secretary-General/High Representative (SG/HR) and the special representatives;
 - send guidelines to the Military Committee; receive the opinions and recommendations of the Military Committee. The Chairman of the Military Committee (EUMC), who liaises with the European Union Military Staff (EUMS), takes part, where necessary, in PSC meetings;
 - receive information, recommendations and opinions from the Committee for Civilian Aspects of Crisis Management and send it guidelines on matters falling within the CFSP;
 - coordinate, supervise and monitor discussions on CFSP issues in various Working Parties, to which it may send guidelines and whose reports it must examine;

- lead the political dialogue in its own capacity and in the forms laid down in the Treaty;

- provide a privileged forum for dialogue on the ESDP with the fifteen and the six as well as with NATO in accordance with arrangements set out in the relevant documents;

- under the auspices of the Council, take responsibility for the political direction of the development of military capabilities, taking into account the type of crisis to which the Union wishes to respond. As part of the development of military capabilities, the PSC will receive the opinion of the Military Committee assisted by the European Military Staff.

2. Furthermore, in the event of a crisis the PSC is the Council body which deals with crisis situations and examines all the options that might be considered as the Union's response within the single institutional framework and without prejudice to the decision-making and implementation procedures of each pillar. Thus the Council, whose preparatory work is carried out by Coreper, and the Commission alone have powers, each within their own areas of competence and in accordance with procedures laid down by the Treaties, to take legally-binding decisions. The Commission exercises its responsibility, including its power of initiative under the Treaties. Coreper exercises the role conferred on it by Article 207 of the Treaty establishing the European Community and by Article 19 of the Council's Rules of Procedure. To that end, it will be informed in good time by the PSC.

In a crisis situation, close coordination between these bodies is especially necessary and will be ensured in particular by:

- the participation, where necessary, of the Chairman of the PSC in Coreper meetings;

- the role of the Foreign Relations Counsellors whose task it is to maintain effective permanent coordination between CFSP discussions and those conducted in other pillars (Annex to the Council conclusions of 11 May 1992).

To prepare the EU's response to a crisis, it is for the PSC to propose to the Council the political objectives to be pursued by the Union and to recommend a cohesive set of options aimed at contributing to the settlement of the crisis. In particular it may draw up an opinion recommending to the Council that it adopt a joint action. Without prejudice to the role of the Commission, it supervises the implementation of the measures adopted and assesses their effects. The Commission informs the PSC of the measures it has adopted or is envisaging. The Member States inform the PSC of the measures they have adopted or are envisaging at the national level.

The PSC exercises "political control and strategic direction" of the EU's military response to the crisis. To that end, on the basis of the opinions and recommendations of the Military Committee, it evaluates in particular the essential elements (strategic military options including the chain of command, operation concept, operation plan) to be submitted to the Council.

The PSC plays a major role in enhancing consultations, in particular with NATO and the third States involved.

On the basis of the proceedings of the PSC, the Secretary-General/High Representative directs the activities of the Situation Centre. The latter supports the PSC and provides it with

intelligence in conditions appropriate to crisis management.

The following arrangements will be put in place to enable the PSC to ensure full "political control and strategic direction" of a military crisis-management operation:

- With a view to launching an operation the PSC sends the Council a recommendation based on the opinions of the Military Committee in accordance with the usual Council preparation procedures. On that basis the Council decides to launch the operation within the framework of a joint action.

- In accordance with Articles 18 and 26 of the TEU, the joint action will determine, in particular, the role of the Secretary-General/High Representative in the implementation of the measures falling within the "political control and strategic direction" exercised by the PSC. For such measures the Secretary-General/High Representative acts with the PSC's assent. Should a new Council decision be deemed appropriate, the simplified written procedure could be used (Article

12(4) of the Council's Rules of Procedure).

- During the operation, the Council will be kept informed through PSC reports presented by the Secretary-General/High Representative in his capacity as Chairman of the PSC.

ANNEX IV to ANNEX VI

EUROPEAN UNION MILITARY COMMITTEE

(EUMC)

1. Introduction

At Helsinki, the European Council decided to establish within the Council, new permanent political and military bodies enabling the EU to assume its responsibilities for the full range of conflict prevention and crisis management tasks defined in the EU Treaty, the Petersberg tasks.

As provided in the Helsinki report, the European Union Military Committee (EUMC), established within the Council, is composed of the Chiefs of Defence (CHODs) represented by their military representatives (MILREPs). The EUMC meets at the level of CHODs as and when necessary. This Committee gives military advice and makes recommendations to the Political and Security Committee (PSC), as well as provides military direction to the European Union Military Staff (EUMS). The Chairman of the EUMC (CEUMC) attends meetings of the Council when decisions with defence implications are to be taken.

The EUMC is the highest military body established within the Council.

For this purpose, the Terms of Reference of the EUMC are outlined as follows:

2. Mission

The EUMC is responsible for providing the PSC with military advice and recommendations on all military matters within the EU. It exercises military direction of all military activities within the EU framework.

3. Functions

It is the source of military advice based on consensus.

It is the forum for military consultation and co-operation between the EU Member States in the field of conflict prevention and crisis management.

It provides military advice and makes recommendations to the PSC, at the latter's request or on its own initiative, acting within guidelines forwarded by the PSC, particularly with regard to:

- the development of the overall concept of crisis management in its military aspects;
 - the military aspects relating to the political control and strategic direction of crisis management operations and situations;
- the risk assessment of potential crises;
 - the military dimension of a crisis situation and its implications, in particular during its subsequent management; for this purpose, it receives the output from the Situation Centre;
 - the elaboration, the assessment and the review of capability objectives according to agreed procedures;
 - the EU's military relationship with non-EU European NATO Members, the other candidates for accession to the EU, other states and other organisations, including NATO;
- the financial estimation for operations and exercises.

(a) In crisis management situations

Upon the PSC's request, it issues an Initiating Directive to the Director General of the EUMS

(DGEUMS) to draw up and present strategic military options.

It evaluates the strategic military options developed by the EUMS and forwards them to the PSC together with its evaluation and military advice.

On the basis of the military option selected by the Council, it authorises an Initial Planning Directive for the Operation Commander.

Based upon the EUMS evaluation, it provides advice and recommendation to the PSC:

- on the Concept of Operations (CONOPS) developed by the Operation Commander
- on the draft Operation Plan (OPLAN) drawn up by the Operation Commander.

It gives advice to the PSC on the termination option for an operation.

(b) During an operation

The EUMC monitors the proper execution of military operations conducted under the responsibility of the Operation Commander.

The EUMC members sit or are represented in the Committee of Contributors.

4. Chairman of the EUMC (CEUMC)

The EUMC has a permanent Chairman whose responsibilities are described hereafter.

The CEUMC is a 4-star flag officer on appointment, preferably a former Chief of Defence of an EU Member State.

He is selected by the CHODs of the Member States according to approved procedures and is appointed by the Council on the recommendation of the EUMC meeting at CHODs level.

His term of office is in principle three years, except in exceptional circumstances.

His authority is derived from the EUMC to which he is responsible. Acting in an international capacity, the CEUMC represents the EUMC at the PSC and the Council, as appropriate.

As the Chairman of the EUMC, he:

- chairs the EUMC meetings at MILREPs and CHODs levels,
- is the spokesman of the EUMC and, as such:
 - participates as appropriate in the PSC with the right to contribute to discussions and attends the Council meetings when decisions with defence implications are to be taken and
 - performs the function of military adviser to the SG/HR on all military matters, in particular, to ensure consistency within the EU Crisis Management Structure;
- conducts the works of the EUMC impartially and in order to reflect consensus;
- acts on behalf of the EUMC in issuing directives and guidance to the DGEUMS;
 - acts as the primary Point of Contact (POC) with the Operation Commander during the EU's military operations;
 - liaises with the Presidency in the development and implementation of its work programme.

The CEUMC is supported by his personal staff and assisted by the EUMS, especially regarding the administrative support within the General Secretariat of the Council.

When absent the CEUMC is replaced by one of the following:

- the permanent DCEUMC, if it is so decided to create and fill the post,
- the Presidency representative or

- the Dean.

5. Miscellaneous

The relations to be established between the EUMC and NATO military authorities are defined in the document on the EU/NATO permanent arrangements. The relations between the EUMC and the non-EU European NATO members and other countries, which are candidates for accession to the EU are defined in the document on the relations of the EU with third countries.

The EUMC is supported by a military working group (EUMCWG), by the EUMS and by other departments and services, as appropriate.

ANNEX V to ANNEX VI

EUROPEAN UNION MILITARY STAFF ORGANISATION (EUMS)

1. Introduction

At Helsinki, the EU Member States decided to establish within the Council, new permanent political and military bodies enabling the EU to assume its responsibilities for the full range of conflict prevention and crisis management tasks defined in the EU Treaty, the Petersberg tasks. As provided in the Helsinki report, the EUMS, "within the Council structures provides military expertise and support to the CESDP, including the conduct of EU-led military crisis management operations".

For this purpose, the Terms of Reference of the European Union Military Staff (EUMS) are defined as follows:

2. Mission

The Military Staff is to perform "early warning, situation assessment and strategic planning for Petersberg tasks including identification of European national and multinational forces" and to implement policies and decisions as directed by the European Union Military Committee (EUMC).

3. Role and Tasks

- It is the source of the EU's military expertise;

- It assures the link between the EUMC on the one hand and the military resources available to the EU on the other, and it provides military expertise to EU bodies as directed by the EUMC;
- It provides an early warning capability. It plans, assesses and makes recommendations regarding the concept of crisis management and the general military strategy and implements the decisions and guidance of the EUMC;
- It supports the EUMC regarding situation assessment and military aspects of strategic planning (6), over the full range of Petersberg tasks, for all cases of EU-led operations, whether or not the EU draws on NATO assets and capabilities;
- It contributes to the process of elaboration, assessment and review of the capability goals taking into account the need, for those Member States concerned, to ensure coherence with NATO's Defence Planning Process (DPP) and the Planning and Review Process (PARP) of the Partnership for Peace (PfP) in accordance with agreed procedures;
- It has the responsibility to monitor, assess and make recommendations regarding the forces and capabilities made available to the EU by the Member States, on training, exercises and interoperability;

4. Functions

- It performs three main operational functions : early warning, situation assessment and strategic planning;
- Under the direction of the EUMC it provides military expertise to EU bodies and, in particular,

to the Secretary-General/High Representative;

- It monitors potential crises by relying on appropriate national and multinational intelligence capabilities;
- It supplies the Situation Centre with military information and receives its output;
- It carries out the military aspects of strategic advance planning for Petersberg missions;
- It identifies and lists European national and multinational forces for EU-led operations co-ordinating with NATO;
- It contributes to the development and preparation (including training and exercises) of national and multinational forces made available by the Member States to the EU. The modalities of the relation with NATO are defined in the relevant documents;
- It organises and co-ordinates the procedures with national and multinational HQs including those NATO HQs available to the EU, ensuring, as far as possible, compatibility with NATO procedures;
- It programmes, plans, conducts and evaluates the military aspect of the EU's crisis management procedures, including the exercising of EU/NATO procedures;
- It participates in the financial estimation of operations and exercises;
- It liaises with the national HQs and the multinational HQs of the multinational forces;
- It establishes permanent relations with NATO according to "EU/NATO Permanent arrangements" and appropriate relations with identified correspondents within the UN and OSCE, subject to an agreement from these organisations.

(a) Additional functions in crisis management situations

- It requests and processes specific information from the intelligence organisations and other relevant information from all available sources;
- It supports the EUMC in its contributions to Initial Planning Guidance and Planning Directives of the Political and Security Committee (PSC);
- It develops and prioritises military strategic options as the basis for the military advice of the EUMC to the PSC by:
 - defining initial broad options;
 - drawing as appropriate on planning support from external sources which will analyse and further develop these options in more detail;
 - evaluating the results of this more detailed work and commissioning any further work that might be necessary;
 - presenting an overall assessment, with an indication of priorities and recommendations as appropriate, to the EUMC;
- It can also contribute to the non-military aspects of the military options;
 - It identifies in co-ordination with national planning staffs and, as appropriate, NATO, the forces that might participate in possible EU-led operations;
 - It assists the operation commander in technical exchanges with third countries offering military contributions to an EU-led operation, and in the preparation of the force generation conference;
 - It continues to monitor crisis situations.

(b) Additional functions during operations

- The EUMS, acting under the direction of the EUMC, continuously monitors all the military aspects of operations. It conducts strategic analysis in liaison with the designated operation commander to support the EUMC in its advisory role to the PSC in charge of the strategic direction;
- In the light of political and operational developments, it provides new options to the EUMC as a basis for EUMC's military advice to the PSC.

5. Organisation

- It works under the military direction of the EUMC to which it reports;
- The EUMS is a Council Secretariat department directly attached to the SG/HR; it is composed of personnel seconded from the Member States acting in an international capacity under the statute to be established by the Council;
- EUMS is headed by the DGEUMS, a 3-star flag officer, and works under the direction of the EUMC;
- In order to cope with the full spectrum of Petersberg tasks, whether or not the EU has recourse to NATO resources, the EUMS is organised as in Annex "A";
- In crisis management situations or exercises, the EUMS could set up Crisis Action Teams (CAT), drawing upon its own expertise, manpower and infrastructure. In addition, it could, if necessary, draw upon outside manpower for temporary augmentation to be requested from the EU Member States by the EUMC.

6. Relations with third countries

- The relations between the EUMS and the non-EU European NATO members and other countries, which are candidates for accession to the EU will be defined in the document on the relations of the EU with third countries.

ABBREVIATIONS

A

ADMIN Administration Branch

C

CEUMC Chairman of the European Union Military Committee

CIO CIMIC and Information Operations Branch

CIS Communications and Information Systems Division

CMC SPT Support to Chairman of the European Union Military Committee

CON Concepts Branch

CRM/COP Crisis Management/Current Operations Branch

D

DDG/COS Deputy Director General and Chief of Staff of the European Union Military Staff

DGEUMS Director General of the European Union Military Staff

E

EUMC European Union Military Committee

EUMS European Union Military Staff

EXE Exercises Branch

EX OFFICE Executive Office

F

FOR Force Preparedness Branch

I

INT Intelligence Division

INT POL Intelligence Policy Branch

ITS Information Technology and Security Branch

L

LEGAL Legal Adviser

LOG Logistics Branch

LOG/RES Logistics and Resources Division

O

OPS/EXE Operations and Exercises Division

P

PERS Personal Staff

POL Policy Branch

POL/PLS Policy and Plans Division

POL/REQ Policy and Requirements Branch

PRD Production Branch

R

REQ Requirements Branch

RES/SPT Resources Support Branch

ANNEX VI to ANNEX VI

ARRANGEMENTS CONCERNING NON-EU EUROPEAN NATO MEMBERS AND

OTHER COUNTRIES WHICH ARE CANDIDATES FOR ACCESSION TO THE EU

I. Guiding principles:

At Helsinki it was agreed that:

The Union will ensure the necessary dialogue, consultation and cooperation with NATO and its non-EU members, other countries who are candidates for accession to the EU as well as other prospective partners in EU-led crisis management, with full respect for the decision-making autonomy of the EU and the single institutional framework of the Union.

With European NATO members who are not members of the EU and other countries who are candidates for accession to the EU, appropriate structures will be established for dialogue and

information on issues related to security and defence policy and crisis management. In the event of a crisis, these structures will serve for consultation in the period leading up to a decision of the Council.

Upon a decision by the Council to launch an operation, the non-EU European NATO members will participate if they so wish, in the event of an operation requiring recourse to NATO assets and capabilities. They will, on a decision by the Council, be invited to take part in operations where the EU does not use NATO assets.

Other countries who are candidates for accession to the EU may also be invited by the Council to take part in EU-led operations once the Council has decided to launch such an operation.

All the States that have confirmed their participation in an EU-led operation by deploying significant military forces will have the same rights and obligations as the EU participating Member States in the day-to-day conduct of such an operation.

The decision to end an operation will be taken by the Council after consultation between the participating states within the committee of contributors.

At Feira the following guiding principles were agreed:

The Union will ensure the necessary dialogue, consultation and cooperation with non-EU European NATO members and other countries who are candidates for accession to the EU on EU-led crisis management.

Appropriate arrangements will be established for dialogue and information on issues related to security and defence policy and crisis management.

There will be full respect for the decision-making autonomy of the EU and its single institutional framework.

There will be a single, inclusive structure in which all the 15 countries concerned (the non-EU European NATO members and the candidates for accession to the EU) can enjoy the necessary dialogue, consultation and cooperation with the EU.

There will, within this structure, be exchanges with the non-EU European NATO members where the subject matter requires it, such as on questions concerning the nature and functioning of EU-led operations using NATO assets and capabilities.

II. Permanent consultation arrangements during non-crisis periods

On the basis of what was agreed at Helsinki and Feira, consultation procedures will, during normal periods, be based on the following elements:

The frequency of and procedures for consultation will depend on requirements and should be guided by considerations of pragmatism and efficiency, with a minimum of two meetings in EU+15 format being held during each Presidency on ESDP matters and their possible implications for the countries concerned. Within this context, a minimum of two meetings will be held during each Presidency with the six non-EU European NATO members (EU+6 format).

One ministerial meeting bringing together the 15 and the 6 countries will be held during each Presidency.

The PSC will play a leading role in the implementation of these arrangements, which will also include a minimum of two meetings at Military Committee representative level, as well as exchanges at military experts level (in particular those concerning the establishment of capability objectives) which will continue in order to enable the non-EU European NATO members and other candidate countries to contribute to the process of enhancing European military capabilities; meetings of experts may be called on matters other than capabilities, such as, for example, in times of crisis, for information on the strategic options envisaged.

These meetings will supplement those held as part of the CFSP enhanced political dialogue.

This meeting schedule is indicative. Extra meetings may be organised if circumstances require. Each Presidency will submit the planned timetable of meetings for its term and the agendas. The States

concerned may also submit proposals.

Each third country may, if it so wishes, appoint a representative from its mission to the EU to follow the ESDP and act as an interlocutor with regard to the PSC.

To facilitate the association of third countries wishing to be involved in EU military activities, they may appoint an officer accredited to the EU Military Staff who will serve as a contact. A minimum of two information meetings will be held during each Presidency for these officers from the 15 and the 6 countries, which could for example address the question of how the follow-up of crisis situations should be handled. In addition, specific liaison arrangements may be organised, particularly for the duration of NATO/EU exercises. These arrangements will be particularly important for the involvement of the 15 and the 6 in the development of the military capabilities available to the EU for EU-led operations.

III. Arrangements during crisis periods:

(A) Pre-operational phase

As agreed at Helsinki and Feira, in the event of a crisis, dialogue and consultation will be intensified at all levels, including ministerial level, in the period leading up to the Council decision. When a crisis develops, these intensified consultations will provide an opportunity for exchanges of views on situation assessment and discussion of the concerns raised by the countries affected, particularly when they consider their security interests to be involved.

When the possibility of an EU-led military crisis management operation is under consideration, the aim of these consultations, which could be held at politico-military experts level, will be to ensure that the countries potentially contributing to such an operation are informed of the EU's intentions, particularly with regard to the military options being envisaged. In this respect, once the EU begins to examine in depth an option requiring the use of NATO assets and capabilities, particular attention will be paid to consultation of the six non-EU European NATO members.

(B) Operational phase

Once the Council has chosen the strategic military option(s), the operational planning work will be presented to the non-EU European NATO members and the other candidate countries which have expressed their intention in principle of taking part in the operation, to enable them to determine the nature and volume of the contribution they could make to an EU-led operation.

Once the Council has approved the operation concept, having taken into consideration the outcome of the consultation with third countries likely to take part in the operation, these countries will be formally invited to take part in the operation according to the arrangements agreed in Helsinki, i.e.:

- the non-EU European NATO members will participate if they so wish, in the event of an operation requiring recourse to NATO assets and capabilities. They will, on a decision by the Council, be invited to take part in operations where the EU does not use NATO assets.
- other countries which are candidates for accession to the EU may also be invited by the Council to take part in EU-led operations once the Council has decided to launch such an operation.

For operations requiring recourse to NATO assets and capabilities, operational planning will be carried out by the Alliance's planning bodies, and for an autonomous EU operation it will be carried out within one of the European strategic level headquarters. For operations requiring recourse to NATO assets, the non-EU European allies will be involved in planning according to the procedures laid down within NATO. For autonomous operations in which they are invited to take part, the candidate countries and non-EU European allies may send liaison officers to the European Military Staff bodies at strategic level for exchanges of information on operational planning and the contributions envisaged. The States concerned will provide the EU with an initial indication of their contribution, which will then be further specified during exchanges with the Operation Commander assisted by the EUMS.

These exchanges will make it possible to establish the significant nature of the national contributions proposed and their suitability as regards the requirements of the EU-led operation.

The countries concerned will confirm the level and quality of their national contribution at the Force Generation Conference, following which the operation will be formally launched and the Committee of Contributors established.

(C) Committee of Contributors

The Committee of Contributors will play a key role in the day-to-day management of the operation. It will be the main forum for discussing all problems relating to day-to-day management having regard to the measures taken by the PSC in this field. The deliberations of the Committee of Contributors will constitute a positive contribution to those of the PSC.

In this connection:

- it will be supplied with detailed information regarding the operation on the ground via the EU bodies responsible for follow-up. It will receive regular information from the Operation Commander who may be heard by the Committee.
- it will deal with the various problems concerning the implementation of the military operation, the use of forces, and all day-to-day management matters which are not exclusively, under the instructions he will have received, the responsibility of the Operation Commander.
- it will provide opinions and recommendations on possible adjustments to operational planning, including possible adjustments to objectives which may affect the situation of forces. It will adopt a position on planning the end of the operation and the withdrawal of forces.

In these areas, the Political and Security Committee, which exercises the political control and strategic direction of the operation, will take account of the views expressed by the Committee of Contributors.

All EU Member States are entitled to be present at the Committee's discussions irrespective of whether or not they are taking part in the operation, but only contributing States will take part in the day-to-day management of the operation. Non-EU European allies and candidate countries deploying significant military forces under an EU-led operation will have the same rights and obligations in terms of day-to-day management of the operation as EU Member States taking part in the operation.

The work of the Committee of Contributors will be conducted without prejudice to consultations in the framework of the single structure including non-EU European NATO members and EU candidate countries.

Depending on the nature of its tasks, the Committee may meet in the appropriate format. For Member States, it may be comprised of representatives on the PSC and on the Military Committee. It will usually be chaired by a representative of the Secretary-General/High Representative or the Presidency, assisted by the Chairman of the Military Committee or his Deputy. The Director of the Military Staff and the Operation Commander may also attend or be represented in the Committee.

The Chairman will be responsible for conveying the outcome of the Committee's discussions to the PSC and to the Military Committee.

The Committee will be consulted by the Military Committee and the PSC on matters relating to planning the end of the operation and the withdrawal of forces. Once the operation is ended, the Committee of Contributors may be requested to provide its assessment of the lessons drawn from the operation.

ANNEX VII to ANNEX VI

STANDING ARRANGEMENTS FOR CONSULTATION AND COOPERATION BETWEEN THE EU AND NATO

I. Guiding principles:

As stated in the conclusions of the Helsinki European Council, the aim in relations between the EU

and NATO is to ensure effective consultation, cooperation and transparency in determining the appropriate military response to crises, and to guarantee effective crisis management. At the Feira European Council it was decided to base consultations with NATO on the following principles:

- Development of consultation and cooperation between the EU and NATO must take place in full respect of the autonomy of EU decision-making.
- The EU and NATO have undertaken further to strengthen and develop their cooperation in military crisis-management on the basis of shared values, equality and in a spirit of partnership. The aim is to achieve full and effective consultation, cooperation and transparency in order to identify and take rapid decisions on the most appropriate military response to a crisis and to ensure efficient crisis-management. In this context, EU-objectives in the field of military capabilities and those arising, for those countries concerned, from NATO's Defence Capabilities Initiative, will be mutually reinforcing.
- While being mutually reinforcing in crisis management, the EU and NATO are organisations of a different nature. This will be taken into account in the arrangements concerning their relations and in the assessment to be made by the EU of existing procedures governing WEU-NATO relations with a view to their possible adaptation to an EU-NATO framework.
- Arrangements and modalities for relations between the EU and NATO will reflect the fact that each Organisation will be dealing with the other on an equal footing.
- In the relations between the EU and NATO as institutions, there will be no discrimination against any of the Member States.

In that spirit, and to place this consultation and cooperation within a true strategic partnership on crisis management, the autonomy of NATO and EU decision-making will be fully respected.

Consultations and cooperation will be developed between the two organisations on questions of common interest relating to security, defence and crisis management, so that crises can be met with the most appropriate military response and effective crisis management ensured.

II. Arrangements for consultation outside times of crisis

1. Regular dialogue will be established between the two organisations to ensure consultation, cooperation and transparency, in particular by holding meetings between the PSC and the North Atlantic Council (NAC) and ministerial meetings, at least once during each Presidency; either organisation may request additional meetings, for which it will propose a draft agenda.

Meetings between the NATO and EU Military Committees may be held as required, at the request of either organisation, with at least one such meeting during each Presidency. These meetings will be held on the basis of specific agendas.

There may also be meetings between subsidiary groups (such as the PCG (7) and the PMG (8), or Military Committee working parties), in the form of ad hoc EU/NATO groups (for example on capabilities) or expert groups along HTF Plus lines, when there is a need for NATO expertise on specific subjects.

The organisational arrangements for these meetings will have to be agreed between the two organisations.

2. When necessary, and in particular where the capabilities and expertise of the Alliance are concerned, the dialogue will be supplemented by inviting NATO representatives to meetings, in accordance with the provisions of the TEU and on a basis of reciprocity. This will apply to the Secretary-General of NATO for ministerial meetings, in particular those attended by Defence Ministers; the Chairman of the NATO Military Committee for meetings of the Military Committee, and, in view of his responsibilities for the European pillar of NATO and his potential role in EU-led operations, DSACEUR (9) for meetings of the Military Committee.

3. Regular contacts between the Secretaries-General, Secretariats and Military Staffs of the EU and NATO will also be a useful contribution to transparency and exchanges of information and documents.

Under this heading there will be:

- contacts between the Secretaries-General or between the Assistant Secretary-General for Political Affairs and the European Union's official responsible for ESDP;
- contacts between NATO's International Staff and the Council Secretariat departments dealing with the ESDP (PPEWU (10), DGE (11), Situation Centre, etc), in particular for preparing for meetings and forwarding documents for such meetings.
- contacts, based on directives from the Military Committee, between experts from the EU Military Staff (EUMS) and their opposite numbers on NATO's Military Staff, in particular for preparing for meetings and forwarding documents for meetings (including planning documents).

All these contacts and exchanges will be the subject of regular reports to the PSC and the EUMC.

III. NATO/EU relations in times of crisis

(A) In the emergency phase of a crisis contacts and meetings will be stepped up, including those at ministerial level if appropriate, so that, in the interests of transparency, consultation and cooperation, the two organisations can discuss their assessments of the crisis and how it may develop, together with any related security problems.

At the request of the PSC, the EUMC will instruct the European Military Staff to determine and prioritise the strategic military options. Having determined the initial general options, the Staff may call on external planning sources, in particular the guaranteed access to NATO planning capabilities, to analyse and refine these options. This contribution will be evaluated by the EUMS, which may commission any additional work that may be necessary.

Should the Union intend to look more closely at an option calling for predetermined NATO assets and capabilities, the PSC will so inform the NAC.

(B) In the event of an operation calling on NATO assets and capabilities (see Appendix to this Annex)

- on the basis of opinions and recommendations from the Military Committee assisted by the EUMS, the PSC will send the designated operation commander, via the Military Committee, strategic directives enabling him to draw up the necessary planning documents for the operation (CONOPS, OPLAN), making use of the guaranteed access to NATO planning capabilities; these planning documents will be submitted to the PSC for approval;
- experts from the two organisations, in liaison with DSACEUR as strategic coordinator, will meet to specify the predetermined NATO assets and capabilities concerned by this option;
- once the predetermined assets and capabilities to be used in the operation have been specified, the EU will forward a request to NATO;
- the hand-over of the predetermined assets and capabilities used in the EU operation, together with the arrangements for making them available and any recall conditions, will be identified at a PSC/NAC meeting;
- throughout the operation the Alliance will be kept informed of the use of NATO assets and capabilities, if necessary by convening a meeting of the PSC and the NAC;
- the commander of the operation will be invited to EUMC meetings to report on the progress of the operation. The Presidency may invite him to attend meetings of the PSC and the GAC;
- having first informed the NAC, the PSC will propose to the Council that the operation be terminated. The EU will terminate the use of NATO assets and capabilities.

(C) In the event of a European Union operation conducted without NATO assets

Throughout the period in which the European Union conducts an operation without NATO

assets, or if NATO conducts a crisis management operation, each organisation will keep the other informed of the general progress of the operation.

Appendix to ANNEX VII to ANNEX VI

**ANNEX TO THE PERMANENT ARRANGEMENTS ON EU/NATO
CONSULTATION AND COOPERATION ON THE IMPLEMENTATION
OF PARAGRAPH 10 OF THE WASHINGTON COMMUNIQUE**

On the basis of decisions adopted by the Alliance at the Washington Summit on 24 April 1999, the European Union suggests that the arrangements between the two organisations for the implementation of Berlin Plus should be as follows:

(1) Guaranteed access to NATO's planning capabilities

The European Union will have guaranteed permanent access (12) to NATO's planning capabilities:

- when the EU examines options with a view to an operation, drawing up its strategic military options can involve a contribution from NATO's planning capabilities;
- in order to provide operational planning for an operation which has recourse to NATO assets and capabilities.

That access will be guaranteed under the following arrangements:

- under the control of the EUMC, the Director-General of the EUMS will send DSACEUR, as part of his responsibilities within NATO's European pillar, technical planning requests to contribute to the drafting of strategic options;
- in the field of operational planning, the Military Staff of the Alliance with responsibility for handling EU requests will be accessible to experts from the Member States who so wish without discrimination;
- in the event of DSACEUR's informing the EU that he cannot at the same time satisfy both the EU request and NATO work on a non-Article V operation, close consultation will take place between the organisations at the appropriate level in order that an acceptable solution for the two organisations in terms of managing priorities and allocating assets may be reached, the final decision lying with NATO;
- should NATO undertake an Article V operation and should it have had to refuse or recall planning capabilities in that context, the EU will have access to those NATO planning capabilities which remain available.

(2) Presumption of availability of pre-identified assets and capabilities

Regarding the pre-identification of assets, work on pre-identifying the collective assets and capabilities of the Alliance which may be used for EU-led operations will be carried out by EU and Alliance experts and will be validated by a meeting of the Military Committees of the two organisations with a view to their approval under each organisation's specific procedures.

If the EU should consider an in-depth study of a strategic option which calls for NATO assets and capabilities, the PSC will inform the NAC.

In the event of an EU operation calling for NATO assets and capabilities, the following procedure for placing those pre-identified assets and capabilities at the disposal of the European Union will be established:

- once the EU has chosen a strategic option, experts from both organisations will meet to determine the pre-identified assets and capabilities which are likely to be used within that operation;
- on a proposal from the EUMC based on a report from the EUMS which takes account of talks with experts, the PSC will forward a request for pre-identified assets and capabilities to the

NAC;

- the NAC will reply to the PSC request. A meeting of experts from the two organisations will examine from the technical viewpoint the extent to which the assets and capabilities proposed by the Alliance match the EU request;
- availability will be formally confirmed at a PSC/NAC meeting in the form of an overall package defining the practical arrangements, including the administrative, legal and financial aspects, for making them available throughout the operation;
- the assets and capabilities will be available to the EU throughout the operation, except in cases where the Alliance has to carry out an Article V operation or a non-Article V operation which has been given priority after consultation between the two organisations;
- new requests which might be made during the operation will go through the same procedure as described for the initial package;
- throughout the operation the EU will inform NATO of the use of the assets and capabilities placed at the EU's disposal, in particular at meetings between the PSC and the NAC and through the intermediary of the Chairman of the EU Military Committee, come to address the Military Committee of the Alliance.

(3) Identification of a series of command options made available to the EU

Discussions will take place between experts from the EU and the Alliance with a view to identifying a series of possible options for the choice of all or part of a chain of command (operation commanders, force commanders, unit commanders and associated Military Staff elements). These discussions will include developing the role of the DSACEUR to enable him to meet his European responsibilities fully and effectively. These discussions will be validated by a meeting of the Military Committees of the two organisations with a view to their approval under each organisation's specific procedures.

- should the EU consider an in-depth study of a strategic option which calls for NATO command options, in particular for the command of the operation, the PSC will inform the NAC;
- after the EU Council has adopted a strategic option and chosen to call upon an operations commander, the PSC will forward to the NAC a request for the command options relating to the operation;
- after the NAC has replied, the Council will appoint the operation commander and, through the intermediary of the PSC, instruct him to activate the chain of command;
- the entire chain of command must remain under the political control and strategic direction of the EU throughout the operation, after consultation between the two organisations. In that framework the operation commander will report on the conduct of the operation to EU bodies only. NATO will be informed of developments in the situation by the appropriate bodies, in particular the PSC and the Chairman of the Military Committee.

ANNEX VII

DECLARATION BY THE EUROPEAN COUNCIL ON THE MIDDLE EAST

The prospect of peace must return to the Middle East.

Nobody can tolerate violence, the suffering of populations or hatred between peoples.

The negotiations must resume. The European Union considers the following essential in this connection:

- the personal commitment of the Israeli Prime Minister and the President of the Palestinian Authority;
- full and immediate compliance with the undertakings which they entered into at Sharm el-Sheikh and Gaza;
- concrete gestures by both parties, with respect, inter alia, to the renunciation of violence and, as

regards Israel, the settlements issue;

- the establishment of a mechanism for confidence-building measures;
- the commencement of work on the spot by the Fact-Finding Commission, in which Mr Solana, Secretary-General/High Representative for the CFSP, will take part;
- an agreement on the setting up of an observer mission.

The European Union has major interests in the Middle East. Its positions have been clearly defined, inter alia at the Berlin European Council meeting in March 1999 and in the European Union's Declaration of 12 September 2000. It is willing to consult with all parties on the means of achieving these objectives with a view to the resumption of negotiations for a peace agreement.

PRESIDENCY CONCLUSIONS

GÖTEBORG EUROPEAN COUNCIL

15 AND 16 JUNE 2001

IV. FOLLOW-UP TO THE TAMPERE EUROPEAN COUNCIL

46. Creating an area of freedom, security and justice remains vitally important for the European citizen. It is essential to implement the full range of policy orientations, priorities and measures endorsed by the Tampere European Council within the set deadlines. Strengthened efforts are required from Member States and the Council to accelerate work between now and the Laeken European Council in December, when a full debate assessing progress will be held.

V. COOPERATING FOR PEACE AND SECURITY

European Security and Defence Policy (ESDP)

47. The European Union is committed to developing and refining its capabilities, structures and procedures in order to improve its ability to undertake the full range of conflict prevention and crisis management tasks, making use of military and civilian means. As reflected in the Presidency report and its annexes adopted by the Council, the development of the ESDP strengthens the Union's capacity to contribute to international peace and security in accordance with the principles of the UN Charter. The European Union recognises the United Nations Security Council's primary responsibility for the maintenance of international peace and security.
48. New concrete targets have been set for civilian aspects of crisis management which should be achieved by 2003 through voluntary contributions. The permanent political and military structures have been established in the Council and the Council Secretariat. Foundations have been laid for the successful conduct of the conferences on military capability improvement and on police capabilities during the next Presidency.
49. Progress has been made in the development of a permanent and effective relationship with NATO. Permanent arrangements for consultation and cooperation have been agreed and implemented, as exemplified by the close cooperation in crisis management in the Western Balkans. Rapid agreement is called for on arrangements permitting EU access to NATO assets and capabilities. NOT FINALISED
- ↓ called for but not secured
50. Arrangements have been implemented concerning the consultation and participation of non-EU European NATO members and other countries which are candidates for accession to the EU, and relations with Canada and other potential partners, such as Russia and Ukraine.
51. The incoming Belgian Presidency is invited to take forward work on all aspects of the ESDP, together with the Secretary-General/High Representative, and to report on progress towards achieving the objective of making the EU quickly operational. Progress must continue so that a decision to that end can be taken as soon as possible and no later than at the European Council in Laeken.

Conflict prevention

52. The European Council endorsed the EU Programme for the Prevention of Violent Conflicts which will improve the Union's capacity to undertake coherent early warning, analysis and action. Conflict prevention is one of the main objectives of the Union's external relations and should be integrated in all its relevant aspects, including the European Security and Defence Policy, development cooperation and trade. Future Presidencies, the Commission and the Secretary-General/High Representative are invited to promote the implementation of the programme and to make recommendations for its further development. The European Council welcomes Swedish readiness to host a regional meeting with organisations involved in conflict prevention in Europe.

EU-UN Cooperation

53. Important decisions have been taken by the Council to reinforce the political dialogue and strengthen cooperation between the European Union and the UN. Substantial progress has been made in building an effective partnership with the UN in the fields of conflict prevention and crisis management as well as development cooperation, humanitarian affairs, asylum policies and refugee assistance. This partnership is further strengthened by the mutually reinforcing approaches to conflict prevention and by ensuring that the European Union's evolving military and civilian capacities provide real added value for UN crisis management activities. The Western Balkans, the Middle East and Africa will be given highest priority in this reinforced cooperation. The conclusion of framework agreements between the European Community and relevant UN organisations will enhance cooperation.
54. The European Council adopted a declaration on prevention of proliferation of ballistic missiles (cf. Annex I).

VI. TRANSATLANTIC RELATIONS

EU-US Relations

55. The presence of the US President George W. Bush in Göteborg on 14 June on the occasion of the EU-USA Summit provided an opportunity to reconfirm the core values and shared objectives which are the foundations of the transatlantic community.
56. Areas identified for further cooperation or joint foreign policy action included the Middle East, the Western Balkans and the Korean peninsula.
57. The EU and the US agreed that climatic change was the most urgent environmental challenge. Both parties noted their disagreement over the Kyoto Protocol and its ratification. However, they both expressed determination to meet national commitments and obligations under the Climate Change Convention. The need for a continued dialogue was recognised. The European Council welcomes the commitment by the US not to block the Kyoto process and to work constructively at the forthcoming COP-6 meeting in Bonn. The EU and US leaders also agreed to establish a High-Level Group of personal representatives on climate change.

ANNEX I**DECLARATION ON PREVENTION OF PROLIFERATION
OF BALLISTIC MISSILES**

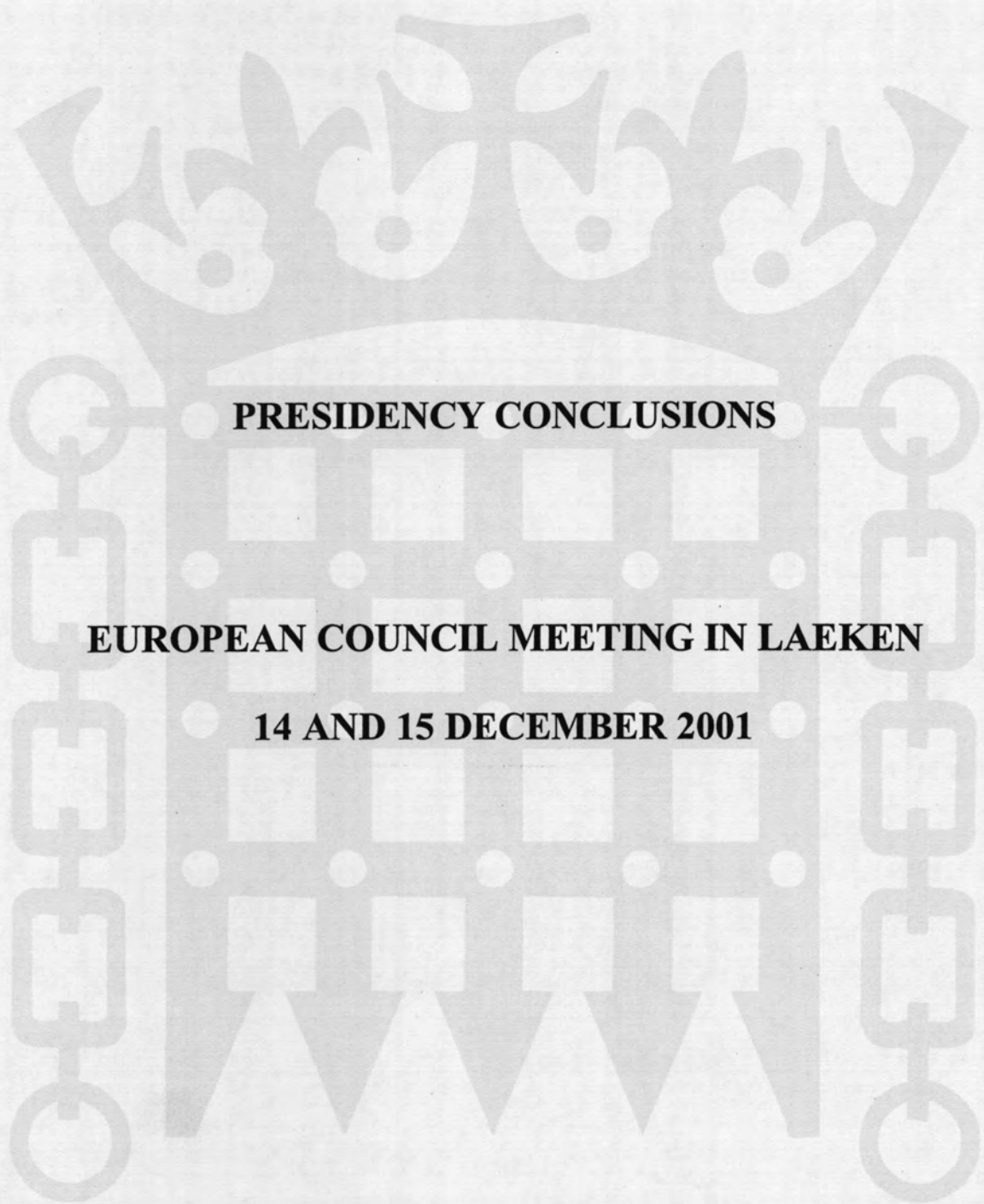
Strengthening international norms and political instruments to prevent the proliferation of weapons of mass destruction and their means of delivery is of prime importance to the EU. We are committed to contributing to the achievement of this goal. We stress the need to maintain strict enforcement of our national export controls and to reinforce the multilateral non proliferation and export control regimes.

As for the particular challenge posed by the proliferation of ballistic missiles, we consider that this commitment should be complemented by a global and multilateral approach, in accordance with the Conclusions of the 14 May 2001 General Affairs Council.

We are of the view that the European Union, which is committed to the reinforcement of disarmament and non proliferation multilateral instruments, should play a leading role in contributing to these efforts.

We invite the Council to adopt without delay a common position on the fight against ballistic missile proliferation based on the universalisation of the international code of conduct proposed by MTCR members. This initiative could lead, in due time, to the convening of an international Conference.

This initiative will be pursued in full transparency with the European Union's key partners.



PRESIDENCY CONCLUSIONS

EUROPEAN COUNCIL MEETING IN LAEKEN

14 AND 15 DECEMBER 2001

Transition to the euro

5. The introduction of euro notes and coins on 1 January 2002 will be the culmination of a historic process of decisive importance for the construction of Europe. Every measure has been taken to ensure that the physical introduction of the euro is a success. The use of the euro on international financial markets should be easier as a result. The euro area now represents a pole of stability for those countries participating in it by protecting them from speculation and financial turmoil. It is strengthening the internal market and contributing to the maintenance of healthy fundamental figures, fostering sustainable growth. The euro is also helping to bring the citizens of the Union closer together by giving visible, concrete expression to the European design. In that regard, the European Council welcomes the recent adoption by the Council and the European Parliament of a Decision intended to reduce substantially the cost of cross-border payments in euro.

The European security and defence policy

6. The European Council has adopted the declaration on the operational capability of the European security and defence policy set out in **Annex II**, as well as the Presidency report. Through the continuing development of the ESDP, the strengthening of its capabilities, both civil and military, and **the creation of appropriate structures within it** and following the military and police Capability Improvement Conferences held in Brussels on 19 November 2001, **the Union is now capable of conducting some crisis-management operations**. The Union is determined to finalise swiftly arrangements with NATO. These will enhance the European Union's capabilities to carry out crisis-management operations over the whole range of Petersberg tasks. In the same way, the implementation of the Nice arrangements with the Union's partners will augment its means of conducting crisis-management operations. Development of the means and capabilities at its disposal will enable the Union progressively to take on more demanding operations.

Enlargement

7. The Commission document entitled "Making a success of enlargement", the regular reports and the revised partnerships for accession are a solid framework for the success of the accession process, which is now irreversible. The Berlin European Council established the financial framework permitting enlargement.

ANNEX II**DECLARATION ON THE OPERATIONAL CAPABILITY
OF THE COMMON EUROPEAN SECURITY AND
DEFENCE POLICY**

- (A) At Nice and Göteborg, the European Council undertook to make the European Union quickly operational in this field and to take a decision to that end no later than at the European Council in Laeken. The extraordinary European Council meeting on 21 September 2001 reaffirmed the objective: "it is by developing the Common Foreign and Security Policy (CFSP) and by making the European Security and Defence Policy (ESDP) operational at the earliest opportunity that the Union will be most effective".

Through the continuing development of the ESDP, the strengthening of its capabilities, both civil and military, and the creation of the appropriate EU structures, the EU is now able to conduct some crisis-management operations. The Union will be in a position to take on progressively more demanding operations, as the assets and capabilities at its disposal continue to develop. Decisions to make use of this ability will be taken in the light of the circumstances of each particular situation, a determining factor being the assets and capabilities available.

- (B) Such a capability to act results from the substantial progress that has been accomplished since the European Councils in Cologne and Helsinki.

CAPABILITIES

The conferences on military and police capabilities have enabled progress to be made towards the achievement of the capability objectives. The Member States have made voluntary contributions on the basis of national decisions. The development of military capabilities does not imply the creation of a European army. Non-EU European Member States of NATO and other candidates for accession to the European Union have made highly valuable additional military and police contributions, with the aim of enhancing European capabilities.

STRUCTURES AND PROCEDURES

On the basis of the approved exercise policy and programme, the Union has begun to test its structures and procedures relating to civilian and military crisis-management operations. The European Union has established crisis-management structures and procedures which enable it to analyse and plan, to take decisions and, where NATO as such is not involved, to launch and carry out military crisis-management operations.

ARRANGEMENTS BETWEEN THE EUROPEAN UNION AND NATO

The Union's crisis-management capability has been strengthened by the development of consultations, cooperation and transparency between the two organisations in crisis management in the Western Balkans.

?
NOT
FINALISED

ARRANGEMENTS WITH ITS PARTNERS

The implementation of the arrangements with the non-EU European Member States of NATO and other candidates for accession to the European Union and with Canada, Russia and Ukraine has been taken further.

NOT FINALISED

- (C) To enable the European Union to carry out crisis-management operations over the whole range of Petersberg tasks, including operations which are the most demanding in terms of breadth, period of deployment and complexity, substantial progress will have to be made:

BALANCED DEVELOPMENT OF MILITARY AND CIVILIAN CAPABILITIES

The balanced development of military and civilian capabilities is necessary for effective crisis management by the Union: this implies close coordination between all the resources and instruments both civilian and military available to the Union.

The strengthening of military capabilities in accordance with the European Action Plan to remedy shortcomings identified and the implementation of the exercise policy will be necessary to enable the Union progressively to carry out more complex operations. The importance of adopting the planned mechanism for the development of military capabilities should be emphasised, in particular to avoid all unnecessary duplication and, for the Member States concerned, to take into account NATO's defence planning process and the planning and review process of the Partnership for Peace (PARP).

The Police Action Plan will be implemented to enable the Union to be capable in the near future of carrying out police operations. The Union will continue its efforts to develop means of rapidly achieving and implementing concrete targets in the following priority areas: rule of law, civilian administration and civil protection.

To achieve these objectives, the Union, and in particular the Ministers responsible, will seek solutions and new forms of cooperation in order to develop the necessary capabilities, in accordance with this report, making optimum use of resources.

FINALISATION OF THE ARRANGEMENTS WITH NATO

The Union intends to finalise the security arrangements with NATO and conclude the agreements on guaranteed access to the Alliance's operational planning, presumption of availability of pre-identified assets and capabilities of NATO and identification of a series of command options made available to the Union. These agreements are essential for the ESDP and will substantially increase the Union's available capabilities.

IMPLEMENTATION OF THE ARRANGEMENTS WITH ITS PARTNERS

The full and complete implementation of the Nice arrangements with the 15 and the 6, their additional contribution to the civilian and military capabilities and their participation in a crisis-management operation in accordance with those arrangements (in particular by setting up a Committee of Contributors in the event of an operation) will appreciably strengthen crisis-management operations carried out by the European Union.